

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2436

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: BOND COUNSEL

RESOLUTION APPROVING THE HOLDING OF AN ELECTION IN SEWERAGE DISTRICT NO. 6 OF THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA, ON SATURDAY, OCTOBER 4, 2008, TO AUTHORIZE THE SALE OF CERTAIN FACILITIES OF THE DISTRICT

WHEREAS, the Board of Supervisors of Sewerage District No. 6 of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of Sewerage District No. 6 of the Parish of St. Tammany, State of Louisiana (the "District"), adopted a resolution on June 23, 2008, calling a special election in the District on Saturday, October 4, 2008, to authorize the sale of certain facilities of the District therein; and

WHEREAS, the governing authority of the District has requested that this Parish Council, acting as the governing authority of the Parish of St. Tammany, State of Louisiana, give its consent and authority for the District to hold the aforesaid election, and in the event that the election carries to sell the facilities as provided for therein; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Parish Council to approve the holding of said election and in the event that the election carries, to sell the facilities as provided for therein;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of St. Tammany, State of Louisiana, acting as the governing authority of said Parish, that:

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Supervisors of Sewerage District No. 6 of the Parish of St. Tammany, State of Louisiana, this Parish Council hereby approves the holding of an election in the District, on Saturday, October 4, 2008, at which election there will be submitted the following proposition, to-wit:

SEWERAGE SYSTEM SALE PROPOSITION

SUMMARY: AUTHORITY FOR SEWERAGE DISTRICT NO. 6 OF THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA (THE "DISTRICT"), TO SELL THE DISTRICT'S SEWERAGE COLLECTION LINES AND APPURTENANT EQUIPMENT AND FURNISHINGS TO UTILITIES, INC. (THE "PURCHASER"), AS PER THE WRITTEN PROPOSAL DATED AS OF JUNE 18, 2008, WHICH PROVIDES GENERALLY FOR THE SALE OF SAID FACILITIES TO THE PURCHASER FOR AN AMOUNT OF APPROXIMATELY \$896,000, WITH THE NET PROCEEDS DERIVED FROM SUCH SALE, AFTER PAYMENT OF EXPENSES, ADJUSTMENTS AND ANY MUTUALLY AGREED REDUCTIONS, TO BE USED TO RETIRE OR DEFEASE THE OUTSTANDING INDEBTEDNESS OF THE DISTRICT WITH THE REMAINING PROCEEDS TO BE TRANSFERRED TO THE DISTRICT FOR EXPENDITURES FOR ANY LAWFUL PURPOSE.

Shall Sewerage District No. 6 of the Parish of St. Tammany, State of Louisiana (the "District"), under the authority of Sub-Part A, Part III, Chapter 10, Title 33 of the Louisiana Revised Statutes of 1950, as amended, be authorized to sell the District's sewerage collection lines and appurtenant equipment and furnishings to Utilities, Inc. (the "Purchaser"), as per the written proposal dated as of June 18, 2008, on file in the office of the District at St. Tammany Sewer District No. 6, 19432A Hwy. 36, Covington, Louisiana, and available for public inspection, which proposal provides generally for the sale of said facilities to the Purchaser for an amount of approximately \$896,000, with the net proceeds derived from such sale, after payment of expenses, adjustments and mutually agreed reductions, to be used to retire or defease the outstanding indebtedness of the District with the remaining proceeds to be transferred to the District for expenditures for any lawful purpose?

SECTION 2. In the event the election carries, this Parish Council does hereby further consent to and authorize the District to take the action authorized in the proposition.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY \_\_\_\_\_, SECONDED BY \_\_\_\_\_:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 7<sup>TH</sup> DAY OF AUGUST, 2008, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

\_\_\_\_\_  
JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

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THERESA L. FORD, COUNCIL CLERK