

BOARD OF SANITARY COMMISSIONERS
MUNCIE SANITARY DISTRICT

DECLARATORY RESOLUTION NO. 2021-03

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, as amended (the "Act"), 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 (collectively, the "Project"); and

WHEREAS, the estimated cost of construction of the Project, based upon estimates of the engineers for the Sanitary District and including contingencies and incidental expenses is \$30,000,000; and

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 \$30,000,000; and

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 construct 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 construction 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.

Section 2. The Board hereby determines to take all actions necessary to cause the issuance of one or more series 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 Project and incidental expenses incurred in connection therewith, including costs of issuance of the bonds and, if necessary, bond anticipation notes.

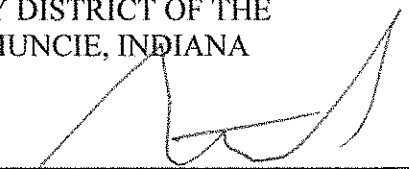
Section 3. The estimated costs of the Project and incidental expenses incurred in connection therewith, including costs of issuance of the revenue bonds and, if necessary, bond anticipation notes for the Project, will not exceed Thirty Million Dollars (\$30,000,000). The revenue bonds may be issued concurrently with, or as part of, additional revenue bonds of the Sanitary District issued to refinance outstanding obligations of the Sanitary District previously incurred to finance and/or refinance improvements constructed by the Sanitary District in accordance with the Act.

Section 4. On February 24, 2021, 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 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.

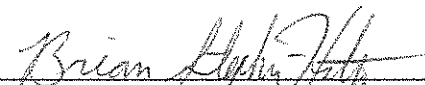
Section 5. This Declaratory Resolution shall be in full force and effect from and after its passage and shall be filed with and be open to the public for inspection at the office of the Sanitary District.

Adopted this 10th day of February, 2021.

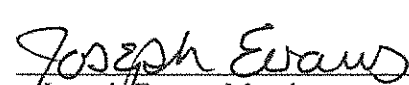
BOARD OF SANITARY COMMISSIONERS
SANITARY DISTRICT OF THE
CITY OF MUNCIE, INDIANA



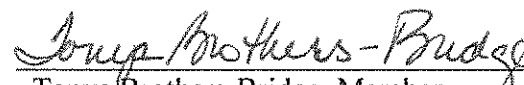
Stephen Brand, President



Brian Stephens-Hotopp, Vice-President



Joseph Evans, Member



Tonya Brothers-Bridge, Member



David Smith, Member

ATTEST:



Megan Huff, Recording Secretary

EXHIBIT A

Description of Project

- **CSO 007 Partial Separation** - CSO 007 is located at the North end of the High Street bridge. Sanitary sewer separation and stormwater improvements will take place in the area bounded by Wheeling Avenue, Neely Avenue, Ace Street and Pauline Street. Reduction of CSO overflow events and drainage issues will be the main focus of this project.
- **CSO 013 Partial Separation** – CSO 013 is located at the southern terminus of College Avenue. Sanitary sewer separation will take place from White River Blvd. north to Main Street between McKinley and Nichols Avenue. Reduction of CSO overflow events and improvements in stormwater drainage is the impetus for this project.
- **CSO 023 Partial Sewer Separation** – CSO 023 is located at the southern terminus of Elliott Street, discharging into Buck Creek. Main impetus of this project is to improve drainage in the area from Buck Creek to 13th Street, between Elliott and Birch Streets.
- **CSO 028 Continuation Separation Project** – CSO 028 is located on High Street, west of High Street bridge. This project is a continuation of a separation project began in 2016, encompassing a large portion of the Downtown Muncie area.