

BOROUGH OF WEST VIEW  
ORDINANCE #1463

ORDINANCE AUTHORIZING THE INCURRING OF NONELECTORAL DEBT FOR THE PURPOSE OF PROVIDING FUNDS FOR A REFUNDING PROJECT AND A CAPITAL PROJECT, BY THE ISSUANCE OF GENERAL OBLIGATION BONDS NOT TO EXCEED THE AGGREGATE PRINCIPAL AMOUNT OF \$11,100,000; FINDING A SALE BY NEGOTIATION TO BE IN THE BEST INTEREST OF THE BOROUGH; PROVIDING FOR MAXIMUM MATURITIES, MAXIMUM INTEREST RATES AND REDEMPTION FEATURES; COVENANTING TO PAY DEBT SERVICE; PLEDGING FULL FAITH, CREDIT AND TAXING POWER FOR THE PAYMENT OF THE BONDS; APPOINTING A PAYING AGENT, REGISTRAR AND SINKING FUND DEPOSITORY; ESTABLISHING A SINKING FUND; APPROPRIATING THE BOND PROCEEDS; AUTHORIZING ACCEPTANCE OF A PROPOSAL; RATIFYING PRIOR ADVERTISEMENT AND DIRECTING FURTHER ADVERTISEMENT; AUTHORIZING THE PAYMENT OF EXPENSES; RATIFYING THE PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING APPROVAL OF THE FINAL OFFICIAL STATEMENT; AUTHORIZING THE OPENING OF A CLEARING ACCOUNT AND A PROJECT ACCOUNT; ADOPTING A FORM OF BOND; AUTHORIZING THE EXECUTION AND DELIVERY OF A DISCLOSURE AGREEMENT; AND REPEALING INCONSISTENT ORDINANCES.

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As Enacted February 9, 2012

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HEREAS, the Borough of West View (the “Borough”) pursuant to an ordinance enacted on January 24, 2007 issued a series of bonds entitled Borough of West View , General Obligation Bonds, Series of 2007 in the original aggregate principal amount of \$7,695,000 of which \$7,070,000 are currently outstanding (the “2007 Bonds”) of which \$6,900,000 mature on or after August 1, 2013 (the “Prior Bonds”), which were issued to undertake a project (the “2007 Capital Project”) consisting of the payment of the cost of the Borough’s share of the acquisition, construction, and equipping of the Phase III Joint Trunk Sewer Expansion Project and the 1997 Millvale Joint Trunk Line Expansion, and the cost of capital improvements to the Borough sewer system; and

HEREAS, the Borough has determined an economic benefit to be gained from the refunding of some or all of the Prior Bonds (the “Refunding Project”) by reducing debt service over the life of the Prior Bonds; and

HEREAS, it is necessary that the Borough issue its general obligation bonds in order to accomplish the Refunding Project and gain such benefit; and

HEREAS, the Borough desires to undertake a project consisting of constructing improvements to the Borough’s roads and capital improvements to the Borough’s facilities (the “Capital Project”); and

HEREAS, it is necessary that the Borough issue its general obligation bonds in order to accomplish the Capital Project; and

HEREAS, the Borough intends to issue its bonds in accordance with the terms of this Ordinance and the Local Government Unit Debt Act, 53 Pa.C.S. §§8001 *et seq.*, as amended (the “Debt Act”), to pay the costs of the Refunding Project and the Capital Project; and

NOW, THEREFORE, BE AND IT HEREBY IS ORDAINED AND ENACTED by the Borough Council of the Borough of West View that:

SECTION 1. The Project.

Borough hereby undertakes as a project the Refunding Project and hereby undertakes as a project the Capital Project, which are combined for purposes of financing. The descriptions of the Refunding Project and the Capital Project contained in the recitals to this Ordinance are hereby incorporated into this Section by reference as if set out at length.

SECTION 2. Incurrence of Indebtedness.

For the purpose of providing funds for and toward the payment of costs, as such term is used in the Debt Act, of the Capital Project, the incurring of nonelectoral debt by the Borough in an amount not to exceed \$11,100,000 is hereby authorized. Such debt shall be evidenced by an issue of general obligation bonds of the Borough in an aggregate principal amount not to exceed \$11,100,000, designated “Borough of West View, General Obligation Bonds, Series of 2012” (the “Bonds”).

SECTION 3. Approval of Private Sale.

After considering the advantages and disadvantages of a public sale of the Bonds, the Borough Council hereby determines that a private sale by negotiation is in the best financial interests of the Borough.

SECTION 4. Acceptance of Proposal.

hereby invites, and authorizes Piper Jaffray & Co. (the "Purchaser") to submit in the manner herein provided, a proposal for the purchase of all but not less than all of the Bonds, bearing rates, terms and other provisions not inconsistent with this Ordinance (the "Proposal") .

Proposal shall be submitted to the President of the Borough Council of the Borough for approval and acceptance, which Proposal shall be substantially in the form presented at this meeting, with such insertions as to interest rates, principal amounts, maturity dates and redemption provisions and related matters, and (ii) such deletions and amendments as the President, the Solicitor and Bond Counsel shall approve. The execution and delivery of a Proposal by the appropriate officers of the Borough shall constitute conclusive evidence of such approval.

The Proposal must meet the following requirements:

(i)  
Aggregate purchase price for the Bonds to be purchased pursuant to such Proposal shall not be less than the total of (A) 99.00% of the aggregate principal amount thereof, (B) reduced or increased by any net original issue discount or premium, if any, and (C) plus accrued interest, if any.

