

BOARD OF SANITARY COMMISSIONERS
MUNCIE SANITARY DISTRICT

DECLARATORY RESOLUTION NO. 2014-01

A Declaratory Resolution of the Board of Sanitary Commissioners of the Muncie Sanitary District determining to acquire, construct, repair and install certain additions and improvements to the sewage works of the Sanitary District and other matters related thereto

WHEREAS, the Board of Sanitary Commissioners (the "Board") of the Muncie Sanitary District (the "Sanitary District") of the City of Muncie, Indiana (the "City"), operating pursuant to Indiana Code 36-9-25, finds after investigation of the Sanitary District's sewage works that there are areas identified in the reports filed with the Board being polluted by the discharge of sewage, drainage, or other harmful matter and that it is necessary for the public health and welfare and will be of public utility and benefit to undertake the acquisition, construction and installation of certain additions and improvements to the sewage works of the Sanitary District as more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Project");

WHEREAS, the Project will be undertaken by the Sanitary District pursuant to an energy savings contract with a qualified provider in accordance with Indiana Code 36-1-12.5;

WHEREAS, the estimated cost of acquisition, construction, repair and installation of the Project, based upon estimates of the engineers for the Sanitary District, and including incidental expenses is \$10,000,000;

WHEREAS, the Board finds that the Project shall be financed by the issuance of revenue bonds of the Sanitary District and, if necessary, bond anticipation notes, and that the costs of the Project to be financed thereby shall not exceed \$10,000,000;

WHEREAS, the Board has caused to be prepared general plans, maps, specifications, drawings, details, descriptions and estimates for the Project, including plats showing the general scope of the Project and the location and bounds of all real property considered necessary to be acquired or removed, or that would be injuriously affected in connection with the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SANITARY COMMISSIONERS OF THE MUNCIE SANITARY DISTRICT THAT:

Section 1. The Board hereby preliminarily finds and determines that it is necessary for the public health and welfare and will be of public utility and benefit to acquire, construct, repair and install the Project, together with the necessary appurtenances, related improvements and equipment, and the incidental expenses in connection with the Project. The Board will proceed with the acquisition, construction and installation of the Project in accordance with the reports and plans heretofore prepared by the consulting engineers of the Sanitary District, which reports and plans are on file with the Board and are hereby approved and adopted. The reports and plans for the Project are open to public inspection in the office of the Sanitary District. The

Project will be undertaken by the Sanitary District pursuant to an energy savings contract with a qualified provider in accordance with Indiana Code 36-1-12.5.

Section 2. The Board hereby determines to take all actions necessary to cause the issuance of revenue bonds of the Sanitary District and, if necessary, bond anticipation notes to pay for all expenses in connection with the acquisition, construction and installation of the Project and incidental expenses incurred in connection therewith, including costs of issuance of the bonds and, if necessary, bond anticipation notes.


Section 3. The estimated costs of the Project and incidental expenses incurred in connection therewith, including costs of issuance of the revenue bonds and, if necessary, bond anticipation notes, for the Project will not exceed Ten Million Dollars (\$10,000,000).

Section 4. On April 16, 2014, at 10:00 a.m. in the City Hall, in the City of Muncie, Indiana, the Board will meet and will receive and hear remonstrances from persons interested in or affected by such proceedings and will take final action to determine the public utility and benefit of the proposed Project and will confirm, modify and confirm, or rescind this Declaratory Resolution. Notice of such public hearing shall be published in accordance with Indiana Code 5-3-1 and Indiana Code 36-9-25-18.

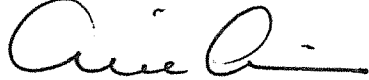
Section 5. This Declaratory Resolution shall be in full force and effect from and after its passage and shall be filed with and be open to the public for inspection at the office of the Sanitary District.

Adopted this 20th day of March, 2014.

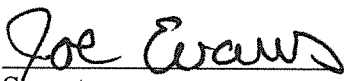
BOARD OF SANITARY COMMISSIONERS
SANITARY DISTRICT OF THE
CITY OF MUNCIE, INDIANA



President

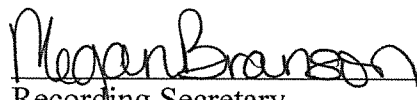


Vice-President



Secretary

ATTEST:



Recording Secretary

EXHIBIT A

Description of Project

The Project includes the acquisition, construction, repair and installation of energy related upgrades at facilities owned by the Sanitary District including drainage, sanitary, storm water infrastructure and related improvements.