

CITY OF SHERWOOD ORDINANCE NO. 810

AN ORDINANCE OF THE CITY OF SHERWOOD, OREGON, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION IMPROVEMENT BONDS (BANCROFT BONDS).

The City of Sherwood, Oregon, ordains as follows:

Section 1. Issue. The City shall issue its General Obligation Improvement Bonds, Series 1984, in the amount of Two Hundred Sixty Seven Thousand Nine Hundred Thirteen and 58/100 Dollars (\$267,913.58) to be dated October 1, 1984, to be in denominations of Five Thousand Dollars (\$5,000) or integral multiples thereof, to bear interest payable on October 1 and April 1 of each year and to mature serially on the first day of October of each year as follows:

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
Oct. 1, 1985	\$17,913.58	Oct. 1, 1990	\$25,000.00
Oct. 1, 1986	20,000.00	Oct. 1, 1991	30,000.00
Oct. 1, 1987	20,000.00	Oct. 1, 1992	35,000.00
Oct. 1, 1988	25,000.00	Oct. 1, 1993	35,000.00
Oct. 1, 1989	25,000.00	Oct. 1, 1994	35,000.00

Section 2. Redemption. The City reserves the right to redeem all or any portion of the Bonds maturing on or after October 1, 1991, in inverse order of maturity and by lot within a maturity on or after October 1, 1991, and on any interest payment date thereafter, at par plus accrued interest to the redemption date.

Section 3. Security. The City has assessed benefited properties for the costs of local improvements, and has received applications to pay assessments in installments in an amount at least equal to the principal amount of the bonds. All installment assessment payments shall be placed in the Bancroft Bond Redemption Fund and applied to the payment of principal and interest on the bonds. The full faith and credit of the City are pledged to the successive owners of each of the bonds for the punctual payment of such obligations, when due, and the City shall levy annually, as provided by law, a direct ad valorem tax upon all of the taxable property within the City in an amount sufficient, with other available funds, to pay interest on and the principal of the bonds as they become due and payable. The City covenants with the owners of its bonds to levy such a tax annually during each year that any of the bonds, or bonds issued to refund them, are outstanding.

Section 4. Form of Registered Bond. The bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
CITY OF SHERWOOD  
COUNTY OF WASHINGTON  
GENERAL OBLIGATION IMPROVEMENT BOND, SERIES 1984

DATED                    INTEREST                    % PER ANNUM                    MATURITY DATE                    CUSIP

THE CITY OF SHERWOOD, in the County of Washington, State of Oregon, for value received acknowledges itself indebted and hereby promises to pay to \_\_\_\_\_, or registered assigns, the principal sum of \_\_\_\_\_ Dollars, (\$ \_\_\_\_\_) on the above maturity date, together with interest thereon from the date hereof at the rate per annum indicated above. Interest is payable semiannually on the 1st day of April and on the 1st day of October each year until maturity or prior redemption, commencing April 1, 1985. Interest upon this bond is payable through the office of the City of Sherwood's paying agent and registrar (the "Registrar") by check or draft; checks or drafts will be mailed to the name and address of the registered owner as it appears on the bond register on the fifteenth day of the month prior to the date on which interest comes due. Bond principal is payable upon presentation and surrender of this bond to the Registrar.

ADDITIONAL PROVISIONS OF THIS BOND APPEAR ON THE REVERSE SIDE; THESE PROVISIONS HAVE THE SAME EFFECT AS IF THEY WERE PRINTED HEREIN.

IT IS HEREBY CERTIFIED, RECITED, AND DECLARED that all conditions, acts, and things required to exist, to happen, and to be performed precedent to and in the issuance of this bond have existed, have happened, and have been performed in due time, form, and manner as required by the Constitution and statutes of the State of Oregon and the Charter of the City of Sherwood, Oregon; that the issue of which this bond is a part, and all other obligations of such City, are within every debt limitation and other limits prescribed by such Constitution, statutes and Charter; and that the City Council has covenanted to levy annually a direct ad valorem tax upon all taxable property within the City in an amount sufficient, with other available funds, to pay the interest on and the principal of the bonds of such issue as they become due and payable.

IN WITNESS WHEREOF, the City Council of the City of Sherwood, Washington County, Oregon, has caused this bond to be signed by facsimile signature of its Mayor and attested by facsimile signature of its Recorder, and has caused its seal to be affixed hereto or printed hereon as of this 1st day of October, 1984.