(ii)  
The Proposal must identify the Prior Bonds being refunded.

(iii)  
Net savings after all expenses from the Refunding Project must be not less than the 2% of the aggregate principal amount of the Bonds after reduction for any original issue discount or increase for any original issue premium.

(iv)  
The Proposal must identify the amount of proceeds to be applied to the Capital Project.

(v)  
The Bonds contemplated by the Proposal must conform to the requirements of the Debt Act.

and delivery of the Proposal by the appropriate officers of the Borough shall constitute acceptance hereunder of the Proposal. Upon acceptance of the Proposal, the Bonds shall be and are hereby awarded and sold at private sale by negotiation unto the Purchaser identified by the President of Town Council in accordance with the requirements set forth in the preceding provisions of this Section 4, in accordance with all the terms of the Proposal. The proper officers are authorized and directed to accept such Proposal by signing it, to return it to the Purchaser and to file a copy of the same with the records of the Borough.

Secretary is hereby authorized and directed to deliver the Bonds to the Purchaser and receive payment therefor on behalf of the Borough after sale of the same in the manner required by law and the terms of this Resolution. The proper officers of the Borough are hereby authorized and directed to transfer and invest funds, to pay all necessary, usual and proper costs of issuance of the Bonds, to execute and deliver such documents and to do all such other acts, upon advice of the Solicitor and/or Bond Counsel, as are reasonably necessary to ensure a satisfactory settlement of the sale of the Bonds, and a proper application of the proceeds thereof to the Refunding Project.

## SECTION 5. Maturity and Interest Rates.

The rate of interest per annum for each maturity of the Bonds shall not exceed the rates set forth in Schedule A attached hereto and incorporated herein; provided, that in the case of term bonds the applicable rate of interest shall be the rate set forth in Schedule A for the relevant maturity date of such term bonds. The principal amount of Bonds annually scheduled to mature or to be subject to mandatory redemption, as the case may be, shall not exceed the principal amount on each date set forth in Schedule A attached hereto. The Bonds shall bear interest accruing from a date (the "Dated Date"), which date shall be on or about the date of delivery as more fully specified in the applicable Proposal.

## SECTION 6. Appointment of Paying Agent, Registrar and Sinking Fund Depository.

Bank of New York Mellon Trust Company, N.A., Pittsburgh, Pennsylvania, is hereby appointed Paying Agent (the "Paying Agent") and Registrar (the "Registrar") for the Bonds and Sinking Fund Depository (the "Sinking Fund Depository") for the Sinking Fund created hereby. The Secretary is hereby authorized and directed to contract with such entity for its services as Sinking Fund Depository, Paying Agent and Registrar at such initial and annual charges as shall be appropriate and reasonable for such services. The Borough may, by Ordinance, from time to time, appoint a successor Paying Agent, Sinking Fund Depository or Registrar to fill a vacancy or for any other reason.

## SECTION 7. Form of Bond, Interest Payment Dates and Record Dates.

Bonds shall be issued in fully registered form without coupons and shall be numbered in such manner as may be satisfactory to the Borough and the Paying Agent. Pursuant to recommendations promulgated by the Committee on Uniform Security Identification Procedures, "CUSIP" numbers may be printed on the Bonds. Each Bond shall be dated as of the date of its authentication. The Bonds shall be issued in denominations of \$5,000 or any whole multiple thereof. The Bonds shall bear interest from the appropriate February 1 or August 1 (each, an "Interest Payment Date") immediately preceding their respective dates of authentication, unless: (a) a Bond shall be authenticated as of a date after a Record Date and on or before the next succeeding Interest Payment Date, in which case such Bond shall bear interest from such next succeeding Interest Payment Date or (b) a Bond shall be authenticated on or prior to the Regular Record Date preceding the August 1, 2012, in which case such Bond shall bear interest from the Dated Date; or (c) as shown on the records of the Paying Agent, interest on the Bonds shall be in default, in which event the Bond shall bear interest from the date on which interest was last paid on the Bond until such sum is paid, or if no interest has been paid, from the Dated Date.

The term "Regular Record Date" with respect to any Interest Payment Date shall mean the January 15 or July 15 immediately preceding such Interest Payment Date. The person in whose name any Bond is registered at the close of business on any Regular Record Date with respect to any Interest Payment Date shall be entitled to receive the interest payable on such Interest Payment Date notwithstanding the cancellation of such Bond upon any transfer or exchange thereof subsequent to such Regular Record Date and prior to such Interest Payment Date, except if and to the extent that the Borough defaults in the payment of the interest due on such Interest Payment Date, in which case such defaulted interest shall be paid to the persons in whose names outstanding Bonds are registered at the close of business on a Special Record Date established by the Paying Agent, notice of which shall have been mailed not less than ten (10) days prior to such Special Record Date to the persons in whose name the Bonds are registered at the close of business on the fifth (5<sup>th</sup>) day preceding the date of mailing.

The date for payment of the principal of or interest on any Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized or required by law or executive order to close, then the date for payment of such principal or interest shall be the next succeeding day that is not a Saturday,

Sunday, legal holiday or a day on which such banking institutions are authorized or required to close, and payment on such date shall have the same force and effect as if made on the nominal date established for such payment.

