

**TOWNSHIP OF LOWER PROVIDENCE
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 635

AN ORDINANCE AUTHORIZING THE ISSUANCE BY LOWER PROVIDENCE TOWNSHIP, COUNTY OF MONTGOMERY, PENNSYLVANIA, OF ITS GENERAL OBLIGATION NOTE, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$599,350.00 TO PROVIDE FUNDS FOR ROAD CONSTRUCTION AND ROAD IMPROVEMENTS AT VARIOUS LOCATIONS WITHIN LOWER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY; FIXING THE FORM, NUMBER, DATE, INTEREST AND MATURITY THEREOF; MAKING A COVENANT FOR THE PAYMENT OF THE DEBT SERVICE OF THE NOTE; PROVIDING FOR THE FILING OF THE REQUIRED DOCUMENTS PURSUANT TO THE UNIT DEBT ACT; PROVIDING FOR THE APPOINTMENT OF A SINKING FUND DEPOSITORY FOR THE NOTE; AND AUTHORIZING EXECUTION, SALE AND DELIVERY THEREOF

WHEREAS, the Township is granted the power by the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, 53 Pa. Cons. Stat §8001 et seq., as amended (the “Act”), to incur indebtedness and to issue Notes for the purposes of funding capital projects; and

WHEREAS, Lower Providence Township (the “Local Government Unit”) proposes to issue its General Obligation Note, to the Pennsylvania Infrastructure Bank in the principal amount of \$599,350.00 to fund road construction and road improvements at various locations within Lower Providence Township, Montgomery County (the “Project”); and

WHEREAS, The Township has previously received preliminary realistic cost estimates from its professional consultants for completion of the Project; and

WHEREAS, the proposed issuance of the 2016 Note will constitute non-electoral debt of the Township, which together with its current non-electoral indebtedness and lease rental indebtedness presently outstanding, will not cause the limitations of the Act to be exceeded.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Lower Providence Township, Montgomery County, Pennsylvania, as follows:

SECTION 1. The aggregate principal amount of the 2016 Note of Lower Providence Township, Montgomery County, Pennsylvania, proposed to be issued is \$599,350.00, same to be issued to provide funds for the cost of road construction and road improvements.

SECTION 2. The period of useful life of the Project is in excess of thirty (30) years and the maturity date of the 2016 Note will therefore not exceed the useful life of the Project.

SECTION 3. Said indebtedness shall be evidenced by one General Obligation Note, in fully registered form, in the amount of \$599,350.00. The 2016 Note shall bear a fixed rate of interest of 1.625% per annum over ten (10) years with a repayment schedule and debt amortization schedule as set forth in ***Exhibit "A"***.

SEE ATTACHED EXHIBIT "A" –

REPAYMENT SCHEDULE AND DEBT AMORTIZATION SCHEDULE

The Local Government Unit reserves the right to anticipate any or all installments of principal at any time prior to the respective payment dates thereof, without notice or penalty.

The principal and interest of said note shall be payable at the offices of the sinking fund depository selected for the Note as hereinafter provided.

SECTION 4. The said Note is hereby declared to be a general obligation of the Township of Lower Providence, Montgomery County, Pennsylvania. The Local Government Unit hereby covenants that it shall include the amount of debt service on the Note for each fiscal year in which such sums are payable in its budget for that year; shall appropriate such amounts to the payment of

such debt service; and shall duly and punctually pay or cause to be paid the principal of the Note thereon at the dates and places and in the manner stated in the Note according to the true intent and meaning thereof, and for such proper budgeting, appropriation, and payment, the full faith, credit and taxing power of the Lower Providence Township is hereby irrevocably pledged.

SECTION 5. The indebtedness authorized by this Ordinance is non-electoral debt.

SECTION 6. The form of said Note shall be substantially as shown on the attached *Exhibit "B"*.

SECTION 7. The said Note as well as all other documents required to be executed in connection therewith, shall be executed in the name and under the corporate seal of Lower Providence Township by the Chairman, Vice Chairman or Treasurer of the Board of Supervisors and attested to by the Secretary. The Secretary is hereby authorized and directed to deliver said Note to the purchaser, and receive payment therefore on behalf of the Local Government Unit. The Chairman or Vice Chairman of the Board of Supervisors and Secretary of the Local Government Unit are authorized and directed to prepare, verify and file the debt statement required by Section 8110 of the Act and to take other necessary action, including, if necessary or desirable, any statements required to qualify any portion of the debt from the appropriate debt limit as self-liquidating or subsidized debt.

