

1988

1988 ORDINANCES & RESOLUTIONS

ORDINANCE NUMBER	DATE PASSED	DESCRIPTION
447	2/22/1988	Property vacating at James/Patsy Sheilds
448	3/8/1988	Resignation of David Popp
449	04/11/1988	Establish credit line
450	4/11/1988	Establish number of seats on Police Comminsioner Board
451	3/18/1988	Victor/Jean Unruh petition for annexation
452	5/18/1988	Refund of water works board of 1974
453	04/25/1988	Garbage Revewal Service
454	5/3/1988	Amendment Ordinance Refunding TOS Waterworkd Renewal Bond 1974
455	6/27/1988	Fee schedule for garbage
456	6/27/1988	Backpay for Cissey Campbell
457	6/27/1988	Specifications for re-filing Excavations
458	N/D	Annexation
459	1/1/1989	Elected Officials salary
459-A	12/12/1988	Amendment for sewer hook up fees
460	1/1/1989	Town Employee Wages
461	12/27/1988	Issurance & Exection of Notes
427-A	7/5/1988	Sanitary Board for Town Sewer Plant
445	2/8/1988	Robert Campbell Salary Resolution
446	2/8/1988	5 District Town Board Members

RESOLUTION NUMBER	DATE PASSED	DESCRIPTION
88-30	N/D	Annexation of Territy 3 miles of town No Dates
88-R-87	06/24/1988	Application for Step III Wastewater Facility
88-R-86	5/23/1988	Water Dept Agreement with Consolidated
88-R-88	1/1/1988	Application for Step III Wastewater Facility
88-R-89	9/12/1988	Loan Application for Sewer Project
88-R-91	10/15/1988	Petititons to New Albany for Consent to Annex
88-R-92	10/4/1988	Unruh Property Re-zoning

1954

447

ORDINANCE VACATING PROPERTY

WHEREAS, a Petition to vacate property located within the Town of Sellersburg was filed by James E. Shields and Patsy D. Shields.

WHEREAS, a copy of the legal description of the affected property is attached hereto and considered a part of this Ordinance.

WHEREAS, notice of hearing on the Petition was published and made pursuant to law and a hearing was later held with no one appearing to object to the Petition.

WHEREAS, having heard the evidence the Board believes:

- 1.) That the vacation would not hinder the growth or orderly development of Sellersburg or the neighborhood in which the property is located or to which it is contiguous;
- 2.) That the vacation would not make access to the lands of any aggrieved person by means of public way difficult or inconvenient;
- 3.) That the vacation would not hinder the public's access to a church, school or other public building or place;
- 4.) That the vacation would not hinder the use of public way by the neighborhood in which it is located or to which it is contiguous.

THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Sellersburg:

That the property which is the subject of this Petition, be, and is hereby vacated subject to an easement of reasonable access in favor of the Town of Sellersburg for the maintenance and repair of an existing sewer line.

The Clerk-Treasurer is directed to furnish a copy of this Ordinance to the Clark County Recorder and to the Clark County Auditor.

RECEIVED
FOR RECORD

FEB 26 9 28 AM '88
RECORDED IN *Deed 20* ORA
INST. NO. 1954
CAROLYN P. MAKOWSKY
RECORDER OF CLARK CO.

DULY ENTERED
FOR TAXATION

FEB 26 1988

Richard P. Jones
Auditor Clark County

PASSED AND ADOPTED Feb. 22, 1988.

TOWN OF SELLERSBURG, INDIANA
BY ITS BOARD OF TRUSTEES

Charles P. Penner

William Wesley

Karen Storie

Mary A. DellaSera

Roy E. Pruitt

ATTEST:

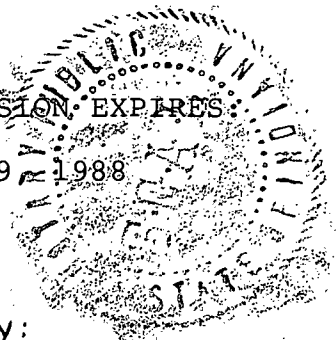
Anna McCartney
Anna McCartney, Clerk-Treasurer

Subscribed and sworn to before me this 22nd day of February,
1988.

Sandra K. Lipps
SANDRA K. LIPPS, NOTARY PUBLIC
CLARK COUNTY, INDIANA

MY COMMISSION EXPIRES:

December 9, 1988



Prepared by:
David W. Crumbo
Brown, Todd & Heyburn
New Albany, IN 47150

Property described as follows:

A part of the Lot No. 2 (Two) in Block No. 4 (Four) in the Edgeland Addition to the Town of Sellersburg, more particularly described as follows: Beginning at the southeast corner of said lot and at the point of the southeast corner of said lot where said Lot No. 2 (Two) adjoins Lot No. 3 (Three); thence running in a northwesterly direction along the line dividing Lot No. 2 (Two) from Lot No. 3 (Three) a distance of 25 (twenty-five) feet; thence at a right angle across Lot No. 2 (Two) to the line dividing Lot No. 1 (One) and Lot No. 2 (Two); thence at a right angle along the line dividing Lot No. 1 (One) and Lot No. 2 (Two) in a southeasterly direction a distance of 25 (twenty-five) feet to the southeasterly line of Lot No. 2 (Two); thence at a right angle along the southeasterly line of Lot No. 2 (Two) to the place of beginning, the said real estate being the 25 (twenty-five) feet on the rear or southeast end of Lot No. 2 (Two).

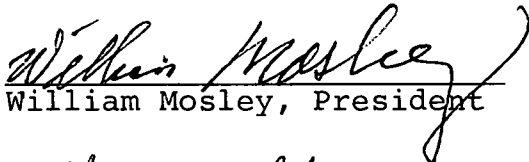
Anna Mc Cartney 7.00
Sellersburg Town Hall
319 East 2nd St
Sellersburg In 47172

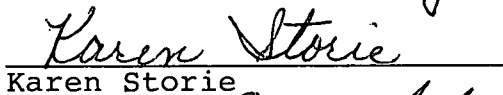


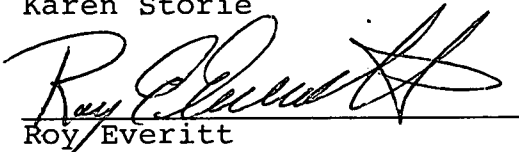
ORDINANCE NO. 448

WHEREAS the Town Board of Sellersburg, Indiana has accepted the resignation of Water Department Supervisor, David Popp and whereas the Town of Sellersburg is in need of a Supervisor for the Water Department the Town Board of Trustees do hereby appoint Dana Thompson as said Supervisor and fix his gross salary for the year of 1988 at three hundred fourty six dollars and fifteen cents (\$346.15) per week.

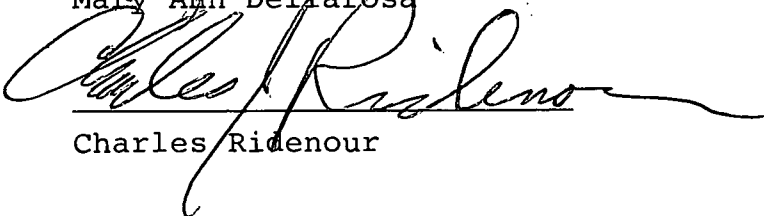
SO ORDERED this the twenty eighth day of March, 1988.


William Mosley, President


Karen Storie


Roy Everitt


Mary Ann Dellarosa


Charles Ridenour

ATTEST: 
Anna McCartney
CLERK-TREASURER

ORDINANCE NO. 449

WHEREAS The Trustees of the Town of Sellersburg desire to establish a line of credit in the amount of \$ 187,000. at a local lending institution for advance payment of certain bills before the Town's loan money is available and;

WHEREAS The Town of Sellersburg desires to direct the Town Attorney to proceed with establishment of this line of credit by proper documentation and all other means necessary;

IT IS THEREFORE ORDERED by the Town Board of Sellersburg as follows:

1. A line of credit in the amount of \$ 187,000. shall be established
2. Town Attorney shall prepare the proper documentation to establish said line of credit.

ORDERED THIS 11th day of April, 1988.

William Mosley
William Mosley, President

Karen Storie
Karen Storie

Charles Ridenour
Charles Ridenour

Mary Ann Dellarosa
Mary Ann Dellarosa

Roy Everitt
Roy Everitt

ATTEST: Anna McCartney
Anna McCartney
CLERK-TREASURER

ORDINANCE NO. 450

WHEREAS the Trustees of the Town of Sellersburg have the duty to appoint persons to serve in the capacity of POLICE COMMISSIONER on the Board of Police Commissioners and;

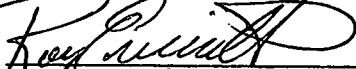
WHEREAS the Trustees also have the duty to set the number of seats on said Commission, the Town Board Trustees do hereby;

ORDER that the POLICE COMMISSION shall consist of three (3) board members who shall be appointed by the Town Board of Sellersburg. Further, this ordinance repeals all prior ordinances insofar as said ordinances purport to establish the number of persons to compose the Police Commissioners Board.

SO ORDERED THIS 11th day of April, 1988.



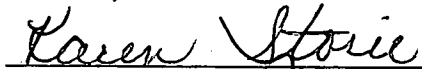
William Mosley, President



Roy Everitt




Mary Ann Dellarosa



Karen Storie



Charles Ridenour

ATTEST: 

Anna McCartney
CLERK-TREASURER

RESOLUTION APPROVING THE ANNEXATION OF REAL ESTATE

BE IT RESOLVED, that the petition of Victor O. UnRuh and Jean M. UnRuh, husband and wife, dated the 18th day of March, 1988, asking that the real estate adjoining the Town of Sellersburg be annexed to said Town and that the corporate limits of said Town be extended so as to include the following described real estate located in Clark County, State of Indiana, as follows, to-wit:

A part of Survey No. 87 of the Illinois Grant of Clark County, Indiana, being a part of the same 90.5 acre tract conveyed to Otto F. and Ethel Koehler at Deed Drawer 164, page 44, and Deed Drawer 2, Instrument No. 4148 and bounded as follows:

Commencing at the west corner of Survey No. 87 of the Illinois Grant, thence the following courses: north 55 deg. 23 min. 24 sec. east, 2216.09 feet with the line dividing Surveys No. 87 and 88 of said Illinois Grant to an iron pipe at the west corner of the land heretofore conveyed to Charles and Mary Jenkins, Sr., at Deed Drawer 1, Instrument No. 3387 and Deed Drawer 2, Instrument No. 6016; south 31 deg. 37 min. 56 sec. east, 1093.78 feet to an iron pipe in the northwest line of said Otto F. and Ethel Koehler, which is the true place of beginning.

Thence the following courses of the boundary: north 55 deg. 21 min. 57 sec. east, 2278.06 feet with said northwest line of Otto F. and Ethel Koehler to an iron pin; south 34 deg. 38 min. 03 sec. east, 426.51 feet to an iron pin, which is the west corner of a tract conveyed to James E. and Bonnie L. Hawn at Deed Drawer 2, Instrument No. 4147; south 54 deg. 59 min. 13 sec. east 109.00 feet with the southwest line of said Hawn to an iron pin, which is Hawn's south corner; north 73 deg. 08 min. 05 sec. west, 36.39 feet to an iron pin, which is the north corner of a 26.340 acre parcel previously conveyed to Victor O. and Jean M. UnRuh at Deed Drawer 15, Instrument No. 7273; south 55 deg. 22 min. 58 sec. west, 2319.51 feet with the northwest line of said Victor O. and Jean M. UnRuh to an iron pin, which is said UnRuh's west corner; north 31 deg. 37 min 56 sec. west, 500.24 feet to the true place of beginning and containing 26.320 acres of land.

is hereby approved, and said real estate is hereby annexed to the Town of Sellersburg, Clark County, Indiana.

It is hereby ordered that the Clerk of said Town cause this resolution to be published in accordance with Indiana Code 36-4-3-7.

DATED this 9 day of May, 1988.

TOWN OF SELLERSBURG

William Mosley
William Mosley, President

Roy Everitt
Roy Everitt, Member

Karen Storie
Karen Storie, Member

Charles Bidenour
Charles Bidenour, Member

Mary Ann Dellarosa
Mary Ann Dellarosa, Member

Attest: Anna L. McCartney
Clerk-Treas. Anna L. McCartney

Duly Entered for Taxation Subject To
Final Acceptance For Transfer
Dec 31 1991
Richard P. Jones
Auditor Clark Co.

RECORDED IN
INSTR. NO. 16347
RALPH C. STEINER
RECORDER OF CLARK CO.
DEC 31 3 38 PM '91

RECEIVED
FOR RECORD

6 - Susan Williams

ORDINANCE NO. 452

An Ordinance concerning the refunding by the Town of Sellersburg, Indiana, of its Waterworks Revenue Bond of 1974; authorizing the issuance of Waterworks Refunding Revenue Bonds of 1988 for such purpose; providing for the collection, segregation and distribution of the revenues of said waterworks and the safeguarding of the interests of the owners of the Waterworks Refunding Revenue Bonds of 1988; other matters connected therewith; and repealing ordinances inconsistent herewith

WHEREAS, the Town issued its Waterworks Revenue Bond of 1974 ("1974 Bond") under date of May 3, 1974, in the amount of \$423,000, which is now outstanding in the amount of \$353,000; and

WHEREAS, the Farmers Home Administration, U.S. Department of Agriculture ("FmHA") is the owner of the 1974 Bond; and

WHEREAS, FmHA has developed a loan repurchase program ("Program") which enables the Town to refund its 1974 Bond and the Town now finds that said refunding will achieve a savings; and

WHEREAS, the Indiana Bond Bank will participate in the Program and will enable the Town to effect said refunding by purchasing the hereinafter defined Refunding Bonds; and

WHEREAS, IC 5-1-5 authorizes the refunding of such 1974 Bond in order to effect a savings and such refunding is permitted by Ordinance No. 285 (hereinafter "Ordinance No. 285") authorizing the 1974 Bonds; and

WHEREAS, the Town hereby determines to participate in the Program, to execute and issue therefor its "Waterworks Refunding Revenue Bonds of 1988" ("Refunding Bonds"), in the form and with terms as hereinafter provided, for the purpose of effecting a savings and providing, together with certain funds currently held in funds and accounts created in Ordinance No. 285, if any ("Issuer's Funds") as set forth in Exhibit A attached hereto, for the payment of the purchase price of the 1974 Bond, as determined under the

FmHA guidelines for the Program, and costs of issuance, thereby providing for the redemption of the 1974 Bond; and

WHEREAS, the Town now has outstanding certain Waterworks Revenue Bonds of 1968, dated July 1, 1961 ("1968 Bonds") in the amount of \$265,000, bearing interest at the rate of 4 1/2% per annum, and maturing annually over a period ending December 1, 1996; and

WHEREAS, the Town now has outstanding certain Waterworks Revenue Bonds of 1986, dated July 1, 1986 ("1986 Bonds") in the amount of \$2,475,000 bearing interest at rates not exceeding 8.32% per annum, and maturing annually over a period ending December 1, 2010 which 1986 Bonds are junior and subordinate to the 1961 Bonds; and

WHEREAS, Ordinance No. 217, adopted January 27, 1961, authorizing the issuance of the 1968 Bonds, and Ordinance No. 428, adopted July 17, 1986, authorizing the issuance of the 1986 Bonds require that any additional bonds be junior and subordinate to the 1968 Bonds and 1986 Bonds, respectively, unless certain conditions are met, which conditions the Board finds cannot now be met and the Refunding Bonds authorized by the ordinance, accordingly, must be junior and subordinate to said 1968 Bonds and the 1986 Bonds; and

WHEREAS, the Refunding Bonds to be issued pursuant to this ordinance will constitute a charge against the Net Revenues of the waterworks, subject to the 1968 Bonds and the 1986 Bonds, and are to be issued subject to the provisions of the laws of the State of Indiana, including without limitation IC 5-1-5 and IC 8-1.5, and all acts amendatory and supplemental (collectively, "Act"), and the terms and restrictions of this ordinance; and

WHEREAS, the waterworks of the Town has no encumbrance or lien of any kind whatsoever other than the 1968 Bonds, the 1986 Bond, and the 1974 Bond to be refunded; and

WHEREAS, all conditions precedent to the adoption of an ordinance authorizing the issuance of the Refunding Bonds to apply to the refunding of the 1974 Bond have been complied with in accordance with the provisions of the Act; now therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA:

Sec. 1. (a) That the Town, being the owner of and engaged in operating an unencumbered waterworks supplying the Town, its inhabitants, and the residents adjacent thereto, with water for public, domestic and industrial uses, now finds it necessary to provide funds for refunding the 1974 Bond and thereby effecting a savings under the Act as set forth in the unaudited schedules provided to the Town by its financial advisor. The terms "waterworks," "waterworks system," "works," "system," and words of like import where used in this ordinance shall be construed to mean and include the existing waterworks system and all real estate and equipment used in connection therewith and appurtenances thereto, and all extensions, additions and improvements thereto and replacements thereof now or at any time hereafter constructed or acquired.

(b) The Town shall issue its Waterworks Refunding Revenue Bonds of 1988, in the principal amount set forth in Exhibit A attached hereto for the purpose of procuring funds to be applied to the refunding of the 1974 Bond. The Town shall apply the Issuer's Funds to the refunding as set forth in Section 7.