#### SECTION 8. Bond Register, Registrations and Transfer.

Borough shall cause to be kept at the designated corporate trust office of the Paying Agent a register (the "Bond Register") in which, subject to such reasonable regulations as it may prescribe, the Borough shall provide for the registration of Bonds and the registration of transfers and exchanges of Bonds. No transfer or exchange of any Bond shall be valid unless made at such office and registered in the Bond Register.

On surrender of any Bond at the designated corporate trust office of the Paying Agent for registration of transfer, the Borough shall execute and the Paying Agent shall authenticate and deliver in the name of the transferee or transferees, a new Bond or Bonds of any authorized denomination, of the same interest rate and maturity, and in the same aggregate principal amount as the Bond so surrendered.

Any Bond shall be exchangeable for other Bonds of the same maturity and interest rate, in any authorized denomination, in an aggregate principal amount equal to the principal amount of the Bond or Bonds presented for exchange. Upon surrender of any Bond for exchange at the principal corporate trust office of the Paying Agent, the Borough shall execute and the Paying Agent shall authenticate and deliver in exchange therefor the Bond or Bonds which the owner making the exchange shall be entitled to receive.

Bonds issued upon any registration of transfer or exchange shall be valid obligations of the Borough, evidencing the same debt and entitled to the same benefits under this Ordinance as the Bonds surrendered for such registration of transfer or exchange.

Every Bond presented or surrendered for registration of transfer or exchange shall be duly endorsed, or be accompanied by a written instrument of transfer, in form and with guaranty of signature satisfactory to the Borough and the Registrar, duly executed by the Registered Owner thereof or his duly authorized agent or legal representative.

Service charge shall be made for any transfer or exchange of any Bond, but the Borough may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds.

The Borough shall not be required to register the transfer of or exchange any Bond: (a) in the case of Bonds then considered for redemption, during a period beginning at the close of business on the fifteenth (15<sup>th</sup>) day next preceding any date of selection of Bonds to be redeemed and ending at the close of business on the day on which the applicable notice of redemption is mailed; (b) once selected for redemption in whole or in part until after the redemption date; or (c) during a period beginning at the close of business on the fifteenth (15<sup>th</sup>) day next preceding the date of maturity of the Bond and ending at the close of business on the date of maturity.

SECTION 9. Execution and Authentication.

and Authentication. The Bonds shall be executed on (a) behalf of the Borough by the President of the Borough Council, and shall have a facsimile of the corporate seal of the Borough affixed thereto, duly attested by the Secretary and said officers are hereby authorized and directed to execute the Bonds. The Bonds shall be authenticated by the manual execution of the Certificate of Authentication by a duly authorized officer of the Paying Agent. No Bond shall be valid until such Certificate of Authentication shall have been duly executed by the Paying Agent and such authentication shall be conclusive and the only proof that any Bond has been issued pursuant to this Ordinance and is entitled to any benefits conferred thereon under the provisions of this Ordinance. To the extent that any one signature on a Bond (including the signature of the officer of the Paying Agent) is manual, all other signatures may be by facsimile. The President of the Borough Council or Treasurer or Secretary or any of such officers is hereby authorized and directed, subject to the terms and conditions of the Proposal, to deliver the Bonds to the Purchaser and receive payment therefor on behalf of the Borough after sale of the same in the manner required by law and this Ordinance.

(b) Book-Entry-Only Registration.

(i)  
ter of Representations. The Borough authorizes and approves the purchase of the Bonds by the Purchaser as book-entry-only obligations with The Depository Trust Company, New York, New York ("DTC"). Proper officers of the Borough are authorized and directed to execute DTC's Letter of Representations, if applicable, in substantially the form submitted to the Borough concurrent with its consideration of this Resolution, and such other documents as shall be necessary to complete the sale of the Bonds as book-entry obligations.

(ii)  
Book-Entry-Only System.

The Bonds shall be issued in the form of one fully registered bond for the aggregate principal amount of the Bonds of each maturity, which Bonds shall be registered in the name of Cede & Co., as nominee of DTC. Except as provided in paragraph (G) below, all of the Bonds shall be registered in the name of Cede & Co., as nominee of DTC; provided that if DTC shall request that the Bonds be registered in the name of a different nominee, the Paying Agent shall exchange all or any portion of the Bonds for an equal aggregate principal amount of Bonds, registered in the name of such nominee or nominees of DTC. No person other than DTC or its nominee shall be entitled to receive from the Borough or the Paying Agent either a Bond or any other evidence of ownership of the Bonds, or any right to receive any payment in respect thereof unless DTC or its nominee shall transfer record ownership of all or any portions of the Bonds on the registration records maintained by the Paying Agent pursuant to Section 5 hereof, in connection with discontinuing the book entry system as provided in paragraph (G) below or otherwise.

as the Bonds or any portion thereof are registered in the name of DTC or any nominee thereof, all payments of the principal or redemption price of or interest on such Bonds shall be made to DTC or its nominee in immediately available funds on the dates provided for such payments in this Resolution and in the Bonds. Each such payment to DTC or its nominee shall be valid and effective to discharge fully all liability of the Borough or the Paying Agent with respect to the principal or redemption price of or interest on such Bonds to the extent of the sum or sums so paid. In the event of the redemption of less than all of the Bonds outstanding of any maturity, the Paying Agent shall not require surrender by DTC or its nominee of the Bonds so redeemed, but DTC (or its nominee) may retain such Bonds and make an appropriate notation on the Bond certificate as to the amount of such partial redemption; provided that DTC shall deliver to the Paying Agent, upon request, a written confirmation of such partial redemption and thereafter the records maintained by the Paying Agent shall be conclusive as to the amount of the Bonds of such maturity which have been redeemed.

