

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AUTHORIZING
NON-ELECTORAL DEBT TO FUND UNFUNDED DEBT PURSUANT TO
THE LOCAL GOVERNMENT UNIT DEBT ACT

BE IT ORDAINED AND ENACTED, by the Borough of Monroeville, in Council assembled, as follows:

WHEREAS, The Borough of Monroeville (hereinafter the "Borough"), deems it advisable to borrow \$170,364.00 DOLLARS without the issuance of bonds pursuant to Section 409 of the Local Government Unit Debt Act (herein the "Act") for the purpose of funding unfunded debt due to contractors for work performed and materials furnished in the construction and extension of the Borough's sanitary sewer system (hereinafter the "Project");

WHEREAS, said unfunded debt is in the amount of \$170,363;

WHEREAS, notice of the following ordinance has been duly advertised in accordance with Section 103 of the Act; and

WHEREAS, Pittsburgh National Bank (hereinafter the "Bank") has presented a written proposal to this meeting to purchase the Note;

NOW, THEREFORE, Be and it hereby is ordained and enacted that:

1. The indebtedness of the Borough be increased in the amount of \$170,364.00 DOLLARS to be evidenced by the issuance of an installment note (herein the "Note") in the form of the Note presented to this meeting and incorporated into the minutes hereof as Exhibit "H".

2. The debt to be incurred is non-electoral debt and is to be incurred to fund unfunded debt incurred to pay the costs of the Project, the useful life of which is 40 years.

3. The Note shall be sold at a private sale.

4. The Borough accepts the proposal of the Bank to purchase the Note, at par, dated the date of delivery of the Note, maturing in the following installments:

- (a) One year from the date thereof, 33-1/3% of the principal amount or \$56,788.00;
- (b) Two years from the date thereof, 33-1/3% of the principal amount or \$56,788.00;
- (c) Three years from the date thereof, 33-1/3% of the principal amount or \$56,788.00;

bearing interest at the rate of 3.25% per annum on the unpaid balance payable semi-annually, redeemable at the option of the Borough at any time without premium or penalty.

5. The proposal of the Bank presented to this meeting shall be incorporated into the minutes hereof as Exhibit "B" and the Mayor of the Borough and Secretary are hereby authorized and directed to execute and deliver on behalf of and under the seal of the Borough an acceptance of said proposal;

6. The Mayor and Secretary of the Borough are hereby authorized and directed to prepare, certify and file the debt statement required by Section 410 of the Local Government Unit Debt Act.

ORDAINED AND ENACTED this 14th day of November, 1972.

BOROUGH OF MONROEVILLE

By S/ George C. Dale

President of Council

ATTEST:

S/ Carrol F. Pickens

Secretary

EXAMINED AND APPROVED this 14th day of November, 1972.

S/ John J. Duncan

Mayor

Note Form

BOROUGH OF MONROEVILLE

Allegheny County, Pennsylvania

General Obligation
Installment Note

\$170,364

November 14, 1972

The Borough of Monroeville (hereinafter the "Borough") intending to be legally bound, promises to pay to the order of Pittsburgh National Bank at its office at Monroeville, Pennsylvania, in such coin or currency as at the time and place of payment is legal tender for the payment of public and private debts, the sum of \$170,364 DOLLARS at the following times and in the following amounts:

One year from the date hereof, 33 1/3%
of the principal amount or \$56,788;

Two years from the date hereof, 33 1/3%
of the principal amount hereof or \$56,788;

Three years from the date hereof, 33 1/3%
of the principal amount or \$56,788;

Interest shall be payable semi-annually on _____
and _____ in each year beginning _____, 19____,
until the principal shall have been paid, in the manner and at the place of payment
of the principal installments at the rate of 3.5% per annum on the unpaid balance
until maturity and thereafter at the highest rate permitted by law but not in excess
of 6% per annum.

Payment of the indebtedness evidenced hereby may be anticipated in whole or
in part at any time and from time to time without premium or penalty.

