

ORDINANCE NO. 33

AN ORDINANCE ADDITIONALLY DECLARING THE RESULT OF A SPECIAL ELXCTION HELD MAY FOURTH, 1908, AND PROVIDING FOR THE ISSUANCE, SALE AND REDEMPTION OF BONDS OF THE CITY OF LODI IN THE SUM OF FIFTY THOUSAND DOLLARS FOR A SEWER SYSTEM WITH SEWER PLANT AND IN THE SUM OF SEVENTY-SIX THOUSAND DOLLARS FOR A COMBINED PLANT FOR SUPPLYING SAID CITY AND ITS INHABITANTS WITH WATER AND ELEC-TRIC LIGHT.

The Board of Trustees of the City of Lodi do ordain as follows:

Section 1. All the statements and recitals contained in that certain resolution and its preamble, adopted by the Board of Trustees of the city of Lodi at the meeting of said Board held on the eleventh day of May, 1908, and entered in the minutes of said meeting at page 167 of said minutes, said resolution being in declaration of the results of the special municipal election held in said city on the fourth day of May, 1908, are hereby confirmed, and said statements and recitals are by this reference thereto made part of this ordinance as fully as if the same were fully set forth in this ordinance. It is hereby found, determined and declared that all and singular the indebtedness and bonds hereafter in this ordinance mentioned and provided for were at said special election authorized and assented to by the votes of more than two thirds of all the voters voting at said special election.

Sec. 2. For the acquisition, construction and completion in the City of Lodi of a sewer system with sewer plant the said City of Lodi shall incur an indebtedness of fifty thousand dollars ( \$50,000.00 ), and bonds of said city evidencing such indebtedness shall be issued in said sum of fifty thousand dollars to be paid within thirty years from and after the first day of July,

1908, one-thirtieth part ( \$1666.66  $\frac{2}{3}$  ) as principal on the first day of July, 1909, and on that day of every year thereafter to and including the year 1938, together with interest upon all unpaid principal at the rate of five per cent per annum payable semi-annually on the first day of January and the first day of July of each year. There shall be one hundred and twenty of said bonds, numbered consecutively from one to one hundred and twenty, divided into thirty series of **four** bonds to each series, the series to be numbered consecutively from one to thirty. One bond in each series ( the highest in bond number ) shall be for one hundred and sixty-six and two-thirds dollars ( \$166.66  $\frac{2}{3}$  ), and each interest coupon thereof shall be for four dollars and sixteen and two-thirds cents ( \$4.16  $\frac{2}{3}$  ), and the three other bonds of each series shall be for five hundred dollars ( \$500.00 ) each, and each interest coupon thereof shall be for twelve dollars and fifty cents ( \$12.50 ) .

Sec. 3. For the acquisition, construction and completion of a combined plant for supplying the City of Lodi and its inhabitants with water and electric light the said City of Lodi shall incur an indebtedness of seventy-six thousand dollars ( \$76,000.00 ), and bonds of said city evidencing such indebtedness shall be issued in said sum of seventy-six thousand dollars to be paid within thirty years from and after the first day of July, 1908, one-thirtieth part ( \$2533.33  $\frac{1}{3}$  ) as principal on the first day of July, 1909 and on that day of every year thereafter to and including the year 1938, together with interest upon all unpaid principal at the rate of five per cent per annum payable semi-annually on the first day of January and the first day of July of each year. There shall be one hundred and fifty of said bonds, numbered consecutively from one to one hundred and fifty, divided into thirty series of five bonds to each series , the series to be numbered consecutively from one to thirty. One bond in each series ( the highest in bond number ) shall be for five hundred and

thirty-three and one-third dollars ( \$533.53 1/3 ) , and each interest coupon thereof shall be for ~~thirteen~~ and one-third dollars ( \$13.33 1/3 ), and the four other bonds of each series shall be for five hundred dollars ( \$500.00 ) each, and each interest coupon thereof shall be for twelve and one-half dollars ( \$12.50 ).

Sec. 4. In form said bonds may be and in substance shall be as follows, to wit:

United States of America

State of California

Bond of the City of Lodi

Bond No. \_\_\_\_\_ Series No. \_\_\_\_\_ \$ \_\_\_\_\_

Municipal Improvement Fund No. \_\_\_\_\_

( Phrase indicative of improvement ) Bond

On the first day of July, A. D. \_\_\_\_\_, the City of Lodi, a municipal corporation in the County of San Joaquin, State of California, will pay to the bearer, at the office of the City Treasurer of said city of Lodi, the sum of \_\_\_\_\_ dollars with interest thereon, from date of this bond, at the rate of five per cent per annum, payable semi-annually on the first day of January and the first day of July, at the office of said City Treasurer, upon the presentation and surrender of the proper interest coupon hereto attached, principal and interest payable in gold coin of the United States of America. This bond ceases to bear interest unless presented for payment at its maturity.

