

**LEGAL NOTICE
ORDINANCE NO. 650**

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF THE CITY OF PRICHARD'S \$100,000 GENERAL OBLIGATION WARRANT
BE IT ORDAINED by the City Council of the City of Prichard, Alabama, as follows:

Section 1. FINDINGS RESPECTING THE IMPROVEMENTS. The City Council (herein called "the council") of the City of Prichard (herein called "the city") has ascertained and determined and does hereby declare as follows: Certain Street and sidewalk improvement, including the resurfacing of streets, are needed in the city; the city does not now have and will not have available prior to completion of the said improvements moneys sufficient to pay the cost thereof; and it will be necessary for the city to borrow the sum of \$100,000 on the faith and credit of the city for the purpose of paying the cost of the improvements and in evidence thereof to issue the warrant of the city hereinafter authorized.

Section 2. AUTHORIZATION OF WARRANT. Pursuant to the provisions of the constitution and laws of the State of Alabama, including particularly Section 466 of Title 37 of the Code of Alabama of 1940, and for the purpose of raising funds to pay costs incurred and to be incurred in construction of the improvements, there is hereby authorized to be borrowed from The Merchants National Bank of Mobile the principal sum of \$100,000, to be evidenced by one General Obligation Improvement Warrant (herein called "the warrant") of the city in the principal amount of \$100,000, which shall be dated

May 1, 1956, which shall mature in five annual installments of principal in the amount of \$20,000 each, payable on the first day of May in each of the years 1957 to 1961, inclusive, and which shall bear interest from its date until its maturity at the rate of 4% per annum payable, with respect to the then unpaid balance of principal, on May 1, 1957, and thereafter quarterly on the first day of each succeeding August, October, February and May until and including May 1, 1961. The principal of and the interest on the warrant shall be payable in lawful money of the United States of America at the Prichard Branch of The Merchants National Bank of Mobile in the City of Mobile in the State of Alabama.

Section 3. PREPAYMENT PRIVILEGE. The city reserves the privilege of prepaying all or part of the principal of the warrant at any time prior to maturity; provided, that if a portion only of the principal of the warrant then remaining unpaid shall be paid prior to maturity, the portion of principal so prepaid must be an amount equal to \$1,000 or a multiple thereof, and the portion of the principal so prepaid shall be deemed to be that part of the then outstanding principal having the latest maturity; and provided, further, that all accrued and unpaid interest with respect to any part or all of the principal that shall be so paid prior to maturity shall be paid simultaneously with the payment of the principal so prepaid.

Section 4. EXECUTION OF THE WARRANT. The warrant shall be executed and the corporate seal of the city shall be affixed thereto by the mayor, and the city clerk shall attest the same by affixing her signature thereto. The warrant shall be registered by the city treasurer in the records maintained by her as a claim against the city and against the assessments hereinafter pledged for payment thereof. Said officers are hereby directed so to execute, attest and register the warrant.

Section 5. GENERAL OBLIGATION. The indebtedness evidenced and ordered paid by the warrant is and shall be a general obligation of the city for the payment of the principal of and interest on which the full faith and credit of the city are hereby irrevocably pledged.

Section 6. FORM OF WARRANT. The warrant and the provisions for assignment thereof shall be in substantially the following form:

(Form of Warrant)

\$100,000 \$100,000
UNITED STATES OF AMERICA
STATE OF ALABAMA
CITY OF PRICHARD
GENERAL OBLIGATION
STREET IMPROVEMENT
WARRANT

The City Treasurer of the City of Prichard (herein called "the city"), a municipal corporation in the State of Alabama, is hereby ordered to pay to The Merchants National Bank of Mobile, or its assigns, the principal sum of
ONE HUNDRED THOUSAND DOLLARS

in five annual installments of \$20,000 each, payable on the 1st day of May in each of the years 1957 to 1961, inclusive, with interest at the rate of 4% per annum, with respect to the then unpaid balance of principal, payable on May 1, 1957, and thereafter quarterly on the first day of each succeeding August, October, February, and May until and including May 1, 1961. Both the principal hereof and the interest hereon shall be payable in lawful money of the United States of America at the Prichard Branch of The Merchants National Bank of Mobile in the City of Prichard in the State of Alabama. The city reserves the privilege of prepaying all or part of the principal of this warrant at any time prior to maturity; provided, that if a portion only of the principal then remaining unpaid shall be paid prior to maturity, the portion of principal so prepaid must be an amount equal to \$1,000 or a multiple thereof, and the portion of the principal so prepaid shall be deemed to be that part of the then outstanding principal having the latest maturity, and provided, further, that all accrued and unpaid interest with respect to any part or all

of the principal hereof that shall be so paid prior to maturity shall be paid simultaneously with the payment of the principal so pre-paid.

This warrant has been issued pursuant to the applicable provisions of the constitution and laws of the State of Alabama, including particularly Section 466 of Title 37 of the Code of Alabama of 1940, and an ordinance of the city duly adopted by the governing body of the city, for the purpose of paying costs incurred and to be incurred in making improvements to certain public streets in the city. The indebtedness evidenced and ordered paid by this warrant is a general obligation of the city, for the payment of the principal of and interest on which the full faith and credit of the city have been irrevocably pledged.

It is hereby certified and recited that the indebtedness evidenced and ordered paid by this warrant is lawfully due without condition, abatement or offset of any description; that this warrant has been registered in the manner provided by law; that all conditions, actions and things required by the constitution and laws of the State of Alabama to exist, be performed or happen precedent to and in the issuance of this warrant exist, have been performed and have happened; and that the indebtedness evidenced and ordered paid by this warrant, together with all other indebtedness of the city, was at the time the same was created and is now within every debt and other limit prescribed by the constitution and laws of the State of Alabama.

IN WITNESS WHEREOF, the city has caused this warrant to be executed and its official seal to be hereto affixed by its mayor, has caused the same to be attested by its city clerk, both of whom have hereunto subscribed their signatures, and has caused this warrant to be dated May 1, 1956.

CITY OF PRICHARD

By G. V. DISMUKES, Mayor

Attest:

BERNIECE H. CENTANNE,
City Clerk

(Form of Assignment)

For value received, this warrant and the indebtedness thereby evidenced and ordered paid are hereby transferred and assigned, without recourse or warranty, to

Section 7. DELIVERY OF THE WARRANT; USE OF PROCEEDS THEREFROM. The city treasurer is hereby authorized and directed to deliver the warrant to the said lender upon payment to the city treasurer, for the account of the city, of the principal amount of the warrant plus interest accrued thereon to the date of such delivery. The proceeds from the warrant shall be used solely for the purpose for which it is authorized to be issued.

Adopted and approved this 7th day of May, 1956.

G. V. DISMUKES, Mayor

Authenticated:

BERNIECE H. CENTANNE,
City Clerk

Published in The Citizen issue of May 10, 1956.

Approved: _____