

CITY OF GIG HARBOR, WASHINGTON

LIMITED TAX LEVY GENERAL OBLIGATION BONDS, 1985

\$179,000

ORDINANCE No. 456

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, PROVIDING FOR THE ISSUANCE AND SALE OF LIMITED TAX LEVY GENERAL OBLIGATION BONDS OF THE CITY IN THE PRINCIPAL SUM OF \$179,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING A CITY OFFICE BUILDING; PROVIDING THE DATE, FORM, TERMS AND MATURITIES OF SAID BONDS; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF SALE OF SUCH BONDS; PROVIDING FOR THE ANNUAL LEVY OF TAXES TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR THE SALE THEREOF.

PASSED: January 28, 1985

Prepared By:

PRESTON, THORGRIMSON, ELLIS & HOLMAN
SEATTLE, WASHINGTON

CITY OF GIG HARBOR, WASHINGTON

ORDINANCE NO. 456

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*Neither this Table of Contents nor the preceding cover page
is a part of this ordinance.

ORDINANCE No. 456

AN ORDINANCE of the City Council of the City of Gig Harbor, Washington, providing for the issuance and sale of limited tax levy general obligation bonds of the City in the principal sum of \$179,000, for the purpose of providing funds to pay the cost of acquiring, constructing and installing a City office building; providing the date, form, terms and maturities of said bonds; providing for the disposition of the proceeds of sale of such bonds; providing for the annual levy of taxes to pay the principal of and interest on said bonds; and providing for the sale thereof.

WHEREAS, the City Council (the "Council") of the City of Gig Harbor, Washington (the "City"), deems it necessary and in the best interest of the citizens of the City to acquire, construct and equip a building for the Streets and Park and Recreation Departments; and

WHEREAS, in order to provide the moneys required it is deemed necessary and advisable that the City issue and sell its limited tax levy general obligation bonds in the amount of \$179,000; and

WHEREAS, the City Council has received an offer to purchase said bonds pursuant to the terms and conditions contained herein and desires to accept such offer;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON DO ORDAIN, as follows:

Section 1. Definitions. As used in this ordinance, the following words shall have the following meanings, unless a different meaning clearly appears from the context.

"Bond Fund" means the "City of Gig Harbor Limited Tax Levy General Obligation Bond Redemption Fund, 1985" created by Section 5 of this ordinance.

"Bond Register" means the books or records maintained by the Bond Registrar containing the name and mailing address of the

owner of each Bond or nominee of such owner and the principal amount and number of Bonds held by each owner or nominee.

"Bond Registrar" means the fiscal agencies of the State of Washington, currently Seattle-First National Bank, Seattle, Washington, and J. Henry Schroder Bank & Trust Company, New York, New York, or any fiscal agent of the State of Washington that may hereafter be designated as successor to such banks.

"Bonds" means the \$179,000 principal amount of the City of Gig Harbor, Washington, Limited Tax Levy General Obligation Bonds, 1985, issued pursuant to this ordinance for the purpose of paying the costs of the Project.

"City" means the City of Gig Harbor, Washington, a municipal corporation duly organized and existing under and by virtue of the Constitution and laws of the State of Washington.

"Council" means the general legislative authority of the City as the same shall be duly and regularly constituted from time to time.

"Project" means the acquisition, construction and equipping of a building to be used for the Streets and Park and Recreation Departments, as such Project is authorized by Section 2 of this ordinance.

"Treasurer" means the Treasurer of the City of Gig Harbor, Washington, or any successor to the functions of such Treasurer.

Section 2. Findings and Authorization of Project. It is hereby found and declared that the public interest and benefit of the inhabitants of the City require the City to acquire, construct and equip a building outside the boundaries of the City at the location described on Exhibit "A" attached hereto and incorporated by this reference herein for the Streets and Park and Recreation Departments (the "Project"). The acquisition, construction and equipping of the Project is hereby authorized. The estimated

cost of the Project and of all costs incidental thereto and to the issuance of the Bonds is hereby declared to be as nearly as practicable the sum of \$179,000, which shall be provided from the proceeds of sale of the Bonds and other cash on hand and available therefor.

