AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE REFUNDING BONDS TO PAY PART OF THE COST OF REFUNDING ALL OR PART OF THE 1998 GENERAL OBLIGATION WASTEWATER BONDS (UNLIMITED TAX) ISSUED BY THE CITY AND TO PRESCRIBE THE FORM OF THE REFUNDING BONDS; TO PROVIDE FOR THE COLLECTION OF REVENUES FROM THE SYSTEM SUFFICIENT FOR THE PURPOSE OF PAYING THE COSTS OF OPERATION AND MAINTENANCE OF THE SYSTEM AND TO PAY THE PRINCIPAL OF AND INTEREST ON THE REFUNDING BONDS; TO PROVIDE AN ADEQUATE RESERVE FUND FOR THE REFUNDING BONDS; TO PROVIDE FOR THE SEGREGATION AND DISTRIBUTION OF THE REVENUES; TO PROVIDE FOR THE RIGHTS OF THE HOLDERS OF THE REFUNDING BONDS IN ENFORCEMENT THEREOF; AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE SYSTEM AND THE REFUNDING BONDS.

THE CITY OF STANDISH ORDAINS:

<u>Section 1</u>. <u>Definitions</u>. Whenever used in this Ordinance, except when otherwise indicated by the context, the following terms shall have the following meanings:

- (a) "Act 94" means Act 94, Public Acts of Michigan, 1933, as amended.
- (b) "Bonds" mean the Refunding Bonds.
- (c) "Bond Purchase Agreement" means the Bond Purchase Agreement relating to the purchase of the Refunding Bonds by and between the City and the Underwriter.
- (d) "Issuer" or "City" means the City of Standish, County of Arenac, State of Michigan.
- (e) "Mandatory Redemption Requirements" means the mandatory prior redemption requirements for Bonds that are term Bonds, if any, as specified in the Bond Purchase Agreement relating to the Refunding Bonds or in any subsequent Ordinance in connection with the issuance of additional bonds.
- (f) "Outstanding Bonds" means the outstanding 1998 Sewage Disposal System Revenue Bonds in the original principal amount of \$400,000 and the 1999 Sewage Disposal System Revenue Bonds in the original principal amount of \$425,000.

ER, CANFIELD, PADDOCK AND STONE, P.L.

- (g) "Outstanding Ordinances" means the ordinances adopted by the City Council authorizing the issuance of the Outstanding Bonds.
- (h) "Refunded Bonds" means the 1998 General Obligation Wastewater Bonds (Unlimited Tax) issued pursuant to the Refunded Bonds Resolution in the outstanding principal amount of \$1,121,000.
- (i) "Refunded Bonds Resolution" means Resolution Authorizing Issuance and Sale of the Refunded Bonds adopted by the City Council on November 23, 1998.
- (j) "Refunding Bonds" means the Wastewater System Revenue Refunding Bonds, Series 2007 of the Issuer authorized by this Ordinance.
- (k) "Revenues" and "Net Revenues" mean the revenues and net revenues of the System and shall be construed as defined in Section 3 of Act 94, including with respect to "Revenues," the earnings derived from the investment of moneys in the various funds and accounts established by this Ordinance.
- (l) "Sale Order" means the order of the Mayor, the City Manager, the City Clerk or the City Treasurer of the City respecting the sale of the Refunding Bonds.
- (m) "Sufficient Government Obligations" means direct obligations of the United States of America or obligations the principal and interest on which is fully guaranteed by the United States of America, not redeemable at the option of the issuer, the principal and interest payments upon which, without reinvestment of the interest, come due at such times and in such amounts as to be fully sufficient to pay the interest as it comes due on the Bonds and the principal and redemption premium, if any, on the Bonds as it comes due whether on the stated maturity date or upon earlier redemption. Securities representing such obligations shall be placed in trust with a bank or trust company, and if any of the Bonds are to be called for

redemption prior to maturity, irrevocable instructions to call the Bonds for redemption shall be given to the paying agent.

- (n) "System" means the entire Sewage Disposal System of the City including all plants, works, instrumentalities and properties, used or useful in connection with the distribution of water and the collection and treatment of sewage and all additions, extensions, and improvements hereafter acquired.
- (o) "Underwriter" means Robert W. Baird & Co., as the purchaser of the Refunding Bonds.

