

ORDINANCE NO. 83-78

AN ORDINANCE INDICATING INTENT TO ISSUE INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR BON-ING, INC.'S, PROJECT TO BE LOCATED WITHIN THE CITY OF GAHANNA OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Bon-Ing, Inc., desires to establish a commercial facility, a nursing care facility, within the City of Gahanna, Ohio, (hereinafter, the "Project"); and

WHEREAS, Bon-Ing, Inc., (hereinafter, the "Company") has a desire to have the project financed from the proceeds of Industrial Development Revenue Bonds of the City (hereinafter, the "Bonds"), to be issued pursuant to the authority of Article VIII, Section 13, of the Ohio Constitution and Chapter 165 of the Ohio Revised Code in a principal amount not to exceed \$1,900,000; and

WHEREAS, it is now necessary to provide for the preparation of legal documents with respect to the issuance and sale of the Bonds; and that this ordinance is urgently required for the project to go forward, and to provide for the creation of jobs and employment within the City by way of commercial development, and for these reasons, this ordinance is determined to be an emergency measure necessary for the preservation of the public peace, health, safety, welfare, and morals of the inhabitants of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, STATE OF OHIO:

Section 1. The law firm of Peck, Shaffer & Williams, Attorneys, Cincinnati and Columbus, Ohio, is hereby appointed Bond Counsel in connection with the issuance of the Bonds, and is authorized to prepare the legal documents necessary therefor, subject to review by the Law Director of the City of Gahanna, Ohio.

Section 2. This ordinance is intended to be relied upon by the Company, which will proceed to complete the project as soon as possible.

Section 3. The City, upon receipt of a proper certification from the Community Improvement Corporation approving the Project, a duly executed notice that the Bonds will be purchased by one or more persons or entities therein named, will enact the necessary ordinances to authorize the issuance of the Bonds, provided that the payment of the principal, interest, and premium (if any) on the Bonds shall be made solely from monies realized from loan payments or from the lease, sale, or other disposition of the project. The Bonds shall have such terms as shall be approved by the Company, the purchaser of the Bonds, the Law Director, and Bond Counsel, and the City will deliver the Bonds to the purchaser thereof and will cooperate to the fullest extent in consummating the transaction.


Section 4. This ordinance is an affirmative official action of City Council toward the issuance of the Bonds as contemplated herein in accordance with the purposes of the laws of the State of Ohio and United States Treasury Regulation Section 1.103-8(a)(5).

Section 5. This Council hereby finds and determines that all formal actions relative to the adoption of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

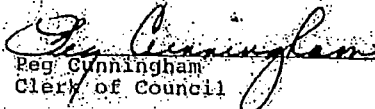
Section 6. This ordinance is hereby declared to be an emergency measure for the reason that the public peace, health, safety, and welfare of the inhabitants of the City will be benefited by this commercial development, the creation of jobs within the City, that it is urgently necessary to provide for the preparation of legal documents with respect to the issuance and sale of bonds, and that it is urgently necessary this ordinance be adopted to allow the project to proceed and go forward.

Section 7. This ordinance shall take effect immediately upon its adoption by Council and approval by the Mayor.


CERTIFIED as passed, this 17th day of September, 1978.


A. J. Post
President of Council

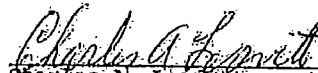
ATTEST:


Reg. Cunningham
Clerk of Council

PRESENTED to the Mayor, this 17th day of September, 1978.

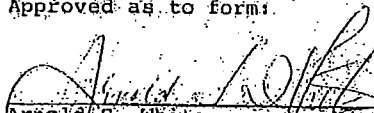

Reg. Cunningham
Clerk of Council

APPROVED by the Mayor, this 21 day of September, 1978.


Charles A. Leavitt
Mayor

Prepared by Peck, Shaffer and Williams.

Approved as to form:


Arnold S. White
City Director

J. L. ... clerk of
Council of the City of Columbus, Ohio,
herby certify that public notice of
the foregoing was duly made by posting a
copy to the Columbus Municipal Building as
provided for in Charter Sec. 4.12, for a
period of 30 days, commencing on the
27th day of October, 1928

ORDINANCE NO. 115-78

AN ORDINANCE RATIFYING THE PRIOR ACTION OF THE COUNCIL ADOPTING ORDINANCE NO. 83-78 RELATIVE TO COUNCIL'S INTENT TO ISSUE INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR BON-ING, INC.'S PROJECT WITHIN THE CITY OF GAHANNA, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the Community Improvement Corporation of Gahanna, Ohio, has been designated as the City's agency for industrial, economic, civic, commercial, distribution and research development for the City, and the City and the Corporation have entered into an Agreement which constitutes the Plan for industrial, economic, civic, commercial, distribution and research development within the City; and

WHEREAS, this Council previously adopted Ordinance No. 83-78 on September 19, 1978 declaring its intent to issue industrial development revenue bonds in a principal amount not to exceed \$1,900,000 for a nursing home facility to be located within the City of Gahanna, Ohio; and

WHEREAS, the Mayor of the City of Gahanna approved said Ordinance No. 83-78 on September 21, 1978 and Ordinance No. 83-78 became effective on September 21, 1978; and

WHEREAS, this Council desires to ratify its prior adoption of Ordinance No. 83-78; and

WHEREAS, this ordinance is urgently required to allow such development to go forward, and to provide for the creation of jobs and employment within the City by way of commercial development, and for these reasons this ordinance is determined to be an emergency measure necessary for the preservation of the public peace, health, safety, welfare and morals of the inhabitants of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, STATE OF OHIO:

Section 1. This Council hereby ratifies and reaffirms its adoption of Ordinance No. 83-78 on September 19, 1978 and all the provisions of said Ordinance No. 83-78. A copy of Ordinance No. 83-78 is attached hereto marked Exhibit A and is hereby incorporated herein by reference.