ough and the Paying Agent may treat DTC (or its nominee) as the sole and exclusive owner of the

Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to registered owners under this Resolution and the Bonds, registering the transfer of Bonds, obtaining any consent or other action to be taken by registered owners and for all other purposes whatsoever; and neither the Borough nor the Paying Agent shall be affected by any notice to the contrary. Neither the Borough nor the Paying Agent shall have any responsibility or obligation to any participant in DTC, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any such participant, or any other person which is not shown on the registration records maintained by the Paying Agent as being a registered owner, with respect to either: (1) the Bonds; or (2) the accuracy of any records maintained by DTC or any such participant; or (3) the payment by DTC or any such participant of any amount in respect of the principal or redemption price of or interest on the Bonds; or (4) any notice which is permitted or required to be given to registered owners under this Resolution or the Bonds; or (5) the selection by DTC or any such participant of any person to receive payment in the event of a partial redemption of the Bonds; or (6) any consent given or other action taken by DTC as registered owner.

as the Bonds or any portion thereof are registered in the name of DTC or any nominee thereof, all

notices required or permitted to be given to the registered owners of Bonds under this Resolution or the Bonds shall be given to DTC as provided in the representation letter to be delivered to DTC, in form and content satisfactory to DTC and the Borough.

ction with any notice or other communication to be provided to registered owners pursuant to this

Resolution or the Bonds by the Borough or the Paying Agent with respect to any consent or other action to be taken by registered owners, DTC shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action, provided that the Borough or the Paying Agent may establish a special record date for such consent or other action. The Borough or the Paying Agent shall give DTC notice of such special record date not less than fifteen (15) calendar days in advance of such special record date to the extent possible.

Paying Agent shall, in its written acceptance of its duties under this Resolution, agree to take any

actions necessary from time to time to comply with the requirements of the representation letter.

y system for registration of the ownership of the Bonds may be discontinued at any time if either:

(1) after notice to the Borough and the Paying Agent, DTC determines to resign as securities depository for the Bonds; or (2) after notice to DTC and the Paying Agent, the Borough determines that a continuation of the system of book-entry transfers through DTC (or through a successor securities depository) is not in the best interests of the Borough. In either of such events (unless in the case described in clause (2) above, the Borough appoints a successor securities depository), the Bonds shall be delivered in registered certificate form to such persons, and in such maturities and principal amounts, as may be designated by DTC, but without any liability on the part of the Borough or the Paying Agent for the accuracy of such designation. Whenever DTC requests the Borough and the Paying Agent to do so, the Borough and the Paying Agent shall cooperate with DTC in taking appropriate action after reasonable notice to arrange for another securities depository to maintain custody of certificates evidencing the Bonds.

## SECTION 10. General Obligation Covenant.

Bonds are hereby declared to be general obligations of the Borough. The Borough hereby covenants with the Registered Owners from time to time of the Bonds outstanding pursuant to this Ordinance that it will include the amount of the debt service as specified in this Section, subject to appropriate adjustment in the event of the optional redemption of any Bonds prior to maturity, on the Bonds for each fiscal year in which such sums are payable, in its budget for that year, will appropriate such amounts for such payments and will duly and punctually pay or cause to be paid the principal of the Bonds and the interest thereon on the dates, at the places and in the manner stated therein, according to the true intent and meaning thereof, and for such budgeting, appropriation and payment, the Borough does hereby pledge its full faith, credit and taxing power. The maximum amount of the debt service which the Borough hereby covenants to pay on the Bonds in each year is shown on Schedule B which is attached hereto and incorporated herein by reference as if set out here at length.

As provided in the Debt Act, the foregoing covenants are specifically enforceable.

## SECTION 11. Redemption.

Bonds shall be subject to redemption at the option of the Borough prior to their stated maturity dates, as a whole, or in part from time to time, in any order of maturity (and in any authorized principal amount within a maturity) and by lot within a maturity, on the dates and at the redemption prices provided in the accepted Proposal, together with interest accrued to the date fixed for redemption.

Bonds may be subject to mandatory redemption, if at all, on the dates (each, a "Mandatory Redemption Date") and in the amounts as provided in the accepted Proposal, which mandatory redemption provisions are incorporated herein by reference as if set out here at length. The Borough covenants and directs the Paying Agent to redeem the specified aggregate principal amount of Bonds of the specified series and maturities on the respective Mandatory Redemption Dates set forth in the accepted Proposal, subject to the Borough's right which is reserved in Section 12, to satisfy that obligation by delivering to the Paying Agent and Sinking Fund Depository no later than forty-five (45) days before any Mandatory Redemption Date, for cancellation, Bonds of the maturity which are subject to mandatory redemption on that Mandatory Redemption Date.

Notice of any redemption shall be given by mailing a notice of redemption by first class mail, postage prepaid, not less than thirty (30) nor more than sixty (60) days prior to the redemption date to the Registered Owners of Bonds to be redeemed at the addresses which appear in the Bond Register, provided, however, that neither failure to mail such notice nor any defect in the notice so mailed or in the mailing thereof with respect to any one Bond shall affect the validity of the proceedings for the redemption of any other Bond. If the Borough shall have duly given notice of redemption and shall have deposited with the Paying Agent funds for the payment of the redemption price of the Bonds so called for redemption, with accrued interest thereon to the date fixed for redemption, interest on such Bonds shall cease to accrue after such redemption date. Notices may be made conditional upon such deposits being timely made.

