ORDINANCE NO. 18290

AN ORDINANCE INTRODUCED BY MAYOR JAMES A. McCLINTON
AUTHORIZING THE ISSUANCE OF $13,385,000 AGGREGATE
PRINCIPAL AMOUNT OF TAXABLE GENERAL OBLIGATION
BONDS, SERIES 2004-A (PENSION OBLIGATION REFUNDING), OF
THE CITY OF TOPEKA, KANSAS, UNDER THE AUTHORITY OF
K.S.A. 10-101 to 125, INCLUSIVE, THE HOME RULE AUTHORITY
GRANTED TO THE CITIES OF THE STATE OF KANSAS BY SECTION
5 OF ARTICLE 12 OF THE KANSAS CONSTITUTION, AND HOME
RULE ORDINANCE NO. 18269 OF THE CITY, ALL AS AMENDED.

WHEREAS, pursuant to the home rule authority granted to the cities of the State of
Kansas by Section 5 of Article 12 of the Kansas Constitution, and Home Rule Ordinance No.
18269 of the City of Topeka, Kansas, (the “City”) and other provisions of the laws of the State of
Kansas applicable thereto, by proceedings duly had, the City has authorized the issuance of
general obligation bonds to provide for the funding of and payment to the Kansas Police and
Firemen’s Retirement System (the “System”) both the amount of the current unfunded liability
of the City for a prior pension plan of the City together with the accrued liability of the City in
connection with certain required excess contribution payments and ongoing pension obligations
of the City to the System for eligible employees of the City’s police and fire departments (the
“Project”).

WHEREAS, all legal requirements pertaining to the Project have been complied with,
and the governing body of the City now finds and determines that the total costs of the Project
and related expenses are at least $13,385,000 (the “Project Costs”), to be paid for by the issuance
of general obligation bonds; and

WHEREAS, in accordance with all of the foregoing, the City deems it necessary and
advisable to issue and sell its Taxable General Obligation Bonds, Series 2004-A (Pension
Obligation Refunding) in the aggregate principal amount of Thirteen Million Three Hundred
Eighty-five Thousand Dollars ($13,385,000) for the purpose of paying the cost of the Project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
TOPEKA, SHAWNEE COUNTY, KANSAS:

Section 1. That for the purpose of funding the Project hereinbefore described, there is
hereby authorized and directed to be issued Taxable General Obligation Bonds of the City in the
aggregate principal amount of Thirteen Million Three Hundred Eighty-five Thousand Dollars
($13,385,000) (the “Bonds”) as provided by the home rule authority granted to the cities of the
State of Kansas under Section 5 of Article 12 of the Kansas Constitution, Home Rule Ordinance
No. 18269 of the City and Article 1 of Chapter 10, Kansas States Annotated, all as amended. The
Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such form, shall be subject to redemption and payment prior to the maturity thereof and shall be issued in the manner prescribed and subject to the provisions, covenants and agreements set forth in a resolution of the Governing Body of the City adopted the same date as the date of the passage and approval of this Ordinance (the “Resolution”).

Section 2. That the Mayor or Deputy Mayor and City Clerk or Deputy City Clerk are hereby authorized to prepare and execute the Bonds and when so executed, the Bonds shall be registered as required by law and the Governing Body shall annually make provisions for the payment of the principal of, redemption premium, if any, and interest on the Bonds as the same shall become due by levying a tax upon all the taxable property of the City.

Section 3. That the City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the provisions of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the Resolution all as necessary to carry out and give effect to the transaction contemplated hereby and thereby.

Section 4. That if any portion or provision of this Ordinance or the Bonds shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provisions shall not affect any of the remaining provisions of this Ordinance or the Bonds but this Ordinance and said Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 5. That the Bonds shall be issued and sold to the purchaser thereof in accordance with both their bid for the purchase thereof and the terms and conditions of this Ordinance.

Section 6. That this Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

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Passed and approved by the Council of the City of Topeka, Kansas, this 20th day of July, 2004.

CITY OF TOPEKA, KANSAS

James A. McClinton, Mayor

ATTEST:

Iris E. Walker, City Clerk

Iris E. Walker, City Clerk

Iris E. Walker, City Clerk of the City of Topeka, Shawnee County, Kansas, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 18290 adopted and approved by the City Council on July 20, 2004.