\_\_\_\_\_  
Mayor, City of Sherwood, Oregon

ATTEST:

\_\_\_\_\_  
Recorder, City of Sherwood, Oregon

THIS BOND SHALL NOT BE VALID UNLESS  
PROPERLY AUTHENTICATED BY THE REGISTRAR  
IN THE SPACE INDICATED BELOW.

CERTIFICATE OF AUTHENTICATION

This is one of the City of Sherwood, Oregon,  
General Obligation Improvement Bonds, Series 1984,  
issued pursuant to the Bond Ordinance described  
herein.

DATED

OREGON BANK, An Orbanco Company

By: \_\_\_\_\_  
Authorized Officer

Note to Printer: The following language should be printed on the reverse  
of the bond:

This bond is one of the General Obligation Improvement Bonds, Series 1984,  
of the City, and is issued by the City to finance local improvements pursuant to  
an ordinance of the City (the "Bond Ordinance") and Oregon Revised Statutes  
Sections 223.205 to 223.295, in full and strict accordance and compliance with  
all of the provisions of the Constitution and Statutes of the State of Oregon and  
the Charter of the City.

The City reserves the right to redeem all or any portion of the Bonds  
maturing on or after October 1, 1991, in inverse order of maturity and by lot  
within a maturity on or after October 1, 1991, and on any interest payment date  
thereafter, at par plus accrued interest to the redemption date.

Notice of redemption shall be mailed to the registered owners of the bonds  
to be redeemed not less than thirty days prior to the intended redemption date,  
and given as otherwise required by law; however, any failure to give notice shall  
not invalidate the redemption of the bonds. All bonds called for redemption shall  
cease to bear interest from the date designated in the notice.

The bonds are issuable in the form of registered bonds without coupons in the  
denominations of \$5,000 or any integral multiple thereof. Bonds may be exchanged  
for bonds of the same aggregate principal amount, but different authorized denom-  
inations.

Any transfer of this bond must be registered, as provided in the Bond Ordi-  
nance, upon the bond register kept for that purpose at the office of the Registrar.  
The City and the Registrar may treat the person in whose name this bond is  
registered as its absolute owner for all purposes, as provided in the Bond Ordi-  
nance.

The bondowner may exchange or transfer any bond only by surrendering it, together with a written instrument of exchange or transfer which is satisfactory to the Registrar and duly executed by the registered owner or his duly authorized attorney, at the office of the Registrar in the manner and subject to the conditions set forth in the Bond Ordinance.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns, and transfers unto

\_\_\_\_\_

Please insert social security or other identifying number of assignee

the within Bond and does hereby irrevocably constitute and appoint \_\_\_\_\_ as attorney to transfer this Bond on the books kept for registration thereof with the full power of substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

Signature Guaranteed

\_\_\_\_\_  
(Bank, Trust Company for Firm)

\_\_\_\_\_  
Authorized Officer

The following abbreviations, when used in the inscription on the face of the within Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

- TEN COM -- tenants in common
- TEN ENT -- as tenants by the entireties
- JT TEN -- as joint tenants with right of survivorship and not as tenants in common
- OREGON CUSTODIANS use the following

\_\_\_\_\_  
as custodian under the laws of Oregon for  
MIN

(Minors Name)

Additional abbreviations may also be used though not in the list above.

Section 5. Authentication, Registration and Transfer.

- (1) No bond shall be entitled to any right or benefit under this ordinance unless it shall have been authenticated by an authorized officer of the City's paying agent and registrar (the Registrar"). The Registrar shall authenticate all bonds to be delivered at closing of this bond issue, and shall additionally authenticate all bonds properly surrendered for exchange or transfer pursuant to this Bond Ordinance.
- (2) All bonds shall be in registered form. The City hereby appoints Oregon Bank, an Orbanco Company, 1001 S.W. Fifth Avenue, Portland, Oregon, 97208, to serve as Registrar. A successor Registrar may be appointed for the bonds by ordinance or resolution of the City. The Registrar shall provide notice to bondowners of any change in the Registrar not later than the bond payment date following the change in Registrar.
- (3) The ownership of all bonds shall be entered in the bond register maintained by the Registrar, and the City and the Registrar may treat the person listed as owner in the bond register as the owner of the bond for all purposes.
- (4) The Registrar shall mail each bond payment to the name and address of the bondowner as it appears on the bond register on the fifteenth day of the month preceding a bond payment date (the "Record Date"). If payment is so mailed, neither the City nor the Registrar shall have any further liability to any party for such payment.
- (5) Bonds may be exchanged for an equal principal amount of bonds of the same maturity which are in different denominations, and bonds may be transferred to other owners if the bondowner submits the following to the Registrar:
  - (a) written instructions for exchange or transfer satisfactory to the Registrar, signed by the bondowner or his attorney in fact and guaranteed or witnessed in a manner satisfactory to the Registrar; and
  - (b) the bonds to be exchanged or transferred.
- (6) The Registrar shall not be required to exchange or transfer any bonds submitted to it during any period beginning with a Record Date and ending on the next following payment date; however, such bonds shall be exchanged or transferred promptly following that payment date.
- (7) The Registrar shall note the date of authentication on each bond. The date of authentication shall be the date on which the bondowner's name is listed on the bond register.