Notices of redemption shall contain the applicable CUSIP numbers pertaining to the Bonds called for redemption (if then generally in use), and shall also contain the serial identification numbers printed on the Bonds.

If less than all Bonds maturing on any one date are to be redeemed at any time, the Paying Agent shall select by lot the Bonds to be redeemed at such time.

Any portion of any Bond of a denomination larger than \$5,000 may be redeemed, but only in the principal amount of \$5,000 or any integral multiple thereof. Prior to selecting Bonds for redemption, the Paying



Agent shall assign numbers to each \$5,000 portion of any Bond of a denomination larger than \$5,000 and shall treat each portion as a separate Bond in the denomination of \$5,000 for purposes of selection for redemption. Upon surrender of any Bond for redemption of a portion thereof, the Paying Agent shall authenticate and deliver to the Registered Owner thereof a new Bond or Bonds of the same maturity and in any authorized denominations requested by the Registered Owner in an aggregate principal amount equal to the unredeemed portion of the Bond surrendered.

ption. If the redemption date for any Bonds shall be (a) Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized or required by law or executive order to close, then the date for payment of the principal, premium, if any, and interest upon such redemption shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized or required to close, and payment on such date shall have the same force and effect as if made on the nominal date of redemption.

## SECTION 12. Sinking Fund.

hereby established a sinking fund to be known as “(B)orough of West View, Series of 2012 Bonds Sinking Fund” (the “Sinking Fund”) into which the Borough covenants to deposit, and into which the Treasurer is hereby authorized and directed to deposit (i) on or before August 1, 2012, and on or before each Interest Payment Date thereafter to and including August 1, 2040, amounts sufficient to pay the interest due on such dates on the Bonds then outstanding, and (ii) on or before August 1, 2012, and on or before each August 1 thereafter to and including August 1, 2040, amounts sufficient to pay the principal of the Bonds due on each such date at maturity or pursuant to the mandatory redemption requirements hereof. Should the amounts covenanted to be paid into the Sinking Fund be, at any time, in excess of the net amounts required at such time for the payment of interest and principal, whether by reason of funds already on deposit in the Sinking Fund or by reason of the purchase or redemption of Bonds, or for some similar reason, the amounts covenanted to be paid may be reduced to the extent of the excess.

ds Delivered. The Borough may satisfy any part of (its) obligations with respect to clause (a)(ii) by delivering to the Paying Agent and Sinking Fund Depository, for cancellation, Bonds maturing or subject to mandatory redemption on the date on which such deposit is required. The Borough shall receive credit against such deposit for the face amount of the Bonds so delivered, provided that such Bonds are delivered to and received by the Paying Agent and Sinking Fund Depository (i) on or before the maturity date of the Bonds for which credit is requested, in the case of a deposit required for the payment of Bonds at maturity, or (ii) in the case of a deposit required to be made on a Mandatory Redemption Date, no later than forty-five (45) days prior to the Mandatory Redemption Date for which credit is requested.

Funds. All sums in the Sinking Fund shall be applied (to) exclusively to the payment of principal and interest covenanted to be paid by Section 10 hereof as the same from time to time become due and payable and the balance of said moneys over and above the sum so required shall remain in the Sinking Fund, to be applied to the reduction of future required deposits; subject, however, to investment or deposit at interest as authorized by law and as permitted by Section 23 hereof. The Sinking Fund shall be kept as a separate account at the principal corporate trust office of the Sinking Fund Depository. The Sinking Fund Depository, without further authorization other than as herein contained, shall pay from the moneys in the Sinking Fund, the interest on the Bonds as and when due to the Registered Owners on the appropriate Record Date and principal of the Bonds, as and when the same shall become due, to the Registered Owners thereof.

s. Notwithstanding the foregoing, in the case of optional redemption of any or all of the Bonds as permitted by Section 11 hereof, the Treasurer is hereby authorized and directed to deposit, from time to time, before the appropriate optional redemption date, funds which shall be sufficient when they, either alone or together with the interest to be earned thereon, if any, will equal the principal of the Bonds so called for redemption and the

premium, if any, and the interest thereon to the date fixed for redemption.

### SECTION 13. Disposition of Proceeds.

All moneys derived from the sale of the Bonds shall be deposited in the Clearing Account created pursuant to Section 21 hereof and shall be and hereby are appropriated substantially to payment of the costs of the Refunding Project and the Capital Project, including but not limited to payment of the costs and expenses of preparing, issuing and marketing the Bonds, and shall not be used for any other purposes, except as to any insubstantial amounts of money which may remain after fulfilling the purposes set forth herein, which minor amounts of remaining moneys shall promptly upon their determination be deposited in the Sinking Fund and used for the payment of interest on the Bonds, or as otherwise directed by the Borough. Promptly on the deposit of the proceeds of the Bonds, the Borough shall cause the transfers to the Prior Bonds Escrow Fund and the 2012 Project Account described below.

### SECTION 14. Cost and Realistic Useful Life.

Project. Reasonable cost estimates have been obtained for the Capital Project with the assistance of architects, engineers, financial advisors and other persons qualified by experience. The realistic estimated useful life of the Capital Project is at least twenty (20) years. The Bonds allocable to the Capital Project mature within such period and so are in accordance with the Debt Act (53 Pa.C.S. §8142(a)(2)).