The Refunding Bonds shall be issued in the denomination of One *Hundred* Dollars (\$ 100) each or integral multiples thereof, numbered consecutively from 1 upward, dated as of the date of delivery thereof, and interest shall be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1989. The Refunding Bonds shall be sold at not less than 97% of par value, shall bear interest at a rate or rates per annum not to exceed the maximum rate set forth on Exhibit A attached hereto and shall mature serially on December 1 in the years and amounts as set forth on Exhibit A

attached hereto. The Refunding Bonds shall bear interest which is includable in gross income for federal income tax purposes (i.e., be "taxable") or bear interest which is not includable in gross income for federal income tax purposes (i.e., be "tax-exempt"), whichever shall result in greater savings or lower debt service cost, as shall be determined by the President of the Board of Trustees by his execution and delivery of one of the hereinafter authorized Purchase Agreements.

Sec. 2. The Clerk-Treasurer is hereby appointed as Registrar and Paying Agent for the Refunding Bonds (hereinafter, "Registrar" or "Paying Agent") and is hereby charged with the responsibility of authenticating the Refunding Bonds.

The principal of the Refunding Bonds shall be payable at the office of the Paying Agent. All payments of interest on the Refunding Bonds shall be paid by check or draft, mailed to the registered owners thereof as the names appear as of the fifteenth day of the month preceding the interest payment date and at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner. All payments on the Refunding Bonds shall be made in any coin or currency of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

Each Refunding Bond shall be transferable or exchangeable only upon the books of the Town kept for that purpose at the principal office of the Registrar by the registered owner in person, or by his attorney duly authorized in writing, upon surrender of such Refunding Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered Refunding Bond or Refunding Bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne

by the Town. The Town, Registrar and Paying Agent for the Refunding Bonds may treat and consider the person in whose name such Refunding Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, ~~or~~ on account of, the principal thereof and interest due thereon.

Interest on the Refunding Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date of the Refunding Bonds unless the Refunding Bonds are authenticated after the first day of the month preceding an interest payment date and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless the Refunding Bonds are authenticated on or before May 15, 1989, in which case they shall bear interest from the original date.

Sec. 3. The Refunding Bonds maturing on and after December 1, 1999, shall be redeemable at the option of the Town on June 1, 1998, or any interest payment date thereafter, in whole or in part, in inverse order of maturity and by lot within a maturity, at face value together with the following premiums:

- 2% if redeemed on June 1, 1998, or thereafter on or before December 1, 1999;
- 1% if redeemed on June 1, 1999, or thereafter on or before December 1, 2000;
- 0% if redeemed on June 1, 2000, or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption. Notice of such redemption shall be given at least thirty (30) days but not more than sixty (60) days prior to the date fixed for redemption by mail. Such notice shall be mailed to the address of the registered owners as shown on the registration records of the Town. The notice shall specify the date and place of redemption, and the serial numbers and dates of maturity of the Refunding Bonds called for redemption. The place of redemption shall be determined by the Town. Interest on the Refunding Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the

principal office of the Paying Agent to pay the redemption price on the date so named. Coincidentally with the payment of the redemption price, the Refunding Bonds so called for redemption shall be surrendered for cancellation.

Sec. 4. Each of the Refunding Bonds shall be executed in the name of the Town by the manual or facsimile signature of the President of the Board of Trustees, attested by the manual or facsimile signature of its Clerk-Treasurer and the seal of the Town shall be affixed, imprinted or impressed to or on each of the Refunding Bonds manually, by facsimile or any other means; and these officials, by the execution of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures the facsimile signatures appearing on the Refunding Bonds. In case any officer whose signature or facsimile signature appears on the Refunding Bonds shall cease to be such officer before the delivery of the Refunding Bonds, the signature of such officer shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

The Refunding Bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Indiana, subject to the provisions for registration herein.

The Refunding Bonds shall also be authenticated by the manual signature of an authorized representative of the Registrar, and no Refunding Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed.

Said Refunding Bonds, and any bonds ranking on a parity therewith, as to both principal and interest, shall be payable from and secured by an irrevocable pledge of and shall constitute a charge upon all the Net Revenues (herein defined as gross revenues of the waterworks, including all additions thereto and improvements and replacements thereof subsequently constructed or acquired, remaining after the payment of the

reasonable expenses of operation and maintenance) of the waterworks of the Town, subject to the prior payment of principal and interest on the 1968 Bonds and the 1986 Bonds. The Town shall not be obligated to pay said Refunding Bonds or the interest thereon except from the Net Revenues of said works, and said Refunding Bonds shall not constitute an indebtedness of the Town within the meaning of the provisions and limitations of the constitution of the State of Indiana.

Sec. 5. The form and tenor of the Refunding Bonds shall be substantially as follows, all blanks to be filled in properly prior to delivery;

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF CLARK

Original
Date

Authentication
Date

TOWN OF SELLERSBURG
WATERWORKS REFUNDING REVENUE
BOND OF 1988

REGISTERED OWNER:

PRINCIPAL SUM:

The Town of Sellersburg, in Clark County, State of Indiana, for value received, hereby promises to pay to the Registered Owner named above or registered assigns, solely out of the special revenue fund hereinafter referred to, the Principal Sum set forth above (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided) on December 1 in the years and amounts as follows:

Year

Amount

Interest Rate

and to pay interest thereon for each maturity at the Interest Rates per annum stated above from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the first day of the month preceding an interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date or unless this bond is authenticated on or before May 15, 1989, in which case it shall bear interest from the Original Date, until the principal is paid, which interest is payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1989.

The principal of this bond is payable at the office of Clerk-Treasurer (the "Registrar" or "Paying Agent"), in the Town of Sellersburg, Indiana. All payments of interest on this bond shall be paid by check or draft, mailed or delivered to the Registered Owner hereof at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the Registered Owner. All payments on the bond shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

THE TOWN SHALL NOT BE OBLIGATED TO PAY THIS BOND OR THE INTEREST HEREON EXCEPT FROM THE HEREINAFTER DESCRIBED SPECIAL FUND, AND NEITHER THIS BOND NOR THE ISSUE OF WHICH IT IS A PART SHALL IN ANY RESPECT CONSTITUTE A CORPORATE INDEBTEDNESS OF THE TOWN WITHIN THE PROVISIONS AND LIMITATIONS OF THE CONSTITUTION OF THE STATE OF INDIANA.

This bond is one of an authorized issue of bonds of the Town of Sellersburg, aggregating _____ Dollars (\$ _____); issued for the purpose of refunding a certain 1974 Bond (as defined in the hereinafter defined Ordinance). This bond is issued pursuant to an Ordinance adopted by the Board of Trustees of said Town on the _____ day of May, 1988, entitled "An Ordinance concerning the refunding by the Town of Sellersburg, Indiana, of its Waterworks Revenue Bond of 1974; authorizing the issuance of Waterworks Refunding Revenue Bonds of 1988 for such purpose; providing for the collection, segregation and distribution of the revenues of said waterworks and the safeguarding of the interests of the owners of the

Waterworks Refunding Revenue Bonds of 1988; other matters connected therewith; and repealing ordinances inconsistent herewith" (the "Ordinance"), and in accordance with the provisions of Indiana law, including without limitation Indiana Code 5-1-5 and Indiana Code 8-1.5 (hereinafter collectively, the "Act"), the proceeds of which bonds are to be applied solely to said refunding of the 1974 Bond, as described in the Ordinance, including the incidental expenses incurred in connection therewith.

Pursuant to the provisions of the Act and the Ordinance, the principal of and interest on this bond and any bonds hereafter issued on a parity therewith, subject to the prior payment of the 1968 Bonds and 1986 Bonds (as defined in the Ordinance), are payable solely from the Waterworks Bond Fund continued by the Ordinance (the "Sinking Fund") to be provided from the Net Revenues (herein defined as the gross revenues of the waterworks, including all additions thereto and improvements and replacements thereof subsequently constructed or acquired, remaining after the payment of the reasonable expenses of operation and maintenance) of the waterworks of the Town.

The Town of Sellersburg irrevocably pledges the entire Net Revenues of the waterworks to the prompt payment of the principal of and interest on the bonds authorized by the Ordinance, of which this is one, and any bonds ranking on a parity therewith, to the extent necessary for that purpose, subject to the prior payment of the 1968 Bonds and 1986 Bonds, and covenants that it will cause to be fixed, maintained and collected such rates and charges for services rendered by the utility as are sufficient in each year for the payment of the proper and reasonable expenses of operation and maintenance of the utility and for the payment of the sums required to be paid into the Sinking Fund under the provisions of the Act and the Ordinance. In the event the Town or the proper officers thereof shall fail or refuse to so fix, maintain and collect such rates or charges, or if there be a default in the payment of the interest on or principal of this bond, the owner of this bond shall have all of the rights and remedies provided for under Indiana law.

The Town of Sellersburg further covenants that it will set aside and pay into its Sinking Fund monthly, as available, or more often if necessary, a sufficient amount of the Net Revenues of said works for payment of (a) the interest on all bonds which by their terms are payable from the revenues of the waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying bonds and interest, (c) the principal of all bonds which by their terms are payable from the revenues of the waterworks, as such principal shall fall due, and (d) an additional amount as a margin of safety to maintain the debt service reserve required by the Ordinance. Such required payments shall constitute a charge upon all the Net Revenues of the waterworks subject to the aforementioned 1968 Bonds and 1986 Bonds.

The bonds of this issue maturing on and after December 1, 1999 are redeemable at the option of the Town on June 1, 1998, or any interest payment date thereafter, in whole or in part, in inverse order of maturity and by lot within a maturity, at face value, together with the following premiums:

- 2% if redeemed on June 1, 98, or thereafter on or before December 1, 1999;
- 1% if redeemed on June 1, 99, or thereafter on or before December 1, 2000;
- 0% if redeemed on June 1, 2000, or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption. Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration records of the Town not less than thirty (30) days but not more than sixty (60) days prior to the date fixed for redemption unless the notice is waived by the registered owner of this bond. The notice shall specify the date and place of redemption and the serial numbers and dates of maturity of the bonds called for redemption. The place of redemption may be determined by the Town. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the Town may deposit in trust with the Paying Agent, an amount sufficient to pay such bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with said bank for payment and the Town shall have no further obligation or liability in respect thereto.

This bond is transferable or exchangeable only upon the books of the Town kept for that purpose at the office of the Clerk-Treasurer, as Registrar, by the registered owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the Registered Owner, as the case may be, in exchange therefor. The Town, the Registrar, the Paying Agent and any other registrar or paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

This bond is subject to defeasance prior to redemption or payment as provided in the Ordinance referred to herein, and the owner of this bond, by the acceptance hereof, hereby agrees to all the terms and provisions contained in the Ordinance.

If the Refunding Bonds are to bear interest which is tax-exempt for federal tax purposes:

[The Town of Sellersburg has designated the bonds as qualified tax-exempt obligations to qualify the bonds for the \$10,000,000 exception from the provisions of Section 265(b) of the Internal Revenue

Code of 1986 relating to the disallowance of 100% of the deduction for interest expense allocable to tax-exempt obligations acquired after August 7, 1986.]

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

The bonds maturing in any one year are issuable only in fully registered form in the denomination of \$ 100 or any integral multiple thereof.

IN WITNESS WHEREOF, the Town of Sellersburg, in Clark County, Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signature of its President of the Board of Trustees, its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by its Clerk-Treasurer.

TOWN OF SELLERSBURG, INDIANA

By William P. Masley
President, Board of Trustees

(SEAL)

Attest:

James L. McCartney
Clerk-Treasurer

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned Ordinance.

as Registrar

By _____
Authorized Representative

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ this bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to transfer the within bond in the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: Signature(s) must be guaranteed by a broker-dealer or a commercial bank or trust company.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Sec. 6. The Clerk-Treasurer is hereby authorized and directed to have the Refunding Bonds prepared, and the President of the Board of Trustees and Clerk-Treasurer are hereby authorized and directed to execute and attest the Refunding Bonds in the form and manner provided above. The Clerk-Treasurer is hereby authorized and directed to deliver the Refunding Bonds to the Indiana Bond Bank in accordance with Purchase Agreement I if the Refunding Bonds are to bear interest that is tax-exempt, or in accordance with Purchase Agreement II, if the Refunding Bonds are to bear interest that is taxable (hereinafter, collectively, "Purchase Agreements") between the Town and the Indiana Bond Bank ("Bond Bank"). The Purchase Agreements are hereby approved and ratified by the Board of Trustees in substantially final form, and the President of the Board of Trustees and Clerk-Treasurer shall be authorized and directed to execute and attest the same on behalf of the Town with any changes therein not inconsistent with this

ordinance. The Refunding Bonds herein authorized, when fully paid for and delivered to the Bond Bank, shall be the binding special revenue obligations of the Town, payable out of the Net Revenues of the waterworks to be set aside into the Waterworks Revenue Bond Fund continued by Section 12. The proper officers of the Town are hereby directed to participate in the Program and sell the Refunding Bonds to the Bond Bank, to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary to carry out the provisions of this ordinance.

Sec. 7. Concurrently with the delivery of the Refunding Bonds, the Clerk-Treasurer shall acquire with the proceeds thereof, and any Issuer's Funds as set forth in Exhibit A attached hereto, the 1974 Bond from the FmHA in compliance with the guidelines of the Program, to refund the 1974 Bond.

Issuance expenses of the Refunding Bonds not otherwise paid shall be paid from the remaining proceeds by the Clerk-Treasurer. When all the costs of issuance of the Refunding Bonds have been paid, the Clerk-Treasurer shall then transfer any amount then remaining from the proceeds of the Refunding Bonds to the Waterworks Bond Fund as herein provided.

Sec. 8. The accrued interest received at the time of delivery of the Refunding Bonds, if any, shall be deposited in the Waterworks Bond Fund continued in Section 12.

Sec. 9. The Town shall keep proper records and books of account, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues received on account of the operation of the waterworks and all disbursements made therefrom and all transactions relating to the utility. There shall be prepared and furnished to the Bond Bank, and upon request, an annual report setting out complete operating income and financial statements of the utility, in reasonable detail, covering the preceding fiscal year. Such report shall be prepared and furnished within ninety (90) days after the close of each fiscal year, and shall be certified by the Clerk-

Treasurer, or be prepared by a certified public accountant employed for that purpose. Copies of all such statements and reports shall be kept on file in the office of the Clerk-Treasurer. Any owner of the Refunding Bonds shall have the right at all reasonable times to inspect the waterworks system and the records, accounts and data of the Town to it.

Sec. 10. The interest on and the principal of the bonds issued pursuant to the provisions of this ordinance, and any bonds hereafter issued on a parity therewith, shall constitute a charge on all the Net Revenues of the Town's waterworks; subject, however, to the prior payment of the principal of and interest on the outstanding 1961 Bonds and the 1986 Bonds, and such Net Revenues are hereby irrevocably pledged to the payment of the interest on and principal of such bonds, to the extent necessary for that purpose.

Sec. 11. All revenues derived from the operation of the waterworks and from the collection of water rates and charges shall be segregated and kept separate and apart from all other funds and bank accounts of the Town. Out of said revenues the proper and reasonable expenses of operation and maintenance of the works shall be paid, the principal and interest of all bonds and fiscal agency charges of bank paying agents shall be paid, and the cost of replacements, extensions, additions, and improvements shall be paid as hereinafter provided. No moneys derived from the revenues of the waterworks shall be transferred to the general fund of the Town or be used for any purpose not connected with the waterworks so long as any bonds payable from the revenues of the waterworks are outstanding.

Sec. 12. All of the Net Revenues of the Town's waterworks shall be and are hereby irrevocably pledged to the payment of the principal of and interest on the now outstanding bonds and the bonds issued pursuant to the provisions of this ordinance (subject to payment of the 1961 Bonds and the 1986 Bonds), and all bonds on a parity therewith, to the extent necessary for that purpose.

The special fund created by Ordinance No. 217 and continued by Ordinance No. 428 for the payment of the principal of and interest on the 1961 Bonds and the 1986 Bonds, respectively, and all bonds on a parity therewith is hereby designated as the special fund for the payment of the principal of and interest on the bonds authorized by this ordinance ("Waterworks Bond Fund"), subject to the prior payment of the 1961 Bonds and the 1986 Bonds. Out of the Net Revenues there shall be deposited in the Waterworks Bond Fund on or before the first day of each calendar month, a sufficient amount of such remaining Net Revenues of the Town's waterworks to pay one-twelfth (1/12) of the interest on and principal of the outstanding 1961 Bonds, the 1986 Bonds, the bonds issued pursuant to the provisions of this ordinance, and any bonds hereafter issued on a parity therewith which will be payable during the period of the then next succeeding twelve (12) calendar months. Such monthly deposit shall continue until such time as said fund contains an amount sufficient to pay all of said bonds then outstanding, together with the interest thereon to the dates of maturity thereof, and to pay the principal of and interest on any bonds hereafter issued on a parity therewith. In addition to said monthly one-twelfth (1/12) debt service deposits, there shall be deposited monthly in said fund not less than the amount of Two Thousand Three Hundred Seventy-five Dollars (\$2,375) until there has been accumulated from such additional deposits the sum of maximum annual principal and interest on the bonds, 125% of average annual debt service on the bonds, or 15% of the face amount of the bonds, whichever is less, as a debt service reserve in said Waterworks Bond Fund. Thereafter said debt service reserve shall be maintained in said fund as a minimum balance over and above the monthly one-twelfth (1/12) debt service deposits so long as any of the bonds herein authorized are outstanding, the Board of Trustees finding and declaring that said debt service reserve is a reasonable and proper protection against default. Said Waterworks Bond Fund shall be applied to the payment of the principal of and interest on the 1961 Bonds, the 1986 Bonds and the bonds issued

pursuant to the provisions of this ordinance, subject to the prior payment of the 1961 Bonds and the 1986 Bonds, in accordance with the terms of said bonds, and to the payment of the principal of and interest on any bonds hereafter issued on a parity therewith, and to no other purpose whatsoever. Only moneys in said Waterworks Bond Fund in excess of said monthly one-twelfth (1/12) debt service deposits and said minimum balance debt service reserve may be used for the purpose of redeeming bonds prior to maturity unless all of the outstanding bonds payable from said fund can be retired by the application of moneys in said fund. If the reserve portion of the Sinking Fund, allocable to the Refunding Bonds, does not exceed the lesser of (i) the maximum annual debt service on the Refunding Bonds, (ii) 125% of average annual debt service on the Refunding Bonds or (iii) 10% of the proceeds of the Refunding Bonds plus a minor portion as defined in the Internal Revenue Code of 1986 ("Reserve Requirement"), all of the moneys contained in this reserve portion of the Sinking Fund may be invested without restriction as to yield. Any amounts in excess of this Reserve Requirement which are allocable to the bonds issued hereunder, must be invested at a yield which does not exceed the yield on the Refunding Bonds. Moneys in said Waterworks Bond Fund may be invested in accordance with the laws of the State of Indiana relating to the investment of public funds, including particularly IC 5-13 and IC 5-1-14, as amended and supplemented. No part of the Net Revenues of the Town's waterworks shall be transferred to the general fund or any other fund of the Town not related to the Town's waterworks so long as the bonds issued pursuant to this ordinance are outstanding.

