

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT, CONSTRUCTION AND INSTALLATION OF A MUNICIPAL WATERWORKS SUPPLY AND DISTRIBUTION SYSTEM IN AND FOR THE TOWN OF RUSSELL SPRINGS, KENTUCKY, UNDER AND PURSUANT TO THE PROVISIONS OF CHAPTER 133 OF THE SESSION ACTS OF THE GENERAL ASSEMBLY OF KENTUCKY FOR 1926, AS AMENDED BY CHAPTER 92 OF THE SESSION ACTS OF SAID GENERAL ASSEMBLY FOR 1930; AUTHORIZING THE ISSUANCE AND SALE OF \$15,000.00 OF WATERWORKS REVENUE BONDS OF SAID TOWN TO DEFRAY THAT PART OF THE COST OF SAID CONSTRUCTION AND INSTALLATION THAT SAID TOWN MUST BEAR UNDER CONDITIONS IMPOSED BY THE WORKS PROGRESS ADMINISTRATION OF THE UNITED STATES OF AMERICA FOR FURNISHING SAID TOWN WITH CERTAIN LABOR AND MATERIALS FOR SUCH WORK, PRESCRIBING THE FORM OF SAID BONDS, AND PROVIDING FOR THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SAID WATERWORKS SYSTEM FOR THE PURPOSE OF PROTECTING AND PAYING SAID BONDS; AND PROVIDING FOR THE ADVERTISING FOR BIDS TO PERFORM CERTAIN WORK AND TO FURNISH CERTAIN MATERIALS NECESSARY IN THE CONSTRUCTION AND INSTALLATION OF SAID SYSTEM.

WHEREAS, it is deemed desirable and necessary, and is hereby declared to be desirable and necessary that the Town of Russell Springs, Kentucky, a town of the sixth class in said State, shall establish, own and operate a waterworks supply and distribution system for the purpose of supplying and distributing water for and to said town and to the inhabitants thereof, and

WHEREAS, the Works Progress Administration of the United States of America has approved an allocation of Federal funds to defray a portion of the cost of labor and materials necessary in building and constructing such a waterworks system in said town, conditioned upon said town providing the remaining portion of the necessary funds for such work, and

WHEREAS, it is deemed and hereby declared to be advisable and necessary that the said town acquire said waterworks system by accepting the offered aid of said Works Progress Administration in furnishing a portion of the labor and materials for said construction of said waterworks system, as aforesaid, and by contracting with the lowest and best bidder, or bidders, for the performing of such part of said work and the furnishing of such part of the necessary materials which said town will be required to pay for under the said conditions imposed by said Works Progress Administration for the furnishing by it of the aid mentioned, said bids to be received by said town after due advertisement for same as hereinaf-

ter provided, and

WHEREAS, the sum of \$15,000.00 is deemed and is hereby declared to be a sufficient sum to defray that part of the cost of erecting, constructing and installing said waterworks system that said town must bear, as aforesaid, and

WHEREAS, the said town has caused to be prepared by H. K. Bell, Consulting Engineers, of Lexington, Kentucky, complete plans, specifications, estimates, drawings, plats, engineering requirements, and information to bidders regarding such a waterworks system for the said town, all of which will be on file in the office of the clerk of said town, and

WHEREAS, under the provisions of Chapter 133 of the Session Acts of the General Assembly of Kentucky for 1926, as amended by Chapter 92 of the Session Acts of said General Assembly for 1930, said town is authorized and empowered to issue bonds for the purpose of defraying the cost of construction, erection and installation of a waterworks system.

