

ORDINANCE NO. 432

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

Section 1. That on and after January 1, 1987, 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:

1 Town Board President (Street & Sewage Trustee)	\$ 1,200.00 per year
1 Town Board Trustee (Water & Recreation)	1,200.00 per year
1 Town Board Trustee (Police)	1,200.00 per year
1 Clerk-Treasurer	2,800.00 per year

WATER DEPARTMENT OF THE TOWN OF SELLERSBURG:

1 Town Board President (Street & Sewage)	2,050.00 per year
1 Town Board Trustee (Water & Recreation)	2,050.00 per year
1 Town Board Trustee (Police)	2,050.00 per year
1 Clerk-Treasurer	7,100.00 per year

SEWAGE DEPARTMENT OF THE TOWN OF SELLERSBURG:

1 Town Board President (Street & Sewage)	1,250.00 per year
1 Town Board Trustee (Water & Recreation)	1,250.00 per year
1 Town Board Trustee (Police)	1,250.00 per year
1 Clerk-Treasurer	7,100.00 per year

Section 2. This ordinance shall be in full force and effect as of January 1, 1987.

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 22nd day of December 1986.

TOWN BOARD OF TRUSTEES:

Melvin Curtis  
MELVIN CURTIS, PRESIDENT

William P. Collier  
WILLIAM COLLIER, MEMBER

Dwight K. Coats  
DWIGHT K. COATS, MEMBER

ATTEST:

Anna L. McCarty  
ANNA L. MC CARTNEY, CLERK-TREASURER

~~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, 1987, the salaries and wages of the employees of the Town of Sellersburg, Clark County, Indiana shall be as follows:

WATER DEPARTMENT:

		Holiday Pay/Year	Longivity
1 Superintendent	\$ 488.59 per week		
1 Heavy Equipment Operator	7.69 per hour		
1 Laborer	5.79 per hour		
1 Meter Repairman	5.36 per hour		
1 Computer Operator	233.55 per week		
1 Monitor	193.61 per week	232.32	

SEWAGE DEPARTMENT:

1 Superintendent	488.59 per week		
5 Laborers	5.36 per hour		
1 Deputy Clerk-Treasurer	233.55 per week		
1 Monitor	193.61 per week	232.32	
1 Part-time Monitor	3.35 per hour		

POLICE DEPARTMENT:

1 Chief	442.30 per week	530.77	
1 Major	403.84 per week	484.61	
2 Captains	362.38 per week	434.86	166.72
1 Lieutenant	336.36 per week	403.64	166.72
1 Sargeant	330.74 per week	396.89	166.72
1 Corporal	324.45 per week	389.36	166.72
3 Patrolmen	320.61 per week	384.74	10166.72
1 Dispatcher	193.61 per week	232.32	
1 Dispatcher	3.35 per hour	160.80	

STREET & SANITATION DEPARTMENTS:

1 Superintendent	305.03 per week		
5 Laborers	5.36 per hour		

Section 2. This ordinance shall be in full force and effect as of January 1, 1987.

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 22nd day of December, 1986.

TOWN BOARD OF TRUSTEES:

*Melvin Curtis*  
MELVIN CURTIS, PRESIDENT

*William P. Collier*  
WILLIAM COLLIER, MEMBER

DWIGHT K. COATS, MEMBER

ATTEST:

*Anna L. McCartney*  
ANNA L. MC CARTNEY, CLERK-TREASURER

~~THIS ORDINANCE PASSED AND ADOPTED by the Board of Trustees of~~  
the Town of Sellersburg, Indiana, on this 22nd day of December,  
1986.

TOWN OF SELLERSBURG, INDIANA  
BY ITS BOARD OF TRUSTEES

Melvin Curtis, President

William R. Collier

D. Keith Coats

ATTEST:

Anna McCartney  
Anna McCartney, Clerk-Treasurer

BY CLERK OF ADMINISTRATION

ORDINANCE 434

ORDINANCE DIVIDING TOWN INTO DISTRICTS  
AND VOTING PROCEDURES

WHEREAS, the Town of Sellersburg presently consists of three  
(3) voting wards;

WHEREAS, an annexation was completed in 1984 which greatly  
expanded the geographic area and population of the Town;

WHEREAS, the present Town Board desires to increase the  
number of wards within the Town and the number of elected members  
to the Town Board so that the people will receive more direct  
representation;

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

1. That the Town of Sellersburg shall be divided into five  
(5) districts or wards for the purpose of conducting future  
elections of Town officials;
2. That the five districts or wards for said Town shall be  
as described in Exhibits 1, 2, 3, 4 and 5, which are attached,  
hereto, incorporated herein, and are considered a part of  
this ordinance as if fully set forth herein;
3. That based upon the information available these  
districts or wards have been composed of contiguous terri-  
tory, are reasonably compact, and contain, as nearly as  
possible, equal population;
4. That based upon this redistricting the Sellersburg Town  
Board hereafter shall be composed of five (5) members with  
one (1) member representing each district or ward hereunder  
established;
5. That said members of the Town Board are to be elected  
only by the voters of the district or ward in which they  
reside and run, excepting the Clerk-Treasurer, who shall be  
elected by the voters of the whole Town;
6. That a person must be a resident of his or her ward or  
district to be eligible to seek office for the Town Board  
from that ward or district. This section does not apply to  
the Town's Clerk-Treasurer, who must be a resident of the  
Town to be eligible for that office.

# BLANKENBEKER & SON

Land Surveying

P. O. BOX 157  
JEFFERSONVILLE, IND. 47131

December 16, 1986

BOUNDARY DESCRIPTION OF WARD #1, SELLERSBURG

Beginning at the intersection of State Road 31 with Andres Street and South New Albany Ave;

Thence Southwesterly along the centerline of said Andres Street and said centerline extended to the Eastern Right-of-Way line of Interstate 65;

Thence Northerly along said Eastern Right-of-Way line to the North Right-of-Way line of St. Joe Road, same being the town boundary;

Thence Easterly along said town boundary to the Eastern Right-of-Way line of State Road 31;

Thence Southwardly along said Eastern Right-of-Way line to the Northern most line of Dietrichs 3rd Addition;

Thence Southeasterly along said Northern most line and said line extended to the centerline of New Albany Avenue;

Thence Southwesterly along said centerline to the PLACE OF BEGINNING.

Excepting therefrom any tracts not hereto annexed.

EXHIBIT "1"

**BLANKENBEKER & SON**

Land Surveying

P. O. BOX 157  
JEFFERSONVILLE, IND. 47131

December 16, 1986

BOUNDARY DESCRIPTION OF WARD #2, SELLERSBURG

Beginning at the centerline of State Road 31 with Andres Street and South New Albany Avenue;

Thence Northeasterly along the centerline of said New Albany Avenue to the Northern most line of Dietrich's 3rd addition if extended Southeast to said centerline;

Thence Northwesterly along said line to the Eastern Right-of-Way line of State Road 31;

Thence Northerly along said Eastern Right-of-Way line to the town line, being the North Right-of-Way line of State Road 403;

Thence Northeasterly along said North Right-of-Way line to the West Right-of-Way line of the Conrail Railroad;

Thence Southwardly along the town boundary to the centerline of Fern Street;

Thence Southwesterly along said centerline to the centerline of State Road 31;

Thence Northwesterly along said centerline to the PLACE OF BEGINNING.

EXHIBIT "2"

# BLANKENBEKER & SON

Land Surveying

P. O. BOX 157  
JEFFERSONVILLE, IND. 47131

December 16, 1986

## BOUNDARY DESCRIPTION OF WARD #3, SELLERSBURG

Beginning at the intersection of State Road #31 with Andres Street and South New Albany Avenue;

Thence Southeasterly along the centerline of State Road 31 to the centerline of Fern Street;

Thence Northeasterly along the centerline of Fern Street to the town boundary;

Thence Southeasterly, Southwesterly, and Southeasterly along said boundary to the line dividing Surveys #111 and #90 of the Illinois Grant to Clark County;

Thence Southwesterly along the Grant line to the Western Right-of-Way line of said State Road 31;

Thence Southeasterly along said Right-of-Way line to the Northern line of a tract of land described in Deed Drawer 3, Instrument 6982 of the Clark County, Indiana Records;

Thence Southwesterly along said Northern line to Forrest Estate Subdivision;

Thence S.34°57'24"E., along said subdivision line 1535 feet, more or less, to the Eastern most corner of said subdivision;

Thence S.54°52'56"W., 2079.77 feet;

Thence N.34°22'35"W., 244.08 feet to the Eastern Right-of-Way line of I-65;

Thence Northwardly along said Eastern Right-of-Way line to the centerline of Andres Street if extended Southwesterly;

Thence Northeasterly along said extended centerline and said centerline of Andres Street to the centerline of State Road 31, THE PLACE OF BEGINNING.

EXHIBIT 3

# BLANKENBEKER & SON

Land Surveying

P. O. BOX 157  
JEFFERSONVILLE, IND. 47131

December 16, 1986

## BOUNDARY DESCRIPTION OF WARD #4 SELLERSBURG

Beginning at the intersection of the East Right-of-Way line of I-65 and the extended centerline of Andres Street;

Thence crossing I-65 in a Southwesterly direction and along the town boundary line to the Southern most corner of a tract of land recorded in Deed Drawer 9, Instrument 7049 of the Clark County, Indiana Records;

Thence Northwardly along the town boundary to Hill and Dale Farm Subdivision;

Thence Southwesterly along the Southern line of said subdivision, 870.00 feet, more or less;

Thence generally North along the town boundary to St. Joe Road East;

Thence generally East along the town boundary to the Eastern Right-of-Way line of I-65;

Thence Southerly along said Right-of-Way line to the PLACE OF BEGINNING.

Excepting therefrom any tracts of land not heretofore annexed.

EXHIBIT 4



# BLANKENBEKER & SON

Land Surveying

P. O. BOX 157

JEFFERSONVILLE, IND. 47131

December 16, 1986

## BOUNDARY DESCRIPTION OF WARD # 5 SELLERSBURG

Beginning at the intersection of the line dividing Surveys #110 and 89 of the Illinois grant to Clark County, and the western Right-of-Way line of East Utica Street;

Thence in clockwise direction (1st being S.35°E., 1750 feet, more or less, along the Western Right-of-Way line of said Utica Street) along the town boundary to the Eastern corner of "Forrest Estates" Subdivision;

Thence N.34°57'24"W., along said Subdivision 1535 feet, more or less, to the Northern line of a tract of land described in Deed Drawer 3, Instrument 6982 of the Clark County, Indiana Records;

Thence Northeasterly along said Northern line to the Western Right-of-Way line of State Road #31;

Thence Northwesterly along said Western Right-of-Way line to the line dividing Surveys #89 and 110;

Thence Northeasterly along said dividing line to THE PLACE OF BEGINNING.

EXHIBIT "5"

ORDINANCE AMENDING TITLE 3  
ARTICLE 1. NUISANCES

Be it ordained by the Sellersburg Town Board that Title 3 Article 1 entitled Nuisances of the Sellersburg Town Board shall be amended as follows:

CHAPTER 2. ABATEMENT OF NUISANCE.

Section 1. Notice.