Section 2. Payment of Part of Cost; Bonds Authorized. To pay all or part of the cost of refunding the Refunded Bonds, including payment of all legal, financial and other expenses incident thereto and incident to the issuance and sale of the Refunding Bonds, the City shall borrow the sum of not to exceed One Million Seven Hundred Thousand Dollars (\$1,700,000), or such lesser amount as finally determined in the Sale Order, and issue the Refunding Bonds therefor pursuant to the provisions of Act 94. The remaining cost of refunding the Refunded Bonds, if any, shall be defrayed from City funds on hand and legally available for such use including monies in the bond reserve accounts for the Outstanding Bonds.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

Section 3. Bond Details, Registration and Execution. The Bonds hereby authorized shall be designated WASTEWATER SYSTEM REVENUE REFUNDING BONDS, SERIES 2007, shall be payable solely and only out of the Net Revenues, as set forth more fully herein, shall consist of bonds of the denomination of \$5,000, or integral multiples of \$5,000 not exceeding in any one year the amount maturing in that year, dated as of the date of delivery, numbered in order of authentication, and shall mature as shall be determined in the Sale Order.

The Bonds shall bear interest at a rate or rates set forth in the Bond Purchase Agreement, but in any event not exceeding 7.50% per annum, payable as determined in the Sales Order, by check or draft

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

mailed by the Transfer Agent (as defined in the Sale Order) to the person or entity who or which is, as of the 15th day of the month preceding the interest payment date, the registered owner at the registered address as shown on the registration books of the Issuer maintained by the Transfer Agent. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Issuer to conform to market practice in the future. The principal of the Bonds shall be payable at the principal corporate trust office of the Transfer Agent. The Bonds shall be sold at the price set forth in the Bond Purchase Agreement.

The Bonds may be subject to redemption prior to maturity at the times and prices and in the manner finally determined by the Sale Order.

In case less than the full amount of an outstanding Bond is called for redemption, the Transfer Agent upon presentation of the Bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption. Notice of redemption shall be given in the manner specified in the form of the Bonds contained in Section 13 of this Ordinance.

The Bonds shall be executed in the name of the Issuer with the facsimile signatures of the Mayor and the City Clerk and shall have a facsimile of the Issuer's seal printed on them. No Bond shall be valid until authenticated by an authorized signer of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the Underwriter in accordance with instructions from the Treasurer of the Issuer upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

Section 4. Registration and Transfer. Any Bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by the

registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the Issuer shall execute and the transfer agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The Transfer Agent shall not be required (i) to issue, register the transfer of or exchange any Bond during a period beginning at the opening of business 15 days before the day of the giving of a notice of redemption of Bonds selected for redemption as described in the form of Bonds contained in Section 13 of this Ordinance and ending at the close of business on the day of that giving of notice, or (ii) to register the transfer of or exchange any Bond so selected for redemption in whole or in part, except the unredeemed portion of Bonds being redeemed in part. The Issuer shall give the Transfer Agent notice of call for redemption at least 20 days prior to the date notice of redemption is to be given.

The Transfer Agent shall keep or cause to be kept, at its principal office, sufficient books for the registration and transfer of the Bonds, which shall at all times be open to inspection by the Issuer; and, upon presentation for such purpose, the Transfer Agent shall, under such reasonable regulations as it may prescribe, transfer or cause to be transferred, on said books, Bonds as hereinbefore provided.

If any Bond shall become mutilated, the Issuer, at the expense of the holder of the Bond, shall execute, and the Transfer Agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the Transfer Agent of the mutilated Bond. If any Bond issued under this Ordinance shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the Transfer Agent and, if this evidence is satisfactory to both and indemnity satisfactory to the Transfer Agent shall be given, and if all requirements of any applicable law including Act 354, Public Acts of Michigan, 1972, as amended ("Act 354"), being sections 129.131 to 129.135,

inclusive, of the Michigan Compiled Laws have been met, the Issuer, at the expense of the owner, shall execute, and the Transfer Agent shall thereupon authenticate and deliver, a new Bond of like tenor and bearing the statement required by Act 354, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond the Transfer Agent may pay the same without surrender thereof.

The Bonds may be issued in book-entry-only form through the Depository Trust Company in New York, New York ("DTC") and any officer of the City is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry-only form and to make such changes in the Bond form with the parameters of this resolution as may be required to accomplish the foregoing.

