

ORDINANCE NO. 757

AN ORDINANCE increasing the bonded indebtedness of the Borough of Donora, County of Washington, Commonwealth of Pennsylvania, for the purposes hereinafter specified, by an issue of bonds to the amount of Fifty thousand (\$50,000.00) Dollars; with semi-annual coupons attached; fixing the form, number, date, interest, maturity, etc. thereof; authorizing sale thereof; levying a tax for the payment thereof; making appropriation pending the collection of such tax; and rescinding conflicting ordinances.

WHEREAS it is necessary that the bonded indebtedness of the Borough of Donora, County of Washington, Commonwealth of Pennsylvania, be increased by the amount of Fifty thousand (\$50,000.00) Dollars, for the purposes hereinafter specified.

NOW, THEREFORE, BE IT ENACTED, and it is hereby ordained and enacted by and with the authority of the Council of the Borough of Donora, County of Washington, Commonwealth of Pennsylvania, as follows:

SECTION 1. That the bonded indebtedness of the Borough of Donora, County of Washington, Commonwealth of Pennsylvania, be and the same is hereby increased by the amount of Fifty thousand (\$50,000.00) Dollars, for the following purposes, namely: Such sum as may be required, but not exceeding the sum of \$10,000.00, for the purpose of paying the agreed settlement in the Applbaum case and for the payment of such sums as the Borough may be hereafter required to pay as a result of the exercise of the right of eminent domain or by reason of negligence, together with the legal costs and expenses incident thereto; and the balance remaining for the purpose of defraying the cost and expense, in such proportions as Council may desire, of the construction of new and repair of existing sewers within the Borough, and the improvement and repair of the streets, alleys and sidewalks within said Borough.

SECTION 2. Said indebtedness shall be evidenced by coupon bonds to the number of fifty (50), numbered from one (1) to fifty (50) inclusive, for the principal sum of One thousand (\$1,000.00) Dollars each, dated and bearing interest from the first day of July, 1940, at the rate of two and one-fourth (2-1/4%) per centum per anum, payable semi-annually on the first days of July and January of each year during the term of said bonds, which shall mature and be paid as follows, to wit:

Nos. 1 to 10 inclusive	July 1, 1950
Nos. 11 to 20 inclusive	July 1, 1951
Nos. 21 to 30 inclusive	July 1, 1952
Nos. 31 to 40 inclusive	July 1, 1953
Nos. 41 to 50 inclusive	July 1, 1954

SECTION 3. The form of said bonds and coupons shall be substantially as follows:

No. \_\_\_\_\_ UNITED STATES OF AMERICA \$1,000.00  
COMMONWEALTH OF PENNSYLVANIA  
  
County of Washington  
Borough of Donora  
  
MUNICIPAL BOND  
Series 1940

KNOW ALL MEN BY THESE PRESENTS that the Borough of Donora, County of Washington, Commonwealth of Pennsylvania, a municipal corporation, existing by and under the laws of said State, for value received, hereby acknowledges itself indebted and promises to pay to the

bearer, or, if registered, to the registered owner hereof, the just sum of One thousand (\$1,000.00) Dollars on the first day of July, A.D. 19\_\_, with interest thereon at the rate of two and one-fourth (2 1/4%) per centum per annum, payable semi-annually on the first day of the months of July and January in each year on the presentation and surrender of the interest coupons hereto attached as they severally become due, without deduction for any State personal property tax which may be levied or assessed thereon, or on this bond, or on the debt secured hereby, under any present or future law of the Commonwealth of Pennsylvania, all of which taxes the Borough of Donora hereby assumes and agrees to pay, making this bond free of such State tax to the holder.

Both principal and interest are payable in lawful money of the United States of America at the Union National Bank of Donora, Donora, Pennsylvania.

This bond is one of a series of fifty (50) bonds, of like date, amount and tenor, except maturities, numbered consecutively from one (1) to fifty (50) inclusive, amounting in the aggregate to Fifty thousand (\$50,000.00) Dollars, issued in accordance with the Act of the General Assembly of the Commonwealth of Pennsylvania, approved the twentieth day of April, A.D. 1874, P.L. 65, and the several amendments thereof and supplements thereto, and by virtue of an ordinance of the said Borough of Donora, and the sworn statement of the principal officers thereof, as appears of record in the office of the Clerk of the Court of Quarter Sessions in and for the County of Washington, Commonwealth of Pennsylvania, at No. \_\_\_\_\_ Term, 1940.

It is hereby certified that all acts, conditions and things to be done, happen and be performed precedent to and in the issue of this bond or in the creation of the debt of which this is evidence, have been done, happened, and been performed in regular and due form and manner as required by law; and that this bond, together with all other indebtedness of the said Borough of Donora, is not in excess of any constitutional or statutory limitation, and for the prompt and full payment of all the obligations of this bond the entire property, faith, taxing power and resources of said Borough of Donora are hereby irrevocably pledged.

This bond shall pass by delivery or it may be registered upon the books of the Treasurer of said Borough of Donora. After such registration of ownership, which shall be certified hereon by the said Treasurer, no transfer, except upon the books of said Treasurer, shall be valid unless the last transfer so registered shall have been to bearer and the transferability by delivery thereby restored; but it shall continue subject to successive registration and transfer to bearer, as aforesaid, at the option of the holder. The transferability of the coupons by delivery shall not be affected by registration of the bond.