Section 2. This Council hereby finds and determines that all formal actions relative to the adoption of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This ordinance is hereby declared to be an emergency measure for the reason that the public peace, health, safety and welfare of the inhabitants of the City will be benefited by this commercial development, the creation of jobs within the City, that it is urgently necessary to provide for the preparation of legal documents with respect to the issuance and sale of bonds, and that it is urgently necessary this ordinance be adopted to allow the project to proceed and go forward.

Section 4. This ordinance shall take effect immediately upon its adoption by Council and approval by the Mayor.

CERTIFIED as passed, this 1st day of November

1978.

[Signature]
President of Council

ATTEST:

[Signature]
Clerk of Council

1978.

PRESENTED to the Mayor, this 22nd day of November

[Signature]
Clerk of Council

1978.

APPROVED by the Mayor, this 22 day of November

[Signature]
Mayor

APPROVED AS TO FORM:

[Signature]
Director of Law

William A. ... clerk of
Council of the city of Gahanna, Ohio;
do hereby certify that public notice of
the foregoing was duly made by posting a
copy in the Gahanna High School Building as
provided for in Charter Sec. 212, for a
period of 30 days, commencing on the
22nd day of *December, 1976*

ORDINANCE NO. 60 -79

AN ORDINANCE RELATIVE TO THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR HEALTH CARE FUND'S PROJECT TO BE LOCATED WITHIN THE CITY OF GAHANNA, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Gahanna, Ohio, has previously approved the issuance of \$1,900,000 of industrial development revenue bonds for Bon Ing, Inc. to establish a nursing home facility within the City of Gahanna, Ohio, by Ordinance No. 115-78 adopted November 21, 1978, and Ordinance No. 83-78 adopted September 19, 1978; and

WHEREAS, Bon Ing, Inc. has assigned its interest in said project to Health Care Fund (hereinafter the "Company"); and

WHEREAS, the Company desires to establish a nursing home facility within the City of Gahanna, Ohio (hereinafter the "Project"); and

WHEREAS, the Company has a desire to have the project financed from the proceeds of industrial development revenue bonds of the City (hereinafter the "Bonds"), to be issued pursuant to the authority of Article VIII Section 13, of the Ohio Constitution and Chapter 165 of the Ohio Revised Code in a principal amount presently estimated at approximately \$1,600,000; and

WHEREAS, this Council has determined that an emergency exists and it is immediately necessary for the preservation of the public peace, property, health, safety and welfare that this ordinance take effect at the earliest possible time in order to provide for the preparation of legal documents with respect to the issuance and sale of the Bonds; and that this Ordinance is urgently required for the project to go forward, and to provide for the creation of jobs and employment within the City by way of

commercial development, thereby stimulating, preserving and increasing industrial, commercial, distribution and research development in the City;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Gahanna, Ohio:

SECTION 1. The law firm of Peck, Shaffer & Williams, Attorneys, Cincinnati and Columbus, Ohio, is hereby appointed Bond Counsel in connection with the issuance of the Bonds, and is authorized to prepare the legal documents necessary therefor, subject to review by the Law Director.

SECTION 2. This Ordinance is intended to be relied upon by the Company, which will proceed to complete the project as soon as possible.

SECTION 3. The City, upon receipt of a proper certification from the Community Improvement Corporation of Gahanna approving the project, and upon receiving a duly executed notice that the Bonds will be purchased by one or more persons or entities therein named, will enact the necessary ordinances to authorize the issuance of the Bonds, provided that the payment of the principal, interest and premium (if any) on the Bonds shall be made solely from monies realized from loan payments or from the lease, sale or other disposition of the project. The Bonds shall have such terms as shall be approved by the Company, the purchaser of the Bonds, the Law Director and Bond Counsel, and the City will deliver the Bonds to the purchaser thereof and will cooperate to the fullest extent in consummating the transaction.

SECTION 4. This Ordinance is an affirmative official action of the City Council of Gahanna, Ohio, toward the issuance of the Bonds as contemplated herein in accordance with the purposes of the laws of the State of Ohio and United States Treasury Regulation Section 1.103-8(a)(5).

SECTION 5. This Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code and Chapter 107 of the Codified Ordinances of the City of Gahanna.

SECTION 6. This Ordinance is hereby declared to be an emergency measure for the reasons set forth and defined in the preamble of this Ordinance, and this Ordinance shall be in force and take effect immediately from and after its passage.

CERTIFIED as passed, this 15th day of May, 1979.

Judith Peterson
President of Council

ATTEST:

Gay Cunningham
Clerk of Council

PRESENTED to the Mayor, this 17th day of May, 1979.

Gay Cunningham
Clerk of Council

APPROVED by the Mayor, this 17 day of May, 1979.

Charles A. Leavitt
Mayor

W. J. Cunningham clerk of
Council of the City of Gahanna, Ohio,
hereby certifies that public notice of
the foregoing was duly made by posting a
copy in the Gahanna Municipal Building as
provided for in Charter Sec. 4.12, for a
period of 30 days, commencing on the
7th day of June, 1979