- (8) For purposes of this section, bonds shall be considered submitted to the Registrar on the date the Registrar actually receives the materials described in subsection 5 of this section.
- (9) The City may alter these provisions regarding registration and transfer by mailing notification of the altered provisions to all bondowners. The altered provisions shall take effect on the date stated in the notice, which shall be earlier than 45 days after notice is mailed.

Section 6. Sale of Bonds. The Recorder shall cause to be published in the Tigard Times and in the Daily Journal of Commerce, Portland, Oregon, notices of sale of the bonds in the form substantially as shown on Exhibit A attached hereto and by this reference incorporated herein, or summaries, as provided by law. The bonds shall be sold upon the terms provided in the attached Exhibit A. The bonds shall be sold on the date and at the time and place stated in Exhibit A, unless the Mayor or Recorder establishes a different date, time or place.

Section 7. Inasmuch as it is necessary that the bonds be sold forthwith in order to assure financing for the construction of the improvements on Edy Road Local Improvement District, and to open bids for said bonds on September 18, 1984, an emergency is hereby declared to exist and this ordinance shall be effective upon its passage by the council and approval by the mayor.

PASSED by the unanimous vote of the Council, with a quorum in attendance, this 22<sup>nd</sup> day of August, 1984.

APPROVED by the Mayor this 22 day of August, 1984.

Mayor Mary L. Johnson

Executed this 22 day of August, 1984.

ATTEST:

Polly Blankenbaker  
Recorder

EXHIBIT A

OFFICIAL NOTICE OF BOND SALE

\$267,913.58

CITY OF SHERWOOD  
COUNTY OF WASHINGTON  
STATE OF OREGON

GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 1984

Notice is hereby given that sealed bids will be received on behalf of the City of Sherwood, Washington County, Oregon, until 4:00 o'clock p.m. (Pacific Time) on September 18, 1984, at the offices of Ragen, Roberts, O'Scannlain, Robertson & Neill, 1600 Orbanco Building, 1001 S.W. Fifth Avenue, Portland, Oregon, 97204, at which time they will be publicly opened and announced.

The bids shall be considered and acted upon by the City within four hours.

ISSUE: Two Hundred Sixty Seven Thousand Nine Hundred Thirteen & 58/100 Dollars (\$ 267,913.58 ) consisting of registered bonds in denominations of FIVE THOUSAND DOLLARS (\$5,000) or integral multiples thereof, except Bond No. 1, all dated October 1, 1984,

INTEREST RATE: Maximum not to exceed a net effective rate of Twelve per cent ( 12 %) per annum. Interest is payable semiannually on October 1 and April 1 of each year. Bidders must specify the interest rate or rates which the bonds hereby offered for sale shall bear. The bids shall comply with the following conditions: (1) Each interest rate specified in any bid must be a multiple of 1/8th or 1/20th of one percent (1%); (2) No bond shall bear more than one rate of interest; (3) Each bond shall bear interest from its date to its stated maturity date at the interest rate specified in the bid; (4) All bonds maturing at any one time shall bear the same rate of interest; (5) No rate of interest may exceed fourteen percent (14%).

MATURITIES: The bonds shall mature serially on the 1st day of October of each year as follows:

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
Oct. 1, 1985	\$17,913.58	Oct. 1, 1990	\$25,000.00
Oct. 1, 1986	20,000.00	Oct. 1, 1991	30,000.00
Oct. 1, 1987	20,000.00	Oct. 1, 1992	35,000.00
Oct. 1, 1988	25,000.00	Oct. 1, 1993	35,000.00
Oct. 1, 1989	25,000.00	Oct. 1, 1994	35,000.00

**REGISTRATION:** The bonds will be issued in fully registered form, and may be exchanged at the expense of issuer for similar bonds of different authorized denominations. Bonds may not be converted to bearer form.

