

ORDINANCE 80-34

To Authorize the Issuance of Economic Development First Mortgage
Revenue Bonds for the "Peck Incorporated Project"

WHEREAS, the Bloomington Economic Development Commission has rendered its Project Report for the Peck Incorporated Project regarding the financing of proposed economic development facilities for Peck Incorporated and the Bloomington Planning Commission has commented favorably thereon; and

WHEREAS, the Bloomington Economic Development Commission conducted a public hearing on April 2, 1980, and also adopted a resolution on April 2, 1980, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Peck Incorporated complies with the purposes and provisions of IC 18-6-4.5 and that such financing will be of benefit to the health and welfare of the City of Bloomington and its citizens; and

WHEREAS, the Bloomington Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by the Common Council and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, Note, and Mortgage and Indenture of Trust;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement approved by the Bloomington Economic Development Commission and presented to the Common Council, the issuance and sale of revenue bonds, the loan of the proceeds of the revenue bonds to Peck Incorporated for the acquisition and construction of such facilities and the equipping thereof, the payment of the revenue bonds by the note payments of Peck Incorporated under the Loan Agreement and Note, and the securing of said bonds by the mortgaging of such facilities to the Trustee under the Mortgage and Indenture of Trust complies with the purposes and provisions of IC 18-6-4.5 and will be of benefit to the health and welfare of the City of Bloomington and its citizens.

SECTION II. The final forms of the Loan Agreement, Note, and Mortgage and Indenture of Trust approved by the Bloomington Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in IC 18-6-4.5), shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk.

SECTION III. The City of Bloomington shall issue its Economic Development First Mortgage Revenue Bonds, Series 1980 (Peck Incorporated Project), in the total principal amount of Three Million Two Hundred Thousand Dollars (\$3,200,000) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the Mortgage and Indenture of Trust and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the note payments made by Peck Incorporated under the Loan Agreement and Note or as otherwise provided in the above described Mortgage and Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Bloomington.

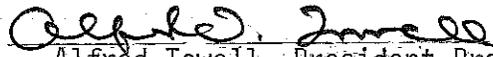
SECTION IV. The Mayor, Clerk and/or Controller are authorized and directed to sell such bonds to the purchasers thereof at a rate of interest on the bonds not to exceed 70% of the prime rate in effect at Merchants National Bank and Trust Company of Indianapolis on the last day of each quarter, and at a price not less than 97 % of the principal amount thereof.

SECTION V. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the purchasers thereof.

SECTION VI. The provisions of this ordinance and the Mortgage and Indenture of Trust securing the bonds shall constitute a contract binding between the City of Bloomington and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1980 (Peck Incorporated Project), and after the issuance of said bonds, this ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

SECTION VII. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

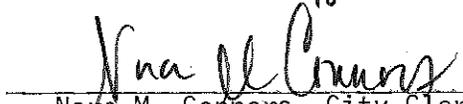
PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 17th day of April, 1980.


Alfred Towell, President Pro-Tem
Bloomington Common Council

ATTEST:


Nora M. Connors, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 18th day of April, 1980.


Nora M. Connors, City Clerk

SIGNED and APPROVED by me upon this 25th day of April, 1980.


Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

This ordinance would authorize the City of Bloomington to authorize its economic development revenue bonds for the Peck Incorporated greeting card and paper novelty facility. The bonds will be for \$3,200,000, and the City has no liability for these bonds if approved.

I HEREBY MOVE THAT XXX ORDINANCE APPROPRIATION
ORDINANCE # 80- 34 , ENTITLED To Authorize Issuance
of EDC Bonds for Peck Incorporated

BE INTRODUCED AND READ FOR FIRST READING BY TITLE
ONLY AT THE COUNCIL MEETING HELD ON APRIL 3,
1980.

Roy W. O'Connell
(Signature)