

BOARD OF SANITARY COMMISSIONERS  
MUNCIE SANITARY DISTRICT

DECLARATORY RESOLUTION NO. 2019-~~09~~

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, on November 8, 2017, 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 (the "Act"), adopted its Declaratory Resolution No. 2017-24 (the "Original Declaratory Resolution"), determining to proceed with the construction of the projects described therein (the "Original Projects"); and

WHEREAS, on November 21, 2017, following a public hearing thereon in accordance with the Act, the Board adopted its Confirmatory Resolution No. 2017-26 confirming in all respects the Original Declaratory Resolution; and

WHEREAS, on December 22, 2017, the Sanitary District issued its Sanitary District Bond Anticipation Notes, Series 2017 in the par amount of Twenty Million Eight Hundred Forty Thousand Dollars (\$20,840,000) to provide financing for a portion of the Original Projects described in the Original Declaratory Resolution; and

WHEREAS, the Board now finds after investigation of the Sanitary District's sewage works that the description of the Original Projects in the Original Declaratory Resolution should be amended to include as an additional project (the "New Project") the acquisition and improvement of a new headquarters building and sanitation maintenance facility for the Sanitary District; and

WHEREAS, the Board finds that the addition of the New Project will be of public health and welfare and will be of public utility and benefit to the sewage works of the Sanitary District; and

WHEREAS, the estimated costs of the New Project, based upon estimates of the engineers for the Sanitary District and including contingencies, incidental expenses and capitalized interest, is Seventeen Million Dollars (\$17,000,000); and

WHEREAS, the Board finds that the New Project 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 Seventeen Million Dollars (\$17,000,000); and

WHEREAS, the Board has caused to be prepared general plans, maps, specifications, drawings, details, descriptions and estimates for the New Project, including plats showing the general scope of the New 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 New 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 construct the New Project, together with the necessary appurtenances, related improvements and equipment, and the incidental expenses in connection with the New Project, including capitalized interest. The Board will proceed with the construction of the New 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 New Project 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 New Project and incidental expenses incurred in connection therewith, including capitalized interest and costs of issuance of the bonds and, if necessary, bond anticipation notes.

Section 3. The estimated cost of the New Project, together with contingencies and incidental expenses incurred in connection therewith, including capitalized interest and costs of issuance of the revenue bonds and, if necessary, bond anticipation notes, will not exceed Seventeen Million Dollars (\$17,000,000).

Section 4. On August 14, 2019, 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 New 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.

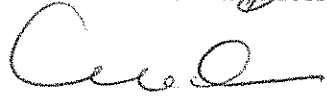
Section 5. The Original Declaratory Resolution is hereby amended to include the New Project.

Section 6. 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 31<sup>st</sup> day of July, 2019.

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

  
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William B. Smith, President

  
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Michael Cline

  
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Joseph Evans

ATTEST:

  
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Megan Huff, Recording Secretary