

TRANSCRIPT OF PROCEEDINGS

\$76,500.00

Town of Fleming, Colorado

3½% Refunding Bonds

STATE OF COLORADO)
COUNTY OF LOGAN) SS
TOWN OF FLEMING)

The Board of Trustees of the Town of Fleming, Colorado, met in Special session, in full conformity with law and the ordinances and rules of the said Town, at the First National Bank, in said Town, being the regular meeting place of said Board on Monday, the 23rd day of October, A. D. 1939, at 8:00 o'clock, P.M.

Upon roll call the following were found to be present:

Mayor: J. L. Morris

Trustees: D. Grant E. H. Graham

J. W. Holmes R. L. Rowan

J. S. Thomas Ted H. Yount

Town Clerk: Hugh Boyd

Town Treasurer: C. L. Lippitt

Absent: None

Trustee R. L. Rowan introduced a resolution providing for the initiatory proceedings to be taken by the Board of Trustees in refunding outstanding bonded indebtedness of the Town in the aggregate amount of \$76,500.00 (Seventy-six Thousand Five Hundred Dollars), which resolution was thereupon read in full and is as follows, to-wit:

R E S O L U T I O N

WHEREAS, the Town of Fleming, Logan County, Colorado, has outstanding and unpaid bonded indebtedness in the principal sum of Seventy-six Thousand Five Hundred Dollars (\$76,500.00), consisting of \$27,000.00 4½% Refunding Bonds dated November 15, 1930, due serially \$1,000 November 15th each

year 1939 to 1945, both inclusive, and \$2,000 November 15th each year 1946 to 1955, both inclusive; and \$39,000.00 Series A 5% Refunding Bonds dated January 1, 1935, optional 1936, due serially \$1500 January 1st each year 1940 to 1961, both inclusive, and \$2,000 1962 to 1964, both inclusive; and \$10,500.00 Series B 5% Refunding Bonds dated January 1, 1935, due serially \$500 January 1st each year 1941 to 1961, both inclusive, and

WHEREAS, the Town does not have funds in its Treasury available for the purpose of redeeming said outstanding bonds or any of them; and

WHEREAS, the Board of Trustees has ascertained and determined that the owners and holders of the said outstanding bonds amounting to Seventy-six Thousand Five Hundred Dollars (\$76,500.00) have consented to exchange the same for a like amount of Refunding Bonds bearing interest at the rate of Three and one-half per centum ($3\frac{1}{2}\%$) per annum and maturing serially over a period of years from 1942 to 1969, both inclusive, and that it is for the best interests of said Town to refund said bonds; and

WHEREAS, the Board of Trustees is of the opinion and so finds, orders, certifies and determines that said indebtedness may and should be refunded and the time for the payment thereof be extended by the issuance of the Refunding Bonds of said Town in pursuance of the provisions of an Act of the General Assembly of the State of Colorado, entitled: "An Act to enable cities and towns to refund their bonded indebtedness", approved March 16, 1921, and appearing as Chapter 237 of the Session Laws of Colorado, 1921, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES
OF THE TOWN OF FLEMING, COLORADO:

That said Town of Fleming, Colorado, shall issue and cause to be exchanged, dollar for dollar, for a like amount of \$27,000.00 $4\frac{1}{2}\%$ Refunding Bonds dated November 15, 1930, due serially \$1,000 November 15th each year

1939 to 1945, both inclusive, and \$2,000 November 15th each year 1946 to 1955, both inclusive; and \$39,000.00 Series A 5% Refunding Bonds dated January 1, 1935, optional 1936, due serially \$1500 January 1st each year 1940 to 1961, both inclusive, and \$2,000 1962 to 1964, both inclusive; and \$10,500.00 Series B 5% Refunding Bonds dated January 1, 1935, due serially \$500 January 1st each year 1941 to 1961, both inclusive, negotiable coupon bonds of the Town of Fleming, to be denominated "Refunding Bonds" in the aggregate principal amount of Seventy-six Thousand Five Hundred Dollars (\$76,500.00), under the provisions of Chapter 237, Session Laws of Colorado, 1921, as amended; all of such bonds to be dated January 1, 1940, to bear interest from and after date at the rate of Three and one-half per centum (3½%) per annum, payable semi-annually on the first day of July and the first day of January in each year; said bonds shall mature:

Two Thousand Dollars (\$2,000.00) on January 1st of each of the years 1942 to 1947, both inclusive, (\$2,500.00) Two Thousand Five Hundred Dollars On January 1st of each of the years 1948 to 1950, both inclusive, and Three Thousand Dollars (\$3,000.00) on January 1st of each of the years 1951 to 1969, both inclusive. Said Refunding Bonds shall be exchanged, dollar for dollar, for the bonds to be refunded as provided by the Act authorizing the issuance thereof.

The complete schedule of maturities is as follows:

Refunding Bonds dated January 1, 1940			
Pd January 1, 1942	\$2,000.✓	Pd January 1, 1956	\$3,000.✓
Pd January 1, 1943	2,000.✓	Pd January 1, 1957	3,000.✓
Pd January 1, 1944	2,000.✓	Pd January 1, 1958	3,000.✓
Pd January 1, 1945	2,000.✓	Pd January 1, 1959	3,000.
Pd January 1, 1946	2,000.✓	Pd January 1, 1960	3,000.
Pd January 1, 1947	2,000.✓	Pd January 1, 1961	3,000.
Pd January 1, 1948	2,500.✓	Pd January 1, 1962	3,000.
Pd January 1, 1949	2,500.✓	Pd January 1, 1963	3,000.
Pd January 1, 1950	2,500.✓	Pd January 1, 1964	3,000.
Pd January 1, 1951	3,000.✓	Pd January 1, 1965	3,000.
Pd January 1, 1952	3,000.✓	Pd January 1, 1966	3,000.
Pd January 1, 1953	3,000.✓	Pd January 1, 1967	3,000.
Pd January 1, 1954	3,000.✓	Pd January 1, 1968	3,000.
Pd January 1, 1955	3,000.✓	Pd January 1, 1969	3,000.✓

All of said bonds shall be redeemable at the option of the Town at any time after their date in inverse numerical order.

BE IT FURTHER RESOLVED, that said Board of Trustees of said Town of Fleming, Colorado, hereby determines that the amount of said Refunding Bonds dated January 1, 1940, to be issued as aforesaid, shall be Seventy-six Thousand Five Hundred Dollars (\$76,500.00), and that a Certificate of such determination be made and entered upon the records of the Town prior to the issuance of said Refunding Bonds as provided by law, in the following form, to-wit:

STATE OF COLORADO)
COUNTY OF LOGAN) SS
TOWN OF FLEMING)

CERTIFICATE OF DETERMINATION

WHEREAS, the Town of Fleming, Colorado, in pursuance of proceedings lawfully had and taken, proposes to issue its Refunding Bonds in the aggregate amount of Seventy-six Thousand Five Hundred Dollars (\$76,500.00) to refund certain outstanding bonded indebtedness of said Town, to-wit:

The Town of Fleming, Colorado, Refunding Bonds in the principal amount of \$27,000.00 (Twenty-seven Thousand Dollars) dated November 15, 1930, bearing interest at the rate of 4½% per annum, due serially \$1,000 November 15th each year 1939 to 1945, both inclusive, and \$2,000 November 15th each year 1946 to 1955, both inclusive, and

The Town of Fleming, Colorado, Series A Refunding Bonds in the principal amount of \$39,000.00 (Thirty-nine Thousand Dollars) dated January 1, 1935, bearing interest at the rate of 5% per annum, optional 1936, due serially \$1500 January 1st each year 1940 to 1961, both inclusive, and \$2,000 1962 to 1964, both inclusive, and

The Town of Fleming, Colorado, Series B Refunding Bonds in the principal amount of \$10,500.00 (Ten Thousand Five Hundred Dollars) dated January 1, 1935, bearing interest at the rate of 5% per annum, optional 1936, due serially \$500 January 1st each year 1941 to 1961, both inclusive.

WHEREAS, the law under which said Refunding Bonds must be issued requires the Board of Trustees to determine the amount of Refunding Bonds to be issued and to make and enter upon the records of the Town, a certificate of determination prior to the issuance of said bonds;

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, IT IS HEREBY CERTIFIED AND RECITED AND DETERMINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FLEMING, IN THE STATE OF COLORADO, AS FOLLOWS, TO-WIT:

1. That at the date of this certificate such refunding bonds have not been issued.
2. That the amount of said refunding bonds to be issued for the purpose of redeeming and refunding a like amount of the outstanding lawful

bonded indebtedness of the said Town above described, is hereby determined to be the sum of SEVENTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$76,500.00).

IN WITNESS WHEREOF, The Board of Trustees of the Town of Fleming, has caused this certificate of determination to be signed by the Mayor and attested by the Town Clerk, under the seal of said Town, this 23rd day of October, A. D. 1939.

J. L. Morris
Mayor

ATTEST:

Hugh Boyd
Town Clerk

(SEAL)

RESOLUTION ADOPTED AND APPROVED THIS 23rd day of October, A. D. 1939.

J. L. Morris
Mayor

ATTEST:

Hugh Boyd
Town Clerk

(SEAL)

Trustee D. Grant thereupon moved the adoption of the foregoing resolution.