Project. Reasonable cost estimates have been obtained for the Refunding Project with the assistance of financial advisors and other persons qualified by experience. The cost of the Refunding Project is at least equal to the amount of Bonds allocable to the Refunding Project and the useful life of the capital improvements being refinanced is at least twenty-eight and one-half (28-1/2) years. Therefore, the maturities of the Bonds allocable to the Refunding Project are in accordance with the Debt Act (53 Pa.C.S. §8142(a)(2)).

Debt Service. In addition, in accordance with the Debt Act (53 Pa.C.S. §8142(b)(1)), the maturities of the Bonds have been fixed so as to result in issue on at least an approximately level annual debt service plan.

### SECTION 15. Internal Revenue Code Covenants.

The Borough hereby covenants with the Registered Owners, from time to time, of the Bonds that no part of the proceeds of the Bonds will be used, at any time, directly or indirectly, in a manner which would cause the Bonds to be arbitrage bonds within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the Regulations thereunder proposed or in effect at the time of such use and applicable to the Bonds, and that it will comply with the requirements of that section and the Regulations throughout the term of the Bonds.

The Borough agrees to take all actions necessary to preserve and maintain the tax exempt status of the Bonds and of the interest thereon, under all laws currently in effect and any that may become effective. The Borough covenants that it will not intentionally use any portion of the proceeds of the Bonds to acquire, or to replace funds used directly or indirectly to acquire, investment property with a yield materially higher than the yield on the Bonds as prohibited by Section 148(a) of the Code. The Borough covenants to expend the proceeds of the Bonds within the temporary periods prescribed by Section 148(c) of the Code and the regulations thereunder.

The Borough covenants that it will rebate, to the extent required by law, to the U.S. Treasury, at the times and in the manner required by the Code, all investment income derived from investing the proceeds of the Bonds in an amount which exceeds the amount which would have been derived from the investment of the proceeds of the Bonds at a yield not in excess of the yield on the Bonds, but only if such rebate is required by the Code.

Qualified Tax-Exempt Obligation Designation. The Borough hereby designates the Bonds as Qualified Tax-Exempt

Obligations pursuant to Section 265(b)(3) of the Code and represents and expects that the total amount of its obligations so designated and to be designated during the current calendar year does not and will not exceed \$10,000,000.

gh will file IRS Form 8038-G and any other forms (d) information required by the Code to be filed in order to permit the interest on the Bonds to be excluded from gross income tax for federal income tax purposes.

#### SECTION 16. Advertising.

action of the officers of the Borough in advertising a summary of this Ordinance, as required by law, is ratified and confirmed. The officers of the Borough or any of them, are authorized and directed to advertise a notice of enactment of this Ordinance in a newspaper of general circulation in the Borough of West View within fifteen (15) days after final enactment. The Secretary is hereby directed to make a copy of this Ordinance available for inspection by any citizen during normal office hours.

#### SECTION 17. Appointment of Professionals.

The Borough hereby appoints Eckert Seamans Cherin & Mellott, LLC, as Bond Counsel, for the purpose of rendering any and all necessary opinions with respect to the Bonds.

#### SECTION 18. Filing With Department of Community and Economic Development.

Secretary is hereby authorized and directed to prepare, verify and file with the Department of Community and Economic Development, in accordance with the Debt Act, a transcript of the proceedings relating to the issuance of the Bonds including the Debt Statement and Borrowing Base Certificate required by the Debt Act (53 Pa.C.S. §8110), and to take other necessary action, and to prepare and file all necessary documents with the Department of Community Affairs including, if necessary or desirable, any statements required to exclude any portion of the debt evidenced by the Bonds from the appropriate debt limit as self-liquidating or subsidized debt.

#### SECTION 19. General Authorization.

ne officers and officials of the Borough are hereby authorized and directed to execute and deliver such other documents and to take such other action as may be necessary or appropriate in order to effect the execution, issuance, sale and delivery of the Bonds, all in accordance with this Ordinance.

#### SECTION 20. Official Statements.

e Preliminary Official Statement prepared with respect to the Bonds is hereby approved. The President of the Borough Council is hereby authorized to execute and approve a Final Official Statement relating to the Bonds provided that the Final Official Statement shall have been approved by the Borough's Solicitor. The distribution of the Preliminary Official Statement is hereby ratified and the Purchaser is hereby authorized to use the Preliminary and the Final Official Statements in connection with the sale of the Bonds.

## SECTION 21. Clearing Account and Project Account.

by creates with the Paying Agent a special fund to be known as the Borough of West View 2012 Clearing Account (the "Clearing Account") which shall be held as a trust fund for the benefit of the Borough until disbursed in accordance with the provisions hereof. The Borough shall deliver the net proceeds (including accrued interest) derived from the sale of the Bonds to the Paying Agent for deposit to the Clearing Account. Upon written directions from the Borough signed by the President of the Governing Body and the Secretary, the Paying Agent shall pay, out of the Clearing Account the costs and expenses of the issuance of the Bonds, shall transfer the amount of accrued interest, if any, to the Sinking Fund, and shall deposit the required amount to the Prior Bonds Escrow Fund described in Section 24 below, and shall deposit the remaining amount to the Project Account described in (b) below. The written direction from the Borough shall state the names of the respective payees, the purpose for which the expenditure has been incurred, for the purpose of the transfer, whichever is applicable, and shall contain a certification that each item of expense for which payment has been requested has been properly incurred and is then unpaid, and that each transfer which is requested is in accordance with the provisions of this Ordinance.

nants to establish, and does hereby establish, a separate account in the name of the Borough to be known as the "Borough of West View 2012 Project Account" (referred to herein as the "Project Account"). The Project Account shall be constituted of the net proceeds from the sale of the Bonds (after payment of costs of issuance of the Bonds and the transfer to the Prior Bonds Escrow Fund), all moneys earned from the investment of funds therein and any other moneys which the Borough shall desire to deposit therein. The Project Account shall be expended first for the payment of all necessary and proper costs of the Capital Project, and then for any other lawful purpose as provided in the Borough Code, the Debt Act and other applicable laws.

