

by a Lease Agreement (herein called the "Lease") dated as of January 1, 1978, and recorded in Book 73 commencing at Page 52 of the Boone County Lease Records, all as contemplated by and in the Original Bond Legislation; and

WHEREAS, by an Ordinance duly adopted on December 27, 1979 (herein called the "Supplemental Bond Legislation"), the Issuer authorized the issuance of additional First Mortgage Revenue bonds in the amount of \$550,000 (the "Series 1980 Bonds") for the purpose of paying the costs of constructing an addition to Lessee's existing facility (herein called the "Addition"); and

WHEREAS, the Series 1980 Bonds were secured by a supplemental Mortgage and Indenture of Trust (the "Supplemental Indenture") between the Issuer and the Trustee, dated as of January 1, 1980, and recorded in Book 197 commencing at Page 437 of the Boone County Mortgage Records; and

WHEREAS, in connection with the issuance of the Series 1980 bonds, the Issuer and the Lessee entered into a Supplemental Lease Agreement (the "Supplemental Lease") dated as of January 1, 1980, and recorded in Book 79 commencing at Page 65 of the Boone County Lease Records, all as contemplated by and in the Supplemental Bond Legislation; and

WHEREAS, pursuant to the terms of the Lease, the Indenture and the Supplemental Indenture, the Issuer, at the request at any time of the Lessee, is required to take all steps necessary to effect redemption of all or part of the then outstanding Series 1978 Bonds and Series 1980 Bonds (collectively, the "Project Bonds"), provided the Lessee is not in default in the payment of rent under Section 5.13 of the Lease, and the moneys in the Bond Fund created in Section 5.02 of the Indenture will be, at the time of redemption, sufficient to effect such redemption; and

WHEREAS, the Lessee has exercised its option to direct the Issuer to redeem all of the outstanding Project Bonds pursuant to the terms of the Lease, the Indenture and the Supplemental Indenture; and

WHEREAS, the Lessee is not in default in the payment of rent under Section 5.13 of the Lease, and the moneys in the Bond Fund created in Section 5.02 of Indenture will be, at the time of the redemption, sufficient to effect a redemption of all of the outstanding Project Bonds; and

WHEREAS, the Lessee has given written notice to the Issuer of the exercise of its option to purchase the Project and terminate the Lease, pursuant to Section 11.1 of the Lease;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Lebanon, Indiana, that:

Section 1. Pursuant to the provisions of Section 3.01 of the Indenture, Section 9.4 of the Lease, and the Supplemental Indenture, the