Trustee J. S. Thomas seconded the motion and upon roll call the vote, upon motion for the adoption of said resolution, resulted as follows:

Those voting AYE:

Trustees:	<u>D. Grant</u>	<u>E. H. Graham</u>
	<u>J. W. Holmes</u>	<u>R. L. Rowan</u>
	<u>J. S. Thomas</u>	<u>Ted H. Yount</u>

Those voting NAY:

Trustees: None

Thereupon the Mayor declared said resolution duly adopted, and instructed the Clerk to spread said certificate of determination upon the records of the Board.

Thereupon Trustee Ted H. Yount introduced an ordinance entitled:

"AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE TOWN OF FLEMING, COLORADO, OF ITS NEGOTIABLE COUPON BONDS IN THE AGGREGATE AMOUNT OF SEVENTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$76,500.00), TO BE DENOMINATED "REFUNDING BONDS", FOR THE PURPOSE OF REFUNDING A LIKE AMOUNT OF OUTSTANDING BONDED INDEBTEDNESS OF SAID TOWN, PRESCRIBING THE FORM OF SAID REFUNDING BONDS AND PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX TO PAY THE SAME, PRINCIPAL AND INTEREST, AND DECLARING AN EMERGENCY,"

which ordinance was thereupon read in full and is as follows, to-wit:

ORDINANCE NO. 39-1

AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE TOWN OF FLEMING, COLORADO, OF ITS NEGOTIABLE COUPON BONDS IN THE AGGREGATE AMOUNT OF SEVENTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$76,500.00), TO BE DENOMINATED "REFUNDING BONDS", FOR THE PURPOSE OF REFUNDING A LIKE AMOUNT OF OUTSTANDING BONDED INDEBTEDNESS OF SAID TOWN, PRESCRIBING THE FORM OF SAID REFUNDING BONDS AND PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX TO PAY THE SAME, PRINCIPAL AND INTEREST, AND DECLARING AN EMERGENCY.

WHEREAS, The Town of Fleming, Colorado, has heretofore issued and

has now outstanding, its negotiable coupon bonds issued for Refunding purposes in the principal amount of Twenty-seven Thousand Dollars (\$27,000.00), consisting of Refunding Bonds in the principal sum of \$27,000.00 dated November 15, 1930, due serially \$1,000 November 15th each year 1939 to 1945, both inclusive, and \$2,000 November 15th each year 1946 to 1955, both inclusive, bearing interest at the rate of $4\frac{1}{2}\%$ per annum; and

WHEREAS the Town of Fleming, Colorado, has heretofore issued and has now outstanding and unpaid, its negotiable coupon bonds issued for Refunding purposes in the principal amount of Thirty-nine Thousand Dollars (\$39,000.00), consisting of Refunding Bonds in the principal sum of \$39,000.00, Series A dated January 1, 1935, optional 1936, due serially \$1500 January 1st each year 1940 to 1961, both inclusive, and \$2,000 1962 to 1964, both inclusive, bearing interest at the rate of 5% per annum; and

WHEREAS the Town of Fleming, Colorado, has heretofore issued and has now outstanding and unpaid, its negotiable coupon bonds issued for Refunding purposes in the principal amount of Ten Thousand Five Hundred Dollars (\$10,500.00), consisting of Refunding Bonds in the principal sum of \$10,500.00, Series B dated January 1, 1935, optional 1936, due serially \$500 January 1st each year 1941 to 1961, both inclusive, bearing interest at the rate of 5% per annum; and

WHEREAS, the Town does not have funds in its Treasury available for the payment or redemption of said outstanding bonded indebtedness, or any part thereof; and

WHEREAS, by a resolution duly adopted on the 23rd day of October, A. D. 1939, the Board of Trustees of the Town of Fleming, Colorado, determined to issue, in accordance with the laws of the State of Colorado, particularly Chapter 257, Session Laws of Colorado, 1921, as amended,

new bonds to be denominated "Refunding Bonds", the same to be exchanged, dollar for dollar, for the bonds to be refunded, with the consent of the owners and holders thereof, the amount of bonds so to be issued as aforesaid, being in the sum of Seventy-six Thousand Five Hundred Dollars (\$76,500.00), and a certificate of such determination having been heretofore duly made and entered in and upon the records of said Town as required by law; and

WHEREAS, the Board of Trustees has heretofore determined that said Refunding Bonds so to be issued in the aggregate amount of Seventy-six Thousand Five Hundred Dollars (\$76,500.00), shall be exchanged, dollar for dollar, for the bonds to be refunded, and said Board of Trustees believes it to be its duty to issue said refunding bonds and cause the same to be exchanged, dollar for dollar, for the bonds to be refunded as aforesaid, as and in the manner provided by law;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FLEMING, LOGAN COUNTY, COLORADO:

Section 1. - That by virtue and in pursuance of an Act of the General Assembly of the State of Colorado, entitled: "An Act to enable cities and towns to refund their bonded indebtedness", approved March 16, 1921, and appearing as Chapter 237 of the Session Laws of Colorado, 1921, as amended, there shall be issued negotiable coupon bonds of said Town of Fleming, to be denominated Refunding Bonds in the principal sum of Seventy-six Thousand Five Hundred Dollars (\$76,500.00), for the purpose of refunding a like amount of the outstanding Refunding Bonds of said Town, which said bonds the Board of Trustees of said Town has determined to call in for exchange as provided herein.

Section 2. - That the Mayor and Town Clerk of said Town of Fleming, be and they are hereby authorized and directed to have prepared negotiable coupon refunding bonds of said Town in the said aggregate principal amount of Seventy-six Thousand Five Hundred Dollars (\$76,500.00).

Section 3. - That said bonds hereby authorized shall be negotiable in form, payable to bearer, shall bear date the first day of January, A. D. 1940, shall bear interest at the rate of Three and one-half per centum ($3\frac{1}{2}\%$) per annum, payable semi-annually on the first day of July and the first day of January in each year, shall consist of One Hundred Fifty-three (153) bonds in the denomination of \$500 each, shall be numbered 1 to 153, both inclusive, and shall mature on January first in each year as follows:

\$2,000. in each of the years 1942 to 1947, both inclusive
2,500. in each of the years 1948 to 1950, both inclusive
3,000. in each of the years 1951 to 1969, both inclusive.

All of said bonds shall be redeemable at the option of the Town any time after their date in inverse numerical order.

The principal of said bonds and the interest accruing thereon shall be payable in lawful money of the United States of America at the office of the Town Treasurer in Fleming, Colorado, and said bonds shall be signed by the Mayor, countersigned by the Town Treasurer, with the seal of said Town affixed thereto, and attested by the Town Clerk of said Town. The interest accruing on said bonds shall be evidenced by interest coupons thereto attached, bearing the engraved facsimile signature of the Town Treasurer of said Town, and when so executed such coupons shall be the binding obligations of the Town according to their import.

Section 4. - Said bonds and coupons to be attached thereto shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF COLORADO

COUNTY OF LOGAN

TOWN OF FLEMING

REFUNDING BOND

No. _____

\$500.

THE TOWN OF FLEMING, LOGAN COUNTY, COLORADO, for value received, hereby acknowledges itself indebted and promises to pay to bearer the sum of
FIVE HUNDRED DOLLARS

in lawful money of the United States of America on the first day of January A. D. 19____, with interest thereon from the date hereof at the rate of Three and one-half per centum ($3\frac{1}{2}\%$) per annum, payable in like medium semi-annually on the first day of January and the first day of July in each year, as evidenced by interest coupons hereto attached, both principal and interest payable at the office of the Town Treasurer in Fleming, Colorado, upon presentation of said coupons and this bond respectively.

This bond is redeemable at the option of the Town any time after date, the bonds of this issue being callable in inverse numerical order.

This bond is issued by the Town of Fleming, Colorado, for the purpose of paying, redeeming and refunding unpaid, payable, lawful and valid bonds of said Town, and the lawful and valid indebtedness evidenced thereby, under, by virtue of and in full conformity with the provisions of an Act of the General Assembly of the State of Colorado, entitled: "An Act to enable cities and towns to refund their bonded indebtedness", approved March 16, 1921, being Chapter 237 of the Session Laws of Colorado, 1921, as amended, and pursuant to an ordinance duly adopted by the Board of Trustees of said Town at a lawful meeting thereof, held prior to the issuance of this bond.

It is hereby certified and recited that all acts and things required to be done and conditions and things required to exist precedent to and in the issuance of this bond to render the same lawful and valid, have happened, been properly done and performed, and did exist in regular and due time, form and

manner as required by law, that the total debt of the said Town of Fleming, including that of this bond, exceeds neither the statutory nor the constitutional limitations of the State of Colorado, that said total debt is not increased by the issuance hereof, and that provision has been made for the levy and collection of a direct annual tax on all the taxable property of said Town sufficient to pay the interest on and the principal of this bond as the same respectively come due.

The full faith and credit of the Town of Fleming are hereby pledged for the punctual payment of the principal of and the interest on this bond.

IN WITNESS WHEREOF, the Town of Fleming, Logan County, Colorado, has caused this bond to be signed by its Mayor, countersigned by its Town Treasurer, sealed with its corporate seal, and attested by its Town Clerk, and has caused the annexed interest coupons to be executed with the engraved facsimile signature of its said Town Treasurer, as of this first day of January, A. D. 1940.

