

## RESOLUTION NO. 3828

### **A RESOLUTION AUTHORIZING THE PUBLIC SALE OF NOT TO EXCEED \$13,815,000 PRINCIPAL AMOUNT OF INTERNAL IMPROVEMENT BONDS, SERIES 2010, OF THE CITY OF OVERLAND PARK, KANSAS; FIXING THE TIME AND PLACE FOR THE SALE OF THE BONDS.**

**WHEREAS**, the City of Overland Park, Kansas (the “City”), is a duly organized and existing municipal corporation and a City of the first class, duly created, organized and existing under the laws of the State of Kansas; and

**WHEREAS**, the City hereby finds and determines it is necessary and desirable to issue general obligation bonds in the principal amount not to exceed \$13,815,000 to pay the costs of the improvements described on **Exhibit A** (“the Improvements”) attached hereto and costs of issuance of the bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE **CITY OF OVERLAND PARK, KANSAS**, AS FOLLOWS:

**Section 1.** The Internal Improvement Bonds, Series 2010 (the “Bonds”), of the City in the principal amount not to exceed \$13,815,000, shall be offered at competitive public sale with sealed and electronic bids to be received by the Chief Financial Officer for the City at Overland Park City Hall, 8500 Santa Fe Drive, Overland Park, Kansas 66212 until 12:00 o’clock Noon, Central Time, on August 25, 2010.

**Section 2.** The Chief Financial Officer of the City is hereby authorized and directed to receive bids for the purchase of the Bonds on behalf of the City at said time and place and to deliver all bids so received to the City Council at its meeting to be held at 6:30 P.M. on such date, at which meeting the City Council shall review such bids and consider the acceptance of the best bid.

**Section 3.** The Chief Financial Officer is hereby authorized and directed to cause notice of said bond sale to be given by publishing a notice of the bond sale or summary thereof not less than six (6) days before the date of the bond sale in a newspaper of general circulation in the City and The Kansas Register and by mailing or causing to be mailed copies of the notice of bond sale to prospective purchasers of the Bonds.

**Section 4.** In accordance with United States Treasury Regulation 1.150.2, the City hereby indicates its intent to reimburse the City with the proceeds of the general obligation bonds for expenditures incurred by the City in connection with the construction of the Improvements. The maximum principal amount of debt expected to be issued for the Improvements is \$13,815,000.

**Section 5.** The Mayor, the City Clerk, the Deputy City Manager, the Chief Financial Officer, the Bond Counsel, the Financial Advisor and other officers and representatives of the City are hereby authorized and directed to take such other actions as may be necessary to carry out the public sale of the Bonds.

**Section 6.** This Resolution shall be in full force and effect from and after its adoption.

**THIS RESOLUTION** is hereby adopted by the Governing Body of the City of Overland Park, Kansas, this 2<sup>nd</sup> day of August, 2010.

**CITY OF OVERLAND PARK, KANSAS**

By: \_\_\_\_\_  
Carl Gerlach  
Mayor

(SEAL)

ATTEST:

By: \_\_\_\_\_  
Marion Cook  
City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Robert J. Watson  
City Attorney

By: \_\_\_\_\_  
Janet S. Garms  
Bond Counsel

## **EXHIBIT A**

Indian Creek Flood Control, Roe to Mission Road  
Wycklow Bank Stabilization – I.D. 08-196  
2010 Residential Street Program  
US 69 Highway: I-435 to 119<sup>th</sup> Street  
143<sup>rd</sup> Street, Quivira to Switzer (10 year)  
US 69 Widening: 75<sup>th</sup> Street to I-435  
159<sup>th</sup> Street – Antioch to Metcalf  
Antioch Road, I-435 to 120<sup>th</sup> Terrace