

RESOLUTION NO. 15-081

Commissioner Cymbaluk introduced the following Resolution and moved its adoption:

RESOLUTION CREATING WATER, SEWER, AND STREET IMPROVEMENT DISTRICT 15-15 OF THE CITY OF WILLISTON, NORTH DAKOTA.

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA:

1. There is hereby created an Improvement District in the City of Williston, to be designated and known as **WATER, SEWER, AND STREET IMPROVEMENT DISTRICT 15-15** created for the purpose of:

Reconstructing the water, sewer and street systems along 2nd and 3rd Avenues East from 6th to 11th Street and along 7th, 8th and 9th Streets from the alley between 2nd and 3rd Avenues East to University Avenue.

2. That said **WATER, SEWER, AND STREET IMPROVEMENT DISTRICT 15-15** shall contain and involve the following described real property situated in the City of Williston, Williams County, North Dakota, described as follows:

Lots 10 to 17 of Block 1, all of Block 2 and Lots 1 to 12 of Block 3 of the Leonhardy Addition; Lots 1 to 6 of Block 11 of the Bruegger's 2nd Addition; all of Block 30, all of Block 31 and Lots 1 to 6 of Block 32 of the Bruegger's 3rd Addition; Lot 1 and Lots 7 to 12 of Block 37 of the Bruegger's 5th Addition; and all of Block 38, Lots 1 to 5, the south 90 feet of Lots 6 and 7 and Lots 8 to 15 of Block 39, all of Block 40 and Lots 1 to 6 of Block 41 of the Bruegger's 7th Addition.


As shown on the attached map.

3. That the City Auditor be directed to sign the attached **DECLARATION OF INTENT**.

The motion for the adoption of the foregoing Resolution was duly seconded by Commissioner Brostuen, and upon vote being taken thereon, the following Commissioners voted "AYE": Piesik, Cymbaluk, Brostuen and Klug and the following voted "NAY": None. Absent and not voting: Bekkedahl. Whereupon said motion was declared duly passed and adopted this **28TH Day of April, 2015**.

ATTEST:


John Kautzman, City Auditor


Board of City Commissioners
Howard Klug, President

Publish:
May 3, 2015
May 10, 2015

DECLARATION OF OFFICIAL INTENT

The undersigned, being the duly appointed and acting City Auditor of the City of Williston, North Dakota (the "City"), pursuant to and for purposes of compliance with Treasury Regulations, Section 1.150-2 (the "Regulations"), under the Internal Revenue Code of 1986, as amended, hereby states and certifies as follows:

1. The undersigned has been and is on the date hereof duly authorized by the governing body of the City to make and execute this Declaration of Official Intent (the "Declaration") for and on behalf of the governing body.
2. The City is undertaking a project described as follows:

WATER, SEWER, AND STREET IMPROVEMENT DISTRICT 15-15
3. The City intends, and reasonably expects, to reimburse itself for the payment of the cost of the project out of the proceeds of a tax-exempt bond issue, debt, or similar borrowing (the "Bonds") to be issued at a later date. Such reimbursement will be made no later than eighteen (18) months after the latter of (a) the date of the expenditure, or (b) the date the project is placed in service or abandoned, but in no event more than three (3) years after the date of expenditure. In the meantime, the City reasonably expects to pay and temporarily finance the costs from the **Pooled Funds of the City**.
4. The maximum principal amount of Bonds expected to be issued for the payment of the costs of the project is: \$ 4,600,000 .
5. No costs of the project have heretofore been paid by the City, except for preliminary or start-up expenditures permitted under Section 1-150-2(f)(2) or an expenditure which occurred within sixty (60) days of the date of this Declaration. The City will only reimburse itself for capital expenditures and costs of issuance of the Bonds. In addition, the reimbursement allocation will be evidenced by a proper entry on the City's books and records.

IN WITNESS WHEREOF, the undersigned has executed this Declaration on the 28th day of March, 2015.

CITY OF WILLISTON

BY:



City Auditor