

RESOLUTION NO. 81-1

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF WATHENA, KANSAS, TO AUTHORIZE THE ISSUANCE OF ITS INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF CONSTRUCTING, EQUIPPING AND INSTALLING A CABLE TELEVISION SYSTEM TO BE LEASED AND OTHERWISE DISPOSED OF TO ST. JOSEPH CABLE COMMUNICATIONS, INC., d/b/a WATHENA CABLEVISION.

WHEREAS, the City of Wathena, Kansas, hereinafter sometimes referred to as the "City", desires to promote, stimulate and develop the general economic welfare and prosperity of the City and its environs, and thereby to further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas; and,

WHEREAS, pursuant to the provisions of K.S.A. 12-1740 and 12-1749a, inclusive, and all acts amendatory thereof or supplemental thereto, said City is authorized to issue industrial revenue bonds to the City, and it is hereby found and determined to be advisable and in the interest and for the welfare of the City and its inhabitants that industrial revenue bonds of the City in the principal amount of not to exceed the sum of \$150,000.00 be authorized and issued for the purpose of providing funds to pay the cost of constructing, equipping and installing a cable television system (the "System"), to be located in the environs of the City of Wathena, Kansas, to be leased to and used by St. Joseph Cable Communications, Inc., d/b/a Wathena Cablevision.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:

SECTION 1: That the City of Wathena, Kansas, is hereby authorized to construct, equip and install a cable television system to be located within the environs of Wathena, Kansas, in an amount which will not exceed the sum of \$150,000.00 to said City, subject in all respects to negotiations of satisfactory lease arrangements for said system with St. Joseph Cable Communications, Inc., d/b/a Wathena Cablevision.

SECTION 2: That for the purpose of providing funds to pay the cost of such project there shall be issued industrial revenue bonds of said City in an amount of not to exceed \$150,000.00, in accordance with a Bond Ordinance and Lease Agreement, the terms of which shall be mutually satisfactory to said City of Wathena, Kansas, and to St. Joseph Cable Communications, Inc., d/b/a Wathena Cablevision; and also subject to compliance with the provisions of K.S.A. 12-1744a (1980 Supp.) or evidence of exemption therefrom. Said Bonds shall be sold and delivered to such purchaser as shall be acceptable to the City. It is contemplated that in order to permit and in order to expedite the project and realization of the benefits to be derived thereby, St. Joseph Cable Communications, Inc., d/b/a Wathena Cablevision, may, in reliance upon this Resolution, incur temporary indebtedness and expend its own funds in connection with the project prior to

the ultimate issuance of said industrial revenue bonds. Said bonds herein authorized and all interest thereon shall, in any event, be paid solely from the money and revenue received from said system and not from any other fund or source, and nothing contained herein shall obligate the City in any way except as herein set out.

SECTION 3: The City Clerk is hereby authorized and directed to cause to be filed with the Kansas Securities Commissioner and published once in the official newspaper of the City of Wathena, Kansas, an appropriate notice of intent to issue such industrial revenue bonds and to enter into such Lease with St. Joseph Cable Communications, Inc., d/b/a Wathena Cablevision, pursuant to the provisions of K.S.A. 12-1744e (1980 Supp.).

SECTION 4: The Mayor and City Clerk are hereby further authorized and directed to take all such other actions not inconsistent herewith as may be appropriate or desirable to accomplish the purposes of this Resolution, including the execution on behalf of the City of an appropriate Notice of the proposed issuance of such industrial revenue bonds with the Kansas Securities Commissioner pursuant to K.S.A. 12-1744a (1980 Supp.) or such other State office as may be prescribed by any amendment thereto.

SECTION 5: That all documents described or referred to herein shall be prepared by or under the direct supervision of the City Attorney and that the same, together with a complete and detailed financing proposal, shall be subject to final approval by the City Attorney and by the City Governing Body.

PASSED and APPROVED by the Governing Body of the City of Wathena, Kansas, this 2nd day of June, 1981.

CITY OF WATHENA, KANSAS

BY: Jack Slaughter
Mayor

ATTEST:

Phyllis Downey
City Clerk

(SEAL)