(Do not sign)

Mayor

(SEAL)

ATTEST:

(Do not sign)

Town Clerk

COUNTERSIGNED:

(Do not sign)

Town Treasurer

(FORM OF COUPON)

No. _____

\$8.75

July

On the first day of January, A. D. 19____, the Town of Fleming
in the State of Colorado, promises to pay to the bearer

EIGHT AND 75/100... DOLLARS

in lawful money of the United States of America, at the office of the
Town Treasurer in Fleming, Colorado, being six months' interest on its
Refunding Bond dated January 1, 1940,

No. _____

(Facsimile Signature)

Town Treasurer

Section 5. - That when issued, the Refunding Bonds hereby authorized, shall be exchanged, dollar for dollar, for the bonds to be refunded, and the refunding bonds shall not be issued until the said outstanding 4 $\frac{1}{2}$ % Refunding Bonds dated November 15, 1930 and the said outstanding 5% Refunding Series A Bonds dated January 1, 1935 and the said outstanding 5% Refunding Series B Bonds dated January 1, 1935, have been called in and cancelled in an amount equal to or in excess of the bonds so issued, and all accrued interest on the bonds to be refunded shall be paid before such refunding bonds are issued in exchange as provided herein.

Section 6. - The interest due on said bonds on July 1, 1940 and on January 1, 1941 shall be paid from the tax levied in 1939 to pay interest on said outstanding indebtedness, and for the purpose of paying the interest accruing on said Bonds thereafter and for the redemption of said bonds promptly as they become due, there shall be levied on all taxable property in said Town, in addition to all other taxes, direct annual taxes sufficient to produce the following net amounts and at the following times, to-wit:

<u>Year of Levy</u>	<u>Interest</u>	<u>Principal</u>	<u>Total</u>
1940	\$2677.50	\$2,000.	\$4677.50
1941	2607.50	2,000.	4607.50
1942	2537.50	2,000.	4537.50
1943	2467.50	2,000.	4467.50
1944	2397.50	2,000.	4397.50
1945	2327.50	2,000.	4327.50
1946	2257.50	2,500.	4757.50
1947	2170.00	2,500.	4670.00
1948	2082.50	2,500.	4582.50
1949	1995.00	3,000.	4995.00
1950	1890.00	3,000.	4890.00
1951	1785.00	3,000.	4785.00
1952	1680.00	3,000.	4680.00
1953	1575.00	3,000.	4575.00
1954	1470.00	3,000.	4470.00
1955	1365.00	3,000.	4365.00
1956	1260.00	3,000.	4260.00
1957	1155.00	3,000.	4155.00
1958	1050.00	3,000.	4050.00
1959	945.00	3,000.	3945.00
1960	840.00	3,000.	3840.00
1961	735.00	3,000.	3735.00
1962	630.00	3,000.	3630.00
1963	525.00	3,000.	3525.00
1964	420.00	3,000.	3420.00
1965	315.00	3,000.	3315.00
1966	210.00	3,000.	3210.00
1967	105.00	3,000.	3105.00

See Ordinance 39-1A

And said taxes when collected shall be placed in a fund to be called the "Redemption Fund to pay Refunding Bonds dated January 1, 1940", and said taxes shall be applied solely for the purpose of the payment of said interest and principal of said bonds respectively, and for no other purpose whatever until the bonds authorized by this ordinance, principal and interest, shall have been fully paid, satisfied and discharged, but nothing herein contained shall be so construed as to prevent said Town from applying any other funds that may be in the treasury of the Town and available for that purpose to the payment of the said interest or principal as the same respectively mature and upon any such application the levy or levies herein provided may thereupon to that extent be diminished.

Section 7. - That the provisions of this ordinance and each of the bonds and the interest coupons issued pursuant thereto shall constitute, and the same are hereby declared to be a binding and irrevocable contract between the said Town and the holder from time to time of each of said bonds and the interest coupons thereto attached.

Section 8. - That after said bonds are issued this ordinance shall not be altered or repealed until the bonds hereby authorized shall have been fully paid, both principal and interest.

Section 9. - That all ordinances or resolutions, or parts thereof, in conflict with the provisions hereof, be, and the same are hereby repealed.

Section 10. - That after extended negotiations the Town has arranged to issue $3\frac{1}{2}\%$ refunding bonds in exchange for such outstanding bonds; that it will be greatly to the benefit and advantage of said Town to reduce the rate of interest on its outstanding indebtedness and such reduction of interest and extension of the due dates of such indebtedness will enable said Town to pay its indebtedness in full; that having secured the consent of the holders of such outstanding indebtedness to exchange outstanding bonds for $3\frac{1}{2}\%$ refunding bonds, it is hereby declared that an emergency exists, that this ordinance

is necessary for the immediate preservation of the public peace, health and safety and shall become effective five days after publication. This ordinance, immediately upon its passage, shall be recorded in the book of ordinances of said Town kept for that purpose, authenticated by the signature of the Mayor and Town Clerk, and shall be published as required by law.

Adopted and approved this 23rd day of October,

A. D. 1939.

J. L. Morris
Mayor

(SEAL)

ATTEST:

Hugh Boyd
Town Clerk

It was then moved by Trustee J. W. Holmes,
seconded by Trustee E. H. Graham, that all rules of the Board
which might prevent, unless suspended, the final passage and adoption of said
ordinance at this meeting, be and the same are hereby suspended, for the purpose
of permitting the final passage and adoption of said ordinance at this meeting.

The question being upon the adoption of said motion and the
suspension of the rules, the roll was called with the following result:

Those voting AYE:

Trustees: D. Grant E. H. Graham
J. W. Holmes R. L. Rowan
J. S. Thomas
Ted. H. Yount

Those voting NAY: None

All members of the Board of Trustees having voted in favor of
said motion, the presiding officer declared said motion carried and the rules
suspended.

Whereupon, Trustee E. H. Graham moved that said ordinance
be passed and adopted as read.

Trustee J. W. Holmes seconded the motion, and the
question being upon the final passage and adoption of said ordinance, the roll
call was called with the following result:

Those voting AYE:

Trustees: D. Grant E. H. Graham
J. W. Holmes R. L. Rowan
J. S. Thomas
Ted H. Yount

Those voting NAY: None

All members of the Board having voted in favor of the passage and adoption of said ordinance, the presiding officer thereupon declared said ordinance was duly passed and adopted.

On motion duly adopted, it was ordered that said ordinance be numbered 39-1 and that after its approval by the Mayor and attestation by the Town Clerk, it be recorded by the Town Clerk in the Ordinance Book and published according to law.

Thereupon the meeting adjourned.

J. L. Morris
Mayor

(SEAL)

ATTEST:

Hugh Boyd
Town Clerk

STATE OF COLORADO)
COUNTY OF LOGAN) SS
TOWN OF FLEMING)

I, Hugh Boyd, Town Clerk of the Town of Fleming, Logan County, Colorado, do hereby certify that the foregoing pages No. 1 to 18, inclusive, contain a full and correct copy of the record of proceedings of the Board of Trustees of said Town, taken at a meeting thereof, held at the First National Bank, the regular meeting place in said Town, on the 23rd day of October, A. D. 1939, in so far as said proceedings relate to the passage and adoption of the ordinance and resolution therein set forth, and that notice of said meeting was duly given to each member of said Board.

That attached hereto is an affidavit of publishing said ordinance passed and adopted by the said Board of Trustees at said meeting, that said original ordinance has been duly authenticated by the signatures of the Mayor and myself as Clerk of said Town, sealed with the corporate seal of said Town, signed and approved by the Mayor thereof, and recorded in the Book of Ordinances of said Town kept for that purpose in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Fleming, Colorado, this 21st day of December, A. D. 1939.

Hugh Boyd
Town Clerk

(SEAL)

PUBLISHER'S AFFIDAVIT OF PUBLICATION

ORDINANCE No. _____

PROOF OF PUBLICATION

STATE OF COLORADO)
COUNTY OF LOGAN) SS

Chas. O. Unfug, being first duly sworn
deposes and says:

1. That he is the publisher of Sterling Farm Journal, a weekly newspaper printed and published in the Town of Sterling, County of Logan and State of Colorado

2. That the said Sterling Farm Journal is printed and published at regular intervals of once a week, on Thursday, and that it has a general circulation in the County of Logan and elsewhere.

3. That the said Sterling Farm Journal has been published in said county uninterruptedly and continuously in said County of Logan, for a period of more than fifty-two (52) consecutive weeks next prior to the first publication of the annexed legal notice, entitled Ordinance No. 39-1.

4. That said newspaper has been admitted to the United States Mails as second class matter under the provisions of the Act of Congress of March 3, 1879, and amendments thereof.

5. That said Sterling Farm Journal is a weekly newspaper within the meaning of the Act of the General Assembly of the State of Colorado, Session Laws of the State of Colorado, 1935, entitled: "A bill for an act relating to legal notices and advertisements, and amending Section 1 of Chapter 13, Session Laws of 1931", being Chapter 155, Session Laws of Colorado, 1935.

6. That the said annexed legal notice exhibited, Ordinance No. 39-1, was published in the regular and entire issue of every number of said newspaper, once each week on the same day of each week, for one week by one insertion and that the first publication thereof was in the issue dated December 21, 1939.

Chas. O. Unfug

PUBLISHER

Subscribed and sworn to before me this 21st day of December, A. D. 1939.

My Commission Expires April 12, 1941

(SEAL)

Frieda L Hensel

Notary Public

THE STERLING FARM JOURNAL

LEGAL NOTICES

ORDINANCE NO. 39-1
An ordinance providing for the issuance by the Town of Fleming, Colorado, of its negotiable coupon bonds in the aggregate amount of seventy-six thousand five hundred dollars (\$76,500.00), to be denominated "Refunding Bonds", for the purpose of refunding a like amount of outstanding bonded indebtedness of said town, prescribing the form of said refunding bonds and providing for the levy and collection of an annual tax to pay the same, principal and interest, and declaring an emergency.