Sec. 13. After providing for the reasonable operating and maintenance expenses and after setting aside the amounts hereinbefore required to be paid into the Waterworks Bond Fund, all or such portion of the remaining income and revenues of said system as shall be necessary shall be set aside into the Depreciation Account continued by Ordinance No. 217 and Ordinance No. 428, and may be expended in making good

depreciation in the waterworks, or in new construction, extensions, betterments, or additions to said waterworks; or funds in such account may be used for the call, prepayment or purchase of outstanding bonds for redemption prior to maturity, provided that no such redemption shall be made at a price in excess of the then applicable redemption price, or if the bonds are non-callable and are not prepayable at the time, then at a price in excess of the highest redemption price provided in the ordinance authorizing the issuance of such bonds. The funds in said Depreciation Account may be invested in accordance with the laws of the State of Indiana relating to the investment of public funds, including particularly IC 5-13 and IC 5-1-14, as amended and supplemented.

Sec. 14. The Waterworks Bond Fund shall be deposited in and maintained as a separate bank account or accounts apart from all other bank accounts of the Town. Any operation and maintenance fund or account and the Depreciation Account may be maintained in a single bank account or accounts but such bank account or accounts shall likewise be maintained separate and apart from all other bank accounts of the Town and apart from the other waterworks accounts. All moneys deposited in said bank accounts shall be deposited, held and secured as public funds in accordance with the public depository laws of the State of Indiana; provided that moneys therein may be invested in accordance with the applicable laws, and in the event of such investment the income therefrom shall become a part of the Funds or Accounts invested and shall be used only as provided in this ordinance. Moneys invested pursuant to the provisions of this ordinance may be restricted as to yield to the extent necessary or advisable to preserve the tax exempt status of interest on the bond under federal law.

Sec. 15. If, when the Refunding Bonds or a portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Refunding Bonds or a portion thereof for redemption shall have been given, and the whole amount of the principal and the interest

and the premium, if any, so due and payable upon all of the Refunding Bonds or a portion thereof then outstanding shall be paid; or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Refunding Bonds or any designated portion thereof issued hereunder shall no longer be deemed outstanding or entitled to the pledge of the Net Revenues of the Town's waterworks.

Sec. 16. The Town shall establish, maintain and collect just and equitable rates and charges for facilities and services afforded and rendered by said water utility, which shall to the extent permitted by law produce sufficient revenues at all times to pay all the legal and other necessary expenses incident to the operation of such utility, to include maintenance costs, operating charges, upkeep, repairs, interest charges on bonds or other obligations, to provide the sinking fund for the liquidation of bonds or other evidences of indebtedness, to provide adequate funds to be used as working capital, as well as funds for making extensions, additions, and replacement, and also, for the payment of any taxes that may be assessed against such utility, it being the intent and purpose hereof that such charges shall produce an income sufficient to maintain such utility property in a sound physical and financial condition to render adequate and efficient service. So long as any of the bonds herein authorized are outstanding, none of the facilities or services afforded or rendered by said system shall be furnished without a reasonable and just charge being made therefor. The Town shall pay like charges for any

and all services rendered by said utility to the Town, and all such payments shall be deemed to be revenues of the utility. Such rates or charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation and maintenance, and said requirements of the Sinking Fund.

Sec. 17. The Town reserves the right to authorize and issue additional bonds payable out of the revenues of its waterworks ranking on a parity with the Refunding Bonds for the purpose of financing the cost of future additions, extensions and improvements to its waterworks, or to refund obligations, subject to the following conditions:

(a) All required payments into the Sinking Fund shall have been made in accordance with the provisions of this ordinance, and the interest on and principal of the Refunding Bonds shall have been paid in accordance with their terms.

(b) The Net Revenues of the waterworks in the fiscal year immediately preceding the issuance of any such bonds ranking on a parity with the Refunding Bonds shall be not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or, prior to the issuance of said additional parity bonds, the sewer rates and charges shall be increased sufficiently so that the increased rates and charges applied to the previous fiscal year's operations would have produced Net Revenues for the year equal to not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued. For purposes of this subsection, the records of the waterworks shall be analyzed and all showings prepared by a certified public accountant employed by the Town for that purpose.

(c) The interest on the additional parity bonds shall be payable semiannually on the first days of June and December and the principal of the bonds shall be payable annually on the first day of December in the years in which both principal and interest are payable.

Sec. 18. For the purpose of further safeguarding the interests of the owners of the Refunding Bonds, it is hereby specifically provided as follows:

(a) So long as any of the Refunding Bonds are outstanding, the Town shall at all times maintain said waterworks system in good condition, and operate the same in an efficient manner and at a reasonable cost.

(b) So long as any of the Refunding Bonds are outstanding, the Town shall maintain insurance on the insurable parts of the system, of a kind and in an amount such as is usually carried by private corporations engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the state of Indiana, and insurance proceeds shall be used either in replacing or restoring the property destroyed or damaged, or shall be deposited in the Sinking Fund.

(c) So long as any of the Refunding Bonds are outstanding, the Town shall not mortgage, pledge or otherwise encumber the property and plant of its waterworks system, or any part thereof, and shall not sell, lease or otherwise dispose of any part of the same, excepting only such machinery, equipment or other property as may be replaced, or shall no longer be necessary for use in connection with said utility.

(d) Except as otherwise specifically provided in Section 17 of this ordinance, so long as any of the Refunding Bonds are outstanding, no additional bonds or other obligations pledging any portion of the revenues of the system shall be authorized, issued or executed by the Town, except such as shall be made junior and subordinate in all

respects to the Refunding Bonds, unless all of the Refunding Bonds are redeemed or defeased coincidentally with the delivery of such additional bonds or other obligations.

(e) The provisions of this ordinance shall constitute a contract by and between the Town and the owners of the Refunding Bonds herein authorized, all the terms of which shall be enforceable by any bondholder by any and all appropriate proceedings in law or in equity. After the issuance of said Refunding Bonds this ordinance shall not be repealed, amended or modified in any respect which will adversely affect the rights or interests of the owners of said Refunding Bonds, nor shall the Board of Trustees or any other body of the Town adopt any law, ordinance or resolution in any way adversely affecting the rights of the bondholders so long as any of said Refunding Bonds, or the interest thereon, remain outstanding or unpaid. The ordinance may be amended, however, without the consent of bondowners, if the Board of Trustees determines, in its sole discretion, that such amendment would not adversely affect the owners of the Refunding Bonds.

(f) The provisions of this ordinance shall be construed to create a trust in the proceeds of the sale of the Refunding Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Refunding Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this ordinance and of said governing Act. The provisions of this ordinance shall also be construed to create a trust in the Net Revenues herein directed to be set apart and paid into the Sinking Fund for the uses and purposes of said Fund as in this ordinance set forth. The owners of said Refunding Bonds shall have all the rights, remedies and privileges under Indiana law in the event of default in the payment of the principal of or interest on any of the bonds herein authorized for a period of thirty (30) days after such payment shall be due or in the event of default in respect to any of the provisions of this ordinance or said Act.

(g) None of the provisions of this ordinance shall be construed as requiring the expenditure of any funds of the Town derived from any sources other than the proceeds of said Refunding Bonds and the operation of the waterworks system.

5 • Sec. 19. Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Refunding Bonds issued pursuant to this ordinance and then outstanding shall have the right from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Board of Trustees of the Town of such ordinance or ordinances supplemental hereto or amendatory hereof, as shall be deemed necessary or desirable by the Town for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any Refunding Bond issued pursuant to this ordinance; or

(b) A reduction in the principal amount of any Refunding Bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the Net Revenues of the waterworks ranking prior to the pledge thereof created by this ordinance; or

(d) A preference or priority of any Refunding Bond or Refunding Bonds issued pursuant to this ordinance over any other Refunding Bond or Refunding Bonds issued pursuant to the provisions of this ordinance; or

(e) A reduction in the aggregate principal amount of the Refunding Bonds required for consent to such supplemental ordinance.

In the event that the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Refunding Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Clerk-Treasurer of the Town, no owner of any Refunding Bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Board of Trustees of the Town from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the Town and all owners of Refunding Bonds then outstanding, shall thereafter be determined, exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the Town and of the owners of the Refunding Bonds authorized by this ordinance, and the terms and provisions of the Refunding Bonds and this ordinance, or any supplemental or amendatory ordinance, may be modified or altered in any respect with the consent of the Town and the consent of the owners of all the Refunding Bonds then outstanding.

Sec. 20. In order to preserve the exclusion of interest on the Refunding Bonds from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as existing on the date of issuance of the Refunding Bonds (the "Code") and as an inducement to purchasers of the Refunding Bonds, the Town represents, covenants and agrees that:

(a) No person or entity other than the Town or another state or local governmental unit will use proceeds of the Refunding Bonds or property financed by the bond proceeds other than as a member of the general public. No person or entity other than the Town or another state or local governmental unit will own property financed by bond proceeds or will have any actual or beneficial use of such property pursuant to a lease, management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that differentiates that person's or entity's use of such property from use by the general public.

(b) No bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the bond proceeds.

(c) The Town will not take any action nor fail to take any action with respect to the Refunding Bonds that would result in the loss of the exclusion from gross income for federal tax purposes on the Refunding Bonds pursuant to Section 103 of the Code, nor will the Town act in any other manner which would adversely affect such exclusion.

(d) It shall be not an event of default under this ordinance if the interest on any Refunding Bonds is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Refunding Bonds.

(e) The Town represents that:

(i) The Town is a governmental unit with general taxing powers;

(ii) The Refunding Bonds are not private activity bonds as defined in Section 141 of the Code;

(iii) At least 95% of the net proceeds of the Refunding Bonds will be used for local governmental activities of the Town or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the Town; and

(iv) The aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the Town, all units to which the Town is subordinate and all units subordinate to the Town is not reasonably expected to exceed \$5,000,000 in calendar year 1988.

Therefore, the Town meets the requirements of Section 148(f)(4)(C) of the Code and will not have to rebate any arbitrage profits to the United States.

(f) The Town acknowledges that it is aware that the Technical Corrections Bill (H.R. 2636, S. 1350) was introduced in the first session of the 100th Congress and the second session of the 100th Congress and, in its present form, contains a provision that may subject the Refunding Bonds to the rebate requirement of Section 148(f) of the Code and would be effective for all bonds issued after June 30, 1987, including the Refunding Bonds. The Town hereby covenants that it will rebate any arbitrage profits to the United States to the extent required by the Code, if amended retroactively by the Technical Corrections Bill and enacted into law.

(g) The Town represents that:

(i) The Refunding Bonds are not private activity bonds as defined in Section 141 of the Code;

(ii) The Town hereby designates the Refunding Bonds as qualified tax-exempt obligations for purposes of Section 265(b) of the Code; and

(iii) The reasonably anticipated amount of qualified tax-exempt obligations (including qualified 501(c)(3) obligations but excluding other private activity bonds) which will be issued by the Town, all units to which the

Town is subordinate and all units subordinate to the Town during 1988 does not exceed \$10,000,000.

(iv) The Town has not designated more than \$10,000,000 of qualified tax-exempt obligations during 1988.

Therefore, the Refunding Bonds qualify for the exception in the Code from the disallowance of 100% of the deduction by financial institutions of interest expense allocable to tax-exempt obligations.

(h) These covenants are based solely on current law in effect and in existence on the date of delivery of such Refunding Bonds.

Sec. 21. Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance ("Tax Sections") which are designed to preserve the exclusion of interest on the Refunding Bonds from gross income under federal law ("Tax Exemption") need not be complied with if (i) the Town receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption, or (ii) the Refunding Bonds are intended to bear interest which is taxable for federal income tax purposes.

Sec. 22. All ordinances and parts of ordinances in conflict herewith are hereby repealed, provided, however, that this ordinance shall not be deemed in any way to repeal, amend, alter or modify Ordinance No. 217 or Ordinance No. 428 nor be construed as adversely affecting the rights of the owners of the 1968 Bonds or 1986 Bonds.

Sec. 23. Effective Date. This ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Board of Trustees of the Town of Sellersburg, this 18th
day of May, 1988.

William Massey
Presiding Officer

Member
Roy Elliott

Member
Charles J. Pilem

Attest:

Ann L. McCarty
Clerk-Treasurer

ORDINANCE NO. 458

WHEREAS the Town of Sellersburg provides garbage removal service and;

WHEREAS certain residents use and own garbage receptacles or garbage bins or "dumpsters" as receptacles for refuse,

The Town Board of Trustees for the Town of Sellersburg hereby orders that it shall be an infraction for any person to place refuse, garbage or any tangible item, substance or material in the garbage receptacle, or "dumpster" or garbage bin of another person.

This ordinance authorizes any Sellersburg Police Officer or any Town employee of the Street and Sanitation department to issue a citation to any person who violates this ordinance.

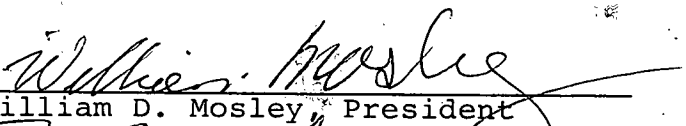
PENALTIES:

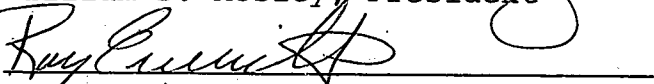
A person found to be in violation of this ordinance shall be required to pay a fine of not less than twenty-five dollars.

PAYMENT OF FINES:

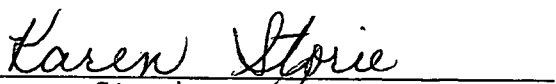
This ordinance authorizes the dispatcher of the Sellersburg Police department to accept payment of fines imposed under this ordinance on behalf of the Town of Sellersburg.

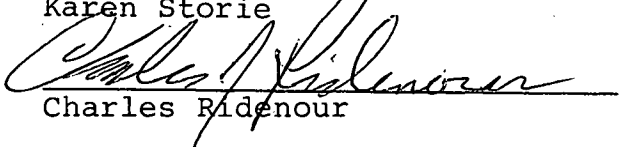
WHEREBY THE ABOVE IS SO ORDERED this 25th day of April, 1988



William D. Mosley, President


Roy Everitt



Karen Storie


Charles Ridenour

Mary Ann Dellarosa
Mary Ann Dellarosa

ATTEST: Anna McCartney
Anna McCartney
CLERK-TREASURER

ORDINANCE NO. 454

An Amended and Restated Ordinance concerning the refunding by the Town of Sellersburg, Indiana, of its Waterworks Revenue Bond of 1974; authorizing the issuance of Waterworks Refunding Revenue Bonds of 1988 for such purpose; providing for the collection, segregation and distribution of the revenues of said waterworks and the safeguarding of the interests of the owners of the Waterworks Refunding Revenue Bonds of 1988; other matters connected therewith; and repealing ordinances inconsistent herewith

WHEREAS, the Town issued its Waterworks Revenue Bond of 1974 ("1974 Bond") under date of May 3, 1974, in the amount of \$423,000, which is now outstanding in the amount of \$353,000; and

WHEREAS, the Farmers Home Administration, U.S. Department of Agriculture ("FmHA") is the owner of the 1974 Bond; and

WHEREAS, FmHA has developed a loan repurchase program ("Program") which enables the Town to refund its 1974 Bond and the Town now finds that said refunding will achieve a savings; and

WHEREAS, the Indiana Bond Bank will participate in the Program and will enable the Town to effect said refunding by purchasing the hereinafter defined Refunding Bonds; and

WHEREAS, IC 5-1-5 authorizes the refunding of such 1974 Bond in order to effect a savings and such refunding is permitted by Ordinance No. 285 (hereinafter "Ordinance No. 285") authorizing the 1974 Bonds; and

WHEREAS, the Town hereby determines to participate in the Program, to execute and issue therefor its "Waterworks Refunding Revenue Bonds of 1988" ("Refunding Bonds"), in the form and with terms as hereinafter provided, for the purpose of effecting a savings and providing, together with certain funds currently held in funds and accounts created in Ordinance No. 285, if any ("Issuer's Funds") as set forth in Exhibit A attached hereto, for the payment of the purchase price of the 1974 Bond, as determined under the

FmHA guidelines for the Program, and costs of issuance, thereby providing for the redemption of the 1974 Bond; and

WHEREAS, the Town now has outstanding certain Waterworks Revenue Bonds of 1961, dated July 1, 1961 ("1961 Bonds") in the amount of \$265,000, bearing interest at the rate of 4 1/2% per annum, and maturing annually over a period ending December 1, 1996; and

WHEREAS, the Town now has outstanding certain Waterworks Revenue Bonds of 1986, dated July 1, 1986 ("1986 Bonds") in the amount of \$2,475,000 bearing interest at rates not exceeding 8.32% per annum, and maturing annually over a period ending December 1, 2010 which 1986 Bonds are junior and subordinate to the 1961 Bonds; and

WHEREAS, Ordinance No. 217, adopted January 27, 1961, authorizing the issuance of the 1961 Bonds, and Ordinance No. 428, adopted July 17, 1986, authorizing the issuance of the 1986 Bonds require that any additional bonds be junior and subordinate to the 1961 Bonds and 1986 Bonds, respectively, unless certain conditions are met, which conditions the Board finds cannot now be met and the Refunding Bonds authorized by the ordinance, accordingly, must be junior and subordinate to said 1961 Bonds and the 1986 Bonds; and

WHEREAS, the Refunding Bonds to be issued pursuant to this ordinance will constitute a charge against the Net Revenues of the waterworks, subject to the 1961 Bonds and the 1986 Bonds, and are to be issued subject to the provisions of the laws of the State of Indiana, including without limitation IC 5-1-5 and IC 8-1.5, and all acts amendatory and supplemental (collectively, "Act"), and the terms and restrictions of this ordinance; and

WHEREAS, all conditions precedent to the adoption of an ordinance authorizing the issuance of the Refunding Bonds to apply to the refunding of the 1974 Bond have been complied with in accordance with the provisions of the Act; now therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
SELLERSBURG, INDIANA:

Sec. 1. (a) That the Town, being the owner of and engaged in operating an unencumbered waterworks supplying the Town, its inhabitants, and the residents adjacent thereto, with water for public, domestic and industrial uses, now finds it necessary to provide funds for refunding the 1974 Bond and thereby effecting the savings as set forth on Exhibit A attached hereto. The terms "waterworks," "waterworks system," "works," "system," and words of like import where used in this ordinance shall be construed to mean and include the existing waterworks system and all real estate and equipment used in connection therewith and appurtenances thereto, and all extensions, additions and improvements thereto and replacements thereof now or at any time hereafter constructed or acquired.

