

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

RESOLUTION NO. 06-02-16

A RESOLUTION OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA MAKING AN ADDITIONAL APPROPRIATION IN CONNECTION WITH THE PROJECTS OF THE ST. JOHN BUILDING CORPORATION AND THE TOWN AND MATTERS RELATED THERETO

WHEREAS, the Town Council (the "Town Council") of the Town of St. John, Lake County, Indiana (the "Town"), has previously authorized the execution of a lease (the "Lease") with the St. John Building Corporation, an Indiana non-profit corporation existing pursuant to Indiana Code 23-17, as lessor (the "Building Corporation"), and the Town, as lessee, pursuant to which the Building Corporation would:

(1) acquire from the Town all or any portion of the existing Town Hall of the Town and its related outdoor facilities and the land upon which it is located, as more specifically described in the Lease (the "Existing Town Hall");

(2) acquire real property from the Town or otherwise for (a) the construction, installation and equipping of a new public safety building to house the Town's Police and Fire Departments, with offices and related outdoor facilities (the "Public Safety Facility") and (b) the construction, installation and equipping of a new public works building with offices and related outdoor facilities (the "Public Works Facility");

(3) undertake all or a portion of the following: (a) the construction, installation and equipping of an expansion to the Existing Town Hall, (b) the construction, installation and equipping of the Public Safety Facility, (c) the construction, installation and equipping of the Public Works Facility, and (d) the demolition of the existing facility currently housing the Town's Police and Fire Departments and Public Works Department; and

(4) lease all or any portion of the Existing Town Hall, as expanded, the Public Safety Facility and the Public Works Facility and the property upon which all such facilities are or will be located (collectively, the "Premises") to the Town, for a term not to exceed twenty-three (23) years, with an annual lease rental not to exceed One Million Three Hundred Thirty-One Thousand Dollars (\$1,331,000), payable in semi-annual installments beginning no earlier than June 30, 2006, and on each June 30 and December 31 of each year after commencement of such semi-annual installments during the term of the Lease (clauses (1), (2), (3) and (4), collectively, the "Building Corporation Project"); and

WHEREAS, the Building Corporation and the Town have entered into the Lease and an addendum to the Lease (collectively, the "Lease") pursuant to which the Town, as lessee, is leasing a portion of the existing Town Hall, as expanded, and the Public Works Facility, as constructed, from the Building Corporation (collectively, the "Phase I Project"); and

WHEREAS, the Building Corporation has previously issued First Mortgage Bonds, Series 2005 (the "Series 2005 Bonds") in order to finance the Phase I Project and has previously approved the issuance of First Mortgage Bonds, Series 2006 (the "Series 2006 Bonds") in order to finance the acquisition and construction of the Public Safety Facility and to acquire the remainder of the Existing Town Hall, as improved by the Town (collectively, the "Phase II Project"); and

WHEREAS, a portion of the proceeds of the Series 2006 Bonds in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) will be paid to the Town by the Building Corporation as the acquisition price of all or a portion of any land or structures to be sold by the Town to the Building Corporation in connection with the acquisition and construction of the Public Safety Facility and the acquisition of the remainder of the Existing Town Hall as improved by the Town; and

WHEREAS, the Town intends to use the money received in such sale to pay for all or a portion of the cost of undertaking any portion of the Phase II Project not undertaken by the Building Corporation (the "Town Project").


NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: There is hereby appropriated a sum not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) from the proceeds of the Series 2006 Bonds and received by the Town from the Building Corporation in connection with the sale of all or a portion of any land or structures to be sold by the Town to the Building Corporation in connection with the acquisition and construction of the Public Safety Facility and the acquisition of the remainder of the Existing Town Hall as improved by the Town together with all investment earnings thereon for the use by the Town in paying for all or a portion of the cost of the Town Project. A certified copy of this Resolution, together with such proceedings and actions as may be necessary shall be filed by the Clerk-Treasurer of the Town, who shall report the appropriation to the State of Indiana Department of Local Government Finance.

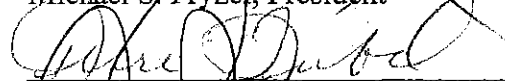
SECTION TWO: That this Resolution shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana.

ALL OF WHICH IS PASSED AND RESOLVED THIS 16TH DAY OF FEBRUARY, 2006, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

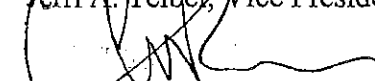
TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL



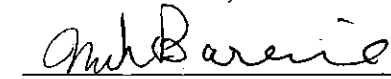
Michael S. Fryzel, President



Jerri A. Teibel, Vice President



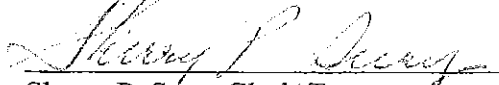
Charles Pearson, Member



Mark Barenie, Member

Gregory J. Volk, Member

ATTEST:



Sherry P. Stury, Clerk-Treasurer