

BOARD OF COUNTY COMMISSIONERS
COUNTY OF BUCKS

ORDINANCE NO. 67
Adopted July 17, 1985

AUTHORIZING AND DIRECTING INCURRING OF NONELECTORAL DEBT THROUGH ISSUANCE OF GENERAL OBLIGATION BONDS OF COUNTY OF BUCKS IN AGGREGATE PRINCIPAL AMOUNT OF \$33,950,000 FOR PURPOSES OF REFUNDING CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS ISSUED BY THE COUNTY AND PROVIDING FUNDS FOR PAYMENT OF COSTS OF ISSUANCE AND FOR CAPITAL EXPENDITURES OF STATED USEFUL LIFE; AUTHORIZING AND DIRECTING ISSUANCE OF BONDS AND DESCRIBING SAME; FIXING MANNER OF EXECUTION OF BONDS; STATING CERTAIN PAYMENT PROVISIONS AND ASSUMING PAYMENT OF CERTAIN TAXES IF NECESSARY; SETTING FORTH INTEREST RATES AND MATURITY DATES AND AMOUNTS OF BONDS; SETTING FORTH AND APPROVING FORM OF BOND; AWARDED BONDS AT PRIVATE SALE BY NEGOTIATION; COVENANTING AS TO ARBITRAGE; COVENANTING TO INCLUDE DEBT SERVICE IN ANNUAL BUDGETS, TO MAKE APPROPRIATIONS AND TO PAY SAME EACH FISCAL YEAR PUNCTUALLY AND PLEDGING FULL FAITH, CREDIT AND TAXING POWER OF COUNTY; APPOINTING SINKING FUND DEPOSITARY AND PAYING AGENT; APPROVING ENTRY INTO ESCROW AGREEMENT WITH ESCROW AGENT FOR THE PURPOSE OF EFFECTUATING THE REFUNDING PROGRAM; APPOINTING THE ESCROW AGENT; AUTHORIZING AND DIRECTING PREPARATION, VERIFICATION AND FILING OF REQUIRED DEBT STATEMENT AND PROVIDING FOR CERTIFICATION AND FILING OF PROCEEDINGS WITH PENNSYLVANIA DEPARTMENT OF COMMUNITY AFFAIRS; APPROVING FORM OF OFFICIAL STATEMENT; AUTHORIZING PREPARATION, PRINTING, EXECUTION AND DELIVERY OF BONDS AND OTHER DOCUMENTS AND SUCH OTHER ACTION AS MAY BE NECESSARY TO EFFECTUATE ISSUANCE, SALE AND DELIVERY OF BONDS; AUTHORIZING OBTAINING OF MUNICIPAL BOND INSURANCE; STATING AUTHORITY FOR ADOPTION OF ORDINANCE AND APPLYING MANDATORY PROVISIONS OF LOCAL GOVERNMENT UNIT DEBT ACT WHETHER OR NOT SET FORTH; STATING THAT ORDINANCE IS CONTRACT WITH REGISTERED OWNERS OF BONDS AND REMEDIES THERETO ENTITLED; PROVIDING FOR AMENDMENT OF ORDINANCE; SETTING FORTH SEVERABILITY CLAUSE; STATING THAT COVENANTS ARE FOR SOLE AND EXCLUSIVE BENEFIT OF COUNTY AND REGISTERED OWNERS OF BONDS; SETTING EFFECTIVE DATE OF ORDINANCE; AND RESCINDING, CANCELING AND ANNULLING INCONSISTENT ORDINANCES AND RESOLUTIONS.