NOW, THEREFORE, the Board of Trustees of the Town of Russell Springs, Kentucky, DO ORDAIN AS FOLLOWS:

SECTION ONE. There shall be established and constructed under and pursuant to the provisions of Chapter 133 of the Session Acts of the General Assembly of Kentucky for 1926, as amended by Chapter 92 of the Session Acts of said General Assembly for 1930, a complete waterworks supply and distribution system in and for the said Town of Russell Springs, Kentucky, said system to consist of the materials and equipment described and set out in the said plans and specifications prepared by said H. K. Bell, Consulting Engineers of Lexington, Kentucky, as aforesaid, and

to be constructed, erected and installed pursuant to and in direct accordance with the said plans, specifications, drawings, plats, and engineering requirements heretofore prepared by said engineers, as aforesaid, and along the lines and at the places designated and set out in same. The said plans, specifications, estimates, drawings, plats, engineering requirements and information to bidders to be on file in the office of the Clerk of the Town of Russell Springs, Kentucky, are hereby approved and adopted and made a part of this ordinance by reference.

Payment for that part of the cost of said waterworks system that must be made by the said Town of Russell Springs, Kentucky, shall be made under and pursuant to the provisions of said Chapter 133 of the Session Acts of the General Assembly of Kentucky for 1926, as amended by Chapter 92 of the Session Acts of said General Assembly for 1930, from funds to be derived from the sale of an issue of bonds hereinafter provided for and to be issued pursuant to and in full compliance with said law, and the additional cost of said waterworks system will be borne by the Government of the United States of America through an allocation of Federal funds for such purpose made to said town by and through the said Works Progress Administration under the applicable provisions of the Emergency Relief Appropriation Act of 1935 of the Federal Congress of the United States of America.

SECTION TWO. For the purpose of enabling the said town to establish, build and maintain the said waterworks system, the Clerk of said town, when he is directed so to do by the order of the engineer superintending said work, is hereby authorized and directed to advertise for a space of not less than ten (10) days for bids to perform the work and/ or furnish the materials for such items of the work to be performed or materials furnished

for the construction, erection and installation of said system as said engineer may direct, under and pursuant to the said plans, specifications, estimates, plats, drawings, and engineering requirements hereinbefore mentioned, which bids shall be delivered sealed to said Town Clerk to be opened in the presence of the Board of Trustees of said town at a meeting to be thereafter held for the purpose of receiving and passing upon said bids, and said bids shall be accompanied by a certified check payable to the order of the Treasurer of said town in an amount equal to five per cent. (5%) of the amount of each bid. Only the lowest and best bid, or bids, will be accepted, and no bid shall be accepted which adds to or takes from the proposal or requirements of the plans and specifications hereinbefore approved and adopted. The Board of Trustees reserve the right to reject any and all bids.

SECTION THREE. For the purpose of providing the funds for defraying that part of the cost of the establishment, construction, erection and installation of the said waterworks system, together with all the appurtenances thereto, that said town must provide funds for, as aforesaid, there shall be issued the bonds of said town to be known as Waterworks Revenue Bonds, in the principal amount of Fifteen Thousand (\$15,000.00) Dollars, which bonds shall bear date of January 1, 1937, and shall be of the denomination of Five Hundred (\$500.00) Dollars each, numbered consecutively from one (1) to thirty (30) inclusive, bear interest at the rate of five per centum (5%) per annum payable semi-annually on the first days of July and January of each year until retired, commencing July 1, 1937, and maturing on the first day of January in the following numbers and amounts in the following

years:

<u>BOND NO.</u>	<u>YEAR</u>	<u>AMOUNT</u>
1	████ 1939	\$500.00
2	████ 1940	500.00
3	████ 1941	500.00
4	████ 1942	500.00
5	████ 1943	500.00
6	████ 1944	500.00
7	████ 1945	500.00
8	████ 1946	500.00
9	████ 1947	500.00
10	████ 1948	500.00
11-12	████ 1949	1,000.00
13-14	████ 1950	1,000.00
15-16	████ 1951	1,000.00
17-18	████ 1952	1,000.00
19-20	████ 1953	1,000.00
21-22	████ 1954	1,000.00
23-24	████ 1955	1,000.00
25-26	████ 1956	1,000.00
27-28	████ 1957	1,000.00
29-30	████ 1958	1,000.00

Both the principal of and interest upon said bonds shall be payable in such funds as are then legal tender for the payment of debts due to the United States of America at the office of the Town Treasurer of the Town of Russell Springs, Kentucky.