## SECTION 22. Payment of Expenses.

expenses incurred in connection with issuance of the Bonds shall be paid out of the proceeds derived from the issuance of the Bonds and deposited in the Clearing Account and the proper officers and officials are authorized to sign and deliver requests for payment of such expenses.

## SECTION 23. Investment.

y moneys in the Project Account may be invested or deposited as permitted by applicable law for funds of the Borough. Any moneys in the Sinking Fund not required for prompt expenditure may, at the direction of the Borough, be invested in bonds or obligations which are direct obligations of, or are fully guaranteed as to principal and interest by, the United States of America or may be deposited at interest in time accounts or certificates of deposit or other interest bearing accounts of any bank or bank and trust company, savings and loan association or building and loan association. To the extent that such deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation or similar Federal agency, they need not be secured. Otherwise, such deposits shall be secured as public deposits or as trust funds. Any such investments or deposits shall mature or be subject to redemption at the option of the holder, or be subject to withdrawal at the option of the depositor, not later than the date upon which such moneys are required to be paid to the Registered Owners.

SECTION 24. Instructions to Refund.

the Proposal, the President of Borough Council shall identify the portion of the Prior Bonds being refunded (the "Refunded Prior Bonds").

by directs the redemption on the earliest feasible date of all the Refunded Bonds, by the deposit of funds in the Series of 2007 Bonds Sinking Fund with The Bank of New York Mellon Trust Company, N.A., as paying agent and sinking fund depository for the 2007 Bonds, or in an escrow account (the "Prior Bonds Escrow Fund") with The Bank of New York Mellon Trust Company, N.A., as Escrow Agent under an Escrow Trust Agreement (the "Escrow Agreement") providing for the payment of the Refunded Prior Bonds, and particularly for the investment of certain of the proceeds of the Bonds pursuant to Regulations of the U.S. Treasury Department. The Escrow Agreement, in the standard form, is hereby approved. The President or Vice President of Borough Council is hereby authorized and directed to execute said Agreement with such changes as have been approved by the Solicitor and Bond Counsel, and the Secretary to affix the seal of the Borough thereto and to attest the same, and any said officers are authorized to deliver said Agreement to the Escrow Agent. The Escrow Agent or its designee is hereby authorized to purchase necessary investments for the Escrow Fund established thereby. Escrow Agent. The Borough hereby authorizes and directs Eckert Seamans Cherin & Mellott, LLC, or Piper Jaffray & Co., or the Escrow Agent, or their respective representatives, to subscribe or commit on behalf of and as agent for the Borough, for United States Treasury Certificates of Indebtedness of the State and Local Government Series or other United States Government Obligations, or to arrange for the purchase of time deposits or certificates of deposit, which satisfy the requirements of Section 8250 of the Debt Act, in accordance with the Escrow Trust Agreement. The President or Vice President of Borough Council or the Secretary of the Borough is also hereby authorized to execute and deliver appropriate subscription forms for such obligations and to instruct any of the individuals or entities named above to purchase said obligations on behalf of the Borough.

SECTION 25. Authorization of Officers.

any authorization granted to, power conferred on, or direction given to the President, Manager, Secretary or Treasurer, shall be deemed to run to the Vice President, Assistant or Acting Secretary, Assistant or Acting Manager or Assistant Treasurer, respectively, as if such latter titles had been expressly included in the text hereof which grants such authorization, confers such power or gives such direction.

SECTION 26. Bond Form.

The form of the Bonds shall be substantially as follows:

**UNLESS THIS CERTIFICATE IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION ("DTC"), TO THE BOROUGH OR ITS AGENT FOR REGISTRATION FOR TRANSFER, EXCHANGE, OR PAYMENT, AND ANY CERTIFICATE ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC) ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL INASMUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.**

UNITED STATES OF AMERICA  
COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF ALLEGHENY

BOROUGH OF WEST VIEW  
GENERAL OBLIGATION BOND, SERIES OF 2012

No.  
CUSIP

Interest Rate:  
Maturity Date:

Borough of West View, County of Allegheny, Commonwealth of Pennsylvania (the "Borough"), for value received, and intending to be legally bound, promises to pay to \_\_\_\_\_, or registered assigns, (the "Registered Owner") the principal amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) on the maturity date stated above upon presentation and surrender of this Bond at the designated corporate trust office of The Bank of New York Mellon Trust Company, N.A. (the "Paying Agent") in Pittsburgh, Pennsylvania, and to pay interest thereon at the above-stated rate from the February 1 or August 1 immediately preceding the date hereof (unless this Bond is dated after a Regular Record Date but on or before the next succeeding February 1 or August 1 date, then from such next succeeding February 1 or August 1, or unless this Bond is dated on or prior to the Regular Record Date preceding August 1, 20\_\_, or unless, as shown on the records of the Paying Agent, interest on the Bond shall be in default, in which event the Bond shall bear interest from the date on which interest was last paid on the Bond until such sum is paid, or if no interest has been paid, from \_\_\_\_\_, 20\_\_) semiannually on February 1 or August 1 of each year during the term of this Bond (beginning August 1, 2012), or until payment of said principal sum has been made or provided for.