Section 5. Payment of Refunding Bonds; Security; Priority of Lien. Principal of and interest on the Refunding Bonds and the Outstanding Bonds shall be payable from the Net Revenues. There is hereby recognized the statutory lien upon the whole of the Net Revenues created by the Outstanding Ordinances, which shall be a first lien to continue until payment in full of the principal of and interest on all Outstanding Bonds payable from the Net Revenues, or until sufficient cash or Sufficient Government Obligations have been deposited in trust for payment in full of all Outstanding Bonds of a series then outstanding, principal and interest on such Outstanding Bonds to maturity, or, if called for redemption, to the date fixed for redemption together with the amount of the redemption premium, if any. Upon deposit of cash or Sufficient Government Obligations, as provided in the previous sentence, the statutory lien shall be terminated with respect to that series of Outstanding Bonds, the holders of that series shall have no further rights under the Outstanding Ordinances or this Ordinance, except for payment from the

, CANFIELD, PADDOCK AND STONE, P.L.C.

deposited funds, and the Outstanding Bonds of that series shall no longer be considered to be outstanding under the Outstanding Ordinances or this Ordinance.

Section 6. Bondholders' Rights: Receiver. The holder or holders of the Bonds representing in the aggregate not less than twenty percent (20%) of the entire principal amount thereof then outstanding, may, by suit, action, mandamus or other proceedings, protect and enforce the statutory lien upon the Net Revenues of the System, and may, by suit, action, mandamus or other proceedings, enforce and compel performance of all duties of the officers of the Issuer, including the fixing of sufficient rates, the collection of Revenues, the proper segregation of the Revenues of the System and the proper application thereof. The statutory lien upon the Net Revenues, however, shall not be construed as to compel the sale of the System or any part thereof.

If there is a default in the payment of the principal of or interest on the Bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the System on behalf of the Issuer and under the direction of the court, and by and with the approval of the court to perform all of the duties of the officers of the Issuer more particularly set forth herein and in Act 94.

The holder or holders of the Bonds shall have all other rights and remedies given by Act 94 and law, for the payment and enforcement of the Bonds and the security therefor.

Section 7. Management; Fiscal Year. The operation, repair and management of the System shall be under the supervision and control of the City Council. The City may employ such person or persons in such capacity or capacities as it deems advisable to carry on the efficient management and operation of the System. The City Council may make such rules and regulations as it deems advisable and necessary to assure the efficient management and operation of the System. The Fiscal Year for the System shall be the same as the fiscal year of the City.

Section 8. Rates and Charges. The rates and charges for service furnished by and the use of the System and the methods of collection and enforcement of the collection of the rates shall be those in effect on the date of adoption of this Ordinance.

Section 9. No Free Service or Use. No free service or use of the System, or service or use of the System at less than the reasonable cost and value thereof, shall be furnished by the System to any person, firm or corporation, public or private, or to any public agency or instrumentality, including the Issuer.

Section 10. Fixing and Revising Rates. The rates presently in effect in the City are estimated to be sufficient to provide for the payment of the expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the System in good repair and working order, to provide for the payment of the principal of and interest on the Bonds as the same become due and payable, and the maintenance of the reserve therefor and to provide for all other obligations, expenditures and funds for the System required by law and this Ordinance. The rates shall be reviewed not less than once a year and shall be fixed and revised from time to time as may be necessary to produce these amounts, and it is hereby covenanted and agreed to fix and maintain rates for services furnished by the System at all times sufficient to provide for the foregoing.

Section 11. Bond Reserve Account. The Reserve Account in the Bond and Interest Redemption Fund, as established by the Outstanding Ordinances shall be maintained.

All of the provisions relative to the use of said Bond Reserve Account, its maintenance and other details relative thereof, shall remain as specifically as set forth in the Outstanding Ordinances.

No further payments need be made into the Bond and Interest Redemption Fund after enough of the Bonds have been retired so that the amount then held in the Bond and Interest Redemption Fund (including the Bond Reserve Account), in cash or Sufficient Government Obligations, is equal to the entire amount of principal and interest which will be payable at the time of maturity of all the Bonds then remaining outstanding and the moneys so held shall be used solely to pay the principal of and interest on the Bonds as the Bonds become due.