SECTION 8. TD Bank is hereby designated as the Sinking Fund Depository for the obligation herein authorized and there is hereby created and established a Sinking Fund, to be known as "Sinking Fund 2016 General Obligation Note", for the payment of the principal thereon which shall be deposited into the Sinking Fund no later than the date upon which the same becomes due and payable. The Treasurer shall deposit into the Sinking Fund, which shall be maintained

until such obligation is paid in full, sufficient amounts for payment of principal and interest on the obligation no later than the date upon which such payments shall become due. The Sinking Fund Depository shall, as and when said payments are due, without further action by the Local Government Unit withdraw available monies in the Sinking Fund and apply said monies to payment of principal on the obligation.

SECTION 9. The Chairman or Vice-Chairman of the Board of Supervisors or Secretary of the Local Government Unit is hereby authorized to contract with TD Bank for its services as Sinking Fund Depository for the Note and paying agent for the same.

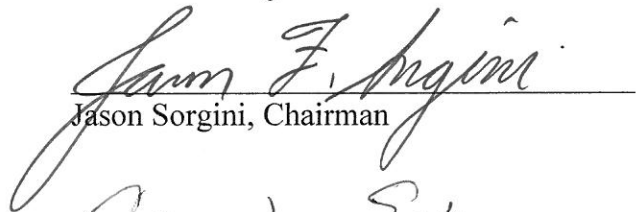
SECTION 10. In compliance with Section 8161 of the Act, the members of the Board of Supervisors have determined that a private sale by negotiation rather than public sale is in the best interest of Lower Providence Township. Therefore, the General Obligation Note of 2016 in the amount of \$599,350.00, herein authorized to be issued and sold is hereby awarded and sold to Pennsylvania Infrastructure Bank in accordance with its written proposal to purchase the said Note at par value as presented to the Township; provided that said Note is dated the date of delivery thereof to Pennsylvania Infrastructure Bank and is in the form set forth in Section 6 of this Ordinance; and further provided that the proceedings have been approved by the Department of Community and Economic Development.

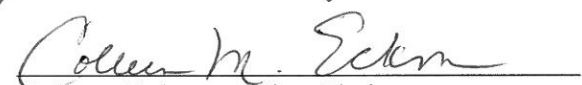
SECTION 11. The Township does hereby designate the \$599,350.00 General Obligation Note described herein to Pennsylvania Infrastructure Bank as a qualified tax-exempt term obligation within the meaning of Section 265, Paragraph (b)(3)(B) of the Internal Revenue Code. The Township Secretary is hereby authorized and directed to execute on behalf of the Township any and all forms required by the Internal Revenue Service consistent with this designation.

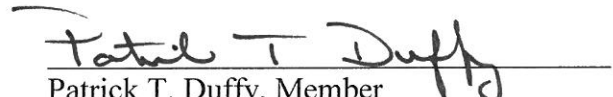
SECTION 12. The action of the proper officers and the advertising of a summary of this Ordinance as required by law in The Times Herald, a newspaper of general circulation is ratified and confirmed. The advertisement in a newspaper of general circulation in the Local Government Unit is hereby directed within fifteen (15) days following the day of final enactment.

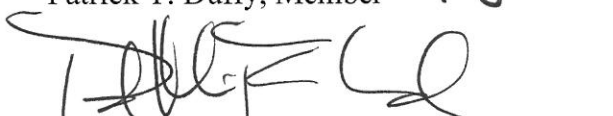
SECTION 13. All ordinances or parts or ordinances not in accord with this ordinance are hereby repealed insofar as they conflict herewith.

ORDAINED AND ENACTED this 18th day of February, A.D., 2016.