Section 3. Authorization of Bonds. The City hereby authorizes the issuance and sale of the Bonds in the aggregate principal amount of \$179,000 to provide the funds necessary to pay the cost of the Project and all costs incidental thereto and to the issuance of the Bonds. The Bonds shall be general obligations of the City; shall be designated "City of Gig Harbor, Washington, Limited Tax Levy General Obligation Bonds, 1985," shall be dated as of January 1, 1985; shall be issued in fully registered form in the denomination of \$5,000 or an integral multiple thereof, except for one Bond maturing in 1985, which shall be in the denomination of \$4,000 and provided, further, that no Bond shall represent more than one maturity, shall be numbered separately and in the manner and with any additional designation as the Bond Registrar deems necessary for purposes of identification; shall bear interest from their date, until the Bonds have been paid or their payment duly provided for, at the following rates payable on June 1, 1985, and semiannually thereafter on the first day of each June and December; and shall mature on December 1 of each year as follows:

<u>Maturity Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
1985	\$ 9,000	7.25%
1986	10,000	7.75%
1987	15,000	8.25%
1988	15,000	8.75%
1989	15,000	9.00%
1990	20,000	9.25%
1991	20,000	9.50%
1992	20,000	9.75%
1993	25,000	9.90%
1994	30,000	10.00%

The City hereby specifies and adopts the system of registration for the Bonds approved by the State Finance Committee, and

the fiscal agencies of the State of Washington in the cities of Seattle, Washington, and New York, New York, shall act as authenticating trustee, transfer agent, paying agent and registrar for the Bonds (collectively, the "Bond Registrar"). Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America. Interest on the Bonds shall be paid by check or draft of the Bond Registrar mailed (on the date such interest is due) to the registered owners or nominees at the addresses appearing on the Bond Register as of the fifteenth (15th) day of the month prior to the interest payment date. Principal of the Bonds shall be payable upon presentation and surrender of the Bonds to the Bond Registrar by the registered owners or nominees at the principal offices of either of the fiscal agencies of the State of Washington in the cities of Seattle, Washington, or New York, New York.

The Bonds may be transferred only on the Bond Register maintained by the Bond Registrar for that purpose upon the surrender thereof by the registered owner or nominee or his duly authorized agent and only if endorsed in the manner provided thereon, and thereupon a new fully registered Bond of like principal amount, maturity and interest rate shall be issued to the transferee in exchange therefor. Such transfer shall be without cost to the registered owner or transferee. The City may deem the person in whose name each Bond is registered to be the absolute owner thereof for the purpose of receiving payment of the principal of and interest on such Bonds and for any and all other purposes whatsoever.

Upon surrender thereof to the Bond Registrar, the Bonds are interchangeable for Bonds in any authorized denomination of an equal aggregate principal amount and of the same interest rates and maturities.

The Bond Registrar shall not be required to issue, register, transfer or exchange any of the Bonds during a period beginning at the opening of business on the fifteenth (15th) day of the month next preceding any interest payment date and ending at the close of business on the interest payment date, or, in the case of any proposed redemption of the Bonds, after the mailing of notice of the call of such Bonds for redemption.

Section 4. Prior Redemption. The Bonds maturing in 1992 through 1994 are callable for redemption prior to their scheduled maturity in inverse order of maturity and by lot within a maturity, on December 1, 1991 and on any interest payment date thereafter at a price of 102% of the principal amount redeemed plus accrued interest thereon to the date of redemption. Portions of the principal amount of any Bond, in installments of \$5,000 or any integral multiple of \$5,000, may be redeemed. If less than all of the principal amount of any Bond is redeemed, upon surrender of such Bond at the principal office of the Bond Registrar there shall be issued to the registered owner, without charge therefor, for the then unredeemed balance of the principal amount thereof, a new Bond or Bonds, at the option of the registered owner, of like maturity and interest rate in any denomination authorized by this ordinance.