The principal of, and premium, if any, and interest on this Bond are payable in such coin or currency of the United States of America as at the time and place of payment is legal tender for payment of public and private debts, at the designated corporate trust office of the Paying Agent; provided that, interest will be paid by check mailed to the person who is the registered owner on the appropriate record date at his address as it appears on the Bond Register described below, unless written demand is made by such person for payment in legal tender at such office.

This Bond is one of a duly authorized issue of \$ \_\_\_\_\_, principal amount, General Obligation Bonds, Series of 2012 (the "Bonds") of the Borough which have been issued in accordance with the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, as amended (the "Act"), without the assent of the electors, pursuant to an Ordinance (the "Ordinance") of the Borough Council of the Borough of West View enacted on February 9, 2012. The Bonds have been issued for the purpose of obtaining funds to pay the costs of a capital project.

Interest payable on any interest payment date will be paid to the person in whose name this Bond is registered (the "Record Owner") at the close of business on the January 15 or July 15 (the "Regular Record Date") immediately preceding the relevant interest payment date. Any such interest which is not deposited with the Paying Agent on or before any such interest payment date for payment to the Record Owner on the Regular Record Date shall forthwith cease to be payable to the Record Owner on the Regular Record Date, and shall be paid to the person in whose name this Bond is registered on a special record date for the payment of such defaulted interest to be fixed by the Paying Agent, notice of which shall be given to all registered owners not less than ten (10) days prior to such special record date, all as provided in the Ordinance.

Bonds maturing on August 1 of the years 20\_\_, 20\_\_, and 20\_\_ are subject to mandatory redemption prior to their stated maturity dates, in part, by lot, or by any other method deemed fair and appropriate by the Paying Agent, on the dates and in the amounts shown below upon payment of the redemption price of 100% of the principal amount, together with interest accrued to the date fixed for redemption.

August 1, 20\_\_ Maturity  
Redemption Date  
(August 1)      Amount

August 1, 20\_\_ Maturity  
Redemption Date  
(August 1)      Amount

August 1, 20\_\_ Maturity  
Redemption Date  
(August 1)      Amount

\*

\*

\*

\* At maturity

The Bonds maturing on or after August 1, 20\_\_, are subject to redemption at the option of the Borough prior to their stated maturity dates, as a whole, or in part from time to time, on August 1, 20\_\_, or on any date thereafter, in any order of maturity as selected by the Borough, in each case, upon payment of 100% of the principal amount to be redeemed together with interest accrued to the date fixed for redemption.

If less than all Bonds maturing on any one date are to be redeemed at any time, the Bonds to be called for redemption at such time shall be chosen by the Paying Agent, by lot or by any other method deemed fair and appropriate by the Paying Agent.

Notice of redemption of any Bond shall be given to the registered owner of such Bond by first class mail, not less than thirty (30) nor more than sixty (60) days prior to the redemption date, in the manner and upon the terms and conditions set forth in the Ordinance. A portion of a Bond of a denomination larger than \$5,000 may be redeemed, and in such case, upon the surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor, a Bond or Bonds for the unredeemed balance of the principal amount of such Bond, all as more fully set forth in the Ordinance. If notice of redemption shall have been duly given, the Bonds or portions thereof specified in that notice shall become due and payable at the applicable redemption price on the redemption date designated in that notice, and if, on that redemption date, moneys are held by the Sinking Fund Depository for the payment of the redemption price of the Bonds to be redeemed, together with interest to the redemption date, then from and after the redemption date, interest on such Bonds shall cease to accrue.

The Borough, pursuant to recommendations made by the Committee on Uniform Security Identification Procedures, has caused CUSIP numbers to be printed on the Bonds, and has directed the Paying Agent to use such numbers in notices of redemption and other notices, if any, as a convenience to the registered owners of the Bonds. No representation is made by the Borough as to the accuracy of such numbers either as printed on the Bonds or as contained in any notice and reliance may be placed only on the identification number printed hereon.

This Bond may be transferred or exchanged only on the Bond Register (the "Bond Register") maintained by the Borough at the principal corporate trust office of the Paying Agent upon surrender hereof by the Registered Owner at such office duly endorsed by, or accompanied by a written instrument of transfer duly executed by, the Registered Owner or his duly authorized agent or legal representative, in each case, in form and with a guaranty of signature satisfactory to the Borough and the Paying Agent.

No service charge shall be made for any transfer or exchange of any Bond, but the Borough may require payment of any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds.

The Borough shall not be required to register the transfer or exchange of any Bond: (a) in the case of Bonds then considered for redemption, during a period beginning at the close of business on the fifteenth (15<sup>th</sup>) day next preceding any date of selection of Bonds to be redeemed and ending at the close of business on the day on which the applicable notice of redemption is mailed; (b) once selected for redemption in whole or in part; or (c) during a

period beginning at the close of business on the fifteenth (15<sup>th</sup>) day next preceding the date of maturity of the Bond and ending at the close of business on the date of maturity.

Subject to the provisions of this Bond and of the Ordinance relating to payment of interest, the Borough and the Paying Agent may treat