Section 12. Bond Proceeds. From the proceeds of the sale of the Refunding Bonds there shall be immediately deposited in the Bond and Interest Redemption Fund an amount equal to the accrued interest and premium, if any, received on the delivery of the Refunding Bonds. Certain of the proceeds of the Refunding Bonds shall be deposited in an escrow fund or funds (the "Escrow Fund") consisting of cash and investments in direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing not redeemable at the option of the Issuer in amounts fully sufficient to pay the principal, interest and redemption premiums on the Refunded Bonds, which are to be refunded hereunder and shall be used only for such purposes. The Escrow Fund shall be held by the Escrow Agent pursuant to an escrow agreement (the "Escrow Agreement") which shall irrevocably direct the Escrow Agent to take all necessary steps to pay the principal of and interest on the Refunded Bonds when due and to call the Refunded Bonds for redemption on the first call date, as specified by the Issuer. The amounts held in the Escrow Fund shall be such that the cash and investments and income received thereon will be sufficient without reinvestment to pay the principal, interest and redemption premiums on the Refunded Bonds when due at maturity or by call for redemption as required by the Sales Order. The remaining proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds. Any proceeds in excess of the proceeds deposited in the Escrow Fund or required to pay costs of issuance shall be deposited in the Redemption Fund and used to pay interest on the Bonds on the next available interest payment date.

The Manager, City Clerk and Treasurer of the Issuer are each authorized to negotiate an Escrow Agreement on behalf of the Issuer.

Section 13. Bond Form. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA STATE OF MICHIGAN COUNTY OF ARENAC

CITY OF STANDISH

WASTEWATER SYSTEM REVENUE REFUNDING BOND, SERIES 2007

Rate_	Maturity <u>Date</u>		Date of Original <u>Issue</u>	CUSIP
REGISTERED OWNER:				
PRINCIPAL AMOUNT:				DOLLARS

The City of Standish, County of Arenac, State of Michigan (the "Issuer"), acknowledges itself to owe and for value received, hereby promises to pay, solely and only out of the hereinafter described Net Revenues of the Issuer's Sewage Disposal System (hereinafter defined) the Principal Amount shown above, in lawful money of the United States of America, to the Registered Owner shown above, or registered assigns, on the Maturity Date shown above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue shown above or such later date to which interest has been paid, until paid, at the Interest Rate per annum shown above, payable on _ semiannually thereafter. Principal of this bond is payable upon surrender of this bond at the principal corporate trust office of Detroit, Michigan (the "Transfer Agent") or such other Transfer Agent as the Issuer may hereafter designate by notice mailed to the registered owner not less than 60 days prior to any interest payment date. Interest on this bond is payable by check or draft mailed by the Transfer Agent to the person or entity who is, as of the 15th day of the month preceding the interest payment date, the registered owner of record, at the registered address as shown on the registration books of the Issuer kept by the Transfer Agent. For prompt payment of principal and interest on this bond, the Issuer has irrevocably pledged the revenues of the Sewage Disposal System of the Issuer (the "System"), including all appurtenances, extensions and improvements thereto, after provision has been made for reasonable and necessary expenses of operation, maintenance and administration (the "Net Revenues"), and a statutory first lien thereon is hereby recognized and created. This bond is of equal standing and priority of lien as to the Net Revenues with the Issuer's 1998 Sewage Disposal System Revenue Bonds and the Issuer's 1999 Sewage Disposal System Revenue Bonds.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$______, issued pursuant to Ordinance No. ______ of the Issuer, duly adopted by the City Council of the Issuer (the "Ordinance"), and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended, for the purpose of paying the cost of refunding certain of the Issuer's outstanding 1998 General Obligation Wastewater Bonds (Unlimited Tax).

For a complete statement of the revenues from which and the conditions under which this bond is payable, a statement of the conditions under which additional bonds of equal standing as to the Net Revenues may hereafter be issued and the general covenants and provisions pursuant to which this bond is issued, reference is made to the above-described Ordinance.

This bond is a self-liquidating bond and is not a general obligation of the Issuer and does not constitute an indebtedness of the Issuer within any constitutional, statutory or charter debt limitation of the Issuer but is payable solely and only, both as to principal and interest, from the Net Revenues of the System. The principal of and interest on this bond are secured by the statutory lien hereinbefore mentioned.

The Issuer has covenanted and agreed, and does hereby covenant and agree, to fix and maintain at all times while any bonds payable from the Net Revenues of the System shall be outstanding, such rates for service furnished by the System as shall be sufficient to provide for payment of the interest on and the principal of the bonds of this issue and any additional bonds of equal standing as and when the same shall become due and payable, and to create and maintain a bond redemption fund (including a bond reserve account) therefor, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the System as are required by the Ordinance.