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The Borough hereby covenants with the holder hereof that it will include the
amount of the debt service payable hereunder in its budget for the applicable fiscal
year, will appropriate such amounts to the payment of such debt service and will
duly and punctually pay or cause to be paid the entire principal hereof and the
interest thereon at the places, on the dates and in the manner stated above, **according**
to the true meaning and intent hereof, and for such budgeting, appropriation and
payment, the Borough hereby pledges its full faith, credit and taxing power.

In the event of a default hereunder, the entire balance shall be and become
immediately due and payable without notice or demand.

This Note evidences a borrowing to fund unfunded debt under Section 511 of the

EXHIBIT "N"

Ordinance No. 812

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Local Government Unit Debt Act, pursuant to an ordinance of the Borough duly and regularly enacted in accordance with the provisions of said Act and pursuant to the approval of the Department of Community Affairs of the Commonwealth of Pennsylvania of the transcript of proceedings and debt statement duly filed with it by the Borough pursuant to said Act.

WITNESS the due execution hereof this 14th day of November, 1972.

BOROUGH OF MONROEVILLE

By S/ John J. Duncan
Mayor

ATTEST:

S/ Carrol F. Pickens
Secretary

Entered in Legal Book, November 24, 1972.

ORDINANCE NO. 812
EXHIBIT "B"

Cap. Note - Borough
Bank Proposal

Pittsburgh National Bank
Form 12 - Page 1 of 2 Pages
(In Quadruplicate)
Dept. of Community Affairs

PROPOSAL

Pittsburgh National Bank (hereinafter the "Bank") hereby offers to purchase, at par, \$170,364.00, principal amount, Borough of Monroeville, (hereinafter the "Borough") Capital Note (hereinafter the "Note"), maturing at the following times and in the following amounts, with the right of prepayment without penalty reserved to the Borough:

- (a) One year from the date of said Note, 33 1/3% of the principal amount or \$56,788.00;
- (b) Two years from the date of said Note, 33 1/3% of the principal amount or \$56,788.00;
- (c) Three years from the date of said Note, 33 1/3% of the principal amount or \$56,788.00;
- (d) Four years from the date of said Note, % of the principal amount or \$ n/a ;
- (e) Five years from the date of said Note, % of the principal amount or \$ n/a ;

with interest at the rate of 3.25% per annum on the unpaid balance until maturity and thereafter at the highest rate permitted by law but not in excess of 6% per annum, payable semi-annually in the manner and at the place of payment of the principal installments;

subject to receipt of the following, in form and substance satisfactory to the Bank:

1. A duplicate original of the proceedings authorizing the issuance of the Note certified by the Secretary of the Borough to have been filed with and approved by the Department of Community Affairs of the Commonwealth of Pennsylvania;
2. A copy of the Borough's letter transmitting a duplicate original of the proceedings to the Department of Community Affairs, having attached to it the original United States mail receipt for certified mail, showing receipt by the Department of Community Affairs;
3. An opinion of the Borough Solicitor dated the date of delivery of and payment for the Note to the effect that the proceedings for the authorization and issuance of the Note have been duly and properly taken, that the Note will be valid and binding obligation of the Borough, enforceable in accordance with its terms, and that interest on the Note is exempt from Federal, Commonwealth of Pennsylvania and local taxation;

EXHIBIT "B"

Ordinance No. 812
Page 2

4. Executed Note.

This proposal is subject to acceptance no later than 12:00 P.M., November 9, 1972.

The average annual debt service on the Note is \$60,482.22.

WITNESS the due execution hereof this 24th day of October, 1972.

PITTSBURGH NATIONAL BANK

By S/ D. C. Borland

By D. C. Borland Vice President

ACCEPTANCE

Pursuant to ordinance duly enacted this 14th day of November, 1972, the Borough of Monroeville has accepted the above proposal of Pittsburgh National Bank.

WITNESS the due execution hereof this 14th day of November, 1972.

BOROUGH OF MONROEVILLE

By S/ John J. Duncan
Mayor

ATTEST:

S/ Carrol F. Pickens
Secretary

Entered in Legal Book, November 24, 1972.