Whereas, The Town of Fleming, Colorado, has heretofore issued and has now outstanding, its negotiable coupon bonds issued for Refunding purposes in the principal amount of twenty-seven Thousand Dollars (\$27,000.00), consisting of Refunding Bonds in the principal sum of \$27,000.00 dated November 15, 1930, due serially \$1,000 November 15th each year 1939 to 1945, both inclusive, and \$2,000 November 15th each year 1946 to 1955, both inclusive, bearing interest at the rate of 4 1/2 percent per annum; and

Whereas, The Town of Fleming, Colorado, has heretofore issued and has now outstanding and unpaid, its negotiable coupon bonds issued for Refunding purposes in the principal amount of Thirty-nine Thousand Dollars (\$39,000.00), consisting of Refunding Bonds in the principal sum of \$39,000.00, Series A dated January 1, 1935, optional 1936, due serially \$1500 January 1st each year 1940 to 1961, both inclusive, and \$2,000 1962 to 1964, both inclusive, bearing interest at the rate of 5 percent per annum; and

Whereas, The Town of Fleming, Colorado, has heretofore issued and has now outstanding and unpaid, its negotiable coupon bonds issued for Refunding purposes in the principal amount of Ten Thousand Five Hundred Dollars (\$10,500.00), consisting of Refunding Bonds in the principal sum of \$10,500.00, Series B dated January 1, 1935, optional 1936, due serially \$500 January 1st each year 1941 to 1961, both inclusive, bearing interest at the rate of 5 percent per annum; and

Whereas, the Town does not have funds in its Treasury available for the payment or redemption of said outstanding bonded indebtedness, or any part thereof; and

Whereas, by a resolution duly adopted on the 23rd day of October, A. D. 1939, the Board of Trustees of the Town of Fleming, Colorado, determined to issue, in accordance with the laws of the State of Colorado, particularly Chapter 237, Session Laws of Colorado, 1921, as amended, new bonds to be denominated "Refunding Bonds", the same to be exchanged, dollar for dollar, for the bonds to be refunded, with the consent of the owners and holders thereof, the amount of bonds so to be issued as aforesaid, being in the sum of Seventy-six Thousand Five Hundred Dollars (\$76,500.00), and a certificate of such determination having been heretofore duly made and entered in and upon the records of said Town as required by law; and

Whereas, the Board of Trustees has heretofore determined that said Refunding Bonds so to be issued in the aggregate amount of Seventy-six Thousand Five Hundred Dollars (\$76,500.00), shall be exchanged, dollar for dollar, for the bonds to be refunded, and said Board of Trustees believes it to be its duty to issue said refunding bonds and cause the same to be exchanged, dollar for dollar, for the bonds to be refunded as aforesaid, as and in the manner provided by law;

Now, Therefore, be it ordained by the Board of Trustees of the Town of Fleming, Logan County, Colorado:

Section 1.—That by virtue of and in pursuance of an Act of the General Assembly of the State of Colorado, entitled: "An Act to enable cities and towns to refund their bonded indebtedness", approved March 16, 1921, and appearing as Chapter 237

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STATE OF COLORADO)
COUNTY OF LOGAN) SS
TOWN OF FLEMING)

The undersigned, being first duly sworn, each for himself and not one for another, on oath deposes and says:

1. That they are respectively the duly elected, qualified, and acting Mayor, Clerk and Treasurer of the Town of Fleming in the State of Colorado.

2. That the Town of Fleming, in the County of Logan and State of Colorado, is a municipal corporation of the said state duly organized and existing under and by virtue of the general laws thereof relating to towns and that the said Town of Fleming was incorporated in the year 1917.

3. That from the 23d day of October, 1939, to the date of this certificate the following have been and now are the duly elected and qualified officers of the said Town of Fleming, to-wit:

Mayor: J. L. Morris

Trustees: D. Grant Ted H. Yount

J. W. Holmes E. H. Graham

R. L. Rowan

J. S. Thomas

Clerk: Hugh Boyd

4. That on the 7th day of February, A. D. 1940 there were presented to the Town of Fleming for exchange by the holders thereof valid outstanding bonds of said town as follows:

Refunding $4\frac{1}{2}\%$ Bonds in the sum of \$27,000.00, dated November 15, 1930.

Refunding 5% Series A Bonds in the sum of \$39,000.00, dated January 1, 1935.

Refunding 5% Series B Bonds in the sum of \$10,500.00, dated January 1, 1935.

That for the purpose of refunding the aforesaid bonds and the legal and valid indebtedness evidenced thereby, said town issued in exchange at not less than par the valid negotiable coupon refunding bonds of the said Town in the principal sum of Seventy-Six Thousand Five Hundred Dollars (\$76,500.00), said bonds bearing date the first day of January, 1940, and consisting of One Hundred fifty-three (153) bonds in the following denominations:

One Hundred fifty-three (153) bonds in the denomination of \$500.00, numbered 1 to 153, both inclusive.

That in making such exchange by which said outstanding Refunding Bonds were redeemed by issuing said Refunding Bonds bearing date January 1, 1940, the aggregate amount of the indebtedness of the said Town of Fleming was not increased.

That the said Refunding Bonds so redeemed were, upon redemption, as aforesaid, duly cancelled and destroyed;

That all accrued interest on such bonds, refunded as aforesaid, was paid before the said refunding bonds were issued.

5. That there is no litigation pending and, so far as known to the undersigned, no threatened litigation with reference to the issuance of refunding bonds of the said Town of Fleming, bearing date the first day of January, A.D. 1940, in the aggregate amount of Seventy-six Thousand Five Hundred Dollars (\$76,500.00), and that so far as known to the undersigned, nothing exists to hinder or prevent the issuance of said refunding bonds in said aggregate amount.

6. That the last assessed valuation of the taxable property in said town was \$ 128,175.00, and that said town has no outstanding indebtedness other than said refunding bonds.

IN WITNESS WHEREOF we have hereunto set our hands and the official
seal of the Town of Fleming this 7th day of February, A. D. 1940.

J. L. Morris
Mayor

Hugh Boyd
Town Clerk

C. L. Lippitt
Town Treasurer

(SEAL)

Subscribed and separately sworn to before me this 7th day
of February, A. D. 1940.

My Commission Expires: December 14, 1942

M. Joseph Dugan
~~M. Joseph Dugan~~
Notary Public

(NOTARIAL SEAL)

IN THE MATTER OF FLEMING, COLORADO
REFUNDING BONDS, \$76,500.00
DATED JANUARY 1, A. D. 1940

The undersigned, a Notary Public, hereby certifies that he is personally acquainted with J. L. Morris, Mayor, Hugh Boyd, Clerk, and C. L. Lippitt, Treasurer, of the Town of Fleming, Colorado; that he knows the above mentioned officers were the Mayor, Clerk and Treasurer, respectively, of the said Town on January 1, 1940, and on the date of the execution and delivery of that certain series of bonds issued by the said town in the aggregate amount of Seventy-six Thousand Five Hundred Dollars (\$76,500.00), designated Refunding Bonds, bearing date the first day of January, A. D. 1940, in the denomination of \$500. each, numbered from 1 to 153, inclusive; that he is acquainted with the signatures of said officers and knows that the signatures appearing upon each of the bonds are the signatures of such officers respectively, and that said officers have to this certificate attached their respective signatures as follows:

J. L. Morris

Mayor

Hugh Boyd

Town Clerk

C. L. Lippitt

Town Treasurer

SIGNED AND CERTIFIED this 7th day of February, A. D. 1940.

My Commission Expires: December 14, 1942

Mr. Joseph Dugan
Notary Public

(NOTARIAL SEAL)

STATE OF COLORADO)
COUNTY OF LOGAN) SS
TOWN OF FLEMING)

The Board of Trustees of the Town of Fleming, Colorado, met in Special session, in full conformity with law and the ordinances and rules of the said Town, at the First National Bank, in said Town, being the regular meeting place of said Board on Saturday, the 27th day of January, A. D. 1940, at 7:30 o'clock P.M.

Upon roll call the following were found to be present:

Mayor: J. L. Morris

Trustees: D. Grant E. H. Graham

J. W. Holmes R. L. Rowan

J. S. Thomas Ted H. Yount

Town Clerk: Hugh Boyd

Town Treasurer: C. L. Lippitt

Absent: None

THEREUPON, Trustee J. W. Holmes introduced
an ordinance entitled:

ORDINANCE No. 39-1A

"AN ORDINANCE TO AMEND SECTION SIX OF ORDINANCE NUMBER 39-1 OF THE TOWN OF FLEMING, COLORADO, ADOPTED AND APPROVED ON THE TWENTY-THIRD DAY OF OCTOBER, A. D. 1939, AND DECLARING AN EMERGENCY."