Notice of any such intended redemption shall be given not fewer than 30 nor more than 60 days prior to the date fixed for redemption by first class mail, postage prepaid, to the registered owner of any Bond to be redeemed at the address appearing on the Bond Register. The requirements of this section shall be deemed to be complied with when notice is mailed as herein provided, regardless of whether or not it is actually received by the owner of any Bond. The interest on the Bond so called for redemption shall cease to accrue on the date fixed for redemption unless such

Bond or Bonds so called are not redeemed upon presentation made pursuant to such call. In addition, such redemption notice shall also be mailed within the same time period, postage prepaid, to H. Jackson Shirley & Co. Inc., at its office in Bellevue, Washington, or to its business successor, if any. The mailing of such notice shall not affect the right of the City to redeem the Bonds called for redemption in the manner set forth in the preceding paragraph.

Section 5. Creation of Bond Fund and Provision for Tax Levy Payments. A special fund of the City known as the "City of Gig Harbor Limited Tax Levy General Obligation Bond Redemption Fund, 1985" (the "Bond Fund"), is hereby authorized and directed to be created in the office of the City Treasurer. The Bond Fund shall be drawn upon for the sole purpose of paying the principal of and interest on the Bonds.

The City hereby irrevocably covenants and agrees for as long as any of the Bonds are outstanding and unpaid, that each year it will include in its budget and levy an ad valorem tax upon all the property within the City subject to taxation in an amount which will be sufficient, together with all other moneys of the City which may legally be used and which the City may apply for such purposes, to pay the principal of and interest on the Bonds as the same shall become due. All of such taxes and any of such other moneys so collected shall be paid into the Bond Fund. None of the moneys in the Bond Fund shall be used for any other purpose than the payment of the principal of and interest on the Bonds. Moneys in the Bond Fund not needed to pay the interest or principal next coming due may temporarily be deposited in such institutions or invested in such obligations as may be lawful for the investment of City moneys. Any interests or profit from the investment of such moneys shall be deposited in the Bond Fund.

The City hereby irrevocably pledges that the annual tax provided for herein to be levied for the payment of such principal and interest shall be within and as a part of the tax millage levy permitted to cities without a vote of the people, and that a sufficient portion of each annual levy to be levied and collected by the City prior to the full payment of the principal of and interest on the Bonds, together with other legally available funds, will be and is hereby irrevocably set aside, pledged and appropriated for the payment of the principal of and interest on the Bonds as aforesaid.

The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of said taxes and for the prompt payment of the principal of and interest on the Bonds as the same shall become due.

Section 6. Defeasance. In the event that money and/or "Government Obligations," as such Obligations are now or may hereafter be defined in Ch. 39.53 RCW, maturing at such time or times and bearing interest to be earned thereon in amounts sufficient to redeem and retire the Bonds in accordance with their terms, are set aside in a special account to effect such redemption or retirement and such money and the principal of and interest on such obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Bond Fund for the payment of the principal of and interest on the Bonds so provided for and such Bonds shall cease to be entitled to any lien, benefit or security of this ordinance except the right to receive the funds so set aside and pledged, and such Bonds shall be deemed not to be outstanding hereunder.

Section 7. Arbitrage Covenant. The City hereby covenants and agrees with the owners and holders of the Bonds for as long as any of the same remain outstanding that it will not make use of

the proceeds of sale of the Bonds or any other funds of the City which may be deemed to be proceeds of the Bonds pursuant to Section 103 of the Internal Revenue Code and the applicable regulations thereunder which, if such use had been reasonably expected on the date of delivery of the Bonds to the initial purchaser thereof, would have caused the Bonds to be "arbitrage bonds" within the meaning of said section and said regulations. The City will comply with the requirements of subsection (c) of Section 103 of the Internal Revenue Code and the applicable regulations thereunder throughout the term of the Bonds.

Section 8. Lost or Destroyed Bonds. In case the Bonds or any of them shall be lost, stolen or destroyed, the Bond Registrar may execute and deliver a new Bond or Bonds of like amount, date, and tenor to the registered owner thereof upon the owner's paying the expenses and charges of the City and the Bond Registrar in connection therewith and upon his filing with the Treasurer and the Bond Registrar evidence satisfactory to said Treasurer and Bond Registrar that such Bond or Bonds were actually lost, stolen or destroyed and of his/her ownership thereof, and upon furnishing the City and Bond Registrar with indemnity satisfactory to the Treasurer and Bond Registrar.