(b) The Town shall issue its Waterworks Refunding Revenue Bonds of 1988, in the principal amount set forth in Exhibit A attached hereto for the purpose of procuring funds to be applied to the refunding of the 1974 Bond. The Town shall apply the Issuer's Funds to the refunding as set forth in Section 7.

The Refunding Bonds shall be issued in the denomination of One Thousand Dollars (\$1,000) each or integral multiples thereof, numbered consecutively from 1 upward, dated as of the date of delivery thereof, and interest shall be payable annually on December 1 in each year, beginning on December 1, 1988. The Refunding Bonds shall be sold at not less than 97% of par value, shall bear interest at the rates per annum set forth on Exhibit A attached hereto and shall mature serially on December 1 in the years and amounts as set forth on Exhibit A attached hereto.

Sec. 2. The Clerk-Treasurer is hereby appointed as Registrar and Paying Agent for the Refunding Bonds (hereinafter, "Registrar" or "Paying Agent") and is hereby charged with the responsibility of authenticating the Refunding Bonds.

The principal of the Refunding Bonds shall be payable at the office of the Paying Agent. All payments of interest on the Refunding Bonds shall be paid by check or draft, mailed to the registered owners thereof as the names appear as of the fifteenth day of the month preceding the interest payment date and at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner. All payments on the Refunding Bonds shall be made in any coin or currency of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

Each Refunding Bond shall be transferable or exchangeable only upon the books of the Town kept for that purpose at the principal office of the Registrar by the registered owner in person, or by his attorney duly authorized in writing, upon surrender of such Refunding Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered Refunding Bond or Refunding Bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the Town. The Town, Registrar and Paying Agent for the Refunding Bonds may treat and consider the person in whose name such Refunding Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

Interest on the Refunding Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date of the Refunding Bonds unless the Refunding Bonds are authenticated after the first day of the month preceding an interest payment date and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless the Refunding

Bonds are authenticated on or before November 15, 1988, in which case they shall bear interest from the original date.

Sec. 3. The Refunding Bonds maturing on and after December 1, 1999, shall be redeemable at the option of the Town on December 1, 1998, or any interest payment date thereafter, in whole or in part, in inverse order of maturity and by lot within a maturity, at face value together with the following premiums:

2%	if redeemed on December 1, 1998;
1%	if redeemed on December 1, 1999;
0%	if redeemed on December 1, 2000, or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption. Notice of such redemption shall be given at least thirty (30) days but not more than sixty (60) days prior to the date fixed for redemption by mail. Such notice shall be mailed to the address of the registered owners as shown on the registration records of the Town. The notice shall specify the date and place of redemption, and the serial numbers and dates of maturity of the Refunding Bonds called for redemption. The place of redemption shall be determined by the Town. Interest on the Refunding Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the principal office of the Paying Agent to pay the redemption price on the date so named. Coincidentally with the payment of the redemption price, the Refunding Bonds so called for redemption shall be surrendered for cancellation.

Sec. 4. Each of the Refunding Bonds shall be executed in the name of the Town by the manual or facsimile signature of the President of the Board of Trustees, attested by the manual or facsimile signature of its Clerk-Treasurer and the seal of the Town shall be affixed, imprinted or impressed to or on each of the Refunding Bonds manually, by facsimile or any other means; and these officials, by the execution of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures the facsimile

signatures appearing on the Refunding Bonds. In case any officer whose signature or facsimile signature appears on the Refunding Bonds shall cease to be such officer before the delivery of the Refunding Bonds, the signature of such officer shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

The Refunding Bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Indiana, subject to the provisions for registration herein.

The Refunding Bonds shall also be authenticated by the manual signature of an authorized representative of the Registrar, and no Refunding Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed.

Said Refunding Bonds, and any bonds ranking on a parity therewith, as to both principal and interest, shall be payable from and secured by an irrevocable pledge of and shall constitute a charge upon all the Net Revenues (herein defined as gross revenues of the waterworks, including all additions thereto and improvements and replacements thereof subsequently constructed or acquired, remaining after the payment of the reasonable expenses of operation and maintenance) of the waterworks of the Town, subject to the prior payment of principal and interest on the 1961 Bonds and the 1986 Bonds. The Town shall not be obligated to pay said Refunding Bonds or the interest thereon except from the Net Revenues of said works, and said Refunding Bonds shall not constitute an indebtedness of the Town within the meaning of the provisions and limitations of the constitution of the State of Indiana.

Sec. 5. The form and tenor of the Refunding Bonds shall be substantially as follows, all blanks to be filled in properly prior to delivery;

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF CLARK

Original
Date

Authentication
Date

TOWN OF SELLERSBURG
WATERWORKS REFUNDING REVENUE
BOND OF 1988

REGISTERED OWNER:

PRINCIPAL SUM:

The Town of Sellersburg, in Clark County, State of Indiana, for value received, hereby promises to pay to the Registered Owner named above or registered assigns, solely out of the special revenue fund hereinafter referred to, the Principal Sum set forth above (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided) on December 1 in the years and amounts as set forth on Exhibit A attached hereto and to pay interest thereon for each maturity at the Interest Rates per annum stated on Exhibit A hereto from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the first day of the month preceding an interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date or unless this bond is authenticated on or before November 15, 1988, in which case it shall bear interest from the Original Date, until the principal is paid, which interest is payable annually on December 1 in each year, beginning on December 1, 1988.

The principal of this bond is payable at the office of Clerk-Treasurer (the "Registrar" or "Paying Agent"), in the Town of Sellersburg, Indiana. All payments of interest on this bond shall be paid by check or draft, mailed or delivered to the Registered Owner hereof at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the Registered Owner. All payments on the bond shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

THE TOWN SHALL NOT BE OBLIGATED TO PAY THIS BOND OR THE INTEREST HEREON EXCEPT FROM THE HEREINAFTER DESCRIBED SPECIAL FUND, AND NEITHER THIS BOND NOR THE ISSUE OF WHICH IT IS A PART SHALL IN ANY RESPECT CONSTITUTE A CORPORATE

INDEBTEDNESS OF THE TOWN WITHIN THE PROVISIONS AND LIMITATIONS OF THE CONSTITUTION OF THE STATE OF INDIANA.

This bond is one of an authorized issue of bonds of the Town of Sellersburg, aggregating Two Hundred Fifty-three Thousand Dollars (\$253,000); issued for the purpose of refunding a certain 1974 Bond (as defined in the hereinafter defined Ordinance). This bond is issued pursuant to an Ordinance adopted by the Board of Trustees of said Town on the _____ day of June, 1988, as amended, entitled "An Amended and Restated Ordinance concerning the refunding by the Town of Sellersburg, Indiana, of its Waterworks Revenue Bond of 1974; authorizing the issuance of Waterworks Refunding Revenue Bonds of 1988 for such purpose; providing for the collection, segregation and distribution of the revenues of said waterworks and the safeguarding of the interests of the owners of the Waterworks Refunding Revenue Bonds of 1988; other matters connected therewith; and repealing ordinances inconsistent herewith" (the "Ordinance"), and in accordance with the provisions of Indiana law, including without limitation Indiana Code 5-1-5 and Indiana Code 8-1.5 (hereinafter collectively, the "Act"), the proceeds of which bonds are to be applied solely to said refunding of the 1974 Bond, as described in the Ordinance, including the incidental expenses incurred in connection therewith.

Pursuant to the provisions of the Act and the Ordinance, the principal of and interest on this bond and any bonds hereafter issued on a parity therewith, subject to the prior payment of the 1961 Bonds and 1986 Bonds (as defined in the Ordinance), are payable solely from the Waterworks Bond Fund continued by the Ordinance (the "Sinking Fund") to be provided from the Net Revenues (herein defined as the gross revenues of the waterworks, including all additions thereto and improvements and replacements thereof subsequently constructed or acquired, remaining after the payment of the reasonable expenses of operation and maintenance) of the waterworks of the Town.

The Town of Sellersburg irrevocably pledges the entire Net Revenues of the waterworks to the prompt payment of the principal of and interest on the bonds authorized by the Ordinance, of which this is one, and any bonds ranking on a parity therewith, to the extent necessary for that purpose, subject to the prior payment of the 1961 Bonds and 1986 Bonds, and covenants that it will cause to be fixed, maintained and collected such rates and charges for services rendered by the utility as are sufficient in each year for the payment of the proper and reasonable expenses of operation and maintenance of the utility and for the payment of the sums required to be paid into the Sinking Fund under the provisions of the Act and the Ordinance. In the event the Town or the proper officers thereof shall fail or refuse to so fix, maintain and collect such rates or charges, or if there be a default in the payment of the interest on or principal of this bond, the owner of this bond shall have all of the rights and remedies provided for under Indiana law.

The Town of Sellersburg further covenants that it will set aside and pay into its Sinking Fund monthly, as available, or more often if necessary, a sufficient amount of the Net Revenues of said works for payment of (a) the interest on all bonds which by their terms are payable from the revenues of

the waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying bonds and interest, (c) the principal of all bonds which by their terms are payable from the revenues of the waterworks, as such principal shall fall due, and (d) an additional amount as a margin of safety to maintain the debt service reserve required by the Ordinance. Such required payments shall constitute a charge upon all the Net Revenues of the waterworks subject to the aforementioned 1961 Bonds and 1986 Bonds.

The bonds of this issue maturing on and after December 1, 1999 are redeemable at the option of the Town on December 1, 1998, or any interest payment date thereafter, in whole or in part, in inverse order of maturity and by lot within a maturity, at face value, together with the following premiums:

- 2% if redeemed on December 1, 1998;
- 1% if redeemed on December 1, 1999;
- 0% if redeemed on December 1, 2000,
or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption. Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration records of the Town not less than thirty (30) days but not more than sixty (60) days prior to the date fixed for redemption unless the notice is waived by the registered owner of this bond. The notice shall specify the date and place of redemption and the serial numbers and dates of maturity of the bonds called for redemption. The place of redemption may be determined by the Town. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the Town may deposit in trust with the Paying Agent, an amount sufficient to pay such bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with said bank for payment and the Town shall have no further obligation or liability in respect thereto.

This bond is transferable or exchangeable only upon the books of the Town kept for that purpose at the office of the Clerk-Treasurer, as Registrar, by the registered owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the Registered Owner, as the case may be, in exchange therefor. The Town, the Registrar, the Paying Agent and any other registrar or paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

This bond is subject to defeasance prior to redemption or payment as provided in the Ordinance referred to herein, and the owner of this bond, by the acceptance hereof, hereby agrees to all the terms and provisions contained in the Ordinance.

The Town of Sellersburg has designated the bonds as qualified tax-exempt obligations to qualify the bonds for the \$10,000,000 exception from the provisions of Section 265(b) of the Internal Revenue Code of 1986 relating to the disallowance of 100% of the deduction for interest expense allocable to tax-exempt obligations acquired after August 7, 1986.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by the Registrar.

The bonds maturing in any one year are issuable only in fully registered form in the denomination of \$1,000 or any integral multiple thereof.

IN WITNESS WHEREOF, the Town of Sellersburg, in Clark County, Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signature of its President of the Board of Trustees, its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by its Clerk-Treasurer.

TOWN OF SELLERSBURG, INDIANA

By _____
President, Board of Trustees

(SEAL)

Attest:

Clerk-Treasurer

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned Ordinance.

Clerk-Treasurer, Town of Sellersburg,
as Registrar

By _____
Authorized Representative

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ this bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to transfer the within bond in the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: Signature(s) must be guaranteed by a broker-dealer or a commercial bank or trust company.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Sec. 6. The Clerk-Treasurer is hereby authorized and directed to have the Refunding Bonds prepared, and the President of the Board of Trustees and Clerk-Treasurer are hereby authorized and directed to execute and attest the Refunding Bonds in the form and manner provided above. The Clerk-Treasurer is hereby authorized and directed to deliver the Refunding Bonds to the Indiana Bond Bank in accordance with the Purchase Agreement ("Purchase Agreement") between the Town and the Indiana Bond Bank ("Bond Bank"). The Purchase Agreement is hereby approved and ratified by the Board of Trustees in substantially final form, and the President of the Board of Trustees and Clerk-Treasurer shall be authorized and directed to execute and attest the same on

behalf of the Town with any changes therein not inconsistent with this ordinance. The Refunding Bonds herein authorized, when fully paid for and delivered to the Bond Bank, shall be the binding special revenue obligations of the Town, payable out of the Net Revenues of the waterworks to be set aside into the Waterworks Revenue Bond Fund continued by Section 12. The proper officers of the Town are hereby directed to participate in the Program and sell the Refunding Bonds to the Bond Bank, to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary to carry out the provisions of this ordinance.

Sec. 7. Concurrently with the delivery of the Refunding Bonds, the Clerk-Treasurer shall acquire with the proceeds thereof, and any Issuer's Funds as set forth in Exhibit A attached hereto, the 1974 Bond from the FmHA in compliance with the guidelines of the Program, to refund the 1974 Bond.

Issuance expenses of the Refunding Bonds not otherwise paid shall be paid from the remaining proceeds by the Clerk-Treasurer. When all the costs of issuance of the Refunding Bonds have been paid, the Clerk-Treasurer shall then transfer any amount then remaining from the proceeds of the Refunding Bonds to the Waterworks Bond Fund as herein provided.

Sec. 8. The accrued interest received at the time of delivery of the Refunding Bonds, if any, shall be deposited in the Waterworks Bond Fund continued in Section 12.

Sec. 9. The Town shall keep proper records and books of account, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues received on account of the operation of the waterworks and all disbursements made therefrom and all transactions relating to the utility. There shall be prepared and furnished to the Bond Bank an annual report setting out complete operating income and financial statements of the utility, in reasonable detail, covering the preceding fiscal year. Such report shall be prepared and furnished within ninety (90) days

after the close of each fiscal year, and shall be certified by the Clerk-Treasurer, or be prepared by a certified public accountant employed for that purpose. Copies of all such statements and reports shall be kept on file in the office of the Clerk-Treasurer. Any owner of the Refunding Bonds shall have the right at all reasonable times to inspect the waterworks system and the records, accounts and data of the Town to it.

Sec. 10. The interest on and the principal of the bonds issued pursuant to the provisions of this ordinance, and any bonds hereafter issued on a parity therewith, shall constitute a charge on all the Net Revenues of the Town's waterworks; subject, however, to the prior payment of the principal of and interest on the outstanding 1961 Bonds and the 1986 Bonds, and such Net Revenues are hereby irrevocably pledged to the payment of the interest on and principal of such bonds, to the extent necessary for that purpose.

Sec. 11. All revenues derived from the operation of the waterworks and from the collection of water rates and charges shall be segregated and kept separate and apart from all other funds and bank accounts of the Town. Out of said revenues the proper and reasonable expenses of operation and maintenance of the works shall be paid, the principal and interest of all bonds and fiscal agency charges of bank paying agents shall be paid, and the cost of replacements, extensions, additions, and improvements shall be paid as hereinafter provided. No moneys derived from the revenues of the waterworks shall be transferred to the general fund of the Town or be used for any purpose not connected with the waterworks so long as any bonds payable from the revenues of the waterworks are outstanding.

Sec. 12. All of the Net Revenues of the Town's waterworks shall be and are hereby irrevocably pledged to the payment of the principal of and interest on the now outstanding bonds and the bonds issued pursuant to the provisions of this ordinance (subject to payment of the 1961 Bonds and the 1986 Bonds), and all bonds on a parity therewith, to the extent necessary for that purpose.