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FLEMING, LOGAN COUNTY, COLORADO:

Section 1: That Section Six of ordinance number 39-1, adopted and approved by the Board of Trustees of the Town of Fleming, Colorado, on the 23d day of October, A. D. 1939, be and the same is hereby amended to read as follows:

Section 6: - The interest due on said Refunding Bonds on July 1, 1940 and on January 1, 1941 shall be paid out of the general revenues of the Town. For the purpose of reimbursing such general revenues and for paying the interest accruing on said Refunding Bonds thereafter and for the redemption of said bonds promptly as they become due, there shall be levied on all taxable property in said Town, in addition to all other taxes, direct annual taxes sufficient to produce the following net amounts and at the following times, to-wit:

<u>Year of Levy</u>	<u>Interest</u>	<u>Principal</u>	<u>Total</u>
1940	\$5355.00	\$2,000.	\$7355.00
1941	2607.50	2,000.	4607.50
1942	2537.50	2,000.	4537.50
1943	2467.50	2,000.	4467.50
1944	2397.50	2,000.	4397.50
1945	2327.50	2,000.	4327.50
1946	2257.50	2,500.	4757.50
1947	2170.00	2,500.	4670.00
1948	2082.50	2,500.	4582.50
1949	1995.00	3,000.	4995.00
1950	1890.00	3,000.	4890.00
1951	1785.00	3,000.	4785.00
1952	1680.00	3,000.	4680.00
1953	1575.00	3,000.	4575.00
1954	1470.00	3,000.	4470.00
1955	1365.00 -	3,000.	4365.00
1956	1260.00	3,000.	4260.00
1957	1155.00	3,000.	4155.00
1958	1050.00	3,000.	4050.00
1959	945.00	3,000.	3945.00
1960	840.00	3,000.	3840.00
1961	735.00	3,000.	3735.00
1962	630.00	3,000.	3630.00
1963	525.00	3,000.	3525.00
1964	420.00	3,000.	3420.00
1965	315.00	3,000.	3315.00
1966	210.00	3,000.	3210.00
1967	105.00	3,000.	3105.00

And said taxes when collected shall be placed in a fund to be called the "Redemption Fund to pay Refunding Bonds dated January 1, 1940", and said taxes shall be applied solely for the purpose of the

payment of said interest and principal of said bonds respectively, and for no other purpose whatever until the bonds authorized by this ordinance, principal and interest, shall have been fully paid, satisfied and discharged, but nothing herein contained shall be so construed as to prevent said Town from applying any other funds that may be in the treasury of the Town and available for that purpose to the payment of the said interest or principal as the same respectively mature and upon any such application the levy or levies herein provided may thereupon to that extent be diminished.

Section 2: All ordinances or parts thereof in conflict herewith are hereby repealed.

Section 3: In order that said Town may take advantage of a present offer to exchange Refunding Bonds for outstanding bonds, it is hereby declared that an emergency exists, that this ordinance is necessary for the immediate preservation of the public peace, health and safety and shall become effective five days after publication. This ordinance, immediately upon its passage, shall be recorded in the book of ordinances of said Town kept for that purpose, authenticated by the signature of the Mayor and Town Clerk, and shall be published as required by law.

Adopted and approved this 27th day of January, A. D. 1940.

J. L. Morris
Mayor

(SEAL)

ATTEST:

Hugh Boyd
Town Clerk

It was then moved by Trustee J. W. Holmes, seconded by Trustee E. L. Rowan, that all rules of the Board which might prevent, unless suspended, the final passage and adoption of said ordinance at this meeting, be and the same are hereby suspended, for the purpose of permitting the final passage and adoption of said ordinance at this meeting.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those voting AYE:

Trustees:	<u>J. W. Holmes</u>	<u>E. H. Graham</u>
	<u>D. Grant</u>	<u>Ted H. Yount</u>
	<u>R. L. Rowan</u>	<u>J. S. Thomas</u>

Those voting NAY: None

All members of the Board of Trustees having voted in favor of said motion, the presiding officer declared said motion carried and the rules suspended.

Whereupon, Trustee J. S. Thomas moved that said ordinance be passed and adopted as read.

Trustee E. H. Graham seconded the motion, and the question being upon the final passage and adoption of said ordinance, the roll call was called with the following result:

Those voting AYE:

Trustees:	<u>J. W. Holmes</u>	<u>D. Grant</u>
	<u>E. H. Graham</u>	<u>R. L. Rowan</u>
	<u>Ted H. Yount</u>	<u>J. S. Thomas</u>

Those voting NAY: None

All members of the Board having voted in favor of the passage and adoption of said ordinance, the presiding officer thereupon declared said ordinance was duly passed and adopted.

On motion duly adopted, it was ordered that said ordinance be numbered 39-1-A and that after its approval by the Mayor and attestation by the Town Clerk, it be recorded by the Town Clerk in the Ordinance Book and published ac-

ording to law.

Thereupon the meeting adjourned.

J. L. Morris
Mayor

(SEAL)

ATTEST:

Hugh Boyd

STATE OF COLORADO)
COUNTY OF LOGAN) SS
TOWN OF FLEMING)

I, Hugh Boyd, Town Clerk of the Town of Fleming, Logan County, Colorado, do hereby certify that the foregoing pages No. 1 to 5, inclusive, contain a full and correct copy of the record of proceedings of the Board of Trustees of said Town, taken at a meeting thereof, held at the First National Bank, the regular meeting place in said Town, on the 27th day of January, A. D. 1940, in so far as said proceedings relate to the passage and adoption of the ordinance ~~and resolution~~ therein set forth, and that notice of said meeting was duly given to each member of said Board.

That attached hereto is an affidavit of publishing said ordinance passed and adopted by the said Board of Trustees at said meeting, that said original ordinance has been duly authenticated by the signatures of the Mayor and myself as Clerk of said Town, sealed with the corporate seal of said Town, signed and approved by the Mayor thereof, and recorded in the Book of Ordinances of said Town kept for that purpose in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Fleming, Colorado, this 7th day of February, A. D. 1940.

Hugh L. Boyd
Town Clerk



PUBLISHER'S AFFIDAVIT OF PUBLICATION OF

ORDINANCE NO. 39-1

PROOF OF PUBLICATION

STATE OF COLORADO)
COUNTY OF LOGAN) SS.

H. A. Gammill, being first duly sworn
deposes and says:

1. That he is the publisher of The Sterling Farm Journal, a weekly newspaper printed and published in the Town of Sterling, County of Logan and State of Colorado

2. That the said Sterling Farm Journal is printed and published at regular intervals of seven days, on Thurs days, and that it has a general circulation in the County of Logan and elsewhere.

3. That the said Sterling Farm Journal has been published in said county uninterruptedly and continuously in said County of Logan, for a period of more than fifty-two (52) consecutive weeks next prior to the first publication of the annexed legal notice, entitled Ordinance No. 39-1

4. That said newspaper has been admitted to the United States Mails as second class matter under the provisions of the Act of Congress of March 3, 1879, and amendments thereof.

5. That said Sterling Farm Journal is a legal newspaper within the meaning of the Act of the General Assembly of the State of Colorado, Session Laws of the State of Colorado, 1935, entitled: "A bill for an act relating to legal notices and advertisements, and amending Section 1 of Chapter 13, Session Laws of 1931", being Chapter 155, Session Laws of Colorado, 1935.

6. That the said annexed legal notice exhibited, Ordinance No. 39-1, was published in the regular and entire issue of every number of said newspaper, once each week on the same day of each week, for one week by one insertion and that the first publication thereof was in the issue dated Feb. 1-1940.

H. A. Gammill
PUBLISHER

Subscribed and sworn to before me this 2nd
day of Feb., A. D. 1940.

My Commission Expires: Apr 12, 1941

Linda L. Kinsel
Notary Public

"AN ORDINANCE TO AMEND SECTION SIX OF ORDINANCE NUMBER 39-1 OF THE TOWN OF FLEMING, COLORADO, ADOPTED AND APPROVED ON THE TWENTY-THIRD DAY OF OCTOBER, A. D., 1939, AND DECLARING AN EMERGENCY."

Be it ordained by the Board of Trustees of the Town of Fleming, Logan County, Colorado:

Section 1: That Section Six of ordinance number 39-1, adopted and approved by the Board of Trustees of the Town of Fleming, Colorado, on the 23d day of October, A. D. 1939, be and the same is hereby amended to read as follows:

Section 6: The interest due on said Refunding Bonds on July 1, 1940 and on January 1, 1941 shall be paid out of the general revenues of the Town. For the purpose of reimbursing such general revenues and for paying the interest accruing on said Refunding Bonds thereafter and for the redemption of said bonds promptly as they become due, there shall be levied on all taxable property in said Town, in addition to all other taxes, direct annual taxes sufficient to produce the following net amounts and at the following times, to-wit:

Year of Levy	Interest	Principal	Total
1940	\$5355.00	\$2000	\$7355.00
1941	2607.50	2000	4607.50
1942	2537.50	2000	4537.50
1943	2467.50	2000	4467.50
1944	2397.50	2000	4397.50
1945	2327.50	2000	4327.50
1946	2257.50	2500	4757.50
1947	2170.00	2500	4670.00
1948	2082.50	2500	4582.50
1949	1995.00	3000	4995.00
1950	1890.00	3000	4890.00
1951	1785.00	3000	4785.00
1952	1680.00	3000	4680.00
1953	1575.00	3000	4575.00
1954	1470.00	3000	4470.00
1955	1365.00	3000	4365.00
1956	1280.00	3000	4260.00
1957	1155.00	3000	4155.00
1958	1050.00	3000	4050.00
1959	945.00	3000	3945.00
1960	840.00	3000	3840.00
1961	735.00	3000	3735.00
1962	630.00	3000	3630.00
1963	525.00	3000	3525.00
1964	420.00	3000	3420.00
1965	315.00	3000	3315.00
1966	210.00	3000	3210.00
1967	105.00	3000	3105.00

And said taxes when collected shall be placed in a fund to be called the "Redemption Fund to pay Refunding Bonds dated January 1, 1940," and said taxes shall be applied solely for the purpose of the payment of said interest and principal of said bonds respectively, and for no other purpose whatever until the bonds authorized by this ordinance, principal and interest, shall have been fully paid, satisfied and discharged, but nothing herein contained shall be so construed as to prevent said Town from applying any other funds that may be in the Treasury of the Town and available for that purpose to the payment of the said interest or principal as the same respectively mature and upon any such application the levy or levies herein provided may thereupon to that extent be diminished.

