

BILL NO. 201806

ORDINANCE NO. 51.09

**ORDINANCE OF THE CITY OF HAWK POINT, MISSOURI
APPROVING AND AUTHORIZING AN ADVANCE
AGREEMENT BY AND BETWEEN THE CITY AND THE
MISSOURI PUBLIC UTILITIES COMMISSION**

WHEREAS, the Board of Aldermen (“Governing Authority”) of the City of Hawk Point, Missouri (the “City”), has previously determined that it is in the public interest to upgrade the waterworks and wastewater treatment facilities and sewage system, including the acquisition of land or easements and the refinancing of leasehold obligations incurred by the City to pay such costs (the “Project”);

WHEREAS, pursuant to an election or elections duly held, the voters of the City have approved the issuance of revenue bonds for the Project in an amount not less than the amount of the Master Advance Note authorized in **Section 1** of this Ordinance;

WHEREAS, the City deems it advisable and appropriate to finance on an interim basis through the Missouri Public Utilities Commission (the “Authority”), the cost of the Project which will be permanently financed through the United States of America, Department of Agriculture, Rural Development (“Rural Development”);

WHEREAS, the City has made application to the Authority for the purpose of providing monies to construct the Project;

WHEREAS, in order to obtain such monies, the City is required to enter into an Advance Agreement with the Authority.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAWK POINT, MISSOURI, AS FOLLOWS:

Section 1. The Board of Aldermen hereby approves and authorizes the Advance Agreement by and between the City and the Authority substantially in the form on file with the City for the purpose of providing the necessary financing to the City for the Project and the Master Advance Note from the City to the Authority in the amount not to exceed \$1,660,000. The interest rate for the Advance Agreement and the Master Advance Note shall not exceed 3.550%. The Governing Authority acknowledges that the Advance Agreement between the City and the Authority may be amended, restated or signed in an alternative format with respect to the rollover of the financing with the City pursuant to the financing for the Authority’s Program described in the Advance Agreement. The Governing Authority hereby approves the new Advance Agreement, so long as the interest rate pursuant to the Advance Agreement does not exceed 6.00% and the Advance Agreement is substantially the same form of the Advance Agreement approved at this meeting.

Section 2. Any officer of the City is hereby authorized, directed and empowered to execute necessary documents or agreements, and to otherwise act on behalf of the City to effect such financing.

Section 3. The Joint Contract of the Authority has been examined by the City and the same is hereby ratified and approved and the City is hereby authorized to become a member of the Authority and execute and deliver the Joint Contract.

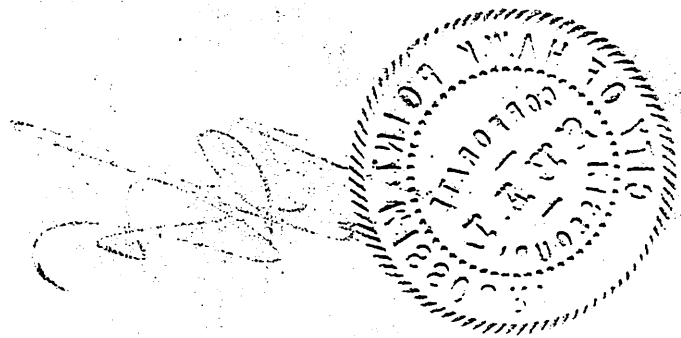
Section 4. This Ordinance shall take effect on July 18, 2018.

PASSED by the Board of Aldermen of the City of Hawk Point, Missouri, and **APPROVED** by the President of the Board of Aldermen this 18th day of July, 2018.


By: Tommy Cugger
Title: President of the Board of Aldermen

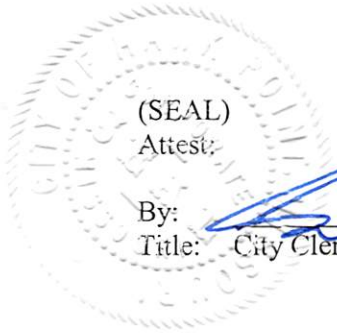
(SEAL)
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By: [Signature]
Title: City Clerk


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By: 
Title: President of the Board of Aldermen



(SEAL)
Attest:
By: 
Title: City Clerk

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By: 
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(SEAL)

Attest:

By: 
Title: City Clerk



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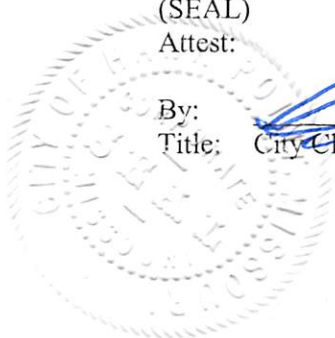


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By: 
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(SEAL)
Attest:

By: 
Title: City Clerk



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