Section 9. Form of the Bonds. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. _____

\$ _____

STATE OF WASHINGTON

CITY OF GIG HARBOR

LIMITED TAX LEVY GENERAL OBLIGATION BOND, 1985

INTEREST RATE:

MATURITY DATE:

SEE REVERSE SIDE FOR CERTAIN DEFINITIONS

REGISTERED OWNER:

PRINCIPAL AMOUNT: _____ DOLLARS

The City of Gig Harbor, Washington, a municipal corporation organized and existing under and by virtue of the laws and Constitution of the State of Washington (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns, on the Maturity Date identified above, the Principal Amount specified above, unless redeemed prior thereto as provided herein, together with interest on such Principal Amount from the date hereof or the most recent date to which interest has been paid or duly provided for at the Interest Rate set forth above payable June 1, 1985, and semiannually thereafter on each June 1 and December 1 until payment of the principal sum has been made or duly provided for. Both principal of and interest on this bond are payable in lawful money of the United States of America. Interest on this bond is payable by check or draft of the Bond Registrar mailed (on the date such interest is due) to the Registered Owner hereof at the address appearing on the records maintained by the Bond Registrar as of the 15th day of the month prior to the interest payment date. Principal shall be paid to the registered owner hereof upon presentation and surrender of this bond at the principal offices of either of the fiscal agencies of the State of Washington in Seattle, Washington or New York, New York (collectively, the "Bond Registrar").

Reference is hereby made to additional provisions of this bond set forth on the reverse side hereof and such additional provisions shall for all purposes have the same effect as if set forth in this space. Reference also is made to the Bond Ordinance (hereinafter defined) as more fully describing the covenants with and the rights of registered owners of the bonds or registered assigns and the meanings of capitalized terms appearing on the bonds which are defined in such Bond Ordinance.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance (as hereinafter defined) until the Certificate of Authentication hereon shall have been manually signed by the Bond Registrar.

The City hereby irrevocably covenants and agrees with the owner of this bond that it will include in its annual budget and levy taxes annually within and as a part of the tax levy permitted to cities without a vote of the electorate, amounts sufficient, together with all other moneys legally available therefor, to pay the principal of and interest on the bond as the same shall become due. The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of such taxes and the prompt payment of such principal and interest.

It is hereby certified and declared that this bond is issued pursuant to and in strict compliance with the Constitution and laws of the State of Washington and ordinances of the City, that all acts, conditions and things required to be done precedent to and in the issuance of this bond and the bonds of this issue have happened, been done and performed and that this bond and the bonds

of this issue do not exceed any Constitutional or statutory limitations.

IN WITNESS WHEREOF, the City of Gig Harbor, Washington, has caused this bond to be signed on behalf of the City with the facsimile signature of the Mayor, to be attested by the facsimile signature of the Clerk of the City, and a facsimile of the seal of the City to be reproduced or impressed hereon, as of this 1st day of January, 1985.

CITY OF GIG HARBOR, WASHINGTON

By /s/facsimile

Mayor

ATTEST:

/s/facsimile

Clerk of the City

CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____

This bond is one of the bonds described in the within-referenced Ordinance No. 456 of the City of Gig Harbor, Washington, and is one of the Limited Tax Levy General Obligation Bonds, 1985, dated January 1, 1985, of such City.

WASHINGTON STATE FISCAL AGENCY
As Bond Registrar

By _____
Authorized Officer

ADDITIONAL BOND PROVISIONS

This bond is one of an issue of limited tax levy general obligation bonds of the City of like date and tenor, except as to number, interest rate and date of maturity, in the aggregate principal amount of \$179,000, issued pursuant to Ordinance No. 456 of the City, passed January 28, 1985 (the "Bond Ordinance"), to provide funds for the acquisition, construction and equipping of a building for the City's Street and Park and Recreation Departments.