In any case where any nuisance may be found to exist, the Town Police Officers shall cause to be served notice upon the owner or occupant of the premises where such nuisance exists, or upon any other person so causing such nuisance, with said notice to request that person to abate such nuisance by the date specified in the notice. In determining the specified date in the notice the Town Police Officers shall take into consideration the degree of threat to public health, safety and welfare and the means required to abate such nuisance. It shall not be necessary for such Town Police Officers to designate in said notice the manner in which any nuisance shall be abated unless the Police Officers deem it advisable to do so.

Section 2. Refusal or Neglect to Abate.

If the owner, operator or other person served with a notice to abate the nuisance shall refuse or neglect to abate such nuisance within the time designated in said notice, such person shall then be served with a Citation from the Sellersburg Town Board which shall advise him that he is being fined a specified sum per day for not having abated the nuisance and the date the fine commences. The Citation shall further advise him of the amount then owed for the violation and that if the fine is paid within three (3) days from the date of the Citation and the nuisance is immediately abated, then the Town shall not seek further sums or recourse from him.

If the nuisance is not then abated or the fine is not paid within the three day period the Town Board may cause such nuisance to be abated in any manner authorized by law, including the commencement of an action in the name of the Town of Sellersburg against the owner, occupant, or other person, to have the nuisance abated and to recover the amount of expenses for such abatement, any unpaid fine, costs, expenses and attorney fees incurred in enforcing this Ordinance.

Section 3. Notification of Abatement Costs to Town  
and Collection Remedies.

If the Town Board has caused the nuisance to be abated the Board may then notify the Clerk-Treasurer of the cost of abating the nuisance. The Clerk-Treasurer shall then notify the owner, occupant or other person against whom the abatement proceedings were brought as to the cost of the abatement, the amount of fine owed, and any other costs, expenses, or amounts owed by that person to the Town. If said costs, fines, or other amounts are not paid by the person within thirty (30) days from the date of the Clerk-Treasurer's notice, proper officers of the Town shall then proceed to collect the same either by causing said costs to be placed on the tax duplicate of the property where the nuisance existed or by commencing suit against the violator.

Section 4. Form of Notifications.

The requirement for service of notice under the provisions of Sections 1, 2, and 3 immediately above and Chapter 3 following, shall be complied with by first attempting personal service of such notice by the Town Police Officers on the owner, occupant or other person suspected of causing the nuisance, and then mailing such notice by registered or certified mail to the last known address of the person sought to be notified or the address of the property where the nuisance exists.

CHAPTER 6. PENALTIES.

Whoever creates or maintains any nuisance defined in this Article or by any other law, code or ordinance of this Town, and who fails or refuses to abate such nuisance when so ordered, shall be fined not more than Two Hundred Dollars (\$200.00) per day with the amount of the fine per day to be determined by the degree of threat to the public's health, safety and welfare such nuisance has been and the means required to abate the nuisance. The action against any persons to enforce a fine or penalty by the Town shall constitute a separate and additional legal remedy and the fact that any proceedings by way of an injunction, or for the abatement of any such nuisance, has been or may be instituted by the Town and be pending or concluded, shall not affect this Chapter or Article, shall not restrict the Town Board from issuing additional citations for the abatement of other nuisances, and shall not be considered in any way as a defense to such action for the penalty herein described.

~~THIS ORDINANCE PASSED AND ADOPTED by the Board of Trustees of~~  
~~the Town of Sellersburg, Indiana, on this~~ 12/1 ~~day~~  
of January, 1987.

TOWN OF SELLERSBURG, INDIANA  
BY ITS BOARD OF TRUSTEES

Melvin Curtis  
Melvin Curtis, President

William R. Collier  
William R. Collier

D. Keith Coats  
D. Keith Coats

ATTEST:

Anna McCartney  
Anna McCartney, Clerk-Treasurer

ORDINANCE 435ORDINANCE AMENDING TITLE 3  
ARTICLE 1. NUISANCES

Be it ordained by the Sellersburg Town Board that Title 3 Article 1 entitled Nuisances of the Sellersburg Town Board shall be amended as follows:

CHAPTER 2. ABATEMENT OF NUISANCE.Section 1. Notice.

In any case where any nuisance may be found to exist, the Town Police Officers shall cause to be served notice upon the owner or occupant of the premises where such nuisance exists, or upon any other person so causing such nuisance, with said notice to request that person to abate such nuisance by the date specified in the notice. In determining the specified date in the notice the Town Police Officers shall take into consideration the degree of threat to public health, safety and welfare and the means required to abate such nuisance. It shall not be necessary for such Town Police Officers to designate in said notice the manner in which any nuisance shall be abated unless the Police Officers deem it advisable to do so.

Section 2. Refusal or Neglect to Abate.

If the owner, operator or other person served with a notice to abate the nuisance shall refuse or neglect to abate such nuisance within the time designated in said notice, such person shall then be served with a Citation from the Sellersburg Town Board which shall advise him that he is being fined a specified sum per day for not having abated the nuisance and the date the fine commences. The Citation shall further advise him of the amount then owed for the violation and that if the fine is paid within three (3) days from the date of the Citation and the nuisance is immediately abated, then the Town shall not seek further sums or recourse from him.

If the nuisance is not then abated or the fine is not paid within the three day period the Town Board may cause such nuisance to be abated in any manner authorized by law, including the commencement of an action in the name of the Town of Sellersburg against the owner, occupant, or other person, to have the nuisance abated and to recover the amount of expenses for such abatement, any unpaid fine, costs, expenses and attorney fees incurred in enforcing this Ordinance.

Section 3. Notification of Abatement Costs to Town  
and Collection Remedies.

If the Town Board has caused the nuisance to be abated the Board may then notify the Clerk-Treasurer of the cost of abating the nuisance. The Clerk-Treasurer shall then notify the owner, occupant or other person against whom the abatement proceedings were brought as to the cost of the abatement, the amount of fine owed, and any other costs, expenses, or amounts owed by that person to the Town. If said costs, fines, or other amounts are not paid by the person within thirty (30) days from the date of the Clerk-Treasurer's notice, proper officers of the Town shall then proceed to collect the same either by causing said costs to be placed on the tax duplicate of the property where the nuisance existed or by commencing suit against the violator.

Section 4. Form of Notifications.

The requirement for service of notice under the provisions of Sections 1, 2, and 3 immediately above and Chapter 3 following, shall be complied with by first attempting personal service of such notice by the Town Police Officers on the owner, occupant or other person suspected of causing the nuisance, and then mailing such notice by registered or certified mail to the last known address of the person sought to be notified or the address of the property where the nuisance exists.

CHAPTER 6. PENALTIES.

Whoever creates or maintains any nuisance defined in this Article or by any other law, code or ordinance of this Town, and who fails or refuses to abate such nuisance when so ordered, shall be fined not more than Two Hundred Dollars (\$200.00) per day with the amount of the fine per day to be determined by the degree of threat to the public's health, safety and welfare such nuisance has been and the means required to abate the nuisance. The action against any persons to enforce a fine or penalty by the Town shall constitute a separate and additional legal remedy and the fact that any proceedings by way of an injunction, or for the abatement of any such nuisance, has been or may be instituted by the Town and be pending or concluded, shall not affect this Chapter or Article, shall not restrict the Town Board from issuing additional citations for the abatement of other nuisances, and shall not be considered in any way as a defense to such action for the penalty herein described.

THIS ORDINANCE PASSED AND ADOPTED by the Board of Trustees of the Town of Sellersburg, Indiana, on this 12th day of January, 1987.

TOWN OF SELLERSBURG, INDIANA  
BY ITS BOARD OF TRUSTEES

Melvin Curtis  
Melvin Curtis, President

William R. Collier  
William R. Collier

D. Keith Coats  
D. Keith Coats

ATTEST:

Anna McCartney  
Anna McCartney, Clerk-Treasurer

ADDITIONAL APPROPRIATION ORDINANCE NO. 436

~~WHEREAS, it has been determined that it is now necessary to~~  
appropriate more money than was appropriated in the annual budget;  
NOW, THEREFORE:

SEC. 1. Be it resolved by the Town Board of Trustees of the Town of Sellersburg, Clark County, Indiana, that for the expenses of said municipal corporation the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same;

<u>Name of Fund</u>	<u>Amount Requested</u>	<u>Amount Appropriated</u>
GENERAL FUND:		
221 Police Supplies	\$ 1,330.00	\$ 1,330.00
	\$ 1,330.00	\$ 1,330.00
FEDERAL REVENUE SHARING FUND:		
221 Police Supplies	\$ 234.00	\$ 234.00
	\$ 234.00	\$ 234.00
CUMULATIVE CAPITOL DEVELOPEMENT FUND:		
404 Building Improvements	\$ 15,000.00	\$ 15,000.00
	\$ 15,000.00	\$ 15,000.00

SEC. 2. This ordinance shall be in full force and effect as of May 11, 1987.

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 11th day of May, 1987.

TOWN BOARD OF TRUSTEES:

Melvin Curtis  
MELVIN CURTIS, PRESIDENT

William B. Collier  
WILLIAM COLLIER, MEMBER

Dwight K. Coats  
DWIGHT K. COATS, MEMBER

ATTEST:

Anna L. Mc Cartney  
ANNA L. MC CARTNEY, CLERK-TREASURER



## ORDINANCE ANNEXING CARLISLE PROPERTY

WHEREAS, a Petition for annexation was filed by Rudy L. Carlisle and Lucretia Carlisle, husband and wife, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town be annexed into the Town pursuant to I.C. 36-4-3-5 and that the corporate limits of the Town be extended so as to include the privately owned real estate described as follows:

## CARLISLE PROPERTY

Part of Survey No. 111 of the Illinois Grant bounded thus: Beginning at the corner of Levi Hill's lot in the center of the Utica Highway; thence along said highway south 41 deg. east 4.3 poles running thence north 47 deg. 50' east 38 poles 2 1/2 links to a stake in the said line; thence north 41 deg. 50' west 4.3 poles to a stone; thence south 48 deg. 13' west 38 poles and 2 1/2 links to the place of beginning, containing 1 acre more or less.

ALSO, being a part of Survey No. 111 of the Illinois Grant, described as follows: Beginning at the common corners of Surveys Nos. 89, 90, 110 and 111 of the Illinois Grant; thence North with the grant line dividing Surveys Nos. 90 and 111, thence north 48 degrees 13' East 628.65 feet to the true place of beginning; thence continuing with said grant line, North 48 degrees 13' East, 1076.5 feet to an iron pin; thence North 41 degrees 50' West 562.86 feet to an iron pin; thence South 48 degrees 13' West 1076.5 feet to an iron pin; thence South 41 degrees 50' East 562.86 feet to the true place of beginning, containing 13.91 Acres, more or less.

That the Petitioners have represented that they are the sole owners of record of the above-described real estate and that this real estate is not situated within the limits of any municipality, but is contiguous to the Town of Sellersburg.

THEREFORE, BE IT ORDAINED by the Sellersburg Town Board that the above-described parcel of real estate owned by Rudy L. Carlisle and Lucretia Carlisle, husband and wife, is hereby annexed into the Town of Sellersburg, Indiana.

It is further Ordered that the Clerk-Treasurer of the Town of Sellersburg publish this Ordinance in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, which require the first publication to be made within two weeks after the date of adoption of this Ordinance.

This Ordinance No. 437 shall take effect sixty (60) days after its final publication.

PASSED AND ADOPTED THIS 23rd day of JUNE, 1987.

TOWN OF SELLERSBURG, INDIANA  
BY ITS BOARD OF TRUSTEES

Melvin Curtis  
Melvin Curtis, President

William Collier  
William Collier

Keith Coats  
Keith Coats

ATTEST:

Anna McCartney  
Anna McCartney, Clerk-Treasurer

ORDINANCE NO. 426

AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE USE  
OF THE SERVICES RENDERED BY THE WATERWORKS SYSTEM  
OF THE TOWN OF SELLERSBURG, INDIANA, SUBJECT  
TO THE APPROVAL OF THE PUBLIC SERVICE  
COMMISSION OF INDIANA

WHEREAS, the Town of Sellersburg, Indiana, maintains and operates a municipal water treatment and distribution system (hereafter called the "waterworks"); and

WHEREAS, the Board of Trustees finds that the existing rates and charges for the use of and service rendered by the waterworks of the Town are too low to pay all the legal and other necessary expenses incident to the operation of the waterworks, including maintenance costs, operating charges, upkeep, repairs, depreciation, and interest charges on bonds or other obligations; to provide a sinking fund for the liquidation of bonds or other evidences of indebtedness, to provide adequate funds for working capital; and to provide funds for payment of any taxes that may be assessed against the waterworks; and

WHEREAS, the Town's Utility Rate Consultant has made a study and has prepared an accounting report containing a proposed schedule of rates and charges; and

WHEREAS, the Board of Trustees now finds that such proposed schedule of rates and charges is nondiscriminatory, reasonable and just;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES for the Town of Sellersburg, Indiana, as follows:

Section 1. That there shall be, and there are hereby, established for the use of and the service rendered by the waterworks system of the Town of Sellersburg, Indiana, the rates and charges, based upon the use of water supplied by the said waterworks system, as set forth in Exhibit "A" attached hereto.

Section 2. The Board of Trustees by adoption of the ordinance elects to request the Public Service Commission of Indiana to approve rates and charges which are sufficient to include a reasonable return on the waterworks plant pursuant to the provision of Indiana Code 8-1.5-3-8 (formerly I.C. 8-1-2-96) and any and all succeeding authority thereto, such reasonable rate of return on the waterworks plant having been heretofore incorporated into the rates and charges established by this ordinance.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this ordinance shall be approved by the Public Service Commission of Indiana, and until such time as the order of said Commission approving said new rates and charges shall direct.

Section 4. This ordinance shall be in full force and effect from and after its passage; provided, however, that the schedule of rates and charges herein set out shall not become effective

~~unless approved by the Public Service Commission of Indiana or~~

until such time as said Commission shall direct.

This Ordinance passed and adopted by the Board of Trustees of the Town of Sellersburg, Indiana, on this 10th day of June, 1986.

TOWN OF SELLERSBURG, INDIANA  
BY ITS BOARD OF TRUSTEES

Melvin Curtis  
President

William R. Collier  
Trustee

\_\_\_\_\_  
Trustee

ATTEST:

Anna McCartney  
Anna McCartney, Clerk-Treasurer

SELLERSBURG (INDIANA) MUNICIPAL WATER UTILITY

Town Hall

Sellersburg, Indiana 47172

SCHEDULE OF WATER RATES AND CHARGES  
(Pursuant to PSCI Order in Cause No. 37921, dated June 4, 1986)

(a) Metered Rates Per Month

For use of and services rendered by the waterworks system of the Sellersburg Municipal Water Utility based on the use of water supplied by said waterworks system:

<u>Consumption Per Month</u>	<u>Per 1,000 Gallons</u>
First 2,500 gallons	\$ 2.93
Next 500 gallons	2.41
Next 2,000 gallons	1.99
Next 15,000 gallons	1.60
Next 30,000 gallons	1.18
Over 50,000 gallons	.91

(b) Minimum Charge

Each user shall pay a minimum charge in accordance with the following applicable size of meter installed for which the user will be entitled to the quantity of water set out in the above schedule of rates.

<u>Size of Meter</u>	<u>Minimum Gallonage</u>	<u>Per Month</u>
5/8 and 3/4 inch meter	2,033	\$ 5.96
1 inch meter	6,410	14.78
1 1/4 inch meter	13,800	26.60
1 1/2 inch meter	19,394	35.55
2 inch meter	37,254	56.88
3 inch meter	133,495	147.90
4 inch meter	221,000	227.53
6 inch meter	439,769	426.61

(c) Sales for Resale

	<u>Per 1,000 Gallons</u>
Rural Membership Water Corporation of Clark County	\$ .97

(Continued on next page)

SELLERSBURG (INDIANA) MUNICIPAL WATER UTILITY

Town Hall

Sellersburg, Indiana 47172

Page 3 of 3

SCHEDULE OF WATER RATES AND CHARGES

(Pursuant to PSCI Order in Cause No. 37921, dated June 4, 1986)

(g) Collection and Deferred Payment Charge

All bills for water service not paid within fifteen (15) days from the due date thereof, as stated in such bills, shall be subject to the collection or deferred payment charge of ten percent (10%) on the first \$3.00 and three percent (3%) on the excess of over \$3.00.

(h) Reconnection Charge \$ 10.00

When the service is turned off for non-payment of bill, or whenever, for any reason beyond the control of the waterworks, a re-establishment of service is required by any one customer, this charge will be made by the waterworks to cover the cost of discontinuance and re-establishment of service during the period of 7:00 A.M. to 3:00 P.M. weekdays. The charge, together with any arrears due the waterworks, shall be paid by the customer before service will be re-established.

(i) Reconnection Surcharge \$ 10.00

This charge will be made in addition to the ten dollar reconnection charge for re-establishment of service on Saturday, Sunday, and after 3:00 P.M. on weekdays.

(j) General Service Charge \$ 5.00

This charge will be made for any trip to the member's premises at his request for conditions on the member's side of the meter during the period of 7:00 A.M. to 3:00 P.M. weekdays.

(k) General Service Surcharge \$ 5.00

This charge will be made in addition to the Five Dollar General Service Charge for such service on Saturday, Sunday, and after 3:00 P.M. weekdays.

(l) Security Deposits \$ 30.00

To secure the payment of the water bill, the Town of Sellersburg shall require the customer to pay in advance the sum of Thirty Dollars. Upon termination of water service by the customer, said security deposit shall be refunded to said customer less any outstanding water bill due the Town.

SELLERSBURG (INDIANA) MUNICIPAL WATER UTILITY

CALCULATION OF REVISED RATES AND CHARGES

(Based upon PSCI Order in Cause No. 37921, dated June 4, 1986)

<u>Metered Consumption</u>	<u>Monthly Rate Per 1,000 Gallons</u>	
	<u>Present</u>	<u>Revised (93% Increase)</u>
First 2,500 gallons	\$ 1.52	\$ 2.93
Next 500 gallons	1.25	2.41
Next 2,000 gallons	1.03	1.99
Next 15,000 gallons	.83	1.60
Next 30,000 gallons	.61	1.18
Over 50,000 gallons	.47	.91
<u>Minimum Charge</u>	<u>Per Month</u>	
5/8 - 3/4 inch meters	\$ 3.09	\$ 5.96
1 inch meters	7.66	14.78
1 1/4 inch meters	13.78	26.60
1 1/2 inch meters	18.42	35.55
2 inch meters	29.47	56.88
3 inch meters	76.63	147.90
4 inch meters	117.89	227.53
6 inch meters	221.04	426.61
<u>Sales for Resale</u>	<u>Per 1,000 Gallons</u>	
Rural Membership Water Corporation of Clark County	\$ .50	\$ .97
<u>Fire Protection Service</u>	<u>Per Annum</u>	
Automatic sprinklers:		
1 1/2 inch connection	\$ 12.90	\$ 24.90
2 inch connection	22.90	44.20
2 1/2 inch connection	35.80	69.09
3 inch connection	51.55	99.49
4 inch connection	91.70	176.98
6 inch connection	206.30	398.16
8 inch connection	366.75	707.83
Public hydrants, each	206.30	398.16
Private hydrants, each	206.30	398.16
Outside Town surcharge, per month	1.15	2.22



ORDINANCE NO. 438

AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE USE  
OF THE SERVICES RENDERED BY THE WATERWORKS SYSTEM  
OF THE TOWN OF SELLERSBURG, INDIANA, PURSUANT  
TO A TARIFF APPROVED BY THE PUBLIC SERVICE  
COMMISSION OF INDIANA

WHEREAS, pursuant to an Order from the Public Service Commission, the Town of Sellersburg, Indiana, previously passed Ordinance No. <sup>438</sup> 426 which reflected its rates and charges concerning the municipal water utility;

WHEREAS, the Public Service Commission has issued and approved a new tariff to include and reflect a Ten Dollar (\$10.00) charge for bad checks and that this tariff should be adopted by the Sellersburg Town Board by ordinance;

WHEREAS, said tariff conforms with the previously approved tariff in all other respects; and

WHEREAS, the Board of Trustees now finds that such proposed schedule of rates and charges included in the tariff approved by the Public Service Commission of the State of Indiana is non-discriminatory, reasonable and just;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES for the Town of Sellersburg, Indiana, as follows:

Section 1. That there shall be, and there are hereby, established for the use of and the service rendered by the waterworks

system of the Town of Sellersburg, Indiana, the rates and charges, based upon the use of water supplied by the said waterworks system, as set forth in Exhibit "A" attached hereto.

Section 2. The Board of Trustees by adoption of the ordinance elects to request the Public Service Commission of Indiana to approve rates and charges which are sufficient to include a reasonable return on the waterworks plant pursuant to the provision of Indiana Code 8-1.5-3-8 (formerly I.C. 8-1-2-96) and any and all succeeding authority thereto, such reasonable rate of return on the waterworks plant having been heretofore incorporated into the rates and charges established by this ordinance.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this ordinance shall be approved by the Public Service Commission of Indiana, and until such time as the order of said Commission approving said new rates and charges shall direct.

Section 4. This ordinance shall be in full force and effect from and after its passage; provided, however, that the schedule of rates and charges herein set out shall not become effective unless approved by the Public Service Commission of Indiana or until such time as said Commission shall direct.

This Ordinance passed and adopted by the Board of Trustees of the Town of Sellersburg, Indiana, on this 3rd day of November, 198<sup>7</sup>6.

TOWN OF SELLERSBURG, INDIANA  
BY ITS BOARD OF TRUSTEES

William Curtis  
President

William R. Collier  
Trustee

\_\_\_\_\_  
Trustee

ATTEST:

Anna McCartney  
Anna McCartney, Clerk-Treasurer

440  
# 440

ORDINANCE VACATING PROPERTY

WHEREAS, a Petition to vacate property located within the Town of Sellersburg was filed by Robert M. Thurman and Billie R. Thurman.

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 and that Robert M. Thurman and Billie R. Thurman are hereby declared the owners of that property with all rights and privileges pertaining thereto.

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

PASSED AND ADOPTED 11/23/87, 1987.

TOWN OF SELLERSBURG, INDIANA  
BY ITS BOARD OF TRUSTEES

Melvin Curtis  
Melvin Curtis, President

William R. Collier  
William Collier

Keith Coats

ATTEST:

Anna McCartney  
Anna McCartney, Clerk-Treasurer

Described as follows, to-wit:

That part of a 40 foot right-of-way known as Spring Street running along the northern boundary of John Deitrich's Third Addition to the Town of Sellersburg, Indiana as set out in Plat Book 5, page 36, in the office of the Recorder of Clark County, Indiana.