Section 2: All ordinances or parts thereof in conflict herewith are hereby repealed.

Section 3: In order that said Town may take advantage of a present offer to exchange Refunding Bonds for outstanding bonds, it is hereby declared that an emergency exists, that this ordinance is necessary for the immediate preservation of the public peace, health and safety and shall become effective five days after publication. This ordinance, immediately upon its passage, shall be recorded in the book of ordinances of said Town kept for that purpose, authenticated by the signature of the Mayor and Town Clerk, and shall be published as required by law.

Adopted and approved this 27th day of January, A. D. 1940.

J. L. MORRIS,
Mayor.

(Seal)
Attest: Hugh Boyd, Town Clerk.

EXHIBIT "B"

STATE OF COLORADO }
COUNTY OF LOGAN } SS
TOWN OF FLEMING }

Hugh Boyd being first duly sworn on oath deposes and says, that at all times mentioned herein he was, and now is, the Town Clerk of the Town of Fleming, Logan County, Colorado; that on the 10th day of January A. D. 1935, he posted a true and correct copy of ordinance Number 1-35 of said Town, adopted and approved on the 8th day of January, A. D. 1935, in each of three public and conspicuous places in said Town to-wit:

1. First National Bank
2. Post Office
3. Sparks Motor Co.

and that said copies of said ordinance remained so posted in said places for a period of not less than five days after posting.

Hugh L Boyd

Subscribed and sworn to before me this 16th day of January, A. D. 1935.

My commission expires _____.

Notary Public

(SEAL)

1-1935

STATE OF COLORADO)
COUNTY OF LOGAN) SS
TOWN OF FLEMING)

The Board of Trustees of the Town of Fleming, Colorado, met in Special session, in full conformity with law and the ordinances and rules of the said Town, at First Nat'l. Bank, in said Town, being the regular meeting place of said Board on Tues., the 8th day of Jan., A. D. 1935, at 8:00 o'clock P.M.

Upon roll call the following were found to be present:

MAYOR: R. C. McGernick

TRUSTEES: J. L. Morris, J. H. Reade, J. S. Thomas, D. R. Voln.

J. W. Holmes, Gr-In-Hippitt, *

TOWN CLERK: Hugh Boyd

ABSENT:

Trustee J. L. Morris introduced a resolution providing for the initiatory proceedings to be taken by the Board of Trustees in refunding outstanding bonded indebtedness of the Town in the aggregate amount of Forty Nine Thousand Five Hundred Dollars (\$49,500), which resolution was there-upon read in full and is as follows, to-wit:

RESOLUTION

WHEREAS, the Town of Fleming, Logan County, Colorado, has outstanding and unpaid bonded indebtedness in the principal sum of Forty Nine Thousand Five Hundred Dollars (\$49,500), consisting of Water Bonds in the principal sum of \$39,000, dated January 1, 1920, due without option of prior payment on January 1, 1935, bearing interest at the rate of 6% per annum, and Electric Light Bonds in the principal sum of \$10,500, dated April 15, 1920, due without option of prior payment on April 15, 1935, bearing interest at the rate of 6% per annum; and

WHEREAS, the Town ~~does~~ not and will not have funds in its Treasury available for the purpose of redeeming said outstanding bonds or any of them; and

* Not a trustee

WHEREAS, the Board of Trustees has ascertained and determined that the said outstanding bonded indebtedness amounting to Forty Nine Thousand Five Hundred Dollars (\$49,500) may be redeemed and refunded by the issuance of a like amount of Refunding Bonds bearing interest at the rate of Five per centum (5%) per annum and maturing serially over a period of years from 1940 to 1964, both inclusive, and that it is for the best interests of said Town to refund said bonds; and

WHEREAS, the Board of Trustees is of the opinion and so finds, orders, certifies and determines that said indebtedness may and should be refunded and the time for the payment thereof be extended by the issuance of the Refunding Bonds of said Town in pursuance of the provisions of an Act of the General Assembly of the State of Colorado, entitled: "An Act to enable cities and towns to refund their bonded indebtedness," approved March 16, 1921, and appearing as Chapter 237 of the Session Laws of Colorado, 1921.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FLEMING, COLORADO:

That said Town of Fleming, Colorado, shall issue and cause to be exchanged, dollar for dollar, for a like amount of Water Bonds of the Town of Fleming, dated January 1, 1920, due January 1, 1935, negotiable coupon bonds of the Town of Fleming, to be denominated "Refunding Bonds Series A" in the aggregate principal amount of Thirty Nine Thousand Dollars (\$39,000), and for a like amount of Electric Light Bonds, dated April 15, 1920, due April 15, 1935, negotiable coupon bonds of the Town of Fleming, to be denominated "Refunding Bonds Series B" in the aggregate principal amount of Ten Thousand Five Hundred Dollars (\$10,500), under the provisions of Chapter 237, Session Laws of Colorado, 1921, all of such bonds to be dated January 1, 1935, to bear interest from and after date at the rate of five per centum (5%) per annum, payable semi-annually on the first day of July and the first day of January in each year; said bonds shall mature:

Fifteen Hundred Dollars (\$1,500) on January 1, 1940, and \$2,000 on January 1st of each of the years 1941 to 1964, both inclusive, and any or all of said bonds shall be redeemable at the option of the Town on and after January 1, 1936. Said Refunding Bonds shall be exchanged, dollar for dollar, for the bonds to be refunded as provided by the Act authorizing the issuance thereof.

The complete schedule of maturities is as follows:

Refunding Bonds Series A

1940	\$1,500	1953	\$1,500
1941	1,500	1954	1,500
1942	1,500	1955	1,500
1943	1,500	1956	1,500
1944	1,500	1957	1,500
1945	1,500	1958	1,500
1946	1,500	1959	1,500
1947	1,500	1960	1,500
1948	1,500	1961	1,500
1949	1,500	1962	2,000
1950	1,500	1963	2,000
1951	1,500	1964	2,000
1952	1,500		

Refunding Bonds Series B

1941	\$500	1951	\$500
1942	500	1952	500
1943	500	1953	500
1944	500	1954	500
1945	500	1955	500
1946	500	1956	500
1947	500	1957	500
1948	500	1958	500
1949	500	1959	500
1950	500	1960	500
		1961	500

BE IT FURTHER RESOLVED, that said Board of Trustees of said Town of Fleming, Colorado, hereby determines that the amount of said Refunding Bonds dated January 1, 1935, to be issued as aforesaid, shall be Forty Nine Thousand Five Hundred Dollars (\$49,500) and that a Certificate of such determination be made and entered upon the records of the Town prior to the issuance of said Refunding Bonds as provided by law, in the following form, to-wit:

STATE OF COLORADO)
COUNTY OF LOGAN)
TOWN OF FLEMING)

SS

CERTIFICATE OF DETERMINATION

WHEREAS, the Town of Fleming, Colorado, in pursuance of proceedings lawfully had and taken, proposes to issue its Refunding Bonds in the aggregate amount of Forty Nine Thousand Five Hundred Dollars (\$49,500) to refund certain outstanding bonded indebtedness of said Town, to-wit:

The Town of Fleming, Colorado Water Bonds in the principal amount of Thirty Nine Thousand Dollars (\$39,000) dated January 1, 1920, due without option of prior payment on January 1, 1955, bearing interest at the rate of 6% per annum, consisting of bonds numbered 1 to 16, inclusive, and 18 to 40 inclusive, each in the denomination of \$1,000, and

The Town of Fleming, Colorado Electric Light Bonds, in the principal amount of Ten Thousand Five Hundred Dollars (\$10,500) dated April 15, 1920, due without option of prior payment on April 15, 1935, bearing interest at the rate of 6% per annum, consisting of bonds numbered 1 to 11 inclusive, consisting of ten bonds in the denomination of \$1,000 and one bond in the denomination of \$500, and

WHEREAS, the law under which said Refunding Bonds must be issued requires the Board of Trustees to determine the amount of Refunding Bonds to be issued and to make and enter upon the records of the Town, a certificate of determination prior to the issuance of said bonds;

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, IT IS HEREBY CERTIFIED AND RECITED AND DETERMINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FLEMING, IN THE STATE OF COLORADO, AS FOLLOWS, TO-WIT:

1. That at the date of this certificate such refunding bonds have not been issued.
2. That the amount of said refunding bonds to be issued for the purpose of redeeming and refunding a like amount of the outstanding lawful bonded indebtedness of the said Town above described, is hereby determined to be the sum of FORTY NINE THOUSAND FIVE HUNDRED DOLLARS (\$49,500).

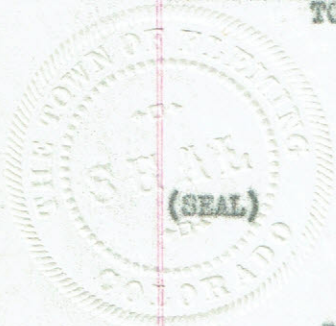
IN WITNESS WHEREOF, THE Board of Trustees of the Town of Fleming, has caused this certificate of determination to be signed by the Mayor and

attested by the Town Clerk, under the seal of said Town, this 8th day of
January, A. D. 1935.

RC McCormick
MAYOR

ATTEST:

L. H. Boyd
TOWN CLERK



RESOLUTION ADOPTED AND APPROVED this 8th day of January, A. D.

