

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF THE CITY OF PRICHARD'S \$30,000 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: The city is badly in need of new garbage trucks to be used for picking up garbage, trash and other refuse and in order to assist in the exercise of the sanitary functions of the city; arrangements have been made for the purchase of such trucks at a cost in excess of \$30,000 and the city does not have and will not have available from its current revenues funds sufficient to pay the cost thereof; and it will be necessary for the city to borrow the sum of \$30,000 on its faith and credit for the purpose of paying the cost of said trucks and in evidence of the money so borrowed to issue the warrant 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 the cost of acquiring garbage trucks for the city to be used as a part of its sanitary department for picking up of garbage, trash and other refuse, there is hereby authorized to be borrowed from The Merchants National Bank of Mobile the principal sum of \$30,000, to be evidenced by one General Obligation Warrant (herein called "the warrant") of the city in the principal amount of \$30,000 which shall be dated the date on which the loan evidenced thereby shall be consummated, shall mature in thirty monthly installments in the principal amount of \$1,000 each on the 10th day of each successive month commencing with the month of June, 1957, and 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 the principal evidenced by the warrant, on June 10, 1957, and thereafter on the 10th day of each successive month. 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 Prichard 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 on the 10th day of any calendar month, such prepayment to be made without the payment of any premium; provided, that if less than the entire principal evidenced by the warrant at the time remaining unpaid should be so paid prior to maturity then the portion of the 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 applied on the installments of the principal then remaining unpaid in the inverse order of their maturities so that the portion so prepaid shall be deemed to be that part or parts of the then unpaid principal having the latest maturity or maturities; and provided further, that all accrued and unpaid interest with respect to all of the principal remaining unpaid immediately prior to such partial payment 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. 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:

UNITED STATES OF AMERICA
 STATE OF ALABAMA
 CITY OF PRICHARD
 GENERAL OBLIGATION 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

THIRTY THOUSAND DOLLARS

in monthly installments of \$1,000 each, payable on the 10th day of each succeeding calendar month commencing with the month of June 1957 and continuing each month thereafter until the entire of the said principal shall have been paid, together with interest at the rate of 4% per annum on that portion of the said principal which shall remain unpaid at the maturity date of each such installment, which interest on the said unpaid balance shall become payable at the respective maturities of the said principal installments. 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 and shall have the privilege of prepaying all or part of the principal of this warrant at any time prior to maturity; provided, that if less than the entire principal at the time remaining unpaid shall be so paid prior to maturity then the portion of the principal so prepaid must be an amount equal to \$1,000 or any multiple thereof, and the portion of the principal so prepaid shall be applied on the said principal installments in the inverse order of the maturity thereof so that 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 all of the principal remaining unpaid immediately prior to such partial payment shall be paid simultaneously with the payment of the principal so prepaid.

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 the costs of acquiring garbage trucks for use in picking up garbage, trash and other refuse 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 hereto subscribed their signatures, and has caused this warrant to be dated
 May , 1957.

CITY OF PRICHARD

By _____

Its Mayor

Attest:

 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 and 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. The proceeds from the warrant shall be used solely for the purpose for which it is authorized to be issued.

Adopted and approved this 6th day of May, 1957.

Mayor

Authenticated:

