

ORDINANCE NO. 1171

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF SEWER SYSTEM BONDS, SERIES 1941, FOR THE PURPOSE OF IMPROVING AND ENLARGING THE SEWER DISPOSAL FACILITIES AND PROVIDING FOR THE PAYMENT AND RETIREMENT THEREOF.

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WHEREAS, The Oregon State Sanitary Authority has ordered Hillsboro to stop the pollution of the Tualatin River being occasioned by depositing the effluent from the industrial sewage directly into the River; and

WHEREAS, to comply with such order will require the City of Hillsboro to acquire real property adjacent to the river for the purpose of ponding the effluent, which real property they have arranged to purchase through B. E. Maling, Inc., and to purchase and develop which will require an issue of bonds.

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. In order to purchase and develop the real property adjacent to the Tualatin River to be used in connection with the disposal of the effluent from the sewer system of the City of Hillsboro and which is to become a part of the sewer system of the city, the City of Hillsboro, Washington County, Oregon, hereby authorizes the issuance of its bonds in the principal sum of \$17,000.00, which bonds shall be in the denominations of \$1000.00, and shall be numbered 1 to 17, inclusive.

Section 2. Said bonds shall be dated December 1, 1941, and shall by the terms thereof mature as follows: Bond No. 1, December 1, 1943, and one bond shall mature serially each year thereafter, to and including December 1, 1959. Said bonds shall be payable in lawful money of the United States of America and shall bear interest at a rate to be hereafter determined by the Council, which rate shall not exceed 6 per cent per annum and which rate shall be fixed and determined by action of the Council upon the receiving of the bids for the purchase of said bonds. All interest shall

be payable semi-annually in lawful money of the United States of America on the first day of June and the first day of December of each year, and shall be evidenced by coupons to be attached to said bonds which must have a number printed or inscribed thereon corresponding to the number on the bond to which it is attached, both principal and interest on said bonds to be payable at the office of the Treasurer of the City of Hillsboro, Oregon.

Section 3. That said bonds before the issuance thereof shall be signed by the Mayor and countersigned by the Recorder of the City of Hillsboro and shall be authenticated by the seal of said City. The coupons, however, may have printed thereon a facsimile or typewritten signature of the Mayor and Recorder. Said bonds shall be registered by number and denominations of the same in a book to be kept by the Recorder for that purpose.

Section 4: The Mayor and Recorder of the City of Hillsboro are hereby ordered and directed to make, execute, and deliver on behalf of the City of Hillsboro the Sewer System Bonds, Series 1941, as in this ordinance provided in the full sum of \$17,000.00; each of said bonds to have designated thereon the registered number and the words "Sewer System Bond, Series 1941" and the name of the city.

Section 5: That all bonds of said series commencing with the number 7 shall be subject to redemption at the option of the City of Hillsboro in numerical order at such interest paying date or dates on or after the first day of December, 1948, as the City of Hillsboro shall designate and determine, upon giving notice of the intention of the City to redeem in two consecutive issues of a newspaper printed and published in the City of Hillsboro by the Treasurer of said city within the thirty (30) days prior to the proposed redemption, which notice shall be conclusive, and the interest shall cease on such bond or bonds after the date fixed in such notice for redemption.

Section 6: That said bonds shall be in the following form,
to-wit:

No. _____

UNITED STATES OF AMERICA
STATE OF OREGON
CITY OF HILLSBORO
SEWER SYSTEM BONDS, SERIES 1941

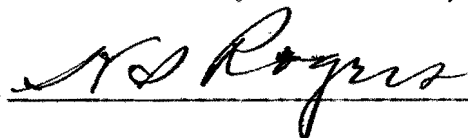
KNOW ALL MEN BY THESE PRESENTS: That the City of Hillsboro, in the County of Washington, State of Oregon, for value received, hereby agrees and promises to pay to the bearer the sum of

ONE THOUSAND (\$1000.00) DOLLARS

in lawful money of the United States of America on the presentation and surrender of this obligation on the first day of December, 19____, without grace, with interest thereon from the date hereof until redeemed or until called as hereinafter provided, at the rate of _____ per cent per annum, payable semi-annually in like lawful money of the United States of America on the first day of June and the first day of December of each year on the presentation and surrender of the proper coupons hereto attached. Principal and interest are to be payable at the office of the Treasurer of the City of Hillsboro, Oregon. This bond is one of a series of bonds issued by the City of Hillsboro to enlarge, improve, and develop the sewer disposal system of the City of Hillsboro, which series of bonds is authorized by the Constitution and Laws of the State of Oregon, the Charter of the City of Hillsboro, and Ordinance No. _____ of the City of Hillsboro, passed on the 28th day of October, 1941. It is certified that all requirements of law have been fully complied with by the City and the proper officers thereof in the issuance of this bond. All bonds of this series No. 7 or above are redeemable at the option of the City of Hillsboro upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any coupon paying period at or after December 1, 1948, as provided by law and the Charter and Ordinances of the City of Hillsboro. Notice of said redemption will be given by publication in at least two issues of a newspaper printed and published in Hillsboro, Oregon, within thirty (30) days prior to the date of said redemption.