The special fund created by Ordinance No. 217 and continued by Ordinance No. 428 for the payment of the principal of and interest on the 1961 Bonds and the 1986 Bonds, respectively, and all bonds on a parity therewith is hereby designated as the special fund for the payment of the principal of and interest on the bonds authorized by this ordinance ("Waterworks Bond Fund"), subject to the prior payment of the 1961 Bonds and the 1986 Bonds. Out of the Net Revenues there shall be deposited in the Waterworks Bond Fund on or before the first day of each calendar month, a sufficient amount of such remaining Net Revenues of the Town's waterworks to pay one-twelfth (1/12) of the interest on and principal of the outstanding 1961 Bonds, the 1986 Bonds, the bonds issued pursuant to the provisions of this ordinance, and any bonds hereafter issued on a parity therewith which will be payable during the period of the then next succeeding twelve (12) calendar months. Such monthly deposit shall continue until such time as said fund contains an amount sufficient to pay all of said bonds then outstanding, together with the interest thereon to the dates of maturity thereof, and to pay the principal of and interest on any bonds hereafter issued on a parity therewith. In addition to said monthly one-twelfth (1/12) debt service deposits, there shall be deposited monthly in said Fund not less than the amount of Two Thousand Three Hundred Seventy-five Dollars (\$2,375) until there has been accumulated from such additional deposits the sum of maximum annual principal and interest on the bonds, 125% of average annual debt service on the bonds, or 15% of the face amount of the bonds, whichever is less, as a debt service reserve in said Waterworks Bond Fund. Thereafter said debt service reserve shall be maintained in said fund as a minimum balance over and above the monthly one-twelfth (1/12) debt service deposits so long as any of the bonds herein authorized are outstanding, the Board of Trustees finding and declaring that said debt service reserve is a reasonable and proper protection against default. Said Waterworks Bond Fund shall be applied to the payment of the principal of and interest on the 1961 Bonds, the 1986 Bonds and the bonds issued

pursuant to the provisions of this ordinance, subject to the prior payment of the 1961 Bonds and the 1986 Bonds, in accordance with the terms of said bonds, and to the payment of the principal of and interest on any bonds hereafter issued on a parity therewith, and to no other purpose whatsoever. Only moneys in said Waterworks Bond Fund in excess of said monthly one-twelfth (1/12) debt service deposits and said minimum balance debt service reserve may be used for the purpose of redeeming bonds prior to maturity unless all of the outstanding bonds payable from said Fund can be retired by the application of moneys in said fund. If the reserve portion of the Sinking Fund, allocable to the Refunding Bonds, does not exceed the lesser of (i) the maximum annual debt service on the Refunding Bonds, (ii) 125% of average annual debt service on the Refunding Bonds or (iii) 10% of the proceeds of the Refunding Bonds plus a minor portion as defined in the Internal Revenue Code of 1986 ("Reserve Requirement"), all of the moneys contained in this reserve portion of the Sinking Fund may be invested without restriction as to yield. Any amounts in excess of this Reserve Requirement which are allocable to the Refunding Bonds issued hereunder, must be invested at a yield which does not exceed the yield on the Refunding Bonds. Moneys in said Waterworks Bond Fund may be invested in accordance with the laws of the State of Indiana relating to the investment of public funds, including particularly IC 5-13 and IC 5-1-14, as amended and supplemented. No part of the Net Revenues of the Town's waterworks shall be transferred to the general fund or any other fund of the Town not related to the Town's waterworks so long as the bonds issued pursuant to this ordinance are outstanding.

Sec. 13. After providing for the reasonable operating and maintenance expenses and after setting aside the amounts hereinbefore required to be paid into the Waterworks Bond Fund, all or such portion of the remaining income and revenues of said system as shall be necessary shall be set aside into the Depreciation Account continued by Ordinance No. 217 and Ordinance No. 428, and may be expended in making good

depreciation in the waterworks, or in new construction, extensions, betterments, or additions to said waterworks; or funds in such account may be used for the call, prepayment or purchase of outstanding bonds for redemption prior to maturity, provided that no such redemption shall be made at a price in excess of the then applicable redemption price, or if the bonds are non-callable and are not prepayable at the time, then at a price in excess of the highest redemption price provided in the ordinance authorizing the issuance of such bonds. The funds in said Depreciation Account may be invested in accordance with the laws of the State of Indiana relating to the investment of public funds, including particularly IC 5-13 and IC 5-1-14, as amended and supplemented.

Sec. 14. The Waterworks Bond Fund shall be deposited in and maintained as a separate bank account or accounts apart from all other bank accounts of the Town. Any operation and maintenance moneys and the Depreciation Account may be maintained in a single bank account or accounts but such bank account or accounts shall likewise be maintained separate and apart from all other bank accounts of the Town and apart from the other waterworks accounts. All moneys deposited in said bank accounts shall be deposited, held and secured as public funds in accordance with the public depository laws of the State of Indiana; provided that moneys therein may be invested in accordance with the applicable laws, and in the event of such investment the income therefrom shall become a part of the Funds or Accounts invested and shall be used only as provided in this ordinance. Moneys invested pursuant to the provisions of this ordinance may be restricted as to yield to the extent necessary or advisable to preserve the tax exempt status of interest on the Refunding Bonds under federal law.

Sec. 15. If, when the Refunding Bonds or a portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Refunding Bonds or a portion thereof for redemption shall have been given, and the whole amount of the principal and the interest

and the premium, if any, so due and payable upon all of the Refunding Bonds or a portion thereof then outstanding shall be paid; or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Refunding Bonds or any designated portion thereof issued hereunder shall no longer be deemed outstanding or entitled to the pledge of the Net Revenues of the Town's waterworks.

Sec. 16. The Town shall establish, maintain and collect just and equitable rates and charges for facilities and services afforded and rendered by said water utility, which shall to the extent permitted by law produce sufficient revenues at all times to pay all the legal and other necessary expenses incident to the operation of such utility, to include maintenance costs, operating charges, upkeep, repairs, interest charges on bonds or other obligations, to provide the sinking fund for the liquidation of bonds or other evidences of indebtedness, to provide adequate funds to be used as working capital, as well as funds for making extensions, additions, and replacement, and also, for the payment of any taxes that may be assessed against such utility, it being the intent and purpose hereof that such charges shall produce an income sufficient to maintain such utility property in a sound physical and financial condition to render adequate and efficient service. So long as any of the bonds herein authorized are outstanding, none of the facilities or services afforded or rendered by said system shall be furnished without a reasonable and just charge being made therefor. The Town shall pay like charges for any

and all services rendered by said utility to the Town, and all such payments shall be deemed to be revenues of the utility. The Town shall use its best efforts, to the extent permitted by law, to set its rates and charges to produce Net Revenues of at least 1.25 times the annual debt service on the Refunding Bonds. Such rates or charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation and maintenance, and said requirements of the Sinking Fund.

Sec. 17. The Town reserves the right to authorize and issue additional bonds payable out of the revenues of its waterworks ranking on a parity with the Refunding Bonds for the purpose of financing the cost of future additions, extensions and improvements to its waterworks, or to refund obligations, subject to the following conditions:

(a) All required payments into the Sinking Fund shall have been made in accordance with the provisions of this ordinance, and the interest on and principal of the Refunding Bonds shall have been paid in accordance with their terms.

(b) The Net Revenues of the waterworks in the fiscal year immediately preceding the issuance of any such bonds ranking on a parity with the Refunding Bonds shall be not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or, prior to the issuance of said additional parity bonds, the sewer rates and charges shall be increased sufficiently so that the increased rates and charges applied to the previous fiscal year's operations would have produced Net Revenues for the year equal to not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued. For purposes of this subsection, the

records of the waterworks shall be analyzed and all showings prepared by a certified public accountant employed by the Town for that purpose.

(c) The interest on the additional parity bonds shall be payable annually on the first day December or semiannually on the first days of June and December and the principal of the bonds shall be payable annually on the first day of December in the years in which both principal and interest are payable.

Sec. 18. For the purpose of further safeguarding the interests of the owners of the Refunding Bonds, it is hereby specifically provided as follows:

(a) So long as any of the Refunding Bonds are outstanding, the Town shall at all times maintain said waterworks system in good condition, and operate the same in an efficient manner and at a reasonable cost.

(b) So long as any of the Refunding Bonds are outstanding, the Town shall maintain insurance on the insurable parts of the system, of a kind and in an amount such as is usually carried by private corporations engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the state of Indiana, and insurance proceeds shall be used either in replacing or restoring the property destroyed or damaged, or shall be deposited in the Sinking Fund.

(c) So long as any of the Refunding Bonds are outstanding, the Town shall not mortgage, pledge or otherwise encumber the property and plant of its waterworks system, or any part thereof, and shall not sell, lease or otherwise dispose of any part of the same, excepting only such machinery, equipment or other property as may be replaced, or shall no longer be necessary for use in connection with said utility.

(d) Except as otherwise specifically provided in Section 17 of this ordinance, so long as any of the Refunding Bonds are outstanding, no additional bonds or other obligations pledging any portion of the revenues of the system shall be authorized, issued

or executed by the Town, except such as shall be made junior and subordinate in all respects to the Refunding Bonds, unless all of the Refunding Bonds are redeemed or defeased coincidentally with the delivery of such additional bonds or other obligations.

(e) The provisions of this ordinance shall constitute a contract by and between the Town and the owners of the Refunding Bonds herein authorized, all the terms of which shall be enforceable by any bondholder by any and all appropriate proceedings in law or in equity. After the issuance of said Refunding Bonds this ordinance shall not be repealed, amended or modified in any respect which will adversely affect the rights or interests of the owners of said Refunding Bonds, nor shall the Board of Trustees or any other body of the Town adopt any law, ordinance or resolution in any way adversely affecting the rights of the bondholders so long as any of said Refunding Bonds, or the interest thereon, remain outstanding or unpaid. The ordinance may be amended, however, without the consent of bondowners, if the Board of Trustees determines, in its sole discretion, that such amendment would not adversely affect the owners of the Refunding Bonds.

(f) The provisions of this ordinance shall be construed to create a trust in the proceeds of the sale of the Refunding Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Refunding Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this ordinance and of said governing Act. The provisions of this ordinance shall also be construed to create a trust in the Net Revenues herein directed to be set apart and paid into the Sinking Fund for the uses and purposes of said Fund as in this ordinance set forth. The owners of said Refunding Bonds shall have all the rights, remedies and privileges under Indiana law in the event of default in the payment of the principal of or interest on any of the bonds herein authorized or in the event of default in respect to any of the provisions of this ordinance or said Act.

(g) None of the provisions of this ordinance shall be construed as requiring the expenditure of any funds of the Town derived from any sources other than the proceeds of said Refunding Bonds and the operation of the waterworks system.

Sec. 19. Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Refunding Bonds issued pursuant to this ordinance and then outstanding shall have the right from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Board of Trustees of the Town of such ordinance or ordinances supplemental hereto or amendatory hereof, as shall be deemed necessary or desirable by the Town for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any Refunding Bond issued pursuant to this ordinance; or

(b) A reduction in the principal amount of any Refunding Bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the Net Revenues of the waterworks ranking prior to the pledge thereof created by this ordinance; or

(d) A preference or priority of any Refunding Bond or Refunding Bonds issued pursuant to this ordinance over any other Refunding Bond or Refunding Bonds issued pursuant to the provisions of this ordinance; or

(e) A reduction in the aggregate principal amount of the Refunding Bonds required for consent to such supplemental ordinance.

In the event that the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Refunding Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Clerk-Treasurer of the Town, no owner of any Refunding Bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Board of Trustees of the Town from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the Town and all owners of Refunding Bonds then outstanding, shall thereafter be determined, exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the Town and of the owners of the Refunding Bonds authorized by this ordinance, and the terms and provisions of the Refunding Bonds and this ordinance, or any supplemental or amendatory ordinance, may be modified or altered in any respect with the consent of the Town and the consent of the owners of all the Refunding Bonds then outstanding.

Sec. 20. In order to preserve the exclusion of interest on the Refunding Bonds from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as existing on the date of issuance of the Refunding Bonds ("Code") and as an inducement to purchasers of the Refunding Bonds, the Town represents, covenants and agrees that:

(a) No person or entity other than the Town or another state or local governmental unit will use proceeds of the Refunding Bonds or property financed by the bond proceeds other than as a member of the general public. No person or entity other than the Town or another state or local governmental unit will own property financed by bond proceeds or will have any actual or beneficial use of such property pursuant to a lease, management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that differentiates that person's or entity's use of such property from use by the general public.

(b) No bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the bond proceeds.

(c) The Town will not take any action nor fail to take any action with respect to the Refunding Bonds that would result in the loss of the exclusion from gross income for federal tax purposes on the Refunding Bonds pursuant to Section 103 of the Code, nor will the Town act in any other manner which would adversely affect such exclusion.

(d) It shall be not an event of default under this ordinance if the interest on any Refunding Bonds is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Refunding Bonds.

(e) The Town represents that:

(i) The Town is a governmental unit with general taxing powers;

(ii) The Refunding Bonds are not private activity bonds as defined in Section 141 of the Code;

(iii) At least 95% of the net proceeds of the Refunding Bonds will be used for local governmental activities of the Town or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the Town; and

(iv) The aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the Town, all units to which the Town is subordinate and all units subordinate to the Town is not reasonably expected to exceed \$5,000,000 in calendar year 1988.

Therefore, the Town meets the requirements of Section 148(f)(4)(C) of the Code and will not have to rebate any arbitrage profits to the United States.

(f) The Town acknowledges that it is aware that the Technical Corrections Bill (H.R. 2636, S. 1350) was introduced in the first session of the 100th Congress and the second session of the 100th Congress and, in its present form, contains a provision that may subject the Refunding Bonds to the rebate requirement of Section 148(f) of the Code and would be effective for all bonds issued after June 30, 1987, including the Refunding Bonds. The Town hereby covenants that it will rebate any arbitrage profits to the United States to the extent required by the Code, if amended retroactively by the Technical Corrections Bill and enacted into law.

(g) The Town represents that:

(i) The Refunding Bonds are not private activity bonds as defined in Section 141 of the Code;

(ii) The Town hereby designates the Refunding Bonds as qualified tax-exempt obligations for purposes of Section 265(b) of the Code; and

(iii) The reasonably anticipated amount of qualified tax-exempt obligations (including qualified 501(c)(3) obligations but excluding other private activity bonds) which will be issued by the Town, all units to which the

Town is subordinate and all units subordinate to the Town during 1988 does not exceed \$10,000,000.

(iv) The Town has not designated more than \$10,000,000 of qualified tax-exempt obligations during 1988.

Therefore, the Refunding Bonds qualify for the exception in the Code from the disallowance of 100% of the deduction by financial institutions of interest expense allocable to tax-exempt obligations.

(h) These covenants are based solely on current law in effect and in existence on the date of delivery of such Refunding Bonds.

Sec. 21. Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance ("Tax Sections") which are designed to preserve the exclusion of interest on the Refunding Bonds from gross income under federal law ("Tax Exemption") need not be complied with if the Town receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

Sec. 22. All ordinances and parts of ordinances in conflict herewith are hereby repealed, provided, however, that this ordinance shall not be deemed in any way to repeal, amend, alter or modify Ordinance No. 217 or Ordinance No. 428 nor be construed as adversely affecting the rights of the owners of the 1961 Bonds or 1986 Bonds.

Sec. 23. Effective Date. This ordinance shall be in full force and effect from and after its passage.

ORDINANCE NO. 456

TO ESTABLISH A FEE SCHEDULE FOR THE COLLECTION OF REFUSE FROM
GARBAGE BINS IN THE TOWN OF SELLERSBURG

WHEREAS THE TOWN OF SELLERSBURG collects and disposes of garbage, refuse and solid waste as a municipal service and whereas the Town of Sellersburg operates and maintains facilities and equipment for the collection of garbage, refuse and solid waste from garbage bins or "dumpsters" (hereinafter referred to as "bins"),

THE TOWN OF SELLERSBURG BOARD OF TRUSTEES hereby orders and establishes the following fee schedule for said collection service.

The user(s) of, or the owner(s) of the property served by, the Town of Sellersburg's garbage bin collection and disposal facilities shall pay a fee to the Town of Sellersburg for the said service as follows:

1. The fee for the collection and disposal of the contents of a two (2) yard bin shall be five dollars (\$5.00).
2. The fee for the collection and disposal of the contents of a four (4) yard bin shall be seven dollars, fifty cents (\$7.50)
3. The fee for the collection and disposal of the contents of an six (6) yard bin shall be ten dollars (\$10.00).
4. The fee for the collection and disposal of the contents of an eight (8) yard bin shall be twelve dollars, fifty cents (\$12.50)

The above schedule shall apply to all users or owners without regard to the nature (commercial or non-commercial) of said user or owner.

The above schedule shall apply to each and every event of collection and disposal of contents from said bins except that each user or owner, regardless of its nature, shall be entitled to the collection and removal of the first two (2) yards of garbage, refuse or solid waste once a week without charge.

The user or owner shall pay said fee at the office of Town Clerk-Treasurer who shall record said payments, issue receipts and perform any other functions or duties necessary to insure the

Passed and adopted by the Board of Trustees of the Town of Sellersburg, this 29th
day of June, 1988.