Jason Sorgini, Chairman


Colleen Eckman, Vice Chairman


Patrick T. Duffy, Member


Peter MacFarland, Member


Jill Zimmerman, Member

AFFIDAVIT OF PUBLICATION
307 Derstine Avenue • Lansdale, PA 19446

LOWER PROVIDENCE TOWNSHIP
100 PARKLANE DR
EAGLEVILLE, PA 19403
Attention:

STATE OF PENNSYLVANIA,
COUNTY OF MONTGOMERY

The undersigned *Maureen Schmid*, being duly sworn the he/she is the principal clerk of The Times Herald, Times Herald Digital, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

LOWER PROVIDENCE TOWNSHIP**Published in the following edition(s):**

The Times Herald	02/24/16
Times Herald Digital	02/24/16

LEGAL NOTICE

Notice is hereby given that at a hearing on February 18, 2016, at the Lower Providence Township Municipal Building, 100 Parklane Drive, Eagleville, PA 19403, the Lower Providence Township Board of Supervisors, Montgomery County, Pennsylvania, enacted Ordinance No. 635, authorizing the issuance of its General Obligation Note, in the aggregate principal amount not to exceed \$599,350.00, at private sale thereof to Pennsylvania Infrastructure Bank for a ten year term bearing interest at the rate of 1.625% per annum. The Note is a general obligation of Lower Providence Township and its officers are directed to do all acts necessary and proper for the issuance and securing of said Note. Prior to final passage of this Ordinance, no amendments were made to it.

A copy of the full text of the enacted ordinance may be examined by any citizen in the office of Lower Providence Township Secretary at the Lower Providence Township Building, 100 Parklane Drive, Eagleville, PA 19403 (except Saturdays and Sundays) between the hours of 8:30 a.m. and 4:00 p.m.

Richard Gestrich, Secretary
LOWER PROVIDENCE
TOWNSHIP
100 Parklane Drive
Eagleville, PA 19403
NTH 2/24 1-a

Sworn to the subscribed before me this 2/24/2016.

Maureen Schmid

Notary Public, State of Pennsylvania
Acting in County of Montgomery

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
MAUREEN SCHMID, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires March 31, 2017

Advertisement Information**Client Id:** 883062**Ad Id:** 920715**PO:** #2 final**Sales Person:** 093302

AFFIDAVIT OF PUBLICATION

307 Derstine Avenue • Lansdale, PA 19446

LOWER PROVIDENCE TOWNSHIP

100 PARKLANE DR

EAGLEVILLE, PA 19403

Attention:

**STATE OF PENNSYLVANIA,
COUNTY OF MONTGOMERY**

The undersigned *Mina O'Leary*, being duly sworn the he/she is the principal clerk of The Times Herald, Times Herald Digital, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

LEGAL NOTICE

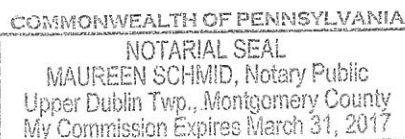
Notice is hereby given that the Board of Supervisors of the Township of Lower Providence, Montgomery County, Pennsylvania, will consider for possible enactment, an ordinance, of which this Notice is a summary, authorizing the issuance by Lower Providence Township, County of Montgomery, Pennsylvania of its General Obligation Note, in the aggregate principal amount not to exceed \$599,350.00 to provide funds for road construction and road improvements at various locations within Lower Providence Township, Montgomery County; fixing the form, number, date, interest and maturity thereof; making a covenant for the payment of the debt service of the Note; providing for the filing of required documents pursuant to the Unit Debt Act; providing for the appointment of a Sinking Fund Depository for the Note; and authorizing execution, sale and delivery thereof.

The Board of Supervisors will hold a public hearing on February 18, 2016, at 7:30 p.m., at the Lower Providence Township Municipal Building, 100 Parklane Drive, Eagleville, PA 19403 to consider the ordinance. A copy of the full text of the proposed ordinance is available at the Township offices, the Montgomery County Law Library, and the offices of this newspaper during normal business hours.

LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS
100 Parklane Drive
Eagleville, PA 19403
NTH 2/12 1-a

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Sworn to the subscribed before me this 2/12/2016.

Notary Public, State of Pennsylvania
Acting in County of Montgomery

Advertisement Information

Client Id: 883062

Ad Id: 909552

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Sales Person: 093302

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