

DECLARATORY RESOLUTION SD-3-4-93

WHEREAS, the Board of Sanitary Commissioners of the Sanitary District of the Town of St. John, Lake County, Indiana, operating pursuant to the provisions of Chapter 157 of the Acts of the Indiana General Assembly for the year 1917, and all acts amendatory thereof and supplemental thereto, including Chapter 205 of the Acts of 1963 as amended by Chapter 184 of the Acts of 1965 and the Acts of 1973, P.L. 194, has upon investigation heretofore found that there are streams and watercourses within said Sanitary District that could be polluted by the discharge therein of sewage and that for the public health and welfare the purchase of additional treatment capacity at the Schererville Wastewater Treatment Plant to service the sanitary sewers of such territory will be of public utility and benefit; and

WHEREAS, the Board has caused an investigation to be made of areas within the Sanitary District and has found that there is insufficient capacity to treat all the sewerage that may be collected from the sewer system of the Town of St. John in a sanitary manner, and finds that it is necessary for the public health and welfare and will be of public utility and benefit to the property in said Sanitary District to purchase additional treatment capacity at the Schererville Wastewater Treatment Plant to serve said areas; and

WHEREAS, additional capacity is available at the Schererville Wastewater Treatment Plant and may be purchased pursuant to a Sewage Treatment Agreement between The Town of Schererville and the

Town of St. John dated May 14, 1990.

WHEREAS, it is financially advantageous to have any advance refunding of the general obligation sanitary district bonds of 1985 dated April 1, 1985 and to pay off the existing contractual obligations for capacity at the Schererville Wastewater Treatment Plant;

NOW, THEREFORE, BE IT RESOLVED by the Board of Sanitary Commissioners of the Sanitary District of the Town of St. John, Lake County, Indiana:

1. That it is necessary for the public health and welfare and will be of public utility and benefit to the property in the Sanitary District of the Town of St. John, Lake County, Indiana, to purchase additional treatment capacity at the Schererville Wastewater Treatment Plant all in accordance with the agreement dated May 14, 1990; that in connection with said purchase there shall be a refunding of the 1985 General Obligation purchase additional treatment capacity at the Schererville Wastewater Treatment Plant and a refunding of the existing contractual payments for capacity pursuant to the May 14, 1990 agreement; and that no assessment for special benefits should be made against specific property on account of the purchase of additional treatment capacity.

2. The above projects shall be purchased and completed generally as follows:

a. Purchase of additional capacity at the Schererville

Wastewater Treatment Plant;

- b. Advance refunding of the 1985 General Obligation Bonds of the Sanitary District of the Town of St. John dated April 1, 1985;
- c. Prepayment of contractual payments due the Town of Schererville under the May 14, 1990 agreement.

3. The estimated cost of said purchase and refunding together with the incidental expenses in connection with said projects and to be incurred on account of the financing thereof is One Million Four Hundred Fifty Six Thousand Three Hundred Twenty Two Dollars (\$1,456,322.00) of which Five Hundred Forty One Thousand Three Hundred Twenty Two Dollars (\$541,322.00) will be funded from local funds and the remainder of the cost of said purchase and refinancing shall be paid out of a special fund to be created by the sale of bonds of said Sanitary District as a special taxing district.

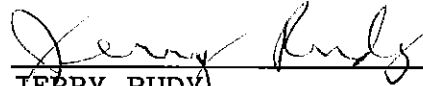
4. A public hearing shall be held on the question of public utility and benefit of said projects and proceedings therefore at the hour of 7:30 o'clock p.m. on the 1st day of April, 1993, which hearing shall be held at the St. John Town Hall, 11033 West 93rd Street, St. John, Lake County, Indiana, at which time the Board of Sanitary Commissioners shall receive and hear remonstrances from all persons interested in or affected by such proceedings.

5. Notice of the adoption of this resolution and the purport thereof, and of the fact that such plans, specifications and estimates have been prepared and can be inspected and setting out the date on which said public hearing will be held, shall be

published once in The Times, Gary Post-Tribune, Lake County Star and Crown Point Register, newspapers printed and of general circulation in the Town of St. John and Lake County, which publication shall be not less than ten (10) days prior to the date of such public hearing.

ADOPTED this 4th day of March, 1993.

BOARD OF SANITARY  
COMMISSIONERS, SANITARY  
DISTRICT OF THE TOWN OF ST.  
JOHN, LAKE COUNTY, INDIANA

  
JERRY RUDY

  
JOEL NIETING

RICHARD HOOVER

ATTEST:

  
JUDITH L. COMPANIK  
Clerk/Treasurer