William Wesley
Presiding Officer

Gary A. Williams
Member

Karen Storie
Member

Roy Pruitt
Member

Charles P. ...
Member

Attest:

Anna L. McCartney
Clerk-Treasurer

ORDINANCE NO. 456

Whereas, Cissy Campbell has been employed by the Town of Sellersburg Police Department and certain backpay is due and owing her, it is \$450.00 and it is

HEREBY ORDERED that the Town Clerk-Treasurer shall issue backpay to Cissy Campbell dating from May, 6, 1988 to the date of this enactment that is due her. Said backpay is to be calculated by multiplication of the hours Cissy Campbell has worked as a dispatcher by her standard rate of hourly pay less the amount (if any) she has actually received since May, 6, 1988.

Further, she shall be paid hence forth a rate of \$5.11/hr.
SO ORDERED THIS 27 day of June, 1988.

William Mosley
William Mosley, President

Roy Everitt
Roy Everitt

Karen Storie
Karen Storie

Mary DeLarosa
Mary DeLarosa

Charles Riderbur
Charles Riderbur

Anna McCartney
ATTEST: Anna McCartney
Clerk-Treasurer

collection of said fees.

SO ORDERED THIS _____ DAY OF _____, 1988.

William Mosley
William Mosley, President

Charles Ridenour
Charles Ridenour

Mary Dellarosa
Mary Dellarosa

Karen Storie
Karen Storie

Roy Everret
Roy Everret

Anna McCartney
ATTEST: Anna McCartney
CLERK-TREASURER

ORDINANCE NO. 457

WHEREAS the Town Board of the Town of Sellersburg, Indiana recognizes the need for an ordinance providing specifications for refilling excavations in road/street surfaces and penalties for violations thereof, the Town Board does HEREBY ORDAIN as follows:

1. That a separate permit shall be obtained for each excavation made in road/streets, sidewalks, alleys and grass plats which are maintained by the Sellersburg Street Department. Such permits shall be issued by the Authority of the Town Board of Sellersburg, Indiana.

2. That application for the aforesaid permit(s) shall be made on a form provided by the Town. The form shall provide the following information:

- a. The location of the proposed excavation
- b. The purpose of the proposed excavation
- c. The probable length, width, and depth of such excavation
- d. The proposed date of beginning and completion of the excavation
- e. That the application has been filed at least five days prior to the proposed start date except in cases of emergency

3. The applicant shall assume all liability for damage caused by such opening or excavation, including but not limited to damage caused by interference with existing utility service or injuries to persons or properties due to such excavation, and the applicant shall be responsible for maintaining at all times, necessary signs, signals and barricades in accordance with the up dated Indiana State Highway Standard Specifications and Uniform Traffic Control Device Rules.

4. STANDARDS FOR COMPLETION AND APPROVAL. The applicant shall replace the fill according to the sketched specifications which shall be provided by the Town and will be on file at the Town Hall.

Anything that is not specified in the sketched specifications shall comply with the Indiana State Highway Specifications. Any Person or firm making such an opening (Or governmental entity or unit) shall complete all work within the time as stated in the application. No project shall be deemed complete until such time as the Town Board or any person authorized by the Town Board has approved the application and inspected the project and approved the manner in which the excavation project has been completed. The written resolution of the inspection shall be sent to the applicant by the authorized person making the inspection.

5. FEES. The applicant shall pay an inspection fee when filing his application.

a. An inspection fee of twenty (\$20.00) dollars shall be charged for each street/road cut requested.

b. An inspection fee of fifteen (\$15.00) dollars shall be charged for each sidewalk cut requested.

c. And inspection fee of five (\$5.00) dollars shall be charged for each grass plat cut requested.

d. If there are a minimum of Three (3) road cuts within a One Thousand Two Hundred (1,200) continuous length of road, then the applicant shall repave all of the road affected between said furthest cuts.

6. RESPONSIBILITIES OF APPLICANT. After any person, firm, utility company or governmental unit or entity has cut and/or excavated a Town of Sellersburg roadway, alley, street or thruway it shall have a continuing responsibility to the Town of Sellersburg to maintain said cut and/or excavated area. If after a road, street, alley or thruway is cut by any of the aforesaid and a problem of sinking or breaking of the repaved

APPLICATION FOR EXCAVATING PERMIT
(ORDINANCE NO. 457)

TOWN OF SELLERSBURG, IND.

Date: _____

LOCATION OF PROPOSED EXCAVATION: _____

PURPOSE OF PROPOSED EXCAVATION: _____

PROBABLE LENGTH _____ WIDTH _____ DEPTH _____

CONTRACTOR _____

ADDRESS AND PHONE NUMBER OF CONTRACTOR: _____

WORK BEGIN _____ WORK COMPLETE _____

APPLICANT'S NAME OR TITLE: _____

APPLICANT'S SIGNATURE OR AUTHORIZED AGENT'S SIGNATURE:

APPLICANT'S ADDRESS AND PHONE NUMBER: _____

Approved by the Town Board of Sellersburg, Sellersburg, Indiana:

YES: _____

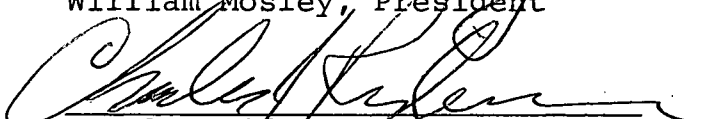
NO : _____

(Signature of approving or disapproving
Town Board of Sellersburg Agent.)

area is encountered, the Town Board of Sellersburg or that person so authorized by the Town Board of Sellersburg shall write a letter to the responsible party advising them of the problem and of their obligation under this Ordinance to correct that problem. If the problem is not then corrected within the following thirty days of issuance of the letter to the satisfaction of the person authorized to inspect said excavations by the Town Board, the responsible party shall be liable in damages to the Town of Sellersburg, Indiana.

ADOPTED THIS THE 27 DAY OF JUNE, 1988.



William Mosley, President


Charles Ridenour


Karen Storie


Roy Eyeritt


Mary Ann Dellarosa

ATTEST: 
Anna McCartney
CLERK-TREASURER

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A FEE FOR VEHICLE INSPECTIONS

WHEREAS, Public Law 29-1988, which takes effect as Indiana Code 9-1-2-1 beginning July 1, 1988, permits the Town of Sellersburg to adopt an ordinance establishing a fee to be charged by the Sellersburg Police Department for the inspection of vehicles as required under I.C. 9-1-2-1(h.); and

WHEREAS, it is in the best interests of the Town of Sellersburg to establish such fee;

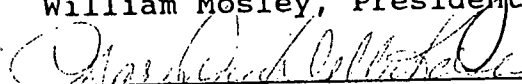
NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees for the Town of Sellersburg, Clark County, Indiana, that the Sellersburg Police Department shall charge a fee of \$3.00 per vehicle for all inspections of motor vehicles, semi-trailers, or recreational vehicles as required in I.C. 9-1-2-1(h.).


The revenue from all such inspection fees shall be deposited in a special vehicle inspection fund. The fiscal body of the Town of Sellersburg must appropriate the money collected from the inspection fees only for law enforcement purposes pursuant to I.C. 9-1-2-1(i.) (4).

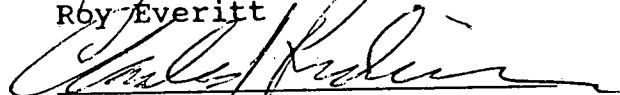
This ordinance shall take full force and effect from and after the date of its passage and publication, if any, as required by law.

SO ORDERED THIS _____ DAY OF JULY, 1988.


William Mosley, President


Mary Ann Dellarosa


Roy Everitt


Charles Ridenour

Karen Storie

ATTEST: Anna McCartney
Clerk-Treasurer

This ordinance
has no # _____

16346

ORDINANCE NO: ~~163~~-458

RECEIVED FOR RECORD

37

DEC 31 3 38 PM '91

RECORDED IN DRA 23
16346

INSTR. NO. RALPH C. STENLER
RECORDER OF CLARK CO.

Duly Entered for
Taxation Subject
To Final Acceptance
For Transfer
Dec. 31, 1991

AN ORDINANCE CONCERNING THE ANNEXATION
OF ADJACENT AND CONTIGUOUS TERRITORIES

Richard P. Jones
Auditor Clark Co.

WHEREAS, the boundary of the Town of Sellersburg, Indiana, is adjacent to the real estate described herein:

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Sellersburg, Indiana:

SECTION ONE

That the following described land be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana, to wit:

A part of Surveys No. 67, No. 87, No.88, No. 89, No. 108, and No.110 of the Illinois Grant, in Silver Creek Township in Clark County, Indiana, and being fully described as follows:

- South 53 deg. 43 min. 25 sec. West, 641.0 feet, more or less, with said southeasterly line of said tract recorded in Deed Book 220, page 434, and Greenwood Road to the east corner of Survey No. 87;
- North 35 deg. West, 217.8 feet, more or less, with the line dividing Surveys No. 87 and No. 67;
- South 53 deg. 43 min. 25 sec. West, 372.0 feet, more or less;
- South 35 deg. East, 217.8 feet, more or less, to the southeasterly line of Survey No. 87 in Greenwood Road;
- South 53 deg. 43 min. 25 sec. West, 200.0 feet, more or less, with said southeasterly line of Survey No. 87 and Greenwood Road;
- North 35 deg. West, 217.8 feet, more or less;
- South 53 deg. 43 min. 25 sec. West, 400 feet, more or less;
- South 35 deg. East, 217.8 feet, more or less, to said southeasterly line of Survey No. 87 and Greenwood Road;
- South 53 deg. 43 min. 25 sec. West, 251.2 feet, more or less, with said southeasterly line of Survey No. 87 and Greenwood Road;
- North 35 deg. West, 217.8 feet, more or less;
- South 53 deg. 43 min. 25 sec. West, 295.18 feet, more or less, to the easterly Right-of-Way of S. R. 60;
- North 09 deg. 53 min. 50 sec. West, 36.97 feet, more or less, with said easterly line of S. R. 60;
- North 12 deg. 18 min. 50 sec. West, 209.06 feet, more or less, with said easterly line of S. R. 60;
- North 04 deg. 55 min. 30 sec. East, 114.56 feet, more or less, with said easterly line of S. R. 60;
- North 53 deg. 44 min. East, 600.0 feet, more or less;
- North 36 deg. 16 min. West, 750.17 feet, more or less;
- South 55 deg. 24 min. West, 432.83 feet, more or less, to the easterly Right-of-Way line of I-65. Thence continuing and crossing I-65;
- South 55 deg. 24 min. West, 600.0 feet, more or less, to the westerly Right-of-Way line of I-65. Continuing thence;
- South 55 deg. 24 min. West, 476.05 feet;
- North 34 deg. 36 min. West, 309.74 feet, more or less;
- South 33 deg. 08 min. 05 sec. East, 36.39 feet, more or less;
- North 54 deg. 59 min. 13 sec. West, 109.0 feet, more or less;
- North 34 deg. 38 min. 03 sec. West, 426.51 feet, more or less, to the southeasterly line of the Town of Clarksville, Indiana

Thence with said southeasterly line of the Town of Clarksville, Indiana and leaving the boundary of the Town of Sellersburg, Indiana;

North 55 deg. East, 322.1 feet, more or less, to the westerly Right-of-Way line of new highway S. R. 60 and an easterly corner of the Town of Clarksville, Indiana;

North 55 deg. 04 min. 31 sec. West, 307.12 feet, more or less, with said westerly Right-of-Way line of new highway S. R. 60 and a northeasterly line of the Town of Clarksville, Indiana;

North 54 deg. 49 min. 06 sec. West, 8.32 feet, more or less, with said westerly Right-of-Way line of new highway S. R. 60 and a northeasterly line of the Town of Clarksville, Indiana;

North 54 deg. 47 min. 34 sec. West, 203.49 feet, more or less, with said westerly Right-of-Way line of new highway S. R. 60 and said northeasterly line of the Town of Clarksville, Indiana;

North 53 deg. 40 min. 34 sec. West, 101.97 feet, more or less, with said westerly Right-of-Way line of new highway S. R. 60, and a distance of 61.67 feet, more or less with said northeasterly line of the Town of Clarksville, Indiana;

North 48 deg. West, 407.44 feet, more or less, with said westerly Right-of-way line of new highway S. R. 60;

North 45 deg. 49 min. 51 sec. West, 114.11 feet, more or less, with said westerly line of new highway S. R. 60 to the northwesterly line of Survey No. 87, which is also the southeasterly line of Survey No. 88;

South 55 deg. 12 min. 14 sec. West, 3414.43 feet, more or less, with said line dividing Surveys No. 87 and No. 88;

North 50 deg. 20 min. West, 345.97 feet, more or less;

North 59 deg. 25 min. 26 sec. West, 50.64 feet, more or less;

North 50 deg. 04 min. 45 sec. West, 359.14 feet, more or less;

South 29 deg. 07 min. 57 sec. West, 400.0 feet, more or less;

South 55 deg. 12 min. 14 sec. West, 425.0 feet, more or less, to the Floyd County line which is also the southwesterly line of Survey No. 88 in County Line Road, said point being North 34 deg. 44 min. 34 sec. West, 550.0 feet, more or less, from the south corner of Survey No. 88, which is also the west corner of Survey No. 87;

North 34 deg. 44 min. 34 sec. West, 1366.79 feet, more or less, with said southwesterly line of Survey No. 88 and County Line Road, and crossing State Road 311 at approximately 300 feet;

North 53 deg. 17 min. 50 sec. East, 1164.82 feet, more or less;

North 35 deg. 11 min. West, 330.8 feet, more or less;

North 51 deg. 55 min. East, 388.45 feet, more or less;

North 25 deg. 10 min. East, 211.7 feet, more or less;

South 63 deg. 17 min. 41 sec. East, 98.3 feet, more or less;

North 25 deg. 10 min. East, 825.0 feet, more or less, running parallel to and 200 feet distant from the northwesterly Right-of-Way line of State Road 311;

North 64 deg. 50 min. West, 210.6 feet, more or less;

North 25 deg. 10 min. East, 600.0 feet, more or less;

North 64 deg. 50 min. West, 25.0 feet, more or less, to the north-

westerly line of Survey No. 88 , which is also the south-easterly line of Survey No. 108;

North 54 deg. 22 min. East, 764.3 feet, more or less, with said line dividing Surveys No. 88 and No. 108 to the westerly Right-of-Way line of new S. R. 60;

North 07 deg. 44 min. 15 sec. East, 41.5 feet, more or less, with said westerly Right-of-Way line of new S. R. 60. Thence crossing said Highway;

North 24 deg. 44 min. 15 sec. East, 180.0 feet, more or less, to the easterly Right-of-Way line of new S. R. 60;

South 83 deg. 04 min. 55 sec. West, 60.98 feet, more or less, with said easterly line of new highway S. R. 60;

North 50 deg. 16 min. 25 sec. West, 120.45 feet, more or less, with said easterly line of new highway S. R. 60;

North 41 deg. 42 min. 20 sec. West, 33.65 feet, more or less, with said easterly line of new highway S. R. 60;

North 41 deg. 43 min. 15 sec. West, 381.19 feet, more or less, with said easterly line of new highway S. R. 60. Thence with a curve to the right of radius 1834.89 feet, whose chord bears

North 22 deg. 11 min. 18 sec. West, 949.43 feet, more or less, with said easterly line of new highway S. R. 60;

North 06 deg. 14 min. 20 sec. East, 103.06 feet, more or less, with said easterly Right-of-Way line of new highway S. R. 60;

North 07 deg. 06 min. 46 sec. West, 200.00 feet, more or less, with said easterly Right-of-Way line of new highway S. R. 60;

North 15 deg. 04 min. 18 sec. West, 288.89 feet, more or less, with said easterly Right-of-Way line of new highway S. R. 60. Thence with a curve to the left of radius 2606.5 feet, whose chord bears

North 11 deg. 46 min. 08 sec. West, 423.19 feet, more or less, with said easterly line of new highway S. R. 60;

South 76 deg. 29 min. 39 sec. East, 142.59 feet, more or less, leaving said easterly Right-of-Way of new highway S. R. 60, and travelling with the westerly line of Old S. R. 60;

South 33 deg. 27 min. 34 sec. East, 94.73 feet, more or less, with said westerly line of Old S. R. 60;

South 29 deg. 29 min. 11 sec. East, 74.17 feet, more or less, with said westerly line of Old S. R. 60;

South 40 deg. 15 min. East, 331.0 feet, more or less, with said westerly line of Old S. R. 60;

South 40 deg. 26 min. 54 sec. East, 296.51 feet, more or less, with said westerly line of Old S. R. 60;

South 39 deg. 25 min. 17 sec. East, 411.68 feet, more or less, with said westerly line of Old S. R. 60;

South 37 deg. 13 min. 31 sec. East, 350.39 feet, more or less, with said westerly line of Old S. R. 60, and a distance of 124.56 feet, more or less, with the boundary of the Town of Sellersburg, Indiana, to the northwesterly Right-of-Way line of State Road 311. Thence crossing State Road 311 and Old S. R. 60;

North 60 deg. East, 86.0 feet, more or less, to the intersection of the southeasterly Right-of-Way line of S. R. 311 and the easterly Right-of-Way line of Old S. R. 60;