1935.

RC McCormick
MAYOR

ATTEST:

L. H. Boyd
TOWN CLERK



Trustee J. W. Holme thereupon moved the adoption of the foregoing resolution.

Trustee D. R. Waln seconded the motion and upon roll call the vote, upon motion for the adoption of said resolution, resulted as follows:

Those voting AYE:

Trustees: J. L. Morris
J. W. Holmes
J. H. Reade
J. S. Thomas
D. R. Waln

Those voting NAY:

Trustees: J. S. Thomas

Thereupon the Mayor declared said resolution duly adopted, and instructed the Clerk to spread said certificate of determination upon the records of the Board.

Thereupon Trustee J. S. Thomas introduced an ordinance entitled:

"AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE TOWN OF FLEMING, COLORADO, OF ITS NEGOTIABLE COUPON BONDS IN THE AGGREGATE AMOUNT OF FORTY NINE THOUSAND FIVE HUNDRED DOLLARS (\$49,500), TO BE DENOMINATED "REFUNDING BONDS," FOR THE PURPOSE OF REFUNDING A LIKE AMOUNT OF OUTSTANDING BONDED INDEBTEDNESS OF SAID TOWN, PRESCRIBING THE FORM OF SAID REFUNDING BONDS AND PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX TO PAY THE SAME, PRINCIPAL AND INTEREST, AND DECLARING AN EMERGENCY,"

which ordinance was thereupon read in full and is as follows, to-wit:

ORDINANCE NO. 1-1935

AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE TOWN OF FLEMING, COLORADO, OF ITS NEGOTIABLE COUPON BONDS IN THE AGGREGATE AMOUNT OF FORTY NINE THOUSAND FIVE HUNDRED DOLLARS (\$49,500), TO BE DENOMINATED "REFUNDING BONDS," FOR THE PURPOSE OF REFUNDING A LIKE AMOUNT OF OUTSTANDING BONDED INDEBTEDNESS OF SAID TOWN, PRESCRIBING THE FORM OF SAID REFUNDING BONDS AND PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX TO PAY THE SAME, PRINCIPAL AND INTEREST, AND DECLARING AN EMERGENCY.

WHEREAS, the Town of Fleming, Colorado, has heretofore issued and has now outstanding and unpaid, its negotiable coupon bonds issued for water purposes in the principal amount of Thirty Nine Thousand Dollars (\$39,000) consisting of Water Bonds in the principal sum of \$39,000, dated January 1,

1920, due without option of prior payment on January 1, 1935, all bearing interest at the rate of 6% per annum; and

WHEREAS, the Town of Fleming, Colorado, has heretofore issued and has now outstanding and unpaid, its negotiable coupon bonds issued for Electric Light purposes in the principal amount of Ten Thousand Five Hundred Dollars (\$10,500), consisting of Electric Light Bonds in the principal sum of \$10,500, dated April 15, 1920, due without option of prior payment on April 15, 1935, all bearing interest at the rate of 6% per annum; and

WHEREAS, there are and will be no funds in the Treasury of said Town available for the payment or redemption of said outstanding bonded indebtedness, or any part thereof; and

WHEREAS, by a resolution duly adopted on the 8th day of January, A. D. 1935, the Board of Trustees of the Town of Fleming, Colorado, determined to issue, in accordance with the laws of the State of Colorado, particularly Chapter 237, Session Laws of Colorado, 1921, new bonds to be denominated "Refunding Bonds," the same to be exchanged, dollar for dollar, for the bonds to be refunded, the amount of bonds so to be issued as aforesaid, being in the sum of Forty Nine Thousand Five Hundred Dollars (\$49,500), and the certificate of such determination having been heretofore duly made and entered in and upon the records of said Town as required by law; and

WHEREAS, the Board of Trustees has heretofore determined that said Refunding Bonds so to be issued in the aggregate amount of Forty Nine Thousand Five Hundred Dollars (\$49,500), shall be exchanged, dollar for dollar, for the bonds to be refunded, and said Board of Trustees believes it to be its duty to issue said refunding bonds and cause the same to be exchanged, dollar for dollar, for the bonds to be refunded as aforesaid, as and in the manner provided by law;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FLEMING, LOGAN COUNTY, COLORADO:

Section1. That by virtue and in pursuance of an Act of the General Assembly of the State of Colorado, entitled: "An Act to enable cities and towns to refund their bonded indebtedness," approved March 16, 1921, and

appearing as Chapter 237 of the Session Laws of Colorado, 1921, there shall be issued negotiable coupon bonds of said Town of Fleming, to be denominated Refunding Bonds in the principal sum of Forty Nine Thousand Five Hundred Dollars (\$49,500), for the purpose of refunding a like amount of the outstanding Water and Electric Light Bonds of said Town, which said bonds the Board of Trustees of said Town has determined to call in for exchange as provided herein.

Section 2. That the Mayor and Town Clerk of said Town of Fleming be and they are hereby authorized and directed to have prepared negotiable coupon refunding bonds of said Town in the said aggregate principal amount of Forty Nine Thousand Five Hundred Dollars (\$49,500).

Section 3. That said bonds hereby authorized shall be negotiable in form, payable to bearer, shall bear date the first day of January, A. D. 1935, shall bear interest at the rate of five per centum (5%) per annum, payable semi-annually on the first day of July and the first day of January in each year, shall consist of ninety nine (99) bonds in the denomination of \$500 each. Series A shall be numbered from one to seventy eight inclusive, and Series B shall be numbered from one to twenty one inclusive. Said bonds shall be due \$1,500 on January 1, 1940, and \$2,000 on January 1st of each of the years 1941 to 1964, both inclusive, and any or all of said bonds shall be redeemable at the option of the Town on and after January 1, 1936.

The complete schedule of maturities is as follows:

<u>Refunding Bonds Series A</u>			
1940	\$1,500	1953	\$1,500
1941	1,500	1954	1,500
1942	1,500	1955	1,500
1943	1,500	1956	1,500
1944	1,500	1957	1,500
1945	1,500	1958	1,500
1946	1,500	1959	1,500
1947	1,500	1960	1,500
1948	1,500	1961	1,500
1949	1,500	1962	2,000
1950	1,500	1963	2,000
1951	1,500	1964	2,000
1952	1,500		

<u>Refunding Bonds Series B</u>			
1941	\$500	1951	\$500
1942	500	1952	500
1943	500	1953	500
1944	500	1954	500
1945	500	1955	500
1946	500	1956	500
1947	500	1957	500
1948	500	1958	500
1949	500	1959	500
1950	500	1960	500
		1961	500

The principal of said bonds and the interest accruing thereon shall be payable in lawful money of the United States of America at the United States National Bank of Denver, in Denver, Colorado, and said bonds shall be signed by the Mayor, countersigned by the Town Treasurer, with the seal of said Town affixed thereto, and attested by the Town Clerk of said Town. The interest accruing on said bonds shall be evidenced by interest coupons thereto attached, bearing the engraved facsimile signature of the Town Treasurer of said Town, and when so executed such coupons shall be the binding obligations of the Town according to their import. The bank charges in connection with payment of principal and interest are to be borne by the Town.

Section 4. Said bonds and coupons to be attached thereto shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF COLORADO

COUNTY OF LOGAN

TOWN OF FLEMING

REFUNDING BOND

(SERIES A)
(SERIES B)

No. _____

\$500.00

THE TOWN OF FLEMING, LOGAN COUNTY, COLORADO, for value received, hereby acknowledges itself indebted and promises to pay to bearer the sum of
FIVE HUNDRED DOLLARS

in lawful money of the United States of America on the first day of January, A. D. 19____, reserving the option to redeem this bond on and at any time after the first day of January A. D. 1936, with interest thereon from the date hereof at the rate of five per centum (5%) per annum, payable in like medium semi-annually on the first day of July and the first day of January in each year, as evidenced by interest coupons hereto attached, both principal and interest payable at the United States National Bank of Denver, in Denver, Colorado, upon presentation of said coupons and this bond respectively.

This bond is issued by the Town of Fleming, Colorado, for the purpose of paying, redeeming and refunding unpaid, payable, lawful and valid bonds of said Town, and the lawful and valid indebtedness evidenced thereby, under, by virtue of and in full conformity with the provisions of an Act of the General Assembly of the State of Colorado, entitled: "An Act to enable cities and towns to refund their bonded indebtedness," approved March 16, 1921, being Chapter 237 Session Laws of Colorado, 1921, and pursuant to an ordinance duly adopted by the Board of Trustees of said Town at a lawful meeting thereof, held prior to the issuance of this bond.


It is hereby certified and recited that all acts and things required to be done and conditions and things required to exist precedent to and in the issuance of this bond to render the same lawful and valid, have happened, been properly done and performed, and did exist in regular and due time, form and manner as required by law, that the total debt of the said Town of Fleming, including that of this bond, exceeds neither the statutory nor the constitutional limitations of the State of Colorado, that said total debt is not

increased by the issuance hereof, and that provision has been made for the levy and collection of a direct annual tax on all the taxable property of said Town sufficient to pay the interest on and the principal of this bond as the same respectively come due.

The full faith and credit of the Town of Fleming are hereby pledged for the punctual payment of the principal of and the interest on this bond.

IN WITNESS WHEREOF, the Town of Fleming, Logan County, Colorado, has caused this bond to be signed by its Mayor, countersigned by its Town Treasurer, sealed with its corporate seal, and attested by its Town Clerk, and has caused the annexed interest coupons to be executed with the engraved facsimile signature of its said Town Treasurer, this 1st day of January, A. D.

