

RESOLUTION NO. 1058

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2013-1, OF THE CITY OF COLBY, KANSAS.

WHEREAS, the City of Colby, Kansas (the “Issuer”), has heretofore authorized certain internal improvements described as follows (the “Improvements”):

<u>Project Description</u>	<u>Res. No.</u>	<u>Authority</u>	<u>Amount</u>
Water Line Improvements/Cooper First Addition to the City of Colby, Thomas County, Kansas	1055	K.S.A. 12-6a01 <i>et seq.</i>	\$90,000

; and

WHEREAS, the Issuer desires to issue its general obligation bonds in order to permanently finance the costs of such Improvements; and

WHEREAS, the Issuer proposes to issue its general obligation bonds to pay the costs of the Improvements; and

WHEREAS, the Issuer has selected the firm of Oppenheimer & Co. Inc., Wichita, Kansas (“Financial Advisor”), as financial advisor for one or more series of general obligation bonds of the Issuer to be issued in order to provide funds to permanently finance the Improvements (the “Bonds”); and

WHEREAS, the Issuer desires to authorize the Financial Advisor to proceed with the offering for sale of said Bonds and related activities; and

WHEREAS, the Issuer desires to authorize the Financial Advisor and Gilmore & Bell, P.C. (“Bond Counsel”), in conjunction with the Clerk, to proceed with all preliminary action necessary to sell the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS, AS FOLLOWS:

Section 1. The Financial Advisor, in conjunction with the City Manager and Finance Director, is hereby authorized to proceed with the offering for sale of the Bonds in one or more series. The Bonds shall be sold, subject to the approving opinion of Bond Counsel, on a negotiated basis to a purchaser (the “Purchaser”) to be designated by the Mayor, in consultation with the City Manager, Finance Director and the Financial Advisor. The timing of offering for sale, the pricing and the structuring and repayment terms of the Bonds, shall be determined by the Mayor, City Manager and Finance Director in consultation with the Financial Advisor and Bond Counsel. The confirmation of the sale of the Bonds shall be subject to the publication of a notice of intent to sell the Bonds as hereinafter set forth, execution of a bond purchase agreement between the Purchaser and the Issuer (the “Bond Purchase Agreement”) in a form approved by Bond Counsel and the Issuer’s Legal Counsel, the passage of an ordinance and adoption of a resolution by the governing body of the Issuer authorizing the issuance of the Bonds and the execution of various

documents necessary to deliver the Bonds. Prior to the execution of the Bond Purchase Agreement, the Clerk, in conjunction with the Financial Advisor and Bond Counsel, shall publish a Notice of Intent to Seek Private Placement relating to the Bonds in a newspaper of general circulation in Thomas County, Kansas, and the *Kansas Register*.

Section 2. The Mayor, City Manager, Finance Director, Clerk, and the other officers and representatives of the Issuer, the Financial Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Bonds.

Section 3. This Resolution shall be in full force and effect from and after its adoption.

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ADOPTED by the governing body on May 7, 2013.

(SEAL)

Mayor

ATTEST:

Clerk

NOTICE OF INTENT TO SEEK PRIVATE PLACEMENT

**CITY OF COLBY, KANSAS
GENERAL OBLIGATION BONDS, SERIES 2013-1**

Notice is hereby given that the City of Colby, Kansas (the "Issuer") proposes to seek a private placement of the above-referenced bonds (the "Bonds"). The maximum aggregate principal amount of the Bonds shall not exceed \$90,000. The proposed sale of the Bonds is in all respects subject to approval of a bond purchase agreement between the Issuer and the purchaser of the Bonds and the passage of an ordinance and adoption of a resolution by the governing body of the Issuer authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds.

DATED: May 7, 2013.

Joni L. Ketchum, Clerk

KANSAS REGISTER

DOCUMENT NO. _____

(Above space for Register Office Use)

Submission Form
Municipal Bond Sale Notice
(K.S.A. 10-106 as amended)

TITLE OF DOCUMENT NOTICE OF INTENT TO SEEK PRIVATE PLACEMENT
Re: City of Colby, Kansas, General Obligation Bonds, Series 2013-1, Dated June 18, 2013.

NUMBER OF PAGES **1** DESIRED PUBLICATION DATE **MAY 16, 2013**

BILL TO: Joni L. Ketchum, Clerk
City Hall
585 N. Franklin Avenue
Colby, Kansas 67701

Please forward 3 Affidavits of Publication of same to Ms. Robyn R. Dunlap, Gilmore & Bell, P.C., 100 North Main, Suite 800, Wichita, KS 67202 at your earliest opportunity.

Any questions regarding this document should be directed to:

NAME ROBYN R. DUNLAP PHONE (316) 267-2091

Certification

I hereby certify that I have reviewed the attached and herein described document, and that it conforms to all applicable **Kansas Register** publication guidelines. I further certify that submission of this item for publication in the **Kansas Register** is authorized by the municipality which has issued the notice.



Authorized Signature

Robyn R. Dunlap
Typed Name of Signer

Senior Legal Assistant
Position

TRANSMIT TO: Kansas Register; Secretary of State; State Capitol, Topeka, KS 66612
PHONE: (785) 296-3489; FAX: (785) 291-3051; EMAIL: nancyr@kssos.org

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