

**ORDINANCE 2010-02 OF THE TOWN COUNCIL OF  
LEO-CEDARVILLE, INDIANA**

**AN ORDINANCE TO APPROVE A TEMPORARY LOAN TO FUND PUBLIC  
WORKS PROJECTS AND APPROPRIATING AND PLEDGING CREDIT  
DOLLARS FOR THE REPAYMENT OF SUCH LOAN**

**WHEREAS**, the Town Council of the Town of Leo-Cedarville has determined that it would be in the best interest of the Town to complete certain road repairs and other public works projects while the price of construction is low; and

**WHEREAS**, it is necessary for the Town to borrow money in order to complete these projects at this time; and

**WHEREAS**, I.C. 36-5-2-12 authorizes the Town to make a loan and issue a note for the purpose of refunding that loan in anticipation of revenues that are anticipated to be levied during the term of the note (note more than five (5) years); and

**WHEREAS**, the Town has solicited and received bids for the loan which were received and opened at 12:00 p.m. on April 20, 2010; and

**WHEREAS**, the law requires that the ordinance authorizing the loan must appropriate and pledge to the payment of the loans a sufficient amount of the revenues in anticipation of which the loan is issued; and

**WHEREAS**, the law requires that the loan must be evidenced by a time warrant of the town.

**NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF  
THE TOWN OF LEO-CEDARVILLE, ALLEN COUNTY, INDIANA:**

1. The Town Council hereby determines that the lowest responsible and responsive bidder was \_\_\_\_\_.

2. The Town Executive is hereby authorized to enter into a loan with the winning bidder under the following terms:

- a. The principal of the loan shall be for no more than \$850,000.00.
- b. The term of the loan shall be for no more than five (5) years and repayable no more frequently than sixty (60) monthly installments.
- c. The loan documents shall specify that the loan is to be repaid out of the Town's County Economic Development Income Tax Fund ("CEDIT") over the next five (5) years.
- d. The interest rate and repayment terms shall be no less than the rate and terms specified in the winning bid documents.
- e. The loan documents shall specify that the principal loan balance and accrued interest may be repaid prior to the date of maturity of the note without penalty.
- f. The loan shall be evidenced by a Tax Warrant on a form approved by the Indiana State Board of Accounts and/or the Town Attorney.

3. The Town Clerk-Treasurer is instructed to hold the loan proceeds in a fund which shall be used only for payment of public works projects appropriate for payment out of the Town's CEDIT funds.

4. The Town Council hereby appropriates and pledges a sufficient amount of the Town's CEDIT revenues for the repayment of the loan with interest over the next five years.

Passed and adopted by the Town Council of the Town of Leo-Cedarville, Indiana on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

FOR THE TOWN OF LEO-CEDARVILLE:

\_\_\_\_\_  
R. Paul Steffens  
Council President

\_\_\_\_\_  
John Eastes  
Council Member

\_\_\_\_\_  
John Clendenen  
Council Vice-President

\_\_\_\_\_  
Mike Young  
Council Member

\_\_\_\_\_  
Gordon Liechty, Jr.  
Council Member

Attestation of Clerk-Treasurer

I, Pamela Spannuth, the Clerk-Treasurer for the Town of Leo-Cedarville, Indiana, hereby attest that the ordinance set forth above was adopted by the legislative body of the Town of Leo-Cedarville on \_\_\_\_\_ and signed by the Executive for the Town of Leo-Cedarville, and properly executed in my presence on \_\_\_\_\_.

\_\_\_\_\_  
Pamela Spannuth  
Clerk-Treasurer