Said bonds shall be signed by the Chairman of the Board of Trustees and sealed with the corporate seal of said Town and attested by the Town Clerk, and the interest coupons attached to said bonds shall be executed with the fac-simile signatures of

said Chairman and said Town Clerk, and said officials by the execution of said bonds shall adopt as and for their own proper signatures their respective fac-simile signatures on said coupons. All of said bonds, together with the interest thereon, shall be payable out of the Bond and interest Sinking Fund Account hereinafter provided for, and shall be a valid claim of the holder thereof only against said account and the fixed and determined portion or amount of the gross income and revenues of said waterworks system of said Town of Russell Springs, Kentucky, pledged to said account, and such bonds shall not constitute an indebtedness of said Town within the meaning of any constitutional provisions or limitations.

SECTION FOUR. That upon the presentation at the office of the Town Treasurer of said Town of Russell Springs, Kentucky, of any of the said bonds, authorized hereunder, the same may be registered as to principal only in the name of the owner on the books of said Treasurer, such registration to be noted on the reverse side of the bonds by said Treasurer, and thereafter the principal of such registered bonds shall be payable only to the registered holder, his legal representatives or assigns. Such registered bonds shall be transferable to another registered holder, or back to bearer, only upon presentation to the Treasurer with a legal assignment duly acknowledged or approved. Registration of any of such bonds shall not effect the negotiability of the coupons thereto attached, but such coupons shall be transferable by delivery merely.

SECTION FIVE. That said bonds shall be in substantially the following form:

UNITED STATE OF AMERICA
COMMONWEALTH OF KENTUCKY
COUNTY OF RUSSELL
TOWN OF RUSSELL SPRINGS
WATERWORKS REVENUE BOND

NO. _____

\$500.00

The Town of Russell Springs, in the County of Russell and Commonwealth of Kentucky, for value received, hereby promises to pay to bearer, or if this bond is registered, to the registered holder hereof as hereinafter provided, the sum of Five Hundred Dollars (\$500.00) on the first day of January, 19____, and to pay interest on said sum from the date hereof until paid at the rate of five per cent. (5%) per annum, payable semi-annually on the first days of July and January of each year, commencing July 1, 1937, upon presentation and surrender of the attached interest coupons as the same severally mature; both principal and interest being payable in such funds as are then legal tender for the payment of debts due to the United States of America, at the office of the Treasurer of the Town of Russell Springs, Kentucky.

This bond is issued by said Town pursuant to an ordinance duly enacted by the Board of Trustees thereof on the _____ day of _____, 1936, for the purpose of defraying the cost of constructing and erecting a municipal waterworks system for said Town under and in full compliance with the Constitution and Statutes of the Commonwealth of Kentucky including, among others, Chapter 133 of the 1926 Acts of the General Assembly of Kentucky, as amended by Chapter 92 of the 1930 Acts of said General Assembly.

This bond is payable only from and secured by a pledge of a fixed and determined portion of the gross income and revenues

to be derived from the operation of said waterworks system, which has been set aside as a special fund for that purpose and identified as the "Waterworks Bond and Interest Redemption Fund of Russell Springs, Kentucky," and this bond does not constitute an indebtedness of the Town of Russell Springs within the meaning of any Constitutional provisions or limitations. Said Town covenants and agrees that it will continuously operate said waterworks system and that it will fix and maintain such rates for water and water service and collect and account for income and revenues from such waterworks system sufficient to create and maintain said Sinking Fund Account so as to promptly pay the principal and interest of this bond and the issue of which it forms a part as the same will become due.