WHEREAS, the Board of County Commissioners, Bucks County, Pennsylvania (the "County") has previously financed the cost of certain projects in the County as set forth on Exhibit A by issuance of General Obligation Bonds issued in 1960, 1962, 1964, 1966, 1974, 1980, 1984 and 1985 in the original aggregate principal amounts of \$45,450,000 (the "Refunded Bonds"); and

WHEREAS, the County has received a refunding study prepared by Dolphin & Bradbury, Philadelphia, Pennsylvania, investment bankers, which indicates that a savings to the County can be effected by advance refunding of the Refunded Bonds by issuance of general obligation bonds of the County (the "Refunding Program"); and

WHEREAS, the County has determined that issuance of General Obligation Bonds (the "Bonds") in an amount sufficient to provide funds for the Refunding Program and for the costs and expense of the financing plus approximately \$617,130 for application to capital expenditures of the County with a minimum life of five years (collectively the "Purposes") is necessary and advisable and is in the best financial interest of the County; and

WHEREAS, the proceeds of the Bonds, together with other funds of the County, will be sufficient to invest a part thereof to pay the principal of and interest on the Refunded Bonds until redeemed or paid at maturity, and to pay the costs and expenses of the financing, plus to provide funds in the approximate amount of \$617,130 for application to capital expenditures of the County; and

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WHEREAS, the County has determined that the private sale by negotiation of the Bonds for the Purposes is in the best financial interest of the County; and

WHEREAS, the increase of debt to be authorized hereby, and the existing net debt of the County, as determined under the provisions of Article II of the Local Government Unit Debt Act, Act No. 185 of July 12, 1972, P.L. 781, as amended and reenacted, 53 P.S. S6780-1 et seq. (the "Act"), do not in the aggregate exceed the limitations of the Act; and

WHEREAS, the County has received a proposal dated July 17, 1985 (the "Purchase Proposal") for the purchase at private sale of its general obligation bonds in a principal amount of \$33,950,000 (the "Bonds") from Dolphin & Bradbury of Philadelphia, Pennsylvania (the "Purchaser"), which Bonds are to be issued in accordance with the terms and conditions of the Purchase Proposal and as described in the form of the County's Official Statement, (The "Official Statement") which has been submitted concurrently with the Purchase Proposal and which contains reports of the material and essential facts relating to the County in connection with the issuance and sale of the Bonds, and the Board of Commissioners desires to accept such proposal and to authorize and direct certain acts which are necessary and proper to effectuate the issuance, sale and delivery of the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners as follows:

Section 1. An increase in the authorized nonelectoral debt of the County is hereby authorized and directed in an amount of \$33,950,000, which increase together with the existing net debt of the County and the reduction of debt due to the advance refunding of the Refunded Bonds will not result in a violation of the limitations of the Constitution of the Commonwealth of Pennsylvania or of the Act, through the issuance of general obligation bonds of the County in an aggregate principal amount of \$33,950,000 designated "County of Bucks General Obligation Bonds, Second Series of 1985," issued for the purpose of providing funds to pay the costs of issuance of the Bonds, and for and toward the Refunding Program as set forth in detail in the recital hereto and incorporated herein by reference and hereby approved as if recited herein at length, subject to modification by subsequent resolution of the Board of Commissioners as provided in Section 403 of the Act. The amount of the savings resulting from the refunding (in the approximate amount of \$617,130) shall be applied to capital expenditures of the County with a minimum useful life of five years, for which realistic cost estimates have been received including land and building improvements and acquisition and acquisition of furniture, fixtures and vehicular equipment. The realistic estimated useful life of such capital expenditures project (the "Capital Expenditures Project") is a minimum of five years and Bonds in aggregate principal amount in excess of the amount of such Capital Expenditures Project mature prior to the end of such minimum useful life of five years.

Section 2. The private sale by negotiation of the Bonds to finance the Refunding Program and the costs and expenses of the financing and the Capital Expenditures Project is hereby determined to be in the best financial interest of the County.

Section 3. The maturity dates of the Bonds shall not extend beyond the maturity dates of the Refunded Bonds.

Section 4. The execution, issuance, sale and delivery of the Bonds, as evidence of such increase of nonelectoral debt, is hereby authorized and directed. The Bonds shall be issued in fully registered form, without coupons, in the denomination of \$5,000 each or any integral multiple thereof, dated and bearing interest from August 15, 1985, payable until maturity or redemption, on February 15 and August 15 of each year, commencing February 15, 1986, shall mature in the amounts and on the dates as set forth in Section 7 hereof, and be subject to redemption prior to maturity at the times, in the manner, on the dates, and upon the terms and conditions set forth in the form of bond in Section 8 hereof.