This bond is transferable only upon the books of the Issuer kept for that purpose at the office of the Transfer Agent by the registered owner hereof in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance authorizing the bonds, and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done and performed in regular and due time and form as required by law.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Standish, County of Arenac, State of Michigan, by its City Council, has caused this bond to be executed with the facsimile signatures of its Mayor and its City Clerk and a facsimile of its corporate seal to be printed on this bond, all as of the Date of Original Issue.

CITY OF ST. STANDISH

Mayo

(Seal)

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

Countersigned:

-13-

Certificate of Authentication

This bond is one of the bonds described in the within-mentioned Ordinance.

_____, Michigan
Transfer Agent

By _____
Authorized Signatory

Date of Registration:

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

Section 14. Additional Bonds. Additional bonds of equal standing and priority of lien with the Refunded Bonds may be issued only as provided in this ordinance and the Outstanding Ordinances.

Section 15. Negotiated Sale. The City determines to proceed with the sale of the Refunding Bonds by means of negotiated sale because of the flexibility provided in adjusting the terms of the Refunding Bonds at the time of sale. The City hereby retains the Underwriter to arrange for the negotiated sale of the Refunding Bonds. The Mayor, the City Manager, the City Clerk and the City Treasurer each is authorized to (a) negotiate a bond purchase agreement for the sale of the Bonds; (b) accept an offer from the Underwriter for the purchase the Refunding Bonds; and (c) execute and deliver a Sale Order approving the final principal amounts, payment dates, interest rates, sale price, redemption provisions, discount escrow agent and transfer agent, all in accordance with the provisions of this Ordinance.

Section 16. Non-arbitrage Covenant. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exemption of the interest on the Refunding Bonds from general federal income taxation (as opposed to alternative minimum or other indirect taxation) under the Internal Revenue Code of 1986, as amended, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of bond proceeds and moneys deemed to be bond proceeds.

Section 17. Qualified Tax Exempt Obligations The Issuer hereby designates the Bonds as "qualified tax exempt obligations".

Section 18. Other Matters Relating to Sale of the Bonds. The Mayor, the City Manager, the City Clerk and the City Treasurer each are authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Refunding Bonds; to cause the qualification of the Refunding Bonds for a policy of municipal bond insurance if, upon the advice

of the Underwriter, the acquisition of such insurance would be of economic benefit to the City; to obtain ratings on the Refunding Bonds; and to take all other actions necessary or advisable, and to make such other filings with the Michigan Department of Treasury or with other parties, to enable the sale and delivery of the Refunding Bonds as contemplated herein.

<u>Section 19.</u> <u>Retention of Bond Counsel.</u> The City Council hereby retains Miller, Canfield, Paddock and Stone, P.L.C. as Bond Counsel with respect to the Refunding Bonds.

Section 20. <u>Disclosure</u>. The City covenants it shall comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission ("SEC") regarding continuing disclosure as shall be more fully set forth in the Sales Resolution.

Section 21. Severability; Paragraph Headings; and Conflict. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be part of this Ordinance.

Section 22. Publication and Recordation. This Ordinance shall be published in full in the Bay City Times, a newspaper of general circulation in the City, qualified under State law to publish legal notices, promptly after its adoption, and shall be recorded in the Ordinance Book of the Issuer and such recording authenticated by the signatures of the Mayor and City Clerk.

Section 23. Effective Date. Pursuant to the provisions of Section 6 of Act 94, this Ordinance shall be approved on the date of first reading and accordingly this Ordinance shall immediately be effective upon its adoption.

Adopted and signed this 20 day of August , 2007.

Signed Kein 9. A

Signed Selly falling City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Council of the City of St. Standish, County of Arenac, Michigan, at a regular meeting held on the 20th day of August, 2007, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting:

Council Members Cousineau, Sanford and Nelson, Mayor King

and that the following Members were absent: Council Members Vollbach, Campau.

I further certify that Member Cousineau moved adoption of said Ordinance, and that said motion was supported by Member Nelson.

I further certify that the following Members voted for adoption of said Ordinance:

Council Members Cousineau, Sanford and Nelson, Mayor King and that the following Members voted against adoption of said Ordinance:

None

I further certify that said Ordinance has been recorded in the Ordinance Book and that such recording has been authenticated by the signatures of the Mayor and City Clerk.

Belly John Clerk

DELIB:2882287.1\085923-00022