This bond and the issue and series to which it belongs are issued by the Board of Trustees of the City of Lodi, under the provisions of an Act of the Legislature of the State of California, entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improve-

ments, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval, February 25th, 1901; and are issued upon and with the declaration and representation, on the part of said city, that **all** and singular the requirements of the law for a valid issue of the same have **been** and are had, met, complied with and existent, and that all and singular the proceedings leading **up** to said issue have been and are full, regular, in accordance with law, and in every particular adequate and sufficient unto a valid issue of this bond and the series and issue to which it belongs, and that no part of the indebtedness evidenced by this bond or the issue **of** which it is a part is in **excess** of the amount of indebtedness to said city permitted by law.

In witness whereof, the said City of Lodi, by its Board ~~of Trustees~~ and the President thereof, has authorized and caused the President of the Board ~~of Trustees~~ of said city and the Treasurer ~~of said city~~ to sign hereto the name ~~of said city~~, and **its** City Clerk to countersign the same and affix hereto the corporate seal of **said** city, on this first day of July, 1908.

THE CITY OF LODI

By G. E. Lawrence

As President of the Board of Trustees of the City of Lodi, and for himself **as** such President **and** the Executive of **said** City,

By W. H. Lorenz

As Treasurer of the City of Lodi, and for himself as such Treasurer.

Countersigned by J. M. Mahon  
As City Clerk of the City of Lodi.

The interest coupons attached to said bonds may be in form and shall be in substance as follows, to wit:

Municipal Improvement Fund No. \_\_\_\_.

\$ \_\_\_\_.

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

Coupon No. \_\_\_\_

On the first day of \_\_\_\_\_, A. D. 19\_\_\_\_, the City of Lodi promises to pay to bearer, at the office of the City Treasurer of said city, the sum of \_\_\_\_\_ dollars in gold coin of the United States of America for semi-annual interest on the bond aforesaid.

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As Treasurer of said City.

Sec. 5. A31 of said bonds shall be executed as of the date July 1st, 1908, shall be in substance as in this ordinance aforesaid provided and by the aforesaid forms indicated. The interest coupons shall be consecutively numbered. The President of the Board of Trustees, the Treasurer and the City Clerk of the City of Lodi are hereby authorized and directed to sign and execute all of said bonds, and said Treasurer all of said interest coupons, of said substance in substantially said forms, and the acts of each of them in so doing are hereby declared to be and to be construed as being those of both the City of Lodi and his official self.

Sec. 6. Said bonds, or any portion of them may be sold by the Board of Trustees of the City of Lodi at not less than their par value and at either public or private sale, without further notice.

Sec. 7. There shall be levied and collected annually for the term of thirty years beginning with the fiscal year commencing July 1, 1908, by the municipal authorities of the City of Lodi, at the time of the levy and collection of other city taxes, but in addition thereto, a special tax sufficient to pay, and with

which shall be paid, one-thirtieth part of the aggregate amount of the indebtedness evidenced by the principal of said bonds together with such interest as may become due before a subsequent annual tax levy. The moneys so collected shall constitute a sinking fund for the payment of the principal of said indebtedness within thirty years from and after the first day of July, 1908.

A proportionate amount of the money derived from such special tax Levy shall be deposited in the treasury of said city to the credit of a fund for said sewer system with sewer plant, which shall be known and designated as Municipal Improvement Fund No. One, to the credit of which fund shall also be likewise deposited the proceeds of the sale of the bonds issued for said sewer system with sewer plant. And a proportionate amount of the money derived from such special tax levy shall be likewise deposited to the credit of a fund for said combined plant for furnishing said city and its inhabitants with water and electric light, which shall be known and designated as Municipal Improvement Fund No. Two, to the credit of which fund shall also be likewise deposited the proceeds of the sale of the bonds issued for said combined plant for furnishing said city and its inhabitants with water and electric light.

Sec. 8. This ordinance shall be published twice in the The Lodi Daily Herald, a newspaper published in said City of Lodi, and shall take effect upon the completion of such publication.

The foregoing ordinance was introduced for passage at a regular meeting of the Board of Trustees of the City of Lodi, held on the 18th day of May, 1908, and more than five days thereafter was, at an adjourned regular meeting of said Board, held on the 25th day of May, 1908, finally passed by the following vote.

Ayes:

Trustees Wm. Blodgett, F. O. Hale, G. E. Lawrence,  
C. A. Rich, and Leon Viehiger.

Noes:

None.

Absent:

None.

I hereby sign, approve and attest the foregoing ordinance this 25th day of May, 1908.



G. E. Lawrence

President of the Board of Trustees of the City of Lodi and as the Executive of said City.

Attest:

J. W. McMahon

City Clerk of the City of Lodi.