

Ordinance No. 91

An Ordinance providing for the issuing of paying bonds to pay for the share of the City of Wathena in the eighteen feet of paving through the city in connection with Federal Aid Project Number 53.

Whereas, on the 18th day of June, 1919, there was filed with the County Clerk of Doniphan County, Kansas, a petition signed by the owners of more than sixty percent of the land within a proposed benefit district, praying the Board of County Commissioners of said County to cause the permanent improvement of the Pikes Peak Ocean to Ocean Highway through said district under the Provisions of Chapter 265 of the Session Laws of the State of Kansas, for the year 1917, and as smended by Chapter 246 of the Session Laws of Kansas for the year 1919; and thereafter on the 30th day of June 1919, said Board of County Commissioners duly found that the improvements prayed for in said petition are of public utility and that the petition was signed by the owners of more than 60% of the land within the district defined by said petition and by more than 35% of the resident land owners owning more than 51% of the land within the benefit district, and ordered said highway to be permanently improved with portland cement concrete eighteen feet wide. That said road proposed to be improved extends from the city limits of Wathena both east and west. That on the 17th day of June 1919, the city officials of Wathena applied to the said Board of Commissioners for assistance in the continuation of said road through said city, and on consideration the Board of County Commissioners approved said application made an appropriation to care for the share of the County in said improvement, secured Federal Aid to apply on said improvement in said city and has caused surveys and estimates to be made, a contract to be let and much work to be done. That estimates show the total cost of said improvements within the limits of said city will be in excess of \$36,582.00 and that the share of the city will be in excess of \$12,000.00 and there is in the city treasury to apply on said share of the city \$3,000.00. That it is the intention of the city officials to issue city bonds to pay the balance of \$9,000.00 due from the city to pay for said improvement:.

Therefore be it ordained by the Mayor and Councilmen of The City of Wathena, Doniphan County, Kansas:

Sec. 1. That the cost to the City of Wathena, Doniphan County, Kans., of the share to be paid by said city of the expense of grading, bridging, engineering and hard surfacing the continuation of the Pikes Peak Ocean to Oean Highway through said city a distance of .789 of a mile along St. Joseph Street, Doniphan Street, Fremont Street and thence to the city limits, said improvement being a part of Federal Aid Project No! 53, and after applying on said cost certain funds on hand, shall be paid from the issuance and sale of improvementabonds of said city in the sum of \$9,000.00. That said bonds shall be dated the first day of April, 1922, shall bear five percent interest per annum, payable semi-annually on the first day of January and July of each year and evidenced by interest coupons attached to said bonds. That said bonds shall be numbered and shall mature in amounts and dates as follows:

Bond No. 1 - Maturing July 1, 1923	\$1,000.00
Bond No. 2 - Maturing July 1, 1924	\$1,000.00
Bond No. 3 - Maturing July 1, 1925	\$1,000.00
Bond No. 4 - Maturing July 1, 1926	\$1,000.00
Bond No. 5 - Maturing July 1, 1927	\$1,000.00
Bond No. 6 - Maturing July 1, 1928	\$1,000.00
Bond No. 7 - Maturing July 1, 1929	\$1,000.00
Bond No. 8 - Maturing July 1, 1930	\$1,000.00
Bond No. 9 - Maturing July 1, 1931	\$1,000.00

Said bonds shall be signed by the Mayor and attested by the City Clerk and have impressed thereon the corporate seal of the city, and said coupons shall be authenticated by the lithographed or actual signatures of the Mayor and City Clerk. Said bonds shall be sold for not less than per value and shall be payable serially as above provided and both principal and interest shall be paid at the Fiscal Agency of the State of Kansas at Topeka, Kansas, and said Mayor and Clerk are hereby authorized to execute said bonds and coupons as are provided for in this ordinance and deliver the same to The Fidelity National Bank and Trust Co., of Kansas City, Mo., the purchaser under a contract heretofore entered into on the payment of the purchase price according to the terms of said contract, and for the payment of said bonds and the interest thereon, annual levies shall be made according to law on all the taxable property in said city.

Sec. 2. Said bonds shall be substantially in the following form and with recitals as follows:

(Form of Bond)

STATE OF KANSAS  
COUNTY OF DONIPHAN,

\$1,000.00

No.....

C I T Y O F W A T H E N A

INTERNAL IMPROVEMENT BOND.

KNOW ALL MEN BE THESE PRESENTS: That the City of Wathena in the County of Doniphan, State of Kansas, for value received, hereby acknowledges itself to be indebted and promises to pay to the bearer the sum of One Thousand Dollars in lawful money of the United States of America, on the first day of July 19 , with interest thereon at the rate of Five percent (5%) per annum, payable semi-annually on the 1st day of January and July of each year after the date hereof until the principal sum shall have been paid, upon the presentation and surrender of the proper interest coupons hereto attached, bearing the facsimile signatures of the Mayor and the Clerk of said City as they severally become due; both principal and interest are payable at the Fiscal Agency of The State of Kansas, in the City of Topeka, Kansas; and the City of Wathena is held and firmly bound and its faith and credit and all real and personal property in said City are hereby pledged for the prompt payment of the principal of this bond and the interest thereon at maturity.

THIS BOND is one of a series of nine bonds of like date, tenor and effect, except denomination and maturity, numbered from one to nine inclusive, aggregating \$9,000, issued by the City of Wathena to pay for street improvements in and for the said City under and by authority of and in compliance with the provisions of the laws of the State of Kansas governing cities of the third and in compliance with ordinance duly and legally passed by the Mayor and Councilmen of said City.

AND IT IS FURTHER DECLARED AND CERTIFIED, that all acts, conditions and things required to be done and to exist precedent to the issuance of this bond have been properly done and performed and do exist in regular and due form as required by the Constitution and laws of the State of Kansas, and that the total indebtedness of said City, including this series of bonds, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, said City of Wathena, Kansas, by its Mayor and Councilmen has caused this bond to be signed by its Mayor and attested by its Clerk and its corporate seal to be hereto affixed, and this bond to be dated the first day of April, 1922.

F. H. Drosselmeier, Mayor

Attest: L. Poirier, City Clerk.

(Form of Coupon)

No.....

\$25.00

On the ... day of .....19... the City of Wathena, Doniphan County, Kansas, will pay to the bearer, Twenty-five Dollars at the Fiscal Agency of the State of Kansas in the City of Topeka, being six months' interest due on its Internal Improvement Bond, dated April 1, 1922.

No.....

.....(facsimile)

Mayor.

Attest: Clerk.

#### City Clerk's Certificate

State of Kansas, City of Wathena, County of Doniphan State of Kansas, hereby certify that the within bond has been legally and regularly issued; that the signatures thereto are genuine and that the same has been registered in my office according to law.

WITNESS my hand and official seal.

.....  
Auditor of State

Sec. 3 This ordinance shall take effect and be in full force from and after its publication once in the Wathena Times, the official city paper.

Passed by the Council May 24, 1922.

Approved by the Mayor May 24, 1922.

F. H. Drosselmeier, Mayor.

Attest: L. Poiriér, City Clerk.