A statutory mortgage lien, which is hereby recognized as valid and binding on said waterworks system, is created and granted to and in favor of the holder or holders of this bond and the issue of which it forms a part, and in favor of the holder or holders of the coupons attached to said bonds, and said waterworks system shall remain subject to such statutory mortgage lien until the payment in full of the principal of and interest on this bond and the issue of which it forms a part.

This bond may be registered as to principal only in the name of the holder on the books of said Town in the office of its Town Treasurer, such registration being noted hereon by the Town Treasurer, after which no transfer shall be valid unless made on said books and similarly noted on the bond, but it may be discharged from such registration by being transferred to bearer, after which it shall be transferable by delivery, but it may again be registered as before. The registration of this bond as to principal shall not restrain the negotiability of

the coupons by delivery merely.

This bond is exempt from taxation in the Commonwealth of Kentucky.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and 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 law, and that the amount of this bond, together with all other obligations of said Town, does not exceed any limits prescribed by the Constitution or Statutes of the Commonwealth of Kentucky, and that a sufficient portion of the gross income and revenues of said waterworks system has been pledged to and will be set aside into the said special fund hereinbefore mentioned by said Town for the prompt payment of the principal of and interest on this bond and the issue of which it forms a part.

IN WITNESS WHEREOF, the Town of Russell Springs, in the Commonwealth of Kentucky, has caused this bond to be signed by the Chairman of its Board of Trustees, and its corporate seal to be hereunto affixed, attested by the Town Clerk, and the coupons hereto attached to be executed with fac-simile signatures of said Chairman and said Town Clerk, which officials by the execution of this bond do adopt as and for their own proper signatures their respective fac-simile signatures appearing on said coupons, and this bond to be dated as of the First day of January, 1937.

Chairman Board of Trustees.

ATTEST:

Town Clerk.

(FORM OF COUPON)

NO _____

\$12.50

On the first day of _____, 19____, the Town of Russell Springs, Kentucky, will pay to bearer Twelve and 50/100 Dollars (\$12.50) in such funds as are then legal tender for the payment of debts due to the United States of America out of the "Waterworks Bond and Interest Redemption Fund of Russell Springs, Kentucky," at the office of the Treasurer of the Town of Russell Springs, Kentucky, this being six months interest then due on its Waterworks Revenue Bond dated January 1, 1937.

Chairman Board of Trustees.

Town Clerk.

(PROVISIONS FOR REGISTRATION TO BE
ENDORSED ON THE BACK OF EACH BOND)

At the request of the holder, the within bond is hereby converted into a registered bond, and the principal thereof shall be payable only to the registered holder or to his legal representative until it has been discharged from such registration by being transferred to bearer, after which it shall be payable to bearer and transferrable by delivery.

DATE OF REGISTRATION	IN WHOSE NAME REGISTERED	TOWN TREASURER
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION SIX. That upon said Town coming into possession of said waterworks system, it shall thereafter be operated by it, for the purpose of this ordinance, on a fiscal year basis com-

mencing January 1st. of each year, and ending December 31st of the same year. From and after the delivery of any bonds issued under the provisions of this ordinance, the gross income and revenues of said waterworks system of the Town of Russell Springs, Kentucky, shall be set aside and pledged into a separate and special fund to be used and applied to the payment of the principal and interest upon the bonds, the operation and maintenance of the waterworks system, including the maintenance of insurance upon same as hereinafter provided, and to provide a depreciation fund therefor as follows, to-wit:

There shall be and there is hereby created an account to be known as the "Waterworks Bond and Interest Redemption Fund of Russell Springs, Kentucky," into which there shall be set aside from the gross income and revenues of said waterworks system for each fiscal year, for the purpose of paying the interest and principal of the bonds herein authorized to be issued, the following amounts in the following years, which are fixed and determined as follows: For the year ending December 31,