The City has reserved the right to redeem any or all of the outstanding bonds of this issue in inverse order of maturities (and by lot within a maturity, in increments of \$5,000, with the manner of selection to be as chosen by the Bond Registrar) on December 1, 1991, or on any interest payment date thereafter, at a price plus accrued interest to the date of redemption.

Notice of any such intended redemption shall be given not fewer than 30 nor more than 60 days prior to the redemption date by first class mail, postage prepaid, to the registered owner of

any bond to be redeemed at the address appearing on the Bond Register. The requirements of the Bond Ordinance shall be deemed to be complied with when notice is mailed as herein provided, regardless of whether or not it is actually received by the owner of any bond. Interest on all of such bonds so called for redemption shall cease to accrue on the date fixed for redemption unless such bond or bonds so called for redemption are not redeemed upon presentation made pursuant to such call. In addition, such redemption notice shall be mailed within the same time period to H. Jackson Shirley & Co. Inc. at its office in Bellevue, Washington, or its successor, if any. Such mailing of notice shall not, however, be a condition precedent to the redemption of such bonds.

Portions of the principal sum of this bond in installments of \$5,000 or any integral multiple thereof may also be redeemed in accordance with the provisions set forth above, and if less than all of the principal sum hereof is to be redeemed, upon the surrender of this bond at the principal office of the Bond Registrar there shall be issued to the Registered Owner, without charge therefor, for the then unredeemed balance of the principal sum hereof, at the option of the Registered Owner, a bond or bonds of like maturity and interest rate in any of the denominations authorized by the Bond Ordinance.

The pledge of tax levies for payment of principal of and interest on the bonds may be discharged prior to maturity of the bonds by making provision for the payment thereof on the terms and conditions set forth in the Bond Ordinance.

The bonds of this issue are issued in fully registered form in the denomination of \$5,000 each or any integral multiple thereof provided that no bond shall represent more than one maturity. Upon surrender to the Bond Registrar, bonds are interchangeable for bonds in any authorized denomination of an equal aggregate principal amount and of the same interest rate and maturity. This bond is transferable only on the records maintained by the Bond Registrar for that purpose upon the surrender of this bond by the registered owner hereof or his/her duly authorized agent and only if endorsed in the manner provided hereon, and thereupon a new fully registered bond of like principal amount, maturity and interest rate shall be issued to the transferee in exchange therefor. Such exchange or transfer shall be without cost to the registered owner or transferee. The City may deem the person in whose name this bond is registered to be the absolute owner hereof for the purpose of receiving payment of the principal of and interest on the bond and for any and all other purposes whatsoever.

The Bond Registrar is not required to issue, register, transfer or exchange any of the bonds during a period beginning at the opening of business on the fifteenth (15th) day of the month next preceding any interest payment date and ending at the close of business on the interest payment date, or, in the case of any proposed redemption of the bonds, after the mailing of notice of the call of such bonds for redemption.

The following abbreviations, when used in the inscription on the face of the within Bond, shall be construed as though they

were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common
TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with
right of survivorship and not as tenants in common

UNIF GIFT MIN ACT - _____ Custodian _____
(Cust) (Minor)

under Uniform Gifts to Minors
Act _____
(State)

Additional abbreviations may also be used although not listed above.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____

PLEASE INSERT SOCIAL SECURITY OR TAXPAYER IDENTIFICATION NUMBER OF
TRANSFeree
/ _____ /

(Please print or typewrite name and address, including zip code of
Transferee)

the within bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ of
_____, or its successor, as Agent to
transfer said bond on the books kept by the Bond Register for
registration thereof, with full power of substitution in the
premises.

DATED: _____, 19 ____.

SIGNATURE GUARANTEED:

NOTE: The signature of this Assignment must correspond with the name of the registered owner as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

Section 10. Execution of the Bonds. The Bonds shall be signed on behalf of the City by the facsimile signature of the

Mayor, shall be attested by the facsimile signature of the City Clerk, and shall have the official corporate seal of the City impressed or imprinted thereon.