Section 5. The Bonds shall be executed by the facsimile signature of at least two of the Commissioners, shall have a facsimile of the corporate seal of the County affixed thereto, duly attested by the facsimile signature of the Chief Clerk (or any duly appointed successor Acting Chief Clerk appointed for such purposes) of said County and shall be authenticated by the certificate endorsed thereon, manually signed by a duly authorized officer of the Paying Agent hereinafter designated.

Section 6. Interest on the Bonds, if any, shall be payable by check or draft drawn on the Paying Agent hereinafter appointed and mailed to the registered owner of the Bonds as appears on the registration books of the Paying Agent, as provided for herein, as of the last day of the calendar month next preceding the interest payment date(s) specified hereinafter. The principal of the Bonds shall be payable to the registered owner or assignee when due, upon surrender of the Bonds at the principal corporate trust office of the Sinking Fund Depository and Paying Agent hereinafter appointed, or at the principal office of any successor appointed by the County pursuant to the Act, in such coin or currency of the United States of America which at the respective times of payment is legal tender for the payment of public and private debts, without deduction of any tax or taxes (except gift, estate, succession or inheritance taxes or any other taxes not levied directly on the Bonds, the transfer thereof, the income therefrom, or the realization of profits on the sale thereof) which the County or the Treasurer thereof may be required to pay thereon or retain therefrom under or by virtue of any present or future law of the Commonwealth of Pennsylvania, all of which taxes, except as herein provided, the County assumes and agrees to pay.

Section 7. The Bonds shall bear interest, until maturity or redemption, at the rates per annum, and shall mature in the amounts and on August 15 of certain years, as set forth on the Bond Amortization Schedule attached hereto as Exhibit B and incorporated herein by reference.

Section 8. The forms of the Bonds maturing August 15 of the years 1986 to August 15, 2003, inclusive, the Paying Agent's authentication certificate and the notation for registration, hereby approved, shall be with appropriate insertions, omissions and variations substantially as follows:

BOND PURCHASE PROPOSAL
COUNTY OF BUCKS
Pennsylvania
General Obligation Bonds, Second Series of 1985
Schedule of Principal and Interest Payments

Fiscal Year	Principal Repayments	Interest Rates	Interest Payments	Principal and Interest
1986	\$ 1,295,000	5.00%	\$ 2,543,895.00	\$ 3,838,895.00
1987	1,570,000	5.50	2,479,145.00	4,049,145.00
1988	2,220,000	6.00	2,392,795.00	4,612,795.00
1989	2,435,000	6.50	2,259,595.00	4,694,595.00
1990	2,615,000	7.00	2,101,320.00	4,716,320.00
1991	2,795,000	7.20	1,918,270.00	4,713,270.00
1992	2,985,000	7.40	1,717,030.00	4,702,030.00
1993	3,215,000	7.60	1,496,140.00	4,711,140.00
1994	3,460,000	7.90	1,251,800.00	4,711,800.00
1995	3,730,000	8.20	978,460.00	4,708,460.00
1996	725,000	8.40	672,600.00	1,397,600.00
1997	785,000	8.50	611,700.00	1,396,700.00
1998	855,000	8.70	544,975.00	1,399,975.00
1999	890,000	8.80	470,590.00	1,360,590.00
2000	960,000	8.90	392,270.00	1,352,270.00
2001	1,040,000	8.95	306,830.00	1,346,830.00
2002	1,140,000	9.00	213,750.00	1,353,750.00
2003	1,235,000	9.00	111,150.00	1,346,150.00
Totals	\$33,950,000		\$22,462,315.00	\$56,412,315.00

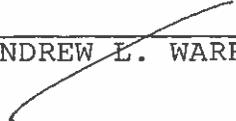
- Notes: (1) Interest accrues from August 15, 1985.
(2) Principal amounts are due August 15.
(3) The fiscal year ends December 31.

ENACTED by the Board of County Commissioners this 17th. day of July 1985.

BOARD OF COMMISSIONERS OF
COUNTY OF BUCKS


CARL F. FONASH, CHAIRMAN


LUCILLE M. TRENCH


ANDREW L. WARREN

Attest: 
CHIEF CLERK