<u>Year</u>	<u>Interest</u>	<u>Principal</u>	<u>Total</u>
1937	\$750.00		\$750.00
1938	750.00	\$500.00	1,250.00
1939	725.00	500.00	1,225.00
1940	700.00	500.00	1,200.00
1941	675.00	500.00	1,175.00
1942	650.00	500.00	1,150.00
1943	625.00	500.00	1,125.00
1944	600.00	500.00	1,100.00
1945	575.00	500.00	1,075.00
1946	550.00	500.00	1,050.00
1947	525.00	500.00	1,025.00
1948	500.00	1,000.00	1,500.00
1949	450.00	1,000.00	1,450.00

<u>Year</u>	<u>Interest</u>	<u>Principal</u>	<u>Total</u>
1950	400.00	1,000.00	1,400.00
1951	350.00	1,000.00	1,350.00
1952	300.00	1,000.00	1,300.00
1953	250.00	1,000.00	1,250.00
1954	200.00	1,000.00	1,200.00
1955	150.00	1,000.00	1,150.00
1956	100.00	1,000.00	1,100.00
1957	50.00	1,000.00	1,050.00

Payments shall be made into said account in equal monthly installments on the first of each month, except that when the first day of any month shall be a Sunday or legal holiday, then such payment shall be made on the next succeeding secular day. Said funds next hereinbefore provided for are hereby pledged for the purpose of paying the principal of and interest on the bonds herein authorized to be issued; provided, however, that after such amount of said bonds have been retired that the amount then held in the Sinking Fund is equal to the entire amount of the interest and principal that will be payable at the time of the maturity of all of the bonds then remaining outstanding, no further payments need be made into said Waterworks Bond and Interest Redemption Fund Account.

If in any Fiscal year the Town shall, for any reason, fail to set apart and pay into said bond and interest sinking fund the full amount above stipulated, then an amount equivalent to such deficiency shall be set apart and paid into said bond and interest redemption sinking fund from the first available gross income and revenues of the following year or years, and same shall be in addition to the amount otherwise herein provided to be so set apart and paid during such succeeding year or years.

Said bond and interest redemption account as hereinbefore provided for shall be used solely and only and is hereby irrevocably pledged for the purpose of paying the principal of and interest on the bonds herein authorized to be issued. Interest on said bonds accruing prior to the completion of the construction of said waterworks system shall be paid from the proceeds of said bonds to the extent such interest is not received as accrued interest, and, upon the sale and delivery of said bonds and the receipt of the proceeds, the sum of not less than \$750.00, including the accrued interest received, shall be withdrawn from said proceeds and placed in said bond and interest redemption sinking fund to pay said interest. Whenever and as a sufficient surplus shall have been accumulated in the operation and maintenance account hereinafter created to balance the amount of the proceeds of said bonds so used to pay said interest, there shall be a reimbursement from said operation and maintenance account to said bond and interest redemption account to the amount thereof. Any part of the money received from the sale of said bonds remaining unexpended after the completion of the construction of the said waterworks system shall be paid into said Bond and Interest Redemption Fund and shall be used only for the payment of the principal of said bonds or to acquire outstanding bonds of said issue by purchase at public or private sale at a price not to exceed the face amount thereof, exclusive of accrued interest. Any bonds so acquired by purchase shall be cancelled and shall not be re-issued.

Eighty-five per centum (85%) of the balance of the gross income and revenues remaining after the aforesaid payments therefrom into said bond and interest redemption sinking fund shall be set aside into an account hereby designated to be known as the "Operation and Maintenance Account", to be used and expended

for the proper operation and maintenance of said waterworks system, including the maintenance of insurance thereon as hereinafter provided, the Board of Trustees of the Town of Russell Springs, Kentucky, hereby finding and determining that said 85 % of such balance of the income and revenues of said waterworks system is necessary for the proper operation and maintenance thereof, but is not in excess of the amount required for said purpose.