North 17 deg. 11 min. East, 460.0 feet, more or less, with said southeasterly line of S. R. 311 to a boundary of the Town of Sellersburg, Indiana. Thence with the Town boundary;
 North 71 deg. 17 min. West, 192.7 feet, more or less, continuing thence with said Town boundary;
 South 07 deg. 11 min. West, 407.3 feet, more or less, continuing thence with said Town boundary;
 North 68 deg. 11 min. East, 182.7 feet, more or less, to said southeasterly Right-of-Way line of S. R. 311. Thence leaving the Town boundary;
 North 09 deg. 07 min. East, 362.4 feet, more or less, with said southeasterly Right-of-Way line of S. R. 311 to the boundary of the Town of Sellersburg. Thence again with the Town boundary the following courses:
 South 74 deg. 22 min. East, 860.3 feet, more or less;
 North 48 deg. 52 min. East, 87.5 feet, more or less, to the line dividing Surveys No. 108 and No. 110, said point being North 40 deg. West, 686.5 feet from the common corner of Surveys No. 88, No. 89, No. 108, and No. 110;
 North 40 deg. West, 647.6 feet, more or less, with said line dividing Surveys No. 108 and No. 110;
 North 65 deg. 47 min. 39 sec. East, 218.72 feet, more or less;
 North 0 deg. 41 min. 29 sec. East, 444.33 feet, more or less;
 North 11 deg. 36 min. 48 sec. West, 39.58 feet, more or less;
 South 84 deg. 44 min. 10 sec. East, 238.21 feet, more or less;
 North 49 deg. 47 min. 03 sec. East, 200.05 feet, more or less;
 North 49 deg. 46 min. 00 sec. East, 276.42 feet, more or less, to the westerly Right-of-Way line of I-65. Thence leaving the boundary of the Town of Sellersburg, Indiana, and travelling along said westerly Right-of-Way line of I-65 the following courses:
 South 13 deg. 55 min. 21 sec. East, 353.46 feet, more or less;
 South 16 deg. 35 min. 27 sec. East, 300.67 feet, more or less;
 South 12 deg. 46 min. 36 sec. East, 700.00 feet, more or less;
 South 04 deg. 14 min. 46 sec. East, 202.24 feet, more or less;
 South 21 deg. 18 min. 27 sec. East, 202.24 feet, more or less, crossing the line dividing Surveys No. 110 and No. 89 at approximately 147 feet;
 South 12 deg. 46 min. 36 sec. East, 508.61 feet, more or less;
 South 12 deg. 46 min. 02 sec. East, 828.89 feet, more or less, to the line dividing Surveys No. 88 and No. 89. Thence with said line and crossing I-65;
 South 34 deg. 22 min. 35 sec. East, 669.25 feet, more or less, to the easterly Right-of-Way line of I-65 and the boundary of the Town of Sellersburg, Indiana. Thence with said Town boundary the remaining following courses:
 South 34 deg. 22 min. 35 sec. East, 224.08 feet, more or less, with said line dividing Surveys No. 88 and No. 89;
 North 54 deg. 52 min. 56 sec. East, 2079.76 feet, more or less;
 South 34 deg. 57 min. 24 sec. East, 1164.3 feet, more or less;
 South 55 deg. 08 min. West, 61.77 feet, more or less;
 South 08 deg. 46 min. East, 494.0 feet, more or less;
 North 77 deg. 26 min. East, 291.0 feet, more or less;

South 12 deg. 34 min. East, 1093.8 feet, more or less, running parallel to and 125 feet distant from the westerly Right-of-Way line of U. S. Highway 31 to the line dividing Surveys No. 89 and No. 67;

South 08 deg. 01 min. 20 sec. East, 795.9 feet, more or less, running parallel to and 125 feet distant from said westerly Right-of-Way line of U. S. Highway 31;

South 11 deg. 44 min. East, 901.4 feet, more or less, running parallel to and 125 feet distant from said westerly Right-of-Way line of U. S. Highway 31 to the True Place of Beginning and containing 710.5 acres of land.

Excepting therefrom, 11.0 acres of land from parcels previously annexed by the Town of Sellersburg, Indiana, which are included in the total area of the boundary described above, leaving 699.5 acres of new land being annexed.

SECTION TWO

BE IT FURTHER ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended so as to include all the real estate hereinabove described in Section One as part of the Town of Sellersburg, Indiana.

SECTION THREE

This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the laws of the State of Indiana.

William Mosley
WILLIAM MOSLEY

Karen Storie
KAREN STORIE

Charles Ridenour
CHARLES RIDENOUR

Roy Everett
ROY EVERETT

Mary Ann Dellarosa
MARY ANN DELLAROSA

ATTEST: *William R. Collier*
WILLIAM COLLIER
CLERK-TREASURER

16 - Susan Williams

ORDINANCE NO. 757-A

ORDINANCE AMENDING ORDINANCE NO. 399
AND SETTING SEWER HOOK-UP FEES

BE IT ORDAINED by the Sellersburg Town Board that Ordinance No. 399 is hereby amended and that the following charges shall be in effect for sewer hook ups to individual homes, churches, duplexes, apartments, nursing homes, service stations, schools, hospitals, commercial, professional, library, industrial, and other buildings.

Homes	\$450.00 Per Home
Churches	450.00 Per Church
Duplex	675.00 Per Duplex
Apartments	180.00 Per Each Apartment
Nursing Homes	180.00 Per Each Bed
Service Stations	900.00
Schools	22.50 Per Student
Hospitals	45.00 Per Bed

Commercial, Professional, Library, Industrial, etc. These connection fees shall be computed on the square footage of the building facilities as follows:

1 to 2,499 Square Feet	450.00
2,500 to 3,999 Square Feet	675.00
4,000 to 7,499 Square Feet	900.00
7,500 to 14,999 Square Feet	1,125.00
15,000 to 39,999 Square Feet	1,350.00
40,000 to 49,999 Square Feet	1,575.00
50,000 Square Feet and Over	.04 Per Square Foot

The Clerk-Treasurer is directed to post a copy of this Ordinance in the Town Hall and the Superintendent of the Sewer Department is directed to increase his schedule of charges pursuant to this Ordinance.

PASSED AND ADOPTED this Dec 12 day of 1988,
1988.

TOWN OF SELLERSBURG INDIANA
BY ITS BOARD OF TRUSTEES

Laron Utter
William Marley
Margaret Dellakosa
Clifford Pederson
Ray J. ...

AN ORDINANCE FIXING THE SALARIES OF ELECTED OFFICIALS OF THE TOWN OF SELLERSBURG, INDIANA

Section 1. That on and after January 1, 1989 the salaries of the elected officials of the Town of Sellersburg, Clark County, Indiana, shall be as follows:

GENERAL FUND OF THE TOWN OF SELLERSBURG:

5 Town Board Trustees	5 @	\$ 720.00 per year
1 Clerk-Treasurer		1,800.00 per year

WATER DEPARTMENT OF THE TOWN OF SELLERSBURG:

5 Town Board Trustees	5 @	2,050.00 per year
1 Clerk-Treasurer		500.00 per year

SEWAGE DEPARTMENT OF THE TOWN OF SELLERSBURG:

5 Town Board Trustees	5 @	1,730.00 per year
1 Clerk Treasurer		500.00 per year

Section 2. This ordinance shall be in full force and effect as of January 1, 1989.

Passed and adopted at the regular meeting of the Board of Trustees of the civil Town of Sellersburg at the Sellersburg Town Hall, Sellersburg, Indiana, on the 27th day of December, 1988.

TOWN BOARD OF TRUSTEES:

William Mosley, President

Roy Everitt

Mary anh DellaRosa
Mary anh DellaRosa

Charles Ridenour
Charles Ridenour

Karen Storie
Karen Storie

ATTEST:

William R. Collier, Clerk-Treasurer

ORDINANCE NO. 459-A

ORDINANCE AMENDING ORDINANCE NO. 399
AND SETTING SEWER HOOK-UP FEES

BE IT ORDAINED by the Sellersburg Town Board that Ordinance No. 399 is hereby amended and that the following charges shall be in effect for sewer hook ups to individual homes, churches, duplexes, apartments, nursing homes, service stations, schools, hospitals, commercial, professional, library, industrial, and other buildings.

Homes	\$450.00 Per Home
Churches	450.00 Per Church
Duplex	675.00 Per Duplex
Apartments	180.00 Per Each Apartment
Nursing Homes	180.00 Per Each Bed
Service Stations	900.00
Schools	22.50 Per Student
Hospitals	45.00 Per Bed

Commercial, Professional, Library, Industrial, etc. These connection fees shall be computed on the square footage of the building facilities as follows:

1 to 2,499 Square Feet	450.00
2,500 to 3,999 Square Feet	675.00
4,000 to 7,499 Square Feet	900.00
7,500 to 14,999 Square Feet	1,125.00
15,000 to 39,999 Square Feet	1,350.00
40,000 to 49,999 Square Feet	1,575.00
50,000 Square Feet and Over	.04 Per Square Foot

The Clerk-Treasurer is directed to post a copy of this Ordinance in the Town Hall and the Superintendent of the Sewer Department is directed to increase his schedule of charges pursuant to this Ordinance.

PASSED AND ADOPTED this Dec 12 day of 1988,
1988.

TOWN OF SELLERSBURG INDIANA
BY ITS BOARD OF TRUSTEES

Karen Utom
William Masley
Margaret Dellakosa
Charles Kelenos
Ray C. ...

ORDINANCE NO. 459-A

ORDINANCE AMENDING ORDINANCE NO. 399
AND SETTING SEWER HOOK-UP FEES

BE IT ORDAINED by the Sellersburg Town Board that Ordinance No. 399 is hereby amended and that the following charges shall be in effect for sewer hook ups to individual homes, churches, duplexes, apartments, nursing homes, service stations, schools, hospitals, commercial, professional, library, industrial, and other buildings.

Homes	\$450.00 Per Home
Churches	450.00 Per Church
Duplex	675.00 Per Duplex
Apartments	180.00 Per Each Apartment
Nursing Homes	180.00 Per Each Bed
Service Stations	900.00
Schools	22.50 Per Student
Hospitals	45.00 Per Bed

Commercial, Professional,
Library, Industrial, etc.
These connection fees shall
be computed on the square
footage of the building
facilities as follows:

1 to 2,499 Square Feet	450.00
2,500 to 3,999 Square Feet	675.00
4,000 to 7,499 Square Feet	900.00
7,500 to 14,999 Square Feet	1,125.00
15,000 to 39,999 Square Feet	1,350.00
40,000 to 49,999 Square Feet	1,575.00
50,000 Square Feet and Over	.04 Per Square Foot

The Clerk-Treasurer is directed to post a copy of this Ordinance in the Town Hall and the Superintendent of the Sewer Department is directed to increase his schedule of charges pursuant to this Ordinance.

PASSED AND ADOPTED this Dec. 12 day of 1988,
1988.

TOWN OF SELLERSBURG INDIANA
BY ITS BOARD OF TRUSTEES

Karen Storie
William Masley

James J. Jefferson
Charles Fidenor
Ray E. Elliott

AN ORDINANCE FIXING THE SALARIES, AND WAGES OF EMPLOYEES OF THE TOWN OF SELLERSBURG, INDIANA

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG. INDIANA:

Section 1: That on and after January 1, 1989, the salaries and wages of the employees of the Town of Sellersburg, Clark County, Indiana shall be as follows:

WATER DEPARTMENT:

1 Superintendent	\$ 425	per week
1 Heavy Equipment Operator	8.24	per hour
1 Plant Operator and Laborer	6.50	per hour
1 Meter Repairman	5.81	per hour
1 Plant Operator and Laborer	5.63	per hour
1 Clerk	190	per week
1 Clerk	190	per week
1 Monitor	215	per week
1 Town Manager	7250	per year

SEWAGE DEPARTMENT:

1 Superintendent	500	per week
3 Laborers	5.91	per hour
1 Plant Operator	6.41	per hour
1 Clerk	200	per week
1 Monitor	215	per week
1 Town Manager	7250	per year

GENERAL FUND:

1 Town Manager	1000	per year
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POLICE DEPARTMENT:

			<u>Longevity</u>
1 Chief Huber	23833	per year	525 525.12
1 Major Campbell	19678	Per year	657 - \$787.68
1 Captain Colburn	22999	per year	657
1 Captain TACKETT	19678	per year	657
1 Lieutenant Hill	18325	per year	657
1 Sargeant Meyers	18032	per year	525
1 Corporal ORMAN	17705	per year	438
1 Patrolman ELLENBRAND	17505	per year	175
1 Patrolman ZAHND	17505	per year	175
1 Patrolman STRICKER	17505	per year	131
1 Patrolman BRADSHAW	17505	per year	44
2 New Patrolmen	31538	per year	
2 Dispatchers @ \$215/week each	22320	per year	
1 Part Time Dispatcher	5580	per year	

STREET AND SANITATION DEPARTMENTS:

1 Superintendent	425	per week
1 Truck Driver	6.41	per hour
4 Laborers	5.91	per hour

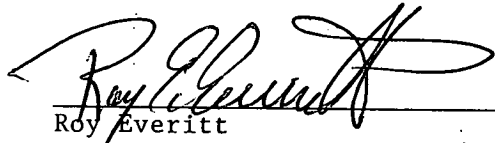
Section 11: Salaried office workers shall be paid time and one-half for time worked in excess of forty hours in any week.

Section 111: This ordinance shall be in full force and effect as of January 1, 1989.

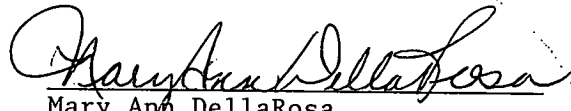
Passed and adopted at the regular meeting of the Board of Trustees of the Civil Town of Sellersburg at the Sellersburg Town Hall, Sellersburg, Indiana on the ____ day of _____, 1988.

TOWN BOARD OF TRUSTEES:

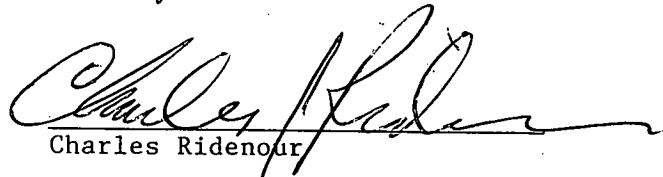
William Mosley, President



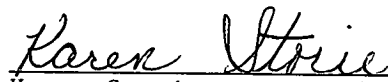
Roy Everitt



Mary Ann DellaRosa



Charles Ridenour



Karen Storie

ATTEST:

William R. Collier, Clerk-Treasurer

ORDINANCE NO. 461

ORDINANCE AUTHORIZING ISSUANCE AND EXECUTION OF NOTES

Be it ordained by the Sellersburg Town Board, in accordance with I.C. 36-5-2-11(d) that the Town Board is hereby authorized to make loans of money for not more than five (5) years and issue notes for purpose of refunding those loans. The loans may be made only for the purpose of procuring money to be used and exercised as powers of the town, and the total amount of outstanding loans shall not exceed five percent (5%) of the town's total tax levy in the current year, being Four Hundred Twenty-one Thousand Six Hundred and Seventeen Dollars (\$421,617.00).

The Town Board is hereby authorized to borrow money in a sum not exceeding Twenty Thousand Dollars (\$20,000.00) under the following terms and condition:

1. A sufficient amount of tax revenues must be pledged for repayment of this loan;
2. The loan must be evidenced by notes of the Town in terms designating the nature of consideration, the time and place payable, and the revenues out of which they will be payable; and
3. The interest accruing on the notes to the date of maturity may be added to and included in their face value or may be made payable periodically;
4. The funds which the Town of Sellersburg will receive as a result of the sewer rate increase are to be pledged for the repayment of this loan;
5. The loan is to be repaid in full, at an interest rate not to exceed 12%, within one year after execution of the note evidencing the indebtedness.

Adopted by the governing body of the Town of Sellersburg on this 27 day of December, 1988, and signed by:

William Mosley
WILLIAM MOSLEY, PRESIDENT

Karen Storie
KAREN STORIE

Charles Ridenour
CHARLES RIDENOUR

Roy Everett
ROY EVERETT

Mary Ann Dellarosa
MARY ANN DELLAROSA

ATTEST: William Collier
WILLIAM COLLIER,
CLERK-TREASURER

ORDINANCE NO. 427-A

TO ESTABLISH A SANITARY BOARD FOR THE ACQUISITION, OPERATION AND MAINTENANCE OF THE TOWN'S SEWER PLANT

WHEREAS THE TOWN OF SELLERSBURG intends to construct, operate, and maintain a sewer plant for the removal and treatment of sewage and.

WHEREAS it is in the best interest of the Town that the full Town Board delegate these functions to an entity which will be responsible solely for these purposes and,

WHEREAS I.C. 36-9-23-3 authorizes the Town Board to transfer the power to construct, operate, and maintain a sewage works project to a sanitary board.

IT IS HEREBY ORDAINED as follows:

1. That a Sanitary Board is hereby established for the construction, improvement, operation and maintenance of the Town's sewer works project, and

2. That, pursuant to I.C. 36-9-23-4, the following members are hereby appointed to serve on the Sanitary Board:

- A. William Mosley
- B. Robert Adkins
- 3. Tammy Thuler

SO ORDERED THIS 5th DAY OF September, 1988

William Mosley
WILLIAM MOSLEY

Mary Ann Dellarosa
MARY ANN DELLAROSA

Karen L. Storie
KAREN L. STORIE

Roy Everitt
ROY EVERITT


CHARLES RIDENOUR

ORDINANCE NO. 445

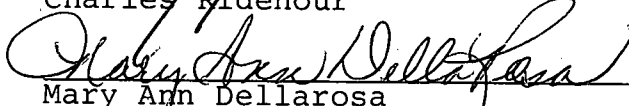
The Town Board of the Town of Sellersburg, Clark County, Indiana in recogniton of the years of faithful, efficient and dutiful service of Robert Campbell hereby orders that Robert Campbell shall be paid a salary equal that which he received in 1987 for so long as he shall be employed with the Sellersburg Police Department and regardless of his rank in that department.

Voted on and approved this eighth day of February 1988.