It is hereby further certified that an annual tax sufficient for the payment at maturity of the principal of the series of bonds of which this is a part, together with the interest and State tax thereon in accordance with the terms and conditions hereof, has been properly levied and assessed, and that said tax is not in excess of any legal limitation.

IN WITNESS WHEREOF, the Borough of Donora has caused this bond to be properly executed by its officers and the common and corporate seal of said Borough of Donora to be hereto affixed, attested by the Secretary of said Borough of Donora, and to be countersigned by its Treasurer, and has also caused the coupons hereto attached to be authenticated with the fac-simile signature of its Treasurer, as of date the first day of July A.D. 1940.

THE BOROUGH OF DONORA, PENNSYLVANIA

BY S.E. KOEDEL  
President of Council

ATTEST:

GEO. W. ALLEN  
SECRETARY

(Countersigned)

M. J. SWEENEY  
Chief Burgess

FORM OF COUPON

\$11.25

\$11.25

On the first day of \_\_\_\_\_, 19\_\_, the Borough of Donora,  
Washington County, Pennsylvania, will pay the bearer at

The Union National Bank of Donora, Donora, Pennsylvania,

Eleven and 25/100

(\$11.25) Dollars,

free of Pennsylvania State personal property tax, being six months' interest on  
its municipal bond, Series 1940, dated the first day of July, 1940 and numbered

\_\_\_\_\_.

\_\_\_\_\_

TREASURER

No. \_\_\_\_\_

UNITED STATES OF AMERICA  
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Borough

of

Donora

2-1/4%

BOND

Series of 1940

Due

July 1, \_\_\_\_\_

Interest Payable

July 1st and January 1st

at the

Union National Bank of Donora, Donora, Pa.

NOTHING TO BE WRITTEN HERE EXCEPT BY THE TREASURER

Date of Registry

In Whose Name Registered

Treasurer

SECTION 4. The proper officers of said Borough of Donora are hereby authorized and directed to execute said bonds in behalf of said Borough of Donora and affix thereto the common and corporate seal of the Borough of Donora and to cause the coupons to be signed on behalf of said Borough of Donora with the facsimile signature of the Treasurer of said Borough of Donora by lithograph or otherwise, and the Treasurer of said Borough of Donora is hereby authorized and directed to sell said bonds by and with the approval of the Council of said Borough of Donora, and the Treasurer is hereby authorized and directed to deliver said bonds to the purchaser and receive payment therefore on behalf of said Borough of Donora, provided such bonds shall not be sold for less than their par value, with accrued interest to the date of delivery and payments.

SECTION 5. There is hereby levied and assessed upon all persons and property subject to taxation for municipal purposes within said Borough of Donora, an annual tax, as follows:

For the years 1941 to 1946 inclusive, an annual tax of	\$ 2,583.33
For the years 1947 to 1949 inclusive, " " " "	2,583.34
For the year 1950 an annual tax of	11,060.00
For the year 1951 an annual tax of	10,795.00
For the year 1952 an annual tax of	10,530.00 ✓
For the year 1953 an annual tax of	10,265.00

the collection of which shall commence with the fiscal year 1941, being the first fiscal year following the issue of said bonds, and continue until and including the year 1953, which tax is sufficient for and shall be applied exclusively to meeting the payment, from time to time, of the interest and Pennsylvania State personal property tax on said bonds when due and the liquidation of the principal of said bonds at maturity.

SECTION 6. There is hereby established a sinking fund for the bonds hereby authorized, said fund to be known as sinking fund for 1940 bonds, and to be used for no other purpose until all said bonds shall have been paid in full. All money from the tax hereby levied (not required for the payment of interest and State tax on such bonds) shall be paid into the sinking fund hereby created.

SECTION 7. There is hereby appropriated from the general funds of the Borough of Donora aforesaid the sum of \$2,583.33 for the purpose of meeting the requirements of this issue of bonds for interest, tax and sinking fund for one year pending the commencement of the collection of the tax levied for that purpose, which collection commences with the year 1941, and the amount of this appropriation being equal to the proceeds from the tax levied by Section 5 hereof. The amount appropriated by this section shall be repaid to the general fund from the proceeds of the said tax levy.

SECTION 8. The principal officers of the Borough of Donora are hereby authorized and directed to file with the Clerk of the Court of Quarter Sessions in and for the County of Washington, Commonwealth of Pennsylvania, the proper statement regarding the increase of indebtedness and to perform all other acts proper in connection therewith, in accordance with the Act of the Assembly of the Commonwealth of Pennsylvania approved the 20th day of April, 1874, P.L. 65, and the amendments thereof and supplements thereto.

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SECTION 9. All ordinances and parts of ordinances not in accord with this ordinance are hereby repealed in so far as not in accordance herewith.

ORDAINED AND ENACTED into law this 8<sup>th</sup> day of July, A.D. 1940.

S.E. KOEDEL  
President of Council

ATTEST:

GEO. W. ALLEN  
Clerk-Secretary

EXAMINED AND APPROVED by me this 9 day of July, A.D. 1940.

M.J. SWEENEY  
Chief Burgess

ATTEST:

GEO. W. ALLEN  
Secretary

I HEREBY CERTIFY THAT  
THIS IS A CORRECT COPY  
OF ORDINANCE NO. 757  
Grow Allen  
BOROUGH CLERK

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