The remaining fifteen per centum (15 %) of such balance of the gross income and revenues of said waterworks system shall be set aside into an account hereby designated to be known as the "Depreciation Fund", and to be used and expended in making good any depreciation in said waterworks system and in making any extensions, additions or constructions to the waterworks, the Board of Trustees of the Town of Russell Springs, Kentucky, hereby finding and determining that such proportion of such balance of the income and revenues is sufficient for said purposes. Any accumulation in said Depreciation Fund in excess of \$250.00 shall be invested in direct obligations of the United States of America, and the income from such investments shall be carried in the Depreciation Fund, and said Fund shall be used and expended only for the purposes hereinbefore set out. The Board of Trustees of said Town may order the sale of any investments of said fund whenever necessary to make expenditures for the purposes authorized.

SECTION SEVEN. It is hereby covenanted and agreed by said Town of Russell Springs, Kentucky, that, so long as any of the bonds herein authorized remain outstanding and unpaid, either principal or interest, it will continuously operate and maintain said waterworks system and will fix and maintain such rates for water and water service and collect and account for income and revenues from said waterworks system as will be sufficient in

each fiscal year period:

1. To pay when due the principal of and interest on the bonds herein authorized, and to provide during each fiscal year the sums required to be paid into the Bond and Interest Redemption Fund under Section Four of this ordinance.
2. To pay all costs of operation and maintenance of the waterworks system, including the maintaining of insurance thereon as hereinafter provided, and
3. To provide an adequate Depreciation Fund for the Waterworks System.

Compensation for services rendered to said Town shall in like manner be charged against the Town, and payment for the same shall be made monthly from the corporate funds and apportioned to said Bond and Interest Redemption Fund and for the operation, maintenance and depreciation of said waterworks system as hereinbefore provided.

SECTION EIGHT. The Town of Russell Springs, Kentucky, hereby covenants and agrees with the holder or holders of the bonds herein authorized to be issued, or any of them, that it will faithfully and punctually perform all duties with reference to said waterworks system required by the Constitution and laws of the Commonwealth of Kentucky, including the making and collection of reasonable and sufficient rates for services rendered by said waterworks system and make application thereof to the respective funds created by this ordinance; and the said Town irrevocably covenants, binds and obligates itself not to sell, lease, mortgage, or in any manner dispose of said waterworks system, including any and all extensions and additions that may be made thereto, except the mortgage as provided in Section Seven hereof, until all the bonds herein authorized to be issued shall have been paid in full, both principal and interest, or unless and until provisions shall have been made for the payment

of said bonds, and interest thereon, in full, and the Town further covenants and agrees with the holders of said bonds that it will at all times efficiently maintain and carry on the operations and business of the waterworks system and will keep the same and every part thereof in good condition, repair, and working order, and will charge and collect such rates for services rendered by said waterworks system that the gross revenues will be sufficient to produce the sum required for the Bond and Interest Redemption Fund, to provide for the payment of the cost of the operation and maintenance thereof, and to provide an adequate Depreciation Fund for said system, as provided herein.

SECTION NINE. That, for the further protection of the holders of the bonds herein authorized to be issued and the coupons thereto attached, a statutory mortgage lien upon said waterworks system and all the properties connected therewith and belonging thereto is granted and created by Chapter 133 of the Session Acts of the General Assembly of Kentucky for 1926, as amended by Chapter 92 of the Session Acts of said General Assembly for 1930, which said statutory mortgage lien is hereby recognized and declared to be valid and binding upon the Town of Russell Springs, Kentucky, and all the property constituting the waterworks system of said town, as provided by law, and it shall take effect immediately upon the delivery of any bonds authorized to be issued under the provisions of this ordinance. Any holder of said bonds, or of any of the coupons, may, either at law or in equity, by suit, action, mandamus, or other proceedings protect the statutory mortgage lien hereby conferred, and may by suit, action, mandamus, or other proceedings enforce and compel performance of all duties required by said Acts, including the making and collecting of sufficient rates and segre-

gation of the gross income and revenues and the application thereof.