William D. Mosley



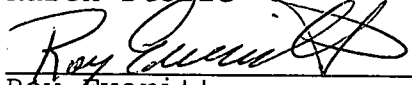
Charles Ridenour



Mary Ann Dellarosa

Karen Storie

Karen Storie



Roy Everitt



ATTEST: Anna McCartney
CLERK TREASURER

ORDINANCE NO. 446

The Town Board of the Town of Sellersburg, Clark County, Indiana hereby provides that its members are to be elected at large by the voters of the entire town pursuant to I.C. 36-5-2-5(2).

The Town Board shall consist of five representatives. The Town Board will have one member for each of the five districts and/or wards of the town of Sellersburg.

A representative of a district and/or ward must have his principal place of residence within the district and/or ward which he represents.

Voted on and approved this eighth day of February, 1988.

William Mosley

Charles J. Ridenour
Charles Ridenour

Mary Ann Dellarosa
Mary Ann Dellarosa

Karen Storie

Roy Everitt
Roy Everitt

Anna McCartney
ATTEST: Anna McCartney
CLERK TREASURER

RESOLUTION NO R-88-30

RESOLUTION R88-30

A Resolution Granting Consent to the Town of Sellersburg, Indiana, to Annex Territory Within Three (3) Miles of the Corporate Boundaries of the City of New Albany, Indiana.

WHEREAS, the Town of Sellersburg, Indiana, has presented its petition for consent of annexation of territory contiguous to the boundaries of Sellersburg, Indiana, which territory is designated by exhibit "A" attached to the Town's petition; and

WHEREAS, I.C. 36-4-3-9 requires that a town obtain the consent of the legislative body of a second or third class city before annexing territory within three (3) miles of the corporate boundaries of the city; and

WHEREAS, the Town of Sellersburg is proceeding with responsible planning and conforming to the requirements of state law, is working on a fiscal plan and definite policy for providing services to the proposed areas to be annexed.

NOW, Therefore, Be It Resolved by the Common Council of the City of New Albany, Floyd County, Indiana that:

1. The Common Council of the City of New Albany, Floyd County, Indiana, hereby consents to the annexation of the territory presented in the Town of Sellersburg's Petition for Consent of Annexation.

PASSED AND ADOPTED on this ____ day of _____, 1988, by the Common Council of the City of New Albany, Floyd County, Indiana.

Richard Bliss, President
New Albany Common Council

Attest:

Regina Overton, Clerk

Presented to me as Clerk to the Mayor of the City of New Albany, Indiana, this ____ day of _____, 1988

Regina Overton, Clerk

Approved and signed by me this ____ day of _____, 1988.

Robert Real, Mayor

88-R-87

RESOLUTION

TOWN OF SELLERSBURG

WHEREAS, the Town of Sellersburg, Indiana intends to make application for Step III Wastewater Facilities Construction Grant Funds from the United States Environmental Protection Agency pursuant to Public Law 92-217 and the rules and regulations as set forth in 40 CFR Part 35 of the Federal Register dated September 27, 1978;

WHEREAS, the Town of Sellersburg, Indiana has caused a Facility Planning Report to be prepared by the consulting engineering firm of Commonwealth Engineers, Inc.;

WHEREAS, said plan has been presented to the Town Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED by the Sellersburg Town Board of Trustees as follows:

1. That the Town Board of Trustees have reviewed the report and agrees with the findings, conclusions and recommendations as contained in the report.
2. That the Town Board of Trustees hereby approves the report subject to the required public hearing.
3. That the Town Board of Trustees hereby authorizes William D. Mosley, President and Designated Representative to transmit said report to the Indiana Department of Environmental Management for their review and comment.
4. That the Town Board of Trustees establish a date for the public hearing and approve said report after the hearing.

CERTIFICATE

STATE OF INDIANA,

SS:

COUNTY OF CLARK,

I certify that I am the duly elected, qualified and acting Clerk-Treasurer of the Town of Sellersburg; that the above and foregoing is an excerpt from the minutes of a SPECIAL meeting of the Board of Trustees of the Town of Sellersburg, held on JUNE 6, 1988 a quorum being present and acting throughout.

Dated: 6/24/88

Anna L. McCartney
Anna L. McCartney, Clerk-Treasurer

William Morley
President

Loren Storie
Member

Harold Kullakosa
Member

Charles Pidem
Member

Member

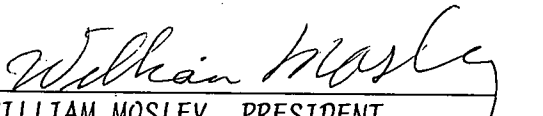
TOWN OF SELLERSBURG
RESOLUTION NO. 88-R-86


A RESOLUTION FOR A LICENSE AGREEMENT

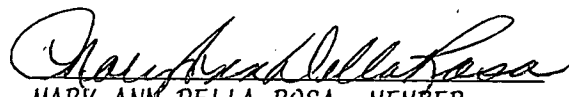
BE IT RESOLVED by the Town of Sellersburg Board of Trustees that the Sellersburg Water Department is hereby authorized and directed to enter into a license agreement with Consolidated Rail Corporation for the construction of 1 8-inch ductile iron water pipe encased in an 18-inch steel pipe at Valuation Station 517+32± (Mile Post 98.90) on the Louisville Secondary (L/C 8333) located 578 feet north of Mile Post 99 in Sellersburg, Clark County, Indiana.

THIS RESOLUTION is adopted and passed by the Board of Trustees of the Town of Sellersburg, Indiana, this 23rd day of May, 1988.

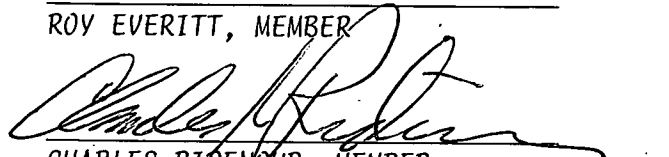
TOWN OF SELLERSBURG


WILLIAM MOSLEY, PRESIDENT


KAREN STORIE, MEMBER


MARY ANN DELLA ROSA, MEMBER

ROY EVERITT, MEMBER


CHARLES RIDENCOUR, MEMBER

ATTEST:


ANNA L. MC CARTNEY, CLERK-TREASURER

88-17-88

RESOLUTION

TOWN OF SELLERSBURG

WHEREAS, the Town of Sellersburg, Indiana intends to make application for Step II + III Wastewater Facilities Construction Grant Funds from the United States Environmental Protection Agency pursuant to Public Law 95-217 and the rules and regulations as set forth in 40 CFR Part 35 of the Federal Register;

WHEREAS, the Town of Sellersburg, Indiana has held the EPA required Public Meeting and Public Hearing for the proposed wastewater facilities project.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Trustees of the Town of Sellersburg, Indiana as follows:

1. That the Town Board of Trustees has reviewed both the Sewer System Evaluation Survey (SSES) and Facilities Planning Report for the Town of Sellersburg Wastewater Facilities Project and hereby agrees to the Summary, Conclusions and Recommendations identified therein and consequently hereby approves both the SSES and Facilities Planning Reports.

CERTIFICATE

STATE OF INDIANA,

SS:

COUNTY OF CLARK,

I certify that I am the duly appointed, qualified and acting Clerk-Treasurer of the Town of Sellersburg; that the above and foregoing is an excerpt from the minutes of a special meeting of the Town Board of Trustees of the Town of Sellersburg, Indiana held on 1st day of August, 1988 a quorum being present and acting throughout.

Dated: August 1, 1988

William R. Collier
Clerk-Treasurer

TOWN BOARD OF TRUSTEES

William Neely
President

Charles Pedron
Member

Joseph DeLuca
Member

Karen L. Storie
Member

Roy Stewart
Member

88-19-88

RESOLUTION

TOWN OF SELLERSBURG

WHEREAS, the Town of Sellersburg, Indiana intends to make application for Step II + III Wastewater Facilities Construction Grant Funds from the United States Environmental Protection Agency pursuant to Public Law 95-217 and the rules and regulations as set forth in 40 CFR Part 35 of the Federal Register;

WHEREAS, the Town of Sellersburg, Indiana has held the EPA required Public Meeting and Public Hearing for the proposed wastewater facilities project.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Trustees of the Town of Sellersburg, Indiana as follows:

1. That the Town Board of Trustees has reviewed both the Sewer System Evaluation Survey (SSES) and Facilities Planning Report for the Town of Sellersburg Wastewater Facilities Project and hereby agrees to the Summary, Conclusions and Recommendations identified therein and consequently hereby approves both the SSES and Facilities Planning Reports.

CERTIFICATE

STATE OF INDIANA,

SS:

COUNTY OF CLARK,

I certify that I am the duly appointed, qualified and acting Clerk-Treasurer of the Town of Sellersburg; that the above and foregoing is an excerpt from the minutes of a special meeting of the Town Board of Trustees of the Town of Sellersburg, Indiana held on 1st day of August, 1988 a quorum being present and acting throughout.

Dated: August 1, 1988

William R. Collier
Clerk-Treasurer

TOWN BOARD OF TRUSTEES

William Neely
President

Charles Pedron
Member

Joseph Della Rosa
Member

Karen L. Storie
Member

Ray Chenu
Member

RESOLUTION 88-19-89

WHEREAS, the Town of Sellersburg has resolved to engage in a sewage works project, and

WHEREAS, the Town of Sellersburg has applied for grant funds and expects to receive such funds, including E.P.A. Project Initial Soft Cost funds in the amount of \$144,000.00, and

WHEREAS, the Town of Sellersburg desires to borrow the amount of \$187,000.00, which includes the above stated amount and matching funds in the amount of \$43,000.00 so that work can commence before grant funds are ultimately received, and

WHEREAS, Citizens Fidelity Bank & Trust Company, Indiana ("the bank") has made specific requests for certain information and guarantees,

IT IS HEREBY RESOLVED that upon approval of financing by the bank, the Town will obligate present and future tax funds toward payment of principal and interest payments, should it be necessary to do so.

IT IS FURTHER RESOLVED that the Town will also pledge as collateral for such loan tax anticipation warrants and/or a mortgage on the sewer plant and equipment, as allowed by law, should it be required by the bank.

SO RESOLVED THIS 12 DAY OF September, 1988.

William Mosley
William Mosley, President

Roy Everitt
Roy Everitt

Mary Ann Dellarosa
Mary Ann Dellarosa

Charles Eidenour
Charles Eidenour

Karen Storie
Karen Storie

William R. Collier
ATTEST: CLERK-TREASURER

PETITION REQUESTING CONSENT TO ANNEX TERRITORY

WHEREAS the Town Board of Trustees for the Town of Sellersburg, Indiana, has by resolution 88R-91, authorized the Town Board to petition the City of New Albany, Indiana, for its consent to annex territory contiguous to the Town of Sellersburg, Indiana, and;

WHEREAS, the territory to be annexed is within three miles of the City of New Albany, Indiana;

The Board of Trustees for the Town of Sellersburg, Indiana, does hereby petition the Common Council for the City of New Albany, Indiana, to grant its consent for the Town of Sellersburg, Indiana, to annex territory which is defined by "Exhibit A", which is attached hereto, and made a part of this petition.

SO ADOPTED this 15 day of October, 1988.

William Mosley
William Mosley

Karen Storie
Karen Storie

Charles Ridenour
Charles Ridenour

Roy Everett
Roy Everett

Mary Ann Dellarosa
Mary Ann Dellarosa

Attest:

William R. Collier
William Collier, Clerk Treasurer

RESOLUTION 88-R-91

WHEREAS , I.C. 36-4-3-9 requires that a town must obtain the consent of the legislative body of a second or third class city before annexing territory within three miles of the corporate boundaries of the city; and

WHEREAS, the Town of Sellersburg is proceeding with planning and conforming to the requirements of state law, is working on a fiscal plan and definite policy for the annexation of territory within three miles of the City of New Albany, Indiana.

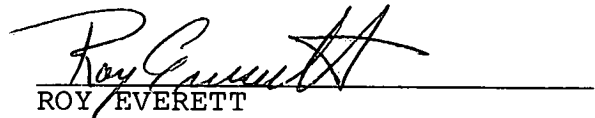
IT IS THEREFORE RESOLVED THAT the Board of Trustees petition the Common Council of the City of New Albany, Indiana for its consent to the annexation of territory contiguous to the Town of Sellersburg, and more particularly described in "Exhibit A".

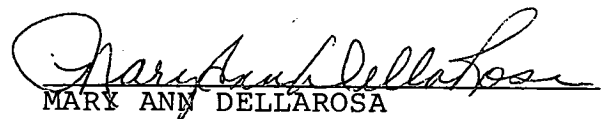
SO RESOLVED THIS 15 DAY OF OCTOBER, 1988


WILLIAM MOSLEY


KAREN STORIE

CHARLES RIDENOUR


ROY EVERETT


MARY ANN DELLAROSA

Attest:


WILLIAM COLLIER, CLARK TREASURER

Dated this 4th day of October, 1988.

I hereby certify that this is a true and correct copy of the Resolution passed by the Town of Sellersburg Plan Commission on October 4, 1988.

R E S O L U T I O N

BE IT RESOLVED, that on the 15th day of August, 1988, that Victor O. Unruh, and Jean M. Unruh, 7513 Highway 60, Sellersburg, Indiana, have filed a petition with the town of Sellersburg Planning Commission asking that the following described real estate be reclassified to I-Industrial Zone. The property being described as follows:

A part of Survey No. 87 of the Illinois Grant of Clark County, Indiana, being a part of the same 90.5 acre tract conveyed to Otto F. and Ethel Koehler at Deed Drawer 164, page 44, and Deed Drawer 2, Instrument No. 4148 and bounded as follows:

Commencing at the west corner of Survey No. 87 of the Illinois Grant, thence the following courses: north 55 deg. 23 min. 24 sec. east, 2216.09 feet with the line dividing Surveys No. 87 and 88 of said Illinois Grant to an iron pipe at the west corner of the land heretofore conveyed to Charles and Mary Jenkins, Sr., at Deed Drawer 1, Instrument No. 3387 and Deed Drawer 2, Instrument No. 6016; south 31 deg. 37 min. 56 sec. east, 1093.78 feet to an iron pipe in the northwest line of said Otto F. and Ethel Koehler, which is the true place of beginning.

Thence the following courses of the boundary: north 55 deg. 21 min. 57 sec. east, 2278.06 feet with said northwest line of Otto F. and Ethel Koehler to an iron pin; south 34 deg. 38 min. 03 sec. east, 426.51 feet to an iron pin, which is the west corner of a tract conveyed to James E. and Bonnie L. Hawn at Deed Drawer 2, Instrument No. 4147; south 54 deg. 59 min. 13 sec. east 109.00 feet with the southwest line of said Hawn to an iron pin, which is Hawn's south corner; north 73 deg. 08 min. 05 sec. west, 36.39 feet to an iron pin, which is the north corner of a 26.340 acre parcel previously conveyed to Victor O. and Jean M. Unruh at Deed Drawer 15, Instrument No. 7273; south 55 deg. 22 min. 58 sec. west, 2319.51 feet with the northwest line of said Victor O. and Jean M. Unruh to an iron pin, which is said Unruh's west corner; north 31 deg. 37 min 56 sec. west, 500.24 feet to the true place of beginning and containing 26.320 acres of land.

Subject to all easements and/or restrictions of record affecting said real estate.

It being shown to the Commission that said Petition was set for hearing and notice by publication and Certified mail, as required by the Ordinance having heretofore been given and after hearing the evidence the Town of Sellersburg Planning Commission

does hereby recommend that said Petition be granted and that the Secretary certify a copy of this Resolution and deliver same to the Town Board of Sellersburg, Indiana and further that the Town Board of Sellersburg give their approval to said request, subject to stipulations as agreed to by the Petitioner and their counsel at the hearing of this matter. Said stipulations which attach to this recommendation for rezoning shall be as follows:

1. That no junk of any nature shall be stored anywhere upon the property other than within enclosed buildings.
2. That each separate industrial classified use of the property shall be initially approved by the Town Board of Sellersburg.
3. That the property shall be used for purposes of an Industrial Park.
4. That Ten (10) days written notice shall be given to all adjoining land owners prior to the Town Board of Sellersburg approving each separate Industrial use. ("Adjoining Owner" shall mean adjacent to the entire 26.32 acre tract herein and not as to any owners within the above described real estate.)

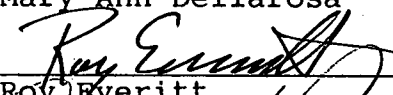
Town of Sellersburg Planning
Commission

Approved by the Town Board of Sellersburg, Indiana, this
4th day of October, 1988.

Town Board of Sellersburg

William Mosley

Mary Ann Dellarosa



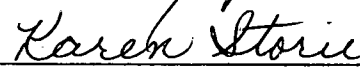
Roy Everitt

Attest:



Charlie Ridefour

William R. Collier



Karen Storie

RESOLUTION NO. 93

WHEREAS, the Town of Sellersburg maintains a lock box at the business address of Citizens Fidelity Bank of Indiana; and

WHEREAS, it is necessary to provide for certain security measures to protect access to such lock box;

IT IS HEREBY RESOLVED THAT each Town Board Member and the Town Clerk-Treasurer shall keep on file with the bank a signature card.

X-2
OK
NOT IT IS FURTHER RESOLVED THAT the Town Board hereby authorize the bank to allow access to the lock box to ~~any two Board Members or~~ to the Clerk-Treasurer and any one Board Member

SO RESOLVED THIS 24 DAY OF Oct, 1988

William Mosley
WILLIAM MOSLEY

Karen Storie
KAREN STORIE

Charles Ridemour
CHARLES RIDEMOUR

Roy Everett
ROY EVERETT

Mary Ann Dellarosa
MARY ANN DELLAROSA

ATTEST: *William R. Collier*
WILLIAM COLLIER
CLERK-TREASURER