1935.


R. C. McCormick
Mayor

ATTEST:

L. H. Boyd
Town Clerk

COUNTERSIGNED:

E. R. Rippert
Town Treasurer

(FORM OF COUPON)

No. _____

\$12.50

July

On the first day of January A. D. 19____, the Town of Fleming in
the State of Colorado, promises to pay to the bearer

TWELVE AND 50/100.....DOLLARS

in lawful money of the United States of America, at the United States National
Bank of Denver, in Denver, Colorado, being six months' interest on its
Refunding Bond dated January 1, 1935,

Series A No. _____

Series B No. _____

(Facsimile Signature)

TOWN TREASURER

Section 5. That when issued, the Refunding Bonds hereby authorized, shall be exchanged, dollar for dollar, for the bonds to be refunded, and the refunding bonds shall not be issued until the said outstanding 6% Water Bonds dated January 1, 1920, and the said outstanding 6% Electric Light Bonds dated April 15, 1920, have been called in and cancelled in an amount equal to or in excess of the bonds so issued, and all accrued interest on the bonds to be refunded shall be paid before such refunding bonds are issued in exchange as provided herein.

Section 6. That the interest falling due on said bonds on the first day of July 1935 and the first day of January, 1936, shall be paid out of the general or water fund of said Town, and for the purpose of reimbursing said general or water fund and to pay the interest accruing on said bonds and for the serial redemption of said bonds promptly as they become due, there shall be levied on all taxable property in said Town, in addition to all other taxes, direct annual taxes, sufficient to produce the following net amounts and at the following times, to-wit:

<u>YEAR</u>	<u>INTEREST</u>	<u>PRINCIPAL</u>	<u>TOTAL</u>
1934	\$2,475	—	\$2,475
1935	2,475	—	2,475
1936	2,475	—	2,475
1937	2,475	—	2,475
1938	2,475	\$1,500	3,975
1939	2,400	2,000	4,400
1940	2,300	2,000	4,300
1941	2,200	2,000	4,200
1942	2,100	2,000	4,100
1943	2,000	2,000	4,000
1944	1,900	2,000	3,900
1945	1,800	2,000	3,800
1946	1,700	2,000	3,700
1947	1,600	2,000	3,600
1948	1,500	2,000	3,500
1949	1,400	2,000	3,400
1950	1,300	2,000	3,300
1951	1,200	2,000	3,200
1952	1,100	2,000	3,100
1953	1,000	2,000	3,000
1954	900	2,000	2,900
1955	800	2,000	2,800
1956	700	2,000	2,700
1957	600	2,000	2,600
1958	500	2,000	2,500
1959	400	2,000	2,400
1960	300	2,000	2,300
1961	200	2,000	2,200
1962	100	2,000	2,100

*This schedule is correct
Should conform to that
on Page 3 & 8*

And said taxes when collected shall be placed in a fund to be called the "Redemption Fund to pay Refunding Bonds dated January 1, 1935," and said taxes shall be applied solely for the purpose of the payment of said interest and principal of said bonds respectively, and for no other purpose whatever until the bonds authorized by this ordinance, principal and interest, shall have been fully paid, satisfied and discharged, but nothing herein contained shall be so construed as to prevent said Town from applying any other funds that may be in the treasury of the Town and available for that purpose to the payment of the said interest or principal as the same respectively mature and upon any such application the levy or levies herein provided may thereupon to that extent be diminished.

Section 7. That the provisions of this ordinance and each of the bonds and the interest coupons issued pursuant thereto shall constitute, and the same are hereby declared to be a binding and irrevocable contract between the said Town and the holder from time to time of each of said bonds and the interest coupons thereto attached.

Section 8. That after said bonds are issued this ordinance shall not be altered or repealed until the bonds hereby authorized shall have been fully paid, both principal and interest.

Section 9. That all ordinances or resolutions, or parts thereof, in conflict with the provisions hereof, be, and the same are hereby repealed.

Section 10. That it is necessary for the refunding proceedings herein provided to be completed as soon as possible in order that the said Town may provide for the redemption of said bonds which became due January 1, 1935, therefore, it is hereby declared that an emergency exists and that this ordinance is necessary for the immediate preservation of the public peace, health and safety and shall become effective five days after publication. This ordinance, immediately upon its passage, shall be recorded in the book of ordinances of said Town kept for that purpose, authenticated by the signature of the Mayor and Town Clerk, and shall be posted as required by law.

Adopted and approved this 8th day of January, A. D. 1935.

R. G. McCormick
MAYOR

(SEAL)

ATTEST:

Frank Boyd
TOWN CLERK

(SEAL)

It was then moved by Trustee J. H. Reade seconded by Trustee J. L. Morris, that all rules of the Board which might prevent, unless suspended, the final passage and adoption of said ordinance at this meeting, be and the same are hereby suspended, for the purpose of permitting the final passage and adoption of said ordinance at this meeting.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those voting AYE:

Trustees	<u>J. L. Morris</u>
	<u>J. W. Holmes</u>
	<u>J. H. Reade</u>
	<u>J. S. Thomas</u>
	<u>D. R. Waln</u>
	<u> </u>

Those voting NAY:

5 members of the Board of Trustees having voted in favor of said motion, the presiding officer declared said motion carried and the rules suspended.

Whereupon, Trustee J. S. Thomas moved that said ordinance be passed and adopted as read.

Trustee D. R. Waln seconded the motion, and the question being upon the final passage and adoption of said ordinance, the roll was called with the following result:

Those voting AYE:

Trustees	<u>J. L. Morris</u>
	<u>J. W. Holmes</u>
	<u>J. H. Reade</u>
	<u>J. S. Thomas</u>
	<u>D. R. Waln</u>
	<u> </u>

Those voting NAY:

5 members of the Board having voted in favor of the passage and adoption of said ordinance, the presiding officer thereupon declared said ordinance was duly passed and adopted.

On motion duly adopted, it was ordered that said ordinance be Numbered 1-1935 and that after its approval by the Mayor and attestation by the Town Clerk, it be recorded by the Town Clerk in the Ordinance Book and posted according to law.

Thereupon the following resolution was introduced, read, and duly considered:

RESOLUTION

WHEREAS, there is no newspaper published within, or which has a general circulation within the limits of the Town of Fleming, Logan County, Colorado, and

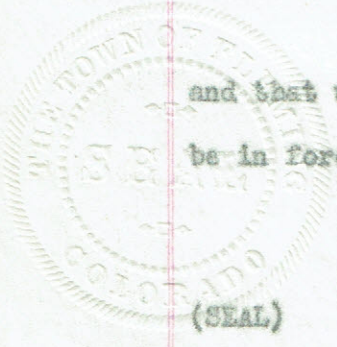
WHEREAS, under such circumstances, it is the duty of the Board of Trustees of said Town to provide for the publication of by-laws and ordinances by posting;

THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Fleming, Colorado; that the ordinance adopted this day authorizing the issuance of refunding bonds of said Town, and all by-laws and ordinances hereafter adopted by the Board of Trustees of said Town be published by posting a copy thereof in each of three public and conspicuous places within the limits of said Town as follows:

1. First National Bank
2. Post Office
3. Sparks Motor Co.

and that upon such posting such by-laws and ordinances shall take effect and be in force as provided by law.

Adopted and approved this 8th day of January, A. D. 1935.


W. M. McCormick
MAYOR

ATTEST:

Henry L. Boyd
TOWN CLERK.

Trustee J. W. Holmes thereupon moved the adoption of the foregoing resolution.

Trustee J. H. Reade seconded the motion and upon roll call the vote, upon motion for the adoption of said resolution, resulted as follows:

Those voting AYE:

Trustees:	<u>J. L. Morris</u>
	<u>J. W. Holmes</u>
	<u>J. H. Reade</u>
	<u>J. S. Thomas</u>
	<u>D. R. Waln</u>
	<u> </u>

Those voting NAY:

Thereupon the Mayor declared said resolution duly adopted and instructed the Clerk to place the same in the official records of the Town.

Thereupon the meeting adjourned.

RG McCormick
MAYOR

ATTEST:

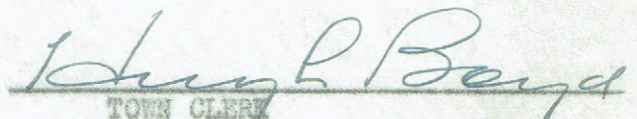
L. H. Boyd
TOWN CLERK

STATE OF COLORADO }
COUNTY OF LOGAN } SS
TOWN OF FLEMING }

I, Hugh Boyd, Town Clerk of the Town of Fleming, Logan County, Colorado, do hereby certify that the foregoing pages No. 1 to 17, inclusive, contain a full and correct copy of the record of proceedings of the Board of Trustees of said Town, taken at a meeting thereof, held at First Nat'l Bank the regular meeting place in said Town, on the 8th day of January, A. D. 1935, in so far as said proceedings relate to the passage and adoption of the ordinance and resolutions therein set forth, and that notice of said meeting was duly given to each member of said Board.

That attached hereto, marked "Exhibit B," is an affidavit of posting said ordinance passed and adopted by the said Board of Trustees at said meeting, that said original ordinance has been duly authenticated by the signatures of the Mayor and myself as Clerk of said Town, sealed with the corporate seal of said Town, signed and approved by the Mayor thereof, and recorded in the Book of Ordinances of said Town kept for that purpose in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Fleming, Colorado, this 9th day of January, A. D. 1935.


TOWN CLERK



(SEAL)