If there by any default in the payment of the principal of and interest on any of said bonds, then, upon the filing of suit by any holder of said bonds or of any of the coupons, any court having jurisdiction of the action may appoint a receiver to administer said waterworks system on behalf of the Town with power to charge and collect rates sufficient to provide for the payment of any bonds or obligations outstanding against said waterworks system and for the payment of the operating expenses and to apply the gross income and revenues in conformity with this ordinance and the provisions of said Statute Laws of Kentucky, aforesaid.

SECTION TEN. As long as any of said bonds are outstanding and unpaid, the Town of Russell Springs will carry insurance upon all of the insurable property and equipment of said waterworks system against loss by fire, tornado and other casualties usually insured against by private companies operating similar enterprises, said insurance to be carried with reliable companies of good financial standing generally insuring against such hazards. Should any loss be sustained which is covered by said insurance, any moneys received to cover the same or for the sale of any property or equipment of the waterworks system shall be used and appropriated as follows:

1. For replacements and/ or repairs, betterments, improvements, extensions or additions to the waterworks system.
2. The creation of a sinking fund to provide for the payment of the bonds.
3. For the purchase at public or private sale of any of the said bonds outstanding as hereinbefore provided.

SECTION ELEVEN. The Town of Russell Springs shall keep at all times proper books of record and account, which shall be entire-

ly separate from all other records and accounts of said Town, in which full and correct entries shall be made of all dealings and transactions relating to the properties, business and affairs of the waterworks system, and shall, not later than two months after the close of any fiscal year, prepare a balance sheet and an income and surplus account showing the financial condition of said waterworks system and the results of the operation thereof for such year; all of which reports shall be open to examination and inspection by the holder of any of the bonds.

SECTION TWELVE. The bonds authorized to be issued hereunder and from time to time outstanding shall not be entitled to priority one over the other in the application of the revenues of said waterworks system, or with respect to the statutory mortgage lien securing their payment, regardless of the time or times of their issuance, it being the intention of the Board of Trustees of the Town that there shall be no priority among the bonds authorized to be issued under the provisions of this ordinance regardless of the fact that they may be actually issued and delivered at different times.

The provisions of this ordinance shall constitute a contract between the Town of Russell Springs and the holders of the bonds herein authorized to be issued, and no change, variation, or alteration of any kind of the provisions of this ordinance shall be made in any manner except as herein provided until such time as all of said bonds and the interest thereon have been paid in full.

SECTION THIRTEEN. The said bonds bearing numbers one (1) to thirty (30) in the aggregate principal amount of Fifteen Thousand (\$15,000.00) Dollars hereby authorized shall be executed as hereinbefore authorized as soon after the adoption of this ordinance as may be deemed advisable by the Chairman of and Board of Trustees

of Russell Springs, Kentucky, and be thereupon deposited with the Town Treasurer.

The said bonds hereby authorized may be issued and sold in such amounts and in such manner and upon such terms as the said Chairman of and Board of Trustees shall deem for the best interests of the Town of Russell Springs, and the proceeds thereof shall be used only to defray the cost of constructing, erecting and installing the said waterworks system, except that provisions shall be made for the payment of the interest accruing upon said bonds prior to the completion of the construction of said waterworks system as hereinbefore provided for, and, except that if any part of the money received from the sale of said bonds remains unexpended after the completion of the construction of the said waterworks system, the said part so remaining unexpended shall be paid into said Bond and Interest Redemption Account hereinbefore created and provided for to be used as hereinbefore provided.

SECTION FOURTEEN. If any section, paragraph, clause or provision of this ordinance shall be held to be invalid, the invalidity of such section, paragraph, clause or provision shall not effect any of the remaining provisions of this ordinance.

SECTION FIFTEEN. All ordinances, resolutions, orders, or parts thereof, in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

SECTION SIXTEEN. This ordinance shall be in full force and effect upon its adoption, approval, and publication as required by law.

Introduced the 27 day of October, 1936.

Adopted and approved this 5 day of November, 1936

J. K. Kunkin
Chairman Board of Trustees.

ATTEST:

Seth White
Town Clerk.