**REDEMPTION:** The city reserves the right to redeem all or any portion of the Bonds maturing on or after October 1, 1991, in inverse order of maturity and by lot within a maturity on or after October 1, 1991, and on any interest payment date thereafter, at par plus accrued interest to the redemption date.

Notice of redemption shall be given by mailing notice thereof to the registered owners not less than 30 days prior to the redemption date, and as otherwise required by law. Interest on any bond or bonds so called for redemption shall cease on the redemption date designated in the notice.

**PAYMENT:** Principal and interest are payable, either at maturity or upon earlier redemption, by check through the office of the registrar and paying agent of the City, which is currently the office of Oregon Bank, an Orbanco Company, 1001 S.W. Fifth Avenue, Portland, OR 97208.

**PURPOSE:** The bonds are being issued to finance local improvements.

**SECURITY:** The City has assessed benefited properties for the costs of local improvements and has received applications to pay assessments in installments. All assessment installments will be placed in the Bancroft Bond Redemption Fund and applied to the payment of principal and interest on the bonds. The bonds are also general obligations of the City. The City has covenanted to levy an ad valorem tax annually which, with other available funds, will be sufficient to pay bond principal and interest as they come due.

**LEGAL OPINION:** The approving opinion of Ragen, Roberts, O'Scannlain, Robertson & Neill, Lawyers, of Portland, Oregon, will be provided at no cost to the purchaser, and will be printed on the bonds at the expense of the City.

**TAX EXEMPT STATUS:** Interest on the bonds, in the opinion of bond counsel, is exempt from taxation by the United States under present federal income tax laws and from personal income taxation by the State of Oregon under present state law.

**BEST BID:** The bonds will be awarded to the responsible bidder whose proposal will result in the lowest net cost to the City. The successful bid will be determined by computing the total amount of interest which the City would be required to pay from the date of each bond to its respective maturity date at the rate or rates specified in the bid assuming no bonds are called prior to maturity, less premium offered, if any. Each bidder is requested to supply the total interest cost and net effective interest rate that the City will pay upon the issue if the bid is accepted. The purchaser must pay accrued interest, computed on a 360-day basis, from the date of the bonds to the date of delivery. The cost of printing the bonds will be borne by the City.

**DELIVERY:** Delivery of the bonds will be made without cost to the successful bidder at such bank in the City of Portland, Oregon, as the successful bidder shall



name. Payment for the bonds must be made in Federal funds. Delivery will be made within thirty days.

FORM OF BID: All bids must be for not less than all the bonds hereby offered for sale, and for not less than one hundred percent (100%) of the par value thereof and accrued interest to the date of delivery. Each bid, together with bidder's check as herein specified, must be enclosed in a sealed envelope addressed to the City and designated "Proposal for Bonds".

BID CHECK: All bids must be unconditional and accompanied by a certified or cashier's check on a bank doing business in the State of Oregon for Five Thousand Three Hundred Sixty Dollars (\$5,360.00) payable to the order of the City to secure the City from any loss resulting from the failure of the bidder to comply with the terms of its bid. Checks will be forfeited to the City as liquidated damages in case the bidder to whom the bonds are awarded withdraws its bid or fails to complete its purchase in accordance with the terms thereof. No interest shall be allowed on the deposit but the check of the successful bidder will be retained as part payment of the bonds or for liquidated damages as described above. Checks of the unsuccessful bidders will be returned by the City promptly.

RIGHT OF REJECTION: The City reserves the right to reject any or all bids, and to waive any irregularities.

CUSIP: CUSIP numbers will be imprinted upon all bonds of this issue at the City's expense. Failure to print, or improperly imprinted numbers, will not constitute basis for the purchaser to refuse to accept delivery.

TEMPORARY BOND: The Bonds herein authorized may be issued as one or more temporary Bonds, which may be typewritten and exchanged for definitive Bonds when available.

NO LITIGATION: At the time of payment for the delivery of said bonds, the City will furnish the successful bidder a certificate that there is no litigation pending affecting the validity of the bonds.

FURTHER INFORMATION: The City has prepared an official statement relating to the bonds, together with additional information regarding the city and this sale, and may be obtained from Polly Blankenbaker, City Recorder, City of Sherwood, telephone 625-5522.

Polly Blankenbaker, Recorder  
City of Sherwood, Oregon