# 441

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 and that James E. Shields and Patsy D. Shields are hereby declared the owners of that property with all rights and privileges pertaining thereto excepting however, that an easement is reserved and granted to the Town of Sellersburg under, upon and over the subject property for 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.

PASSED AND ADOPTED *November 23*, 1987.

TOWN OF SELLERSBURG, INDIANA  
BY ITS BOARD OF TRUSTEES

*Melvin Curtis*  
Melvin Curtis, President

*William R. Collier*  
William Collier

Keith Coats

ATTEST:

*Anna McCartney*  
Anna McCartney, Clerk-Treasurer

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).

## ORDINANCE ANNEXING O'NEAL AND EMBRY PROPERTY

WHEREAS, a Petition for Annexation was filed by James L. O'Neal, Christopher G. O'Neal and Joel T. Embry with the Town of Sellersburg, IN, asking that certain privately owned real estate contiguous to the Town of Sellersburg, IN, be annexed to the town pursuant to I.C. 36-4-3-5 and that the corporate limits of the town be extended so as to include the privately owned real estate described as follows:

Being a 38.6432 acre part of the land theretofore conveyed to Raymond and Evelyn L. Miller, James K. and Wilma L. Miller and Garland C. and Martha C. Miller by deed as recorded in Deed Drawer 13, Instrument No. 6605 of the Clark County, Indiana Record of Deeds, being a part of Surveys No. 108 and 110 of the Illinois Grant, situated in Silver Creek Township, Clark County, Indiana and being more fully described as follows, to-wit:

Beginning at a brass-capped monument at the north corner of Survey No. 108 of the Illinois Grant, said corner being on the Southwesterly line Survey No. 110 of said Illinois Grant; running thence North 34 deg. 52' 42" West along the line dividing Surveys No. 109 and 110, a distance of 989.24 feet to an iron pipe; thence North 54 deg. 25' 54" East, 749.31 feet to a fence corner at the north corner of the Miller land; thence South 34 deg. 42' 58" East along the northeasterly line of said Miller land, 1016.42 feet to a concrete monument; thence continuing along said northeasterly line, South 34 deg. 50' 04" East, 819.96 feet to an iron pin; thence continuing South 34 deg. 50' 04" East along said northeasterly line, 167.10 feet to an iron pin on the westerly right-of-way line of State Road No. 311 (formerly called State Road 31W); thence along said westerly right-of-way line, the following courses and distances: South 16 deg. 34' 54" West, 318.10 feet to an iron pin; South 12 deg. 46' 22" East, 105.50 feet to an iron pin; South 8 deg. 48' 44" West, 219.83 feet to an iron pin; thence leaving said westerly right-of-way line North 35 deg. 22' 54" West, 360.52 feet to a fence corner; thence North 17 deg. 09' 33" East, 110.72 feet to a fence corner; thence North 34 deg. 51' 12" West, 198.65 feet to an iron pin; thence South 55 deg. 58' 06" West, 597.07 feet



to a stone at the Southwest corner of the Miller land; thence North 34 deg. 52' 28" West along the Southwesterly line of said Miller land, 825.00 feet to an iron pin on the line dividing Surveys No. 108 and 109 of said Illinois Grant; thence North 55 deg. 23' 35" East along said dividing line 207.48 feet to the place of beginning and containing 38.6432 acres of land.

Being a part of the real estate conveyed to the Grantors by deed dated July 7, 1981 and recorded in Deed Drawer 13, Instrument No. 6605 in the Office of the Recorder of Clark County, Indiana.

That the Petitioners have represented that they are the sole owners of record of the above-described real estate and that this real estate is not situated within the limits of any municipality, but is contiguous to the Town of Sellersburg.

THEREFORE, BE IT ORDAINED by the Sellersburg Town Board that the above-described parcel of real estate owned by James L. O'Neal, Christopher G. O'Neal and Joel T. Embry is hereby annexed into the Town of Sellersburg, IN, pursuant to I.C. 36-4-3-5; and

It is further ordered that the Clerk-Treasurer of the Town of Sellersburg publish this Ordinance in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, which require the first publication to be made within two weeks after the date of adoption of this Ordinance.

This Ordinance No. 441 shall take effect sixty (60) days after its final publication.

PASSED AND ADOPTED this 23rd day of November 1987.

TOWN OF SELLERSBURG, INDIANA  
BY ITS BOARD OF TRUSTEES

Melvin Curtis  
MELVIN CURTIS, PRESIDENT

William R. Collier  
WILLIAM COLLIER

\_\_\_\_\_  
KEITH COATS

ATTEST:

Anna McCartney  
ANNA MCCARTNEY, CLERK-TREAS.

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, 1988, the salaries and wages of the employees of the Town of Sellersburg, Clark County, Indiana, shall be as follows:

WATER DEPARTMENT:

		Holiday Pay/Year	Longevity
1 Superintendent	\$ 499.39 per week		
1 Heavy Equipment Operator	7.96 per hour		
1 Plant Operator	6.38 per hour		
1 Laborer	6.06 per hour		
1 Meter Repairman	5.63 per hour		
1 Deputy Clerk-Treasurer	250.00 per week		
1 Clerk	180.00 per week		
1 Monitor	204.41 per week	\$ 245.28	

SEWAGE DEPARTMENT:

1 Superintendent	499.39 per week		
4 Laborers	5.63 per hour		
1 Computer Operator	200.00 per week		
1 Monitor	204.41 per week	245.28	
1 Part-time Monitor	3.35 per hour		

POLICE DEPARTMENT:

1 Chief	442.30 per week	530.77	
1 Major	403.84 per week	484.61	
2 Captains	362.38 per week	434.86	2@ \$ 166.72
1 Lieutenant	336.36 per week	403.64	166.72
1 Sargeant	330.74 per week	396.89	166.72
1 Corporal	324.45 per week	389.36	166.72
3 First Class Patrolmen	320.61 per week	384.74	3@ 166.72
1 Patrolman	6mos.@6,000.00	92.30	
	6mos.@8,335.86	256.48	
1 Dispatcher	204.41 per week	245.28	
1 Dispatcher	3.35 per hour	160.80	

STREET & SANITATION DEPARTMENTS:

1 Superintendent	345.83 per week
5 Laborers	5.63 per hour

Section 2. Salaried office workers shall be paid time and one-half for time worked in excess of forty fours in any week.

Section 3. This ordinance shall be in full force and effect as of January 1, 1988.

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 14th day of December, 1987.

TOWN BOARD OF TRUSTEES:

Melvin Curtis  
MELVIN CURTIS, PRESIDENT

William R. Collier  
WILLIAM R. COLLIER, MEMBER

ATTEST:

Janice P. Hill  
JANICE P. HILL, DEPUTY  
CLERK-TREASURER

Dwight K. Coats  
DWIGHT K. COATS, MEMBER

ORDINANCE NO. 444

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

Section 1. That on and after January 1, 1988, 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:

1 Town Board President		\$ 720.00 per year
4 Town Board Trustees	4 @	720.00 per year
1 Clerk-Treasurer		2,800.00 per year

WATER DEPARTMENT OF THE TOWN OF SELLERSBURG:

1 Town Board President		2,050.00 per year
4 Town Board Trustees	4 @	2,050.00 per year
1 Clerk-Treasurer		7,100.00 per year

SEWAGE DEPARTMENT OF THE TOWN OF SELLERSBURG:

1 Town Board President		1,730.00 per year
4 Town Board Trustees	4 @	1,730.00 per year
1 Clerk-Treasurer		7,100.00 per year

Section 2. This ordinance shall be in full force and effect as of January 1, 1988.

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 14th day of December, 1987.

TOWN BOARD OF TRUSTEES:

Melvin Curtis  
MELVIN CURTIS, PRESIDENT

William R. Collier  
WILLIAM R. COLLIER, MEMBER

\_\_\_\_\_  
DWIGHT K. COATS, MEMBER

ATTEST:

Janyce P. Hill  
JANYCE P. HILL, DEPUTY  
CLERK-TREASURER

ORDINANCE NO. 145

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*  
\_\_\_\_\_  
Charles Ridenour

*Mary Ann Dellarosa*  
\_\_\_\_\_  
Mary Ann Dellarosa

*Karen Storie*  
\_\_\_\_\_  
Karen Storie

*Roy Everitt*  
\_\_\_\_\_  
Roy Everitt

*Anna McCartney*  
\_\_\_\_\_  
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 voter 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 Ridenour*  
\_\_\_\_\_  
Charles Ridenour

*Mary Ann Dellarosa*  
\_\_\_\_\_  
Mary Ann Dellarosa

\_\_\_\_\_  
Karen Storie

*Roy Everitt*  
\_\_\_\_\_  
Roy Everitt

*Anna McCartney*  
\_\_\_\_\_  
ATTEST: Anna McCartney

CLERK TREASURER

# 447

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ORDINANCE VACATING PROPERTY

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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.

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).

PASSED AND ADOPTED Feb. 22, 1988.

TOWN OF SELLERSBURG, INDIANA  
BY ITS BOARD OF TRUSTEES

Charles Palmer

William Proby

Karen Storie

[Signature]

[Signature]

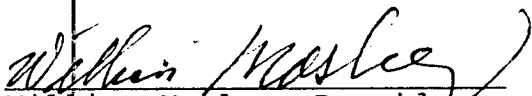
ATTEST:

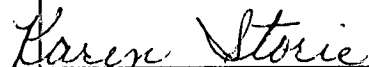
Anna McCartney  
Anna McCartney, Clerk-Treasurer

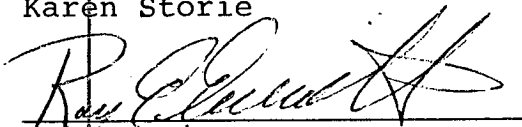
ORDINANCE NO. 448


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.

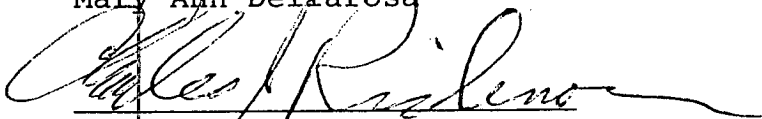
SO ORDERED this the twenty eighth day of March, 1988.

  
 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  
William Mosley, President

Roy Everitt  
Roy Everitt

Mary Ann Dellarosa  
Mary Ann Dellarosa

Karen Storie  
Karen Storie

Charles Ridenour  
Charles Ridenour

ATTEST:

Anna McCartney  
Anna McCartney  
CLERK-TREASURER

ORDINANCE # 451

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 18<sup>th</sup> 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 Ridenour  
Charles Ridenour, Member

Mary Ann Dellarosa  
Mary Ann Dellarosa, Member

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

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

~~EmHA 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, 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 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:

Anna L. McArthur  
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.

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  
Ray E. Smith

Member  
Charles J. Pilem

Attest:

Ann L. McCarty  
Clerk-Treasurer

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  
William D. Mosley, President

Roy Everitt  
Roy Everitt

Karen Storie  
Karen Storie

Charles Ridenour  
Charles Ridenour

Mary Ann Dellarosa  
Mary Ann Dellarosa

ATTEST: Anna McCartney  
Anna McCartney

CLERK-TREASURER

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;

STATE OF INDIANA

COUNTY OF CLARK

Original  
DateAuthentication  
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.



