

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LEBANON as follows:

Section 1. The issuance of Storm Water District bonds proposed by the Department of Storm Water Management of the City of Lebanon, Indiana, to procure funds to be applied toward the cost of construction of the Surface and Storm Water Projects, consisting of the Small Reynolds Ditch, Prairie Creek and Wysong Tile improvements, together with expenses incurred in connection with those projects and the issuance of such bonds, is in the best interests of and will be for the general benefit of the City of Lebanon, Indiana, and its citizens, and those projects should be built and funded in whole or in part by the issuance of such bonds in an amount not to exceed \$4,850,000.

Section 2. In order to establish and protect a tax preferred status for the interest payable on those bonds and to create the resulting inducement to the purchasers of those bonds, the City, for valuable consideration and with the understanding that the bond purchasers and holders will rely thereon, by this Ordinance does represent and covenant as follows:

- (1) The City is a governmental unit with general taxing powers;
- (2) The bonds are not private activity bonds as defined in Section 141 of the Code;
- (3) At least 95% of the net proceeds of the bonds will be used for local governmental activities of the City or