

BOARD OF SANITARY COMMISSIONERS
MUNCIE SANITARY DISTRICT

DECLARATORY RESOLUTION NO. 2017-24

A Declaratory Resolution of the Board of Sanitary Commissioners of the Muncie Sanitary District determining to construct 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 construction 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 "Projects"); and

WHEREAS, the estimated cost of construction of the Projects, based upon estimates of the engineers for the Sanitary District and including contingencies and incidental expenses, is \$53,560,000; and

WHEREAS, the Board finds that the Projects shall be financed by the issuance of revenue bonds of the Sanitary District and, if necessary, bond anticipation notes, in an aggregate principal amount not to exceed Fifty Three Million Thirty Thousand Dollars (\$53,560,000); and

WHEREAS, the Board has caused to be prepared general plans, maps, specifications, drawings, details, descriptions and estimates for the Projects, including plats showing the general scope of the Projects 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 Projects.

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 construct the Projects, together with the necessary appurtenances, related improvements and equipment, and the incidental expenses in connection with the Projects. The Board will proceed with the construction of the Projects 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 Projects are open to public inspection in the office of the Sanitary District.

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 construction of the Projects 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 Projects, contingencies and incidental expenses incurred in connection therewith, including costs of issuance of the revenue bonds and, if necessary, bond anticipation notes, will not exceed Fifty Three Million Five Hundred Sixty Thousand Dollars (\$53,560,000).

Section 4. On November 21, 2017, at 11:30 a.m. in the Auditorium of the City Hall, 300 North High Street, 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 Projects 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 8th day of November, 2017.


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



William B. Smith, President



Michael R. Cline, P.E., Vice President



Joseph Evans, Secretary

ATTEST:



Megan Huff, Recording Secretary

EXHIBIT A

Description of Projects

The Projects includes the design, construction and installation of the following improvements of the Sanitary District: (1) CSOLTCP Projects – (i) CSO 028 sewer separation (phase 2), (ii) CSO Basins 007, 009 & 013 sewer separation and (iii) WPCF – 60MGD peak flow capacity expansion; (2) Sanitary Sewer Projects – (i) Cowan area sewers (phase 2), (ii) East White River sewer interceptor rehabilitation and (iii) South Burlington Drive sewer extension; (3) Stormwater (SW) Utility Projects – (i) South Vine Street SW Pump Station (PS) & Force Main, (ii) Whitely SW Retention & Water Quality basins and (iii) Liberty SW Canal (phase 2) and (4) MSD miscellaneous projects – (i) CNG facility expansion and (ii) New Sanitation Vehicle Storage & Recycling Center Facility. The Projects shall include all the necessary construction inspection and construction engineering services.