Only such Bonds as shall bear thereon a Certificate of Authentication in the form hereinbefore recited, manually executed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this ordinance. Such Certificate of Authentication shall be conclusive evidence that the Bonds so authenticated have been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this ordinance.

In case either of the officers of the City who shall have executed the Bonds shall cease to be such officer or officers of the City before the Bonds so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City, such Bonds may nevertheless be authenticated, delivered and issued and upon such authentication, delivery and issuance, shall be as binding upon the City as though those who signed the same had continued to be such officers of the City. Any Bond may also be signed and attested on behalf of the City by such persons as at the actual date of execution of such Bond shall be the proper officers of the City although at the original date of such Bond any such person shall not have been such officer.

Section 11. Bond Registrar. The Bond Registrar shall keep, or cause to be kept, at its principal corporate trust office, sufficient records for the registration and transfer of the Bonds which shall at all times be open to inspection by the City. The Bond Registrar is authorized, on behalf of the City, to authenticate and deliver Bonds transferred or exchanged in accordance with the provisions of such Bonds and this ordinance and to carry out

all of the Bond Registrar's powers and duties under this ordinance.

The Bond Registrar shall be responsible for its representations contained in the Certificate of Authentication on the Bonds. The Bond Registrar may become the owner of Bonds with the same rights it would have if it were not the Bond Registrar, and to the extent permitted by law, may act as depositary for and permit any of its officers or directors to act as a member of, or in any other capacity with respect to, any committee formed to protect the rights of Bond owners.

Section 12. Application of Proceeds of Bonds. There is has heretofore been created in the office of the City Treasurer a special fund of the City known as the "General Government Capital Improvements Fund" (the "Construction Fund"). At the time of delivery of the Bonds, the proceeds of the Bonds, with the exception of accrued interest to the date of delivery which shall be deposited in the Bond Fund, shall be paid into the Construction Fund to be used for the purpose of paying the costs of the Project authorized in Section 2 hereof, including costs necessary and incidental thereto and the costs of issuance of the Bonds, or for the purpose of reimbursing any fund or funds of the City for advances, if any, made to pay such costs. The City Council will amend its current annual budget, if necessary, to include an appropriation for expenditure of funds for the Project. Money on hand in the Construction Fund shall be invested in any legal investment for City funds maturing at times and in such amounts as shall provide funds available to pay the costs of the Project. Investment earnings and receipts shall be deposited in the Construction Fund. Upon completion of the Project and the payment of all costs and expenses thereof, the Construction Fund shall be

closed and the balance of money therein shall be transferred to the Bond Fund.

Section 13. Sale of the Bonds. The Bonds shall be sold to H. Jackson Shirley & Co. Inc., Bellevue, Washington, at the terms and under the conditions set forth herein. Said offer is hereby approved, confirmed and accepted.

The appropriate City officials, agents and representatives are hereby authorized and directed to do everything necessary for the execution and delivery of the Bonds, and for the proper use and application of the proceeds of the sale thereof.

Section 14. Assessed Value and Existing Bonded Debt. The actual value of the taxable property within the City as ascertained by the last preceding assessment for City purposes is \$116,136,144. The principal amount of the outstanding nonvoted general obligation indebtedness of the City adjusted to include the amount of the Bonds is \$179,000 as of January 28, 1985. The total amount of outstanding general obligation bonded indebtedness of the City, whether voted or nonvoted, including the principal amount of the Bonds, as of January 28, 1985, is \$_____.

Section 15. Severability. If any one or more of the covenants or agreements provided in this ordinance to be performed on the part of the City shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bonds.

Section 16. Effective Date. This ordinance shall take effect and be in force five days from and after its passage, approval and publication as required by law.

INTRODUCED on January 14, 1985 and FINALLY PASSED by the City Council and APPROVED by the Mayor of the City of Gig Harbor, Washington, at a regular open public meeting thereof, this 28th day of January, 1985.

CITY OF GIG HARBOR, WASHINGTON

John B. Fagan
Mayor

ATTEST:

D. J. De
Deputy Clerk