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

William M. Hiley  
Presiding Officer

Gary M. Hiltz  
Member

Karen Storie  
Member

Ray Stewart  
Member

Robert C. Campbell  
Member

Attest:

Anna L. McCartney  
Clerk-Treasurer

**Exhibit A**  
**INDIANA BOND BANK - FARMERS HOME ADMINISTRATION**  
**TOWN OF SELLERSBURG - WATERWORKS REVENUE REFUNDING BONDS**  
**SERIES 1988**

**DEBT SERVICE SCHEDULE**

DATE	PRINCIPAL	COUPON	INTEREST	PERIOD TOTAL	FISCAL TOTAL
12/ 1/88	17,800.00	5.970000	8,126.86	25,926.86	25,926.86
12/ 1/89	7,600.00	6.070000	18,312.64	25,912.64	25,912.64
12/ 1/90	8,100.00	6.195000	17,851.32	25,951.32	25,951.32
12/ 1/91	8,600.00	6.420000	17,349.53	25,949.53	25,949.53
12/ 1/92	9,100.00	6.620000	16,797.41	25,897.41	25,897.41
12/ 1/93	9,800.00	6.920000	16,194.99	25,994.99	25,994.99
12/ 1/94	10,400.00	7.070000	15,516.83	25,916.83	25,916.83
12/ 1/95	11,200.00	7.270000	14,781.55	25,981.55	25,981.55
12/ 1/96	12,000.00	7.470000	13,967.31	25,967.31	25,967.31
12/ 1/97	12,900.00	7.620000	13,070.91	25,970.91	25,970.91
12/ 1/98	13,900.00	7.720000	12,087.93	25,987.93	25,987.93
12/ 1/99	14,900.00	7.870000	11,014.85	25,914.85	25,914.85
12/ 1/ 0	16,100.00	8.020000	9,842.22	25,942.22	25,942.22
12/ 1/ 1	17,400.00	8.500000	8,551.00	25,951.00	25,951.00
12/ 1/ 2	18,900.00	8.500000	7,072.00	25,972.00	25,972.00
12/ 1/ 3	20,500.00	8.500000	5,465.50	25,965.50	25,965.50
12/ 1/ 4	22,200.00	8.500000	3,723.00	25,923.00	25,923.00
12/ 1/ 5	21,600.00	8.500000	1,836.00	23,436.00	23,436.00
ACCRUED	253,000.00		211,561.86	464,561.86	
	253,000.00		211,561.86	464,561.86	

DATED 6/30/88 WITH DELIVERY OF 6/30/88  
 BOND YEARS 2,610.819  
 AVERAGE COUPON 8.103  
 AVERAGE LIFE 10.319  
 N I C X 8.345536 X USING 97.500000  
 T I C X 7.882658 X From Delivery Date

DONALDSON, LUFKIN & JENRETTE

Issuer Funds: \$ 10,000

ORDINANCE NO. 455

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

collection of said fees.

SO ORDERED THIS 27th DAY OF June, 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. 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 will be paid time and a half \$5.11/hr.  
SO ORDERED THIS 27 day of June, 1988.

William Mosley  
William Mosley, President

Mary Dellarosa  
Mary Dellarosa

Roy Everitt  
Roy Everitt

Charles Riderour  
Charles Riderour

Karen Storie  
Karen Storie

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.

2.

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

3.

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  
William Mosley, President

Charles Ridenour  
Charles Ridenour

Karen Storie  
Karen Storie

Roy Everitt  
Roy Everitt

Mary Ann Dellarosa  
Mary Ann Dellarosa

ATTEST: Anna McCartney  
Anna McCartney  
CLERK-TREASURER



APPLICATION FOR EXCAVATING PERMIT  
(ORDINANCE NO. \_\_\_\_\_)

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.)

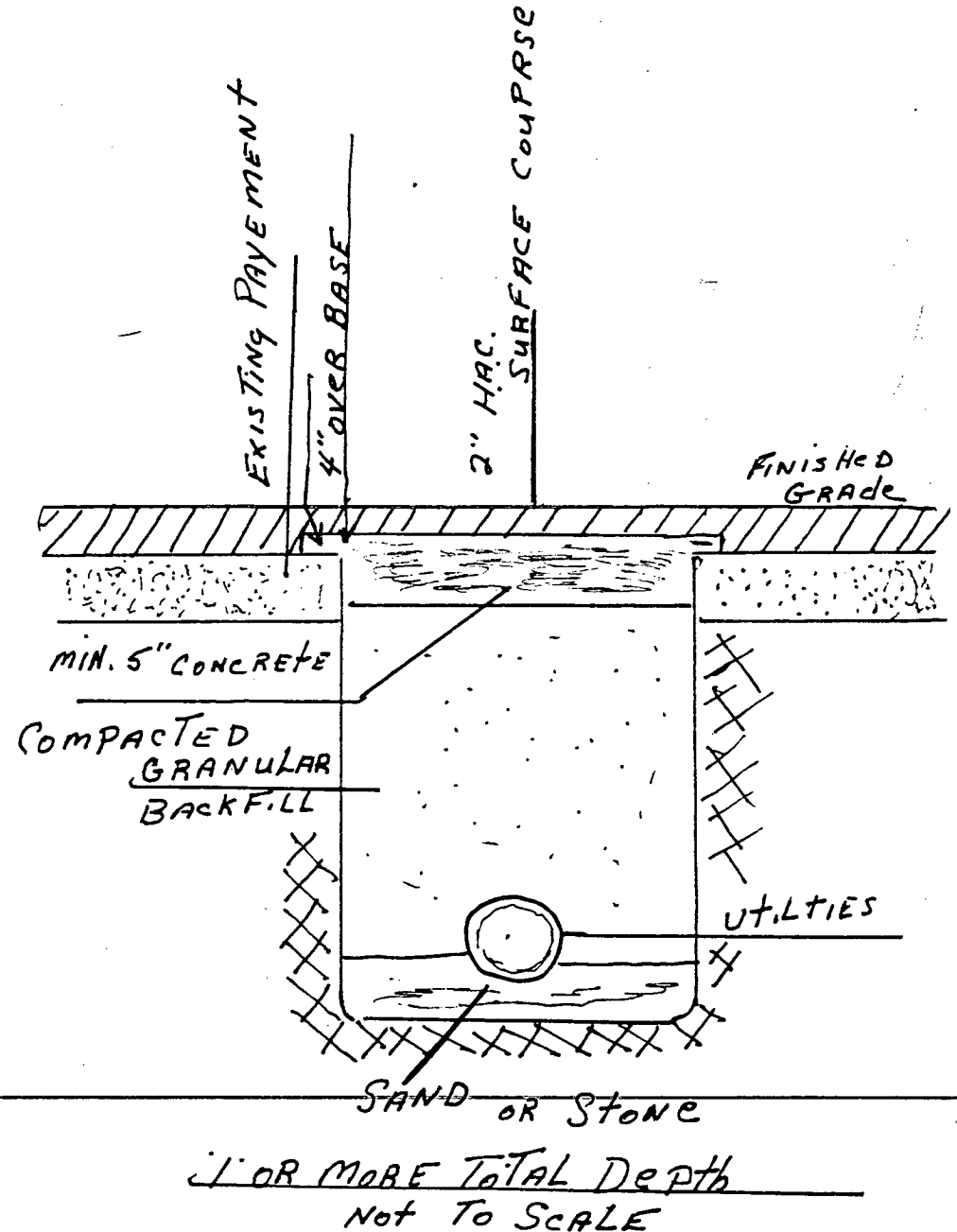
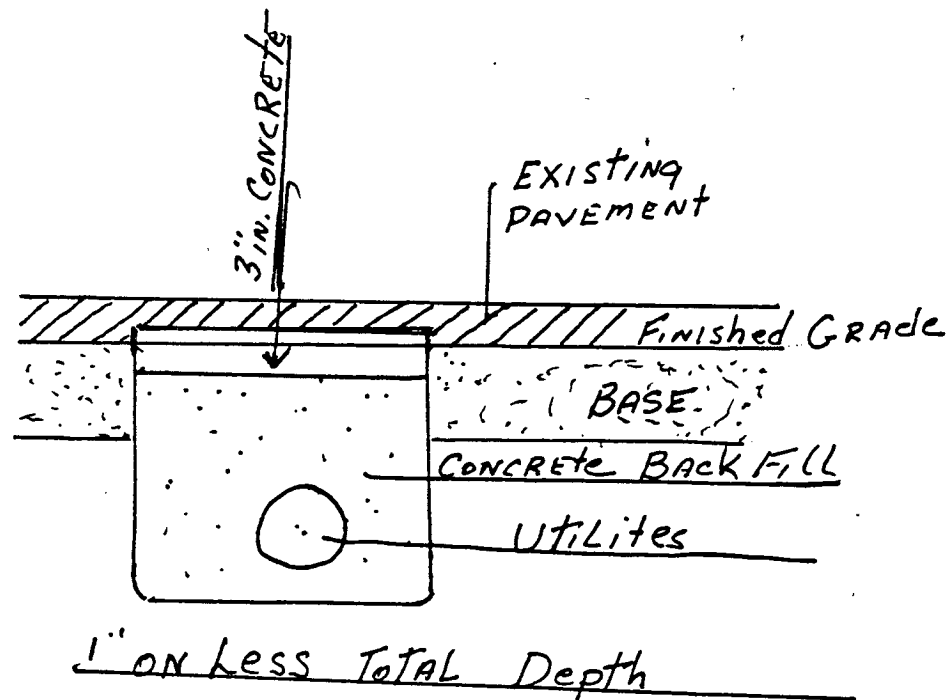
CITY OF SELLERSBURG INDIANA

47172

STREET CUTS — \$20.00

SIDE WALK — \$15.00

GRASS PLAT — \$500



ORDINANCE NO: ~~457~~ 458

~~AN ORDINANCE CONCERNING THE ANNEXATION~~  
OF ADJACENT AND CONTIGUOUS TERRITORIES

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. 39 min. 39 sec. West, 426.51 feet, more or less, to

~~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;

~~outh 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;  
 outh 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;  
 outh 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 de-  
 scribed 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 Collier  
WILLIAM COLLIER  
CLERK-TREASURER



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

*Karen Storie*  
*William Masley*  
*Gregory Bellotaso*  
*Cliff Fidenow*  
*Ray Elliott*

Ordinance no. 459

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 Ann DellaRosa  
Mary Ann DellaRosa

Charles Ridenour  
Charles Ridenour

Karen Storie  
Karen Storie

ATTEST:

William R. Collier, Clerk-Treasurer

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	23833	per year	525
1 Major	19678	Per year	657
1 Captain	22999	per year	657
1 Captain	19678	per year	657
1 Lieutenant	18325	per year	657
1 Sargeant	18032	per year	525
1 Corporal	17705	per year	438
1 Patrolman	17505	per year	175
1 Patrolman	17505	per year	175
1 Patrolman	17505	per year	131
1 Patrolman	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

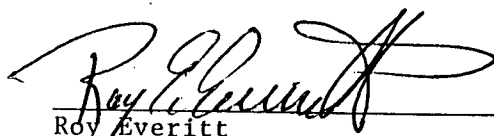
Section 1: Salaried office workers shall be paid time and one-half for time worked in excess of forty hours in any week.

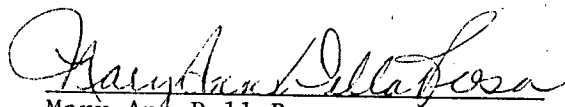
Section 1: This ordinance shall be in full force and effect as of January 1, 1989.

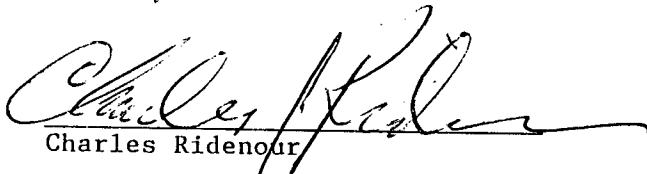
Passed and adopted at the regular meeting of the Board of Trustees of the Civil Town of Sellersburg at the Sellersburg Town Hall, Sellersburg, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 1988.

## 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, PRESIDENT

Karen Storie  
\_\_\_\_\_  
KAREN STORIE

Charles Ridenour  
\_\_\_\_\_  
CHARLES RIDENOUR

\_\_\_\_\_  
ROY EVERETT

Mary Ann Dellarosa  
\_\_\_\_\_  
MARY ANN DELLAROSA

ATTEST: \_\_\_\_\_  
WILLIAM COLLIER,  
CLERK-TREASURER

AMENDMENT TO ORDINANCE NO. 461-A

BE IT ORDAINED by the Sellersburg Town Board, that Ordinance No. 461 authorizing the Board to borrow money pursuant to I.C. 36-5-2-11(d) on behalf of the Town of Sellersburg, is hereby amended by adding the following addition to the ordinance:

Ordinance No. 461 is hereby designated as a qualified tax exempt obligation pursuant to Sec. 265(b) of the Internal Revenue Code and William Collier, Clerk Treasurer, is hereby ordered to file IRS Form 8038 on or before January 15, 1989.

ADOPTED by the governing body of the Town of Sellersburg on this 9th day of January, 1989.

Signed by:

\_\_\_\_\_  
WILLIAM MOSLEY, PRESIDENT

*Karen Storie*  
\_\_\_\_\_  
KAREN STORIE

*Charles Ridenour*  
\_\_\_\_\_  
CHARLES RIDENOUR

*Roy Everett*  
\_\_\_\_\_  
ROY EVERETT

*Mary Ann Dellarosa*  
\_\_\_\_\_  
MARY ANN DELLAROSA

ATTEST: \_\_\_\_\_  
WILLIAM COLLIER,  
CLERK TREASURER

ORDINANCE NO. 462

AMENDMENTS TO ORDINANCE NO. 200, NO. 322, AND NO. 368

Chapter 2. Exemptions and Exceptions

Section 2. State Highway 31 Exempted.

State Highway 31 may be used by any vehicle or combination of vehicles of a weight exceeding six (6) tons.

Section 2a. Six ton weight limit on Utica Street and Penn Streets.

It shall be unlawful for any person, firm, or corporation to cause or normally permit to be operated, stand, or be moved upon Utica Street and Penn Street within the corporate limits of the Town of Sellersburg a motor vehicle, truck, trailer, or automobile in excess of six (6) tons gross weight.

The foregoing Amendments to Ordinance Nos. 200, 322, and 368, are in full force and effect as of the date of execution of this Ordinance, however, no fine or penalty shall be assessed for violation of this Ordinance until thirty (30) days after its passage.

SO ORDAINED THIS 23RD DAY OF JANUARY, 1989.

BY TOWN OF SELLERSBURG BOARD OF TRUSTEES

Karen Storie  
KAREN STORIE

CHARLES RIDENOUR  
CHARLES RIDENOUR

Roy Everett  
ROY EVERETT

Mary Ann Dellarosa  
MARY ANN DELLAROSA

ATTEST: Shirley Neville  
SHIRLEY NEVILLE  
CLERK TREASURER

## ORDINANCE NO. 465

An Ordinance of the Town of Sellersburg prescribing the manner in which the Town may make a temporary loan to pay for preliminary expenses, prior to the issuance and delivery of revenue bonds, incurred in connection with its sewage works improvement project.

WHEREAS, I.C. 36-9-23 (the "Act") empowers the Town of Sellersburg to make a temporary loan to pay for preliminary expenses incurred in connection with a sewage works improvement project, but said Act does not prescribe a specific manner for exercising the power to make such temporary loan; and

WHEREAS, I.C. 36-1-3-6 provides that if there is no constitutional or statutory provision requiring a specific manner for exercising a power, the legislative body should adopt an ordinance prescribing a specific manner for exercising such power; and

WHEREAS, the Town of Sellersburg, Indiana owns and operates a municipal sewage works in accordance with the Act; and

WHEREAS, the Board of Trustees now finds that the sewage works are in need of certain additions, extensions, and improvements; that preliminary expenses will be incurred prior to the time bond proceeds will be available to pay such preliminary expenses; and that no other funds are expected to be on hand to provide for the payment of said preliminary expenses; and

WHEREAS, the Board of Trustees finds that it may be necessary to exercise its power under the Act to make a temporary loan to pay for said preliminary expenses and that it is now necessary to adopt an ordinance prescribing the specific manner for exercising said power; now therefore,

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



Section 1. Before the Board of Trustees exercises its power to ~~make a temporary loan to obtain funds with which to pay preliminary~~

expenses incurred in connection with a sewage works improvement project, the following steps must be taken: (1) the municipal works board shall certify the preliminary expenses actually incurred to the Clerk-Treasurer, directing payment of the amount so certified; (2) the Clerk-Treasurer shall determine that there is no money in the general fund of the Town, not appropriated for other purposes, with which to pay said preliminary expenses; and (3) the Clerk-Treasurer shall request the Board of Trustees to make a temporary loan to pay the preliminary expenses.

Section 2. The temporary loan may be evidenced by the issuance of the Town's notes. The notes may be issued on terms set forth in an ordinance authorizing their issuance and in any amount equal to or less than the amount of preliminary expenses actually incurred. If the stated maturity of the notes is more than one year, the notes must be sold in accordance with I.C. 5-1-11.


Section 3. The notes shall be payable for proceeds of the sewage works revenue bonds in anticipation of which the notes are issued and other available revenues of the sewage works. The pledge of available revenues of the sewage works to the repayment of the notes is subject to the prior pledge thereof to the payment of any outstanding bonds payable from the revenues of the sewage works. The notes shall constitute a first charge against the proceeds of the sewage works revenue bonds in anticipation of which the notes are issued. The notes shall not constitute an indebtedness of the Town within the meaning of the provisions and limitations of the constitution of the

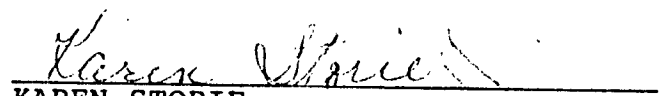
State of Indiana, and such fact shall be so stated on the face of the notes. ~~The notes shall not exceed a total of \$560,000~~ <sup>Yusef</sup> ~~plus~~ <sup>PR</sup> ~~interest at a rate not to exceed 2.8% under the bank's then current~~ <sup>REB.</sup> prime rate.


Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 on this 10th day of July, 1989.


  
CHARLES RIDENOUR, PRESIDENT

  
KAREN STORIE

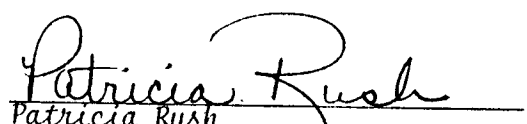
  
ROY EVERETT

  
MARY ANN DELLAROSA

VIRGIL CRAWFORD

ATTEST:   
PATRICIA RUSH  
CLERK TREASURER

This is to certify that it is true and correct being Ordinance #465, and ordinance duly signed by the Board of Trustees of the Town and is recorded in the permanent ordinance record of said Town. The ordinance has not been amended, notified, repealed or rescinded, and is now in full force and effective so attested this 24th day of July, 1989.

  
Patricia Rush  
Clerk-Treasurer

ORDINANCE NO. 473

WHEREAS, the Town of Sellersburg has deemed it advisable to make changes in the charges for the meter deposit, installation, and hookup of individual and commercial users of water services provided by the Town of Sellersburg; and,

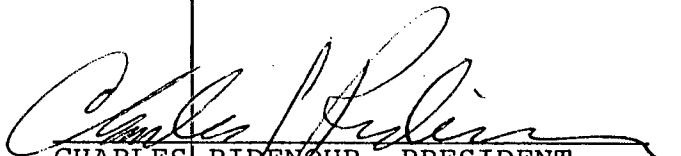
WHEREAS, said changes in meter deposit and hookup fees are required in order to continue with the efficient operation of the Town's water system;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg that the water hookup fee for residential users shall be \$ NO CHANGE, and the water hookup fee for commercial users shall be \$ NO CHANGE. In addition thereto, the meter deposit shall be:

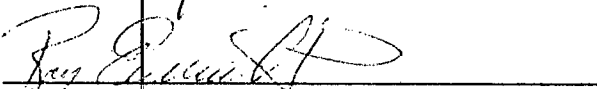
Residential users \$ 50.00  
Commercial users \$ 50.00.

This Ordinance shall take effect on December, 15, 1989.

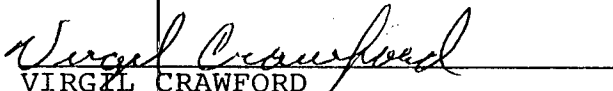
SO ORDAINED THIS 13TH DAY OF NOVEMBER, 1989.


  
CHARLES RIDEMOUR, PRESIDENT

  
ROBERT ADAMS

  
ROY EVERETT

  
MARYANN DELLAROSA

  
VIRGYL CRAWFORD

ATTEST:   
PATRICIA RUSH  
CLERK TREASURER

DATE: November 13, 1989

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ORDINANCE NO. 472

WHEREAS, the Police Department for the Town of Sellersburg desires to transfer monies between inter-departmental funds; and,

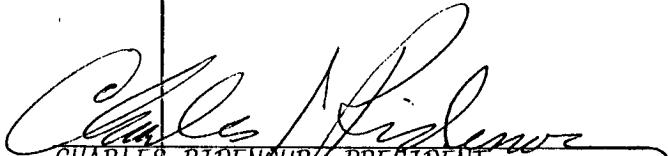
WHEREAS, the Police Department has insufficient funds within its account designated as Supplies and Maintenance, for the payment of debts as they become due; and,

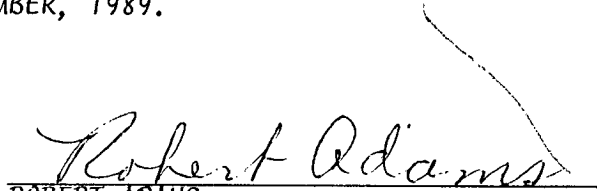
WHEREAS, the Police Department has sufficient funds within its account styled Gasoline (#234), for which excessive funds will be available after all incoming debts are paid;


WHEREAS, the Police Department desires to transfer funds from the Gasoline (#234) account to the Police Car Maintenance (#361), account in the amount of \$3,000, pursuant to the Indiana Code for the continued efficient operation of the Police Department.

NOW, THEREFORE, BE IN ORDAINED BY THE TOWN OF SELLERSBURG, that the Police Department via the Clerk-Treasurer of the Town of Sellersburg is hereby authorized to transfer the sum of \$2,000 from the Gasoline (#234) account to the Supplies (#221) account of the Sellersburg Police Department.

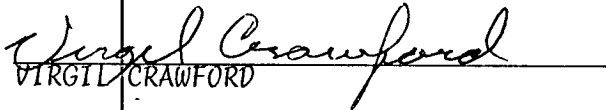
SO ORDAINED THIS 13TH DAY OF NOVEMBER, 1989.

  
CHARLES RIDENOUR, PRESIDENT

  
ROBERT ADAMS

  
ROY EVERITT

  
MARYANN DELLAROSA

  
VIRGIL CRAWFORD

ATTEST:   
PATRICIA RUSH  
CLERK TREASURER

DATE: November 13, 1989



ORDINANCE NO. 471

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORIES

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

NOW, THEREFORE, BE IT ORDAINED by the Town Council 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.

Beginning at the point where the most northerly right-of-way line of St. Joe Road East intersects the East right-of-way line of Interstate 65, said point being on the present boundary of the Town of Sellersburg; thence the following courses;

With the East right-of-way line of Interstate 65 and the present town boundary in a southerly direction for a distance of 618 feet, more or less, to a point on the present town boundary;

South 50 degrees West, 571.2 feet, more or less, with said town boundary;

North 36 degrees West, 1103.3 feet, more or less, with said town boundary, to a point on the North right-of-way line of St. Joe Road East;

Southeastwardly with said North right-of-way line of St. Joe Road East for a distance of 1064 feet, more or less, to the point of beginning and containing 16.3 acres, more or less.

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 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.





The property herein described is assigned to the Town of  
Sellersburg municipal legislative body district, precinct No. 5.

*Charles Ridener*  
CHARLES RIDENER, PRESIDENT

VIRGIL CRAWFORD

*Roy Everett*  
ROY EVERETT

*Mary Ann Dellarosa*  
MARY ANN DELLAROSA

*Robert Adams*  
ROBERT ADAMS

ATTEST:

*Patricia Rush*  
PATRICIA RUSH  
CLERK TREASURER

10-23-89

ORDINANCE NO. 470

~~AN ORDINANCE CONCERNING THE ANNEXATION~~  
OF ADJACENT AND CONTIGUOUS TERRITORIES

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

NOW, THEREFORE, BE IT ORDAINED by the Town Council 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.

Beginning at the West corner of a tract of land conveyed to Gerald H. and Margie C. Dixon at Deed Record 246, page 195, thence the following courses;

- North 52 degrees East, 146 feet, more or less, with the boundary of the Town of Sellersburg;
- South 38 degrees East, 125 feet, more or less, with the boundary of the Town of Sellersburg;
- South 52 degrees West, 146 feet, more or less, with the boundary of the Town of Sellersburg;
- North 38 degrees, West, 125 feet, more or less with the boundary of the Town of Sellersburg to the point of beginning and containing 0.42 acres of land, more or less.

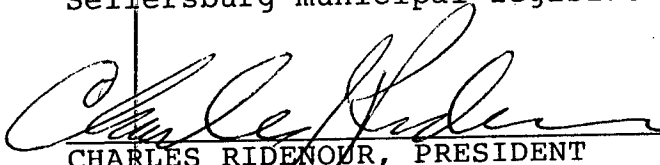
SECTION TWO

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 as part of the Town of Sellersburg, Indiana.

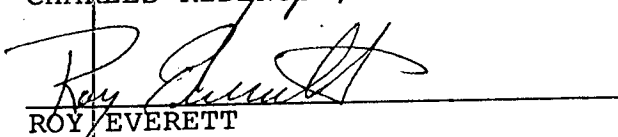
SECTION THREE

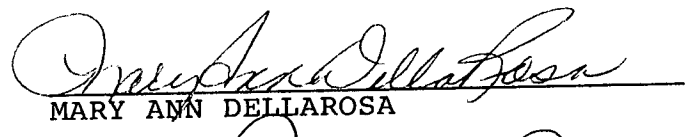
This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the laws of the State of Indiana.

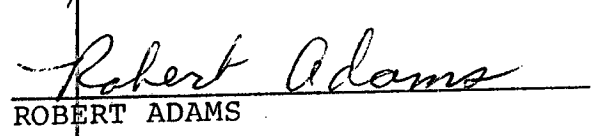
The property herein described is assigned to the Town of Sellersburg municipal legislative body district, precinct No. 5.

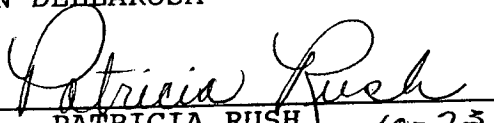
  
CHARLES RIDENOUR, PRESIDENT

\_\_\_\_\_  
VIRGIL CRAWFORD

  
ROY EVERETT

  
MARY ANN DELLAROSA

  
ROBERT ADAMS

ATTEST:   
PATRICIA RUSH  
CLERK TREASURER 10-23-89

ORDINANCE NO. 469

~~AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORIES~~

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

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

SECTION ONE

That the following described land, a copy of said description is attached hereto and incorporated herein as Exhibit A, be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.


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 Exhibit A as part of the Town of Sellersburg, Indiana.

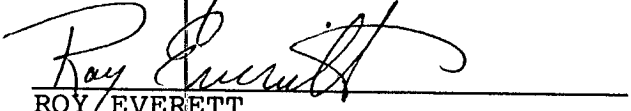
SECTION THREE


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.

The property herein described is assigned to the Town of Sellersburg municipal legislative body district, precinct No. 5.

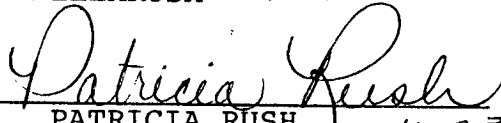
  
CHARLES RIDENOUR, PRESIDENT

\_\_\_\_\_  
VIRGIL CRAWFORD

  
ROY EVERETT

  
MARY ANN DELLAROSA

  
ROBERT ADAMS

ATTEST:   
PATRICIA RUSH  
CLERK TREASURER 10-23-89

## DESCRIPTION OF ANNEXATION AREA 'D'

A part of Surveys No. 108, 109, 110, 128 and 129 of the Illinois Grant in Silver Creek Township of Clark County, Indiana and bounded as follows;

Beginning at a point in the southeasterly right-of-way line of St. Joe Road where it intersects the northerly extension of the southwesterly line of Hill N' Dale Subdivision, Section No. 9 which is a point in the existing boundary of the Town of Sellersburg.

Thence the following courses of the boundary of Annex Area 'D':

- South 34 degrees, 01 minute, 57 seconds East, 787.68 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 9 (P.B. 9, P. 41);
- North 82 degrees, 34 minutes, 21 seconds East, 6.11 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 9 (P.B. 9, P. 41);
- South 36 degrees 03 minutes East, 864.37 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 5 (P.B. 7, P. 77);
- South 36 degrees 03 minutes East, 136.53 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 4 (P.B. 7, P. 71) to the north corner of Lot No. 116 of Hampstead Heath Subdivision, Section 1 (P.B. 9, P. 44);
- South 55 degrees, 01 minute, 59 seconds West, 113.00 feet, with the Town Boundary which is the northwest line of said Hampstead Heath Subdivision, Section 1;
- North 34 degrees, 58 minutes, 01 second West, 140.00 feet, with the Town Boundary which is the northeast line of said Hampstead Heath Subdivision, Section 1;
- South 55 degrees, 01 minutes, 59 seconds West, 135.00 feet, with the Town Boundary which is a northwest line of said Hampstead Heath Subdivision, Section 1;
- North 34 degrees, 58 minutes, 01 second West, 10.00 feet, with the Town Boundary which is a northeast line of said Hampstead Heath Subdivision, Section 1;
- South 55 degrees, 01 minute, 59 seconds West, 185.00 feet, with the Town Boundary which is the northwest line of said Hampstead Heath Subdivision, Section 1;
- South 34 degrees, 58 minutes, 01 second East, 170.00 feet, with the Town Boundary which is the southwest line of said Hampstead Heath Subdivision, Section 1;
- North 55 degrees, 01 minute, 59 seconds East, 42.50 feet, with the Town Boundary which is the southeast line of said Hampstead Heath Subdivision, Section 1;
- South 34 degrees, 58 minutes, 01 second East, 320.00 feet, with the Town Boundary which is the southwest line of said Hampstead Heath Subdivision, Section 1;
- South 55 degrees, 01 minute, 59 seconds West, 42.50 feet,

with the Town Boundary which is the Northwest line of said Hampstead Heath Subdivision, Section 1;

South 34 degrees, 58 minutes, 01 second East, 975.00 feet, with the Town Boundary which is the southwest line of said Hampstead Heath Subdivision, Section 1;

North 55 degrees, 01 minute, 59 seconds East, 320.00 feet, with the Town Boundary which is the southeast line of said Hampstead Heath Subdivision, Section 1;

North 34 degrees, 58 minutes, 01 second West, 990.00 feet, with the Town Boundary which is the northeast line of said Hampstead Heath Subdivision, Section 1;

North 55 degrees, 01 minute, 59 seconds East, 113.00 feet, with the Town Boundary which is the southeast line of said Hampstead Heath Subdivision, Section 1 to a point in the southwest line of Hill N' Dale Subdivision, Section 4 (P.B. 7, P. 71);

South 36 degrees, 03 minutes East, 948.47 feet, with the Town Boundary which is the southwest line of Hill N'Dale Subdivision, Section 4 (P.B. 7, P. 71);

South 36 degrees, 03 minutes East, 418.71 feet, with the Town Boundary which is the southwest line of Hill N'Dale Subdivision, Section 3 (P.B. 7, P. 56);

North 54 degrees, 34 minutes East, 674.34 feet, with the Town Boundary which is the southeast line of Hill N'Dale Subdivision, Section 3 (P.B. 7, P. 56);

North 54 degrees, 34 minutes East, 338.67 feet, with the Town Boundary which is the southeast line of Hill & Dale Farm (P.B. 7, P. 24) to a point in the westerly right-of-way of Interstate 65;

Southwestwardly 3638 feet, more or less, with the Town Boundary which is the westerly right-of-way of Interstate 65 and State Road 311 to the east corner of a tract conveyed to O'Neal at Deed Drawer 18, Instrument No. 6543;

North 12 degrees, 46 minutes, 22 seconds West, 105.50 feet, with the Town Boundary which is a northeast line of said O'Neal Tract;

North 16 degrees, 34 minutes, 54 seconds East, 318.10 feet, with the Town Boundary which is a southeast line of said O'Neal Tract;

North 34 degrees, 50 minutes, 04 seconds West, 987.06 feet, with the Town Boundary which is a northeast line of said O'Neal Tract;

North 34 degrees, 42 minutes, 58 seconds West, 1016.42 feet, with the Town Boundary which is a northeast line of said O'Neal Tract;

South 54 degrees, 25 minutes, 54 seconds West, 749.31 feet, with the Town Boundary which is a northwest line of said O'Neal Tract;

South 34 degrees, 52 minutes, 42 seconds East, 939.24 feet, with the Town Boundary which is a southwest line of said O'Neal Tract;

South 55 degrees, 23 minutes, 35 seconds West, 207.48 feet, with the Town Boundary which is a northwest line of said

~~O'Neal Tract;~~

- South 34 degrees, 52 minutes, 28 seconds East, 825.00 feet, with the Town Boundary which is a southwest line of said O'Neal Tract;
- North 55 degrees, 58 minutes, 06 seconds East, 597.07 feet, with the Town Boundary which is a southeast line of said O'Neal Tract;
- South 34 degrees, 51 minutes, 12 seconds East, 198.55 feet, with the Town Boundary which is a southwest line of said O'Neal Tract;
- South 17 degrees, 09 minutes, 33 seconds West, 110.72 feet, with the Town Boundary which is a northwest line of said O'Neal Tract;
- South 35 degrees, 54 minutes, 22 seconds East, 360.52 feet, with the Town Boundary which is a southwest line of said O'Neal Tract to a point in the northwesterly right-of-way line of State Road 311;
- Southwestwardly, 2310 feet, more or less, with the Town Boundary which is the northwesterly right-of-way line of State Road 311;
- Northwestwardly, 7920 feet, more or less, with the Town Boundary which is the southwesterly right-of-way of Old State Road 60 and New State Road 60 to the southeasterly right-of-way line of St. Joe Road;
- Northeastwardly, 3836.5 feet, more or less, with said southeasterly right-of-way line of St. Joe Road to the place of beginning and containing 496.3 acres of land, more or less.

ORDINANCE NO. 467

~~AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORIES~~

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

WHEREAS, effective July 1, 1989, the State of Indiana revised the annexation statutes which now require that this Ordinance assign territory to at least one municipal legislative body district; and

WHEREAS, the Town of Sellersburg is required to comply with said amendments to the law which therefore require the rescision of Ordinance No. 466 and passage of the Ordinance herein,

WHEREAS Resolution No. 102 was previously adopted by this Board with respect to the fiscal policy and plan for the annexation of the property described herein. Said fiscal policy and plan shall remain in full force and effect and shall not be affected by the rescision of Ordinance No. 466 and passage of this Ordinance.

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

1. That Ordinance No. 466 be and hereby is rescinded;

SECTION ONE

That the following described land, a copy of said description is attached hereto and incorporated herein as Exhibit A, be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

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 Exhibit A 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.

The property herein described is assigned to the Town of Sellersburg

municipal legislative body district, precinct No. 5.

Charles Ridenour  
CHARLES RIDENOUR, PRESIDENT

Virgil Crawford  
VIRGIL CRAWFORD

Roy Everett  
ROY EVERETT

Mary Ann Dellarosa  
MARY ANN DELLAROSA

ATTEST: Patricia Rush  
PATRICIA RUSH  
CLERK TREASURER



Beginning at an iron pin in the southeasterly right-of-way line of State Road 311, which marks the north corner of a tract conveyed at Deed Drawer 11, Instrument No. 8667, which point is in the boundary of the Town of Sellersburg, Indiana.

Thence the following courses of the boundary of Area "A":

- South 15 deg. 26 min 55 sec., West, 95.00 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town boundary of Sellersburg to an iron pin, the north corner of a tract conveyed at Deed Drawer 9, Instrument No. 7049;
- South 15 deg. 26 min. 55 sec. West, 53.47 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town boundary of Sellersburg to an iron pin.
- Southwestwardly 554 feet, more or less, with the Town boundary, crossing State Road 60 to the north corner of a tract conveyed at Deed Drawer 8, Instrument No. 13492;
- South 25 deg. West, 250 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town Boundary to the north corner of a tract conveyed at Deed Drawer 17, Instrument No. 1931;
- South 25 deg. 10 min. West, 327.15 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town Boundary to the north corner of a tract conveyed at Deed Drawer 21, Instrument No. 7954;
- South 64 deg. 50 min. East, 200 feet, more or less, with a Town Boundary to the east corner of the tract conveyed at Deed Drawer 21, Instrument No. 7954;
- South 25 deg. 10 min. West, 200 feet, more or less, to the south corner of a tract conveyed at Deed Record 244, page 94;
- North 64 deg. 50 min. West, 200 feet, more or less, with the southwesterly line of said tract to the southeasterly right-of-way line of State Road 311;
- South 25 deg. 10 min. West, 1124 feet, more or less, with said southeasterly right-of-way line of State Road 311;
- North 64 deg. 50 min. West, 155 feet, more or less, crossing State Road 311 onto a tract conveyed at Deed Record 157, page 297 and at Deed Record 164, page 165;
- Northeastwardly, 2603 feet, more or less, parallel to and 155 feet distant from said southeasterly right-of-way line of State Road 311 to the northeasterly line of a tract conveyed at Deed Drawer 16, Instrument No. 2461;
- South 64 deg. 50 min. East, 155 feet, more or less, with said northeasterly line of said tract to the place of beginning and containing 10.18 acres of land.

ORDINANCE NO. 467~~AN ORDINANCE CONCERNING THE ANNEXATION  
OF ADJACENT AND CONTIGUOUS TERRITORIES~~

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

WHEREAS, effective July 1, 1989, the State of Indiana revised the annexation statutes which now require that this Ordinance assign territory to at least one municipal legislative body district; and

WHEREAS, the Town of Sellersburg is required to comply with said amendments to the law which therefore require the rescision of Ordinance No. 466 and passage of the Ordinance herein,

WHEREAS Resolution No. 102 was previously adopted by this Board with respect to the fiscal policy and plan for the annexation of the property described herein. Said fiscal policy and plan shall remain in full force and effect and shall not be affected by the rescision of Ordinance No. 466 and passage of this Ordinance.

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

1. That Ordinance No. 466 be and hereby is rescinded;

SECTION ONE

That the following described land, a copy of said description is attached hereto and incorporated herein as Exhibit A, be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

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 Exhibit A as part of the Town of Sellersburg, Indiana.

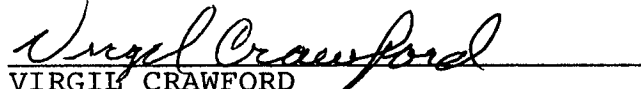
SECTION THREE

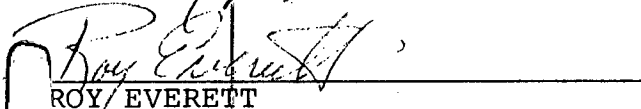
This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the laws of the State of Indiana.

The property herein described is assigned to the Town of Sellersburg


municipal legislative body district, precinct No 5

  
CHARLES BIDENOUR, PRESIDENT

  
VIRGIL CRAWFORD

  
ROY EVERETT

  
MARY ANN DELLAROSA

ATTEST:   
PATRICIA RUSH  
CLERK TREASURER  
October 9, 1989

A part of Surveys No. 88 and No. 108 of the Illinois Grant, and of the Town of Hamburg of Clark County, Indiana.

Beginning at an iron pin in the southeasterly right-of-way line of State Road 311, which marks the north corner of a tract conveyed at Deed Drawer 11, Instrument No. 8667, which ~~point is in the boundary of the Town of Sellersburg, Indiana.~~

Thence the following courses of the boundary of Area "A":

- South 15 deg. 26 min 55 sec., West, 95.00 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town boundary of Sellersburg to an iron pin, the north corner of a tract conveyed at Deed Drawer 9, Instrument No. 7049;
- South 15 deg. 26 min. 55 sec. West, 53.47 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town boundary of Sellersburg to an iron pin.
- Southwestwardly 554 feet, more or less, with the Town boundary, crossing State Road 60 to the north corner of a tract conveyed at Deed Drawer 8, Instrument No. 13492;
- South 25 deg. West, 250 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town Boundary to the north corner of a tract conveyed at Deed Drawer 17, Instrument No. 1931;
- South 25 deg. 10 min. West, 327.15 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town Boundary to the north corner of a tract conveyed at Deed Drawer 21, Instrument No. 7954;
- South 64 deg. 50 min. East, 200 feet, more or less, with a Town Boundary to the east corner of the tract conveyed at Deed Drawer 21, Instrument No. 7954;
- South 25 deg. 10 min. West, 200 feet, more or less, to the south corner of a tract conveyed at Deed Record 244, page 94;
- North 64 deg. 50 min. West, 200 feet, more or less, with the southwesterly line of said tract to the southeasterly right-of-way line of State Road 311;
- South 25 deg. 10 min. West, 1124 feet, more or less, with said southeasterly right-of-way line of State Road 311;
- North 64 deg. 50 min. West, 155 feet, more or less, crossing State Road 311 onto a tract conveyed at Deed Record 157, page 297 and at Deed Record 164, page 165;
- Northeastwardly, 2603 feet, more or less, parallel to and 155 feet distant from said southeasterly right-of-way line of State Road 311 to the northeasterly line of a tract conveyed at Deed Drawer 16, Instrument No. 2461;
- South 64 deg. 50 min. East, 155 feet, more or less, with said northeasterly line of said tract to the place of beginning and containing 10.18 acres of land.

its passage, promulgation, and publication in accordance with the laws of the State of Indiana.

ORDINANCE NO. 466

~~AN ORDINANCE CONCERNING THE ANNEXATION~~  
OF ADJACENT AND CONTIGUOUS TERRITORIES

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

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

SECTION ONE

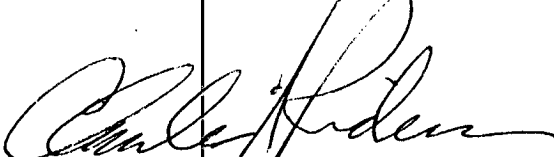
That the following described land, a copy of said description is attached hereto and incorporated herein as Exhibit A, be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

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 Exhibit A 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.

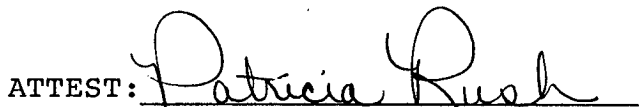
  
CHARLES RIDENOUR, PRESIDENT

  
KAREN STORIE

  
ROY EVERETT

  
MARY ANN DELLAROSA

  
VIRGIL CRAWFORD

ATTEST:   
PATRICIA RUSH  
CLERK TREASURER

A part of Surveys No. 88 and No. 108 of the Illinois Grant, and of the Town of Hamburg of Clark County, Indiana.

Beginning at an iron pin in the southeasterly right-of-way line of State Road 311, which marks the north corner of a tract conveyed at Deed Drawer 11, Instrument No. 8667, which point is in the boundary of the Town of Sellersburg, Indiana.

Thence the following courses of the boundary of Area "A":

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- North 64 deg. 50 min. West, 200 feet, more or less, with the southwesterly line of said tract to the southeasterly right-of-way line of State Road 311;
- South 25 deg. 10 min. West, 1124 feet, more or less, with said southeasterly right-of-way line of State Road 311;
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- South 64 deg. 50 min. East, 155 feet, more or less, with said northeasterly line of said tract to the place of beginning and containing 10.18 acres of land.

*Roy Everett*  
 ROY EVERETT

*Mary Ann Dellarosa*  
 MARY ANN DELLAROSA

*Virgil Crawford*  
 VIRGIL CRAWFORD

ATTEST: *Patricia Rush*  
 PATRICIA RUSH  
 CLERK TREASURER