

TOWNSHIP OF RUSH,  
Schuylkill County, Pennsylvania

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ORDINANCE NO. 141

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AN ORDINANCE

OF THE BOARD OF SUPERVISORS OF THIS TOWNSHIP AUTHORIZING AND DIRECTING ISSUANCE OF THE 2000 GUARANTEED REVENUE NOTES, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF ONE MILLION SIX HUNDRED NINETEEN THOUSAND FIVE HUNDRED SIXTY-SEVEN DOLLARS (\$1,619,567), CONSISTING OF THE 2000 GUARANTEED REVENUE NOTE (3 YEAR TERM), IN THE MAXIMUM PRINCIPAL AMOUNT OF \$202,000, AND THE 2000 GUARANTEED REVENUE NOTE (20 YEAR TERM), IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,417,567, TO THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY (PENNVEST), PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT, TO BE USED FOR AND TOWARD A CAPITAL PROJECT CONSISTING OF THE ACQUISITION AND CONSTRUCTION OF CERTAIN SANITARY SEWAGE COLLECTION, TRANSMISSION, TREATMENT AND DISPOSAL SYSTEM FACILITIES OF THIS TOWNSHIP, INCLUDING THE HOMETOWN AREA SEWER SYSTEM, EXCLUDING, HOWEVER, THE LAKE HAUTO AREA SEWER SYSTEM, AND THE PAYMENT OF RELATED COSTS AND EXPENSES OF SUCH CAPITAL PROJECT; ACCEPTING A CERTAIN PROPOSAL FOR PURCHASE OF SUCH NOTES, AT PRIVATE SALE, AND AWARDED SUCH NOTES, AND SETTING FORTH RELATED PROVISIONS; DETERMINING THAT CERTAIN RECEIPTS AND REVENUES OF THIS TOWNSHIP FROM A SEWER SYSTEM PROJECT OF THIS TOWNSHIP SHALL BE AND ARE PLEDGED FOR PAYMENT OF SAID NOTES, AND THAT THIS TOWNSHIP SHALL GUARANTY

PAYMENT OF SAID NOTES AND FOR SUCH GUARANTY SHALL PLEDGE ITS FULL FAITH, CREDIT AND TAXING POWER; CREATING A SINKING FUND IN CONNECTION WITH SUCH NOTES, AS REQUIRED BY SUCH ACT; APPOINTING A SINKING FUND DEPOSITARY IN CONNECTION WITH SUCH NOTES; PROVIDING COVENANTS RELATED TO DEBT SERVICE APPLICABLE TO SUCH NOTES AS ARE REQUIRED BY SUCH ACT AND SPECIFICALLY PLEDGING SAID REVENUES OF THIS TOWNSHIP IN SUPPORT THEREOF; AUTHORIZING AND APPROVING A LOAN AGREEMENT BETWEEN THIS TOWNSHIP AND PENNVEST WITH RESPECT TO SAID PROJECT AND SAID NOTES, TOGETHER WITH CERTAIN OTHER LOAN DOCUMENTS; AND PROVIDING FOR OTHER RELEVANT AND NECESSARY MATTERS AND THINGS WITH RESPECT TO THE FOREGOING.

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BE IT ENACTED AND ORDAINED, by the Board of Supervisors of the Township of Rush, Schuylkill County, Pennsylvania (the "Township"), as follows:

#### ARTICLE I

##### The Project

SECTION 1.01. The Board of Supervisors of this Township hereby authorizes and directs the issuance of two guaranteed revenue notes of this Township, as provided in Section 2.01 and as permitted by the Act of the General Assembly of the Commonwealth of Pennsylvania (the "Commonwealth"), known as the Local Government Unit Debt Act, 53 Pa.C.S. Chs. 80-82 (the "Act"), pursuant to this Ordinance (the "Ordinance", which term, unless the context