The available net revenues from the sewer system of the City of Hillsboro, after making the required deductions and payments to the funds required by Resolution 1938-A of the City of Hillsboro, shall be used to pay the principal of and interest on this bond. In addition thereto the full faith and credit of the City of Hillsboro are irrevocably pledged to the fulfillment of the conditions of this obligation.

IN WITNESS WHEREOF, the City of Hillsboro has caused this bond to be signed in its name by the Mayor, to be sealed with its corporate seal, and countersigned by the Recorder; and the coupons thereto annexed to be signed by the facsimile signatures of the Mayor and Recorder; and this bond to be dated as of the first day of December, 1941.



Mayor

(SEAL)

Countersigned:

Recorder

(form of coupon)

CITY OF HILLSBORO

STATE OF OREGON

will pay to the bearer on the first day of _____, 19____, _____ Dollars in lawful money of the United States of America at the office of the Treasurer of the City of Hillsboro, being six months' interest on the Sewer System Bonds, Series 1941, unless this bond is sooner redeemed as therein provided, which redemption shall render this coupon void.

Mayor

Countersigned:

Recorder

Section 7. The City of Hillsboro hereby directs that all net revenues from the operation and use of the sewer system of the City of Hillsboro remaining after making the first and prior payments required by Resolution 1938-4, being a resolution entitled:

"A RESOLUTION PROVIDING FOR THE ISSUANCE OF \$109,000 SEWER SYSTEM REFUNDING AND EXTENSION REVENUE BONDS, PROVIDING THE METHOD OF PAYMENT THEREOF, THE MATURITIES THEREFOR, AND FOR THE ACQUISITION AND SALE OF SUCH BONDS, AND THE EXCHANGE OF \$102,000 SUCH BONDS FOR A LIKE AMOUNT OF SEWER SYSTEM (REVENUE) BONDS, DATED JANUARY 1, 1936, AND DECLARING AN EMERGENCY."

which Resolution was introduced and passed on the 14th day of April, 1938, are hereby pledged to be paid into the Sewer System Bond, Series 1941, Interest and Sinking Fund, which fund is hereby created and which fund shall be used to pay the maturing principal of and interest on these bonds. In addition thereto, the City of Hillsboro shall levy an annual ad valorem tax upon the taxable property in the City in such an amount as shall be necessary to produce sufficient money which, together with the available net revenues hereinabove mentioned, will pay the interest upon and the maturing principal of the bonds herein authorized to be issued and sold as the same become due.

Section 8: That the Recorder of the City of Hillsboro be and he hereby is authorized to call for bids on the bonds herein authorized to be sold, offering the same for sale at not less than par and accrued interest and notifying the bidders that the bonds will be sold to the bidder offering

to purchase the same at the lowest rate of interest and will be sold to the highest bidder only in the event that the interest rate between two or more bidders is the same. All bids except those made by the State of Oregon or any of the Sinking Funds of the City of Hillsboro must be accompanied by a certified check equal to two per cent of the amount ^{bid} paid, which check shall be made payable to the City of Hillsboro as evidence of the good faith of the bidder. The City of Hillsboro reserves the right to reject any and all bids received if such rejection seems to its best interests.


Section 9: The proceeds of said sale shall be deposited to a fund known as the "Sewer System Bond, Series 1941, Working Fund"; and out of this fund shall be paid the costs of purchasing the real property necessary to develop the required facilities for ponding the effluent from the disposal plant of the sewer system of the City of Hillsboro, and necessary to properly develop the same for use; and the balance of said fund, if any there be, shall be paid into the fund hereinabove created to be known as the "Sewer System Bond, Series 1941, Interest and Sinking Fund" to be used for the payment of the interest upon and the retirement of the principal on said bonds.

Passed by the Council this 28th day of October, 1941.

Approved by the Mayor this 28th day of October, 1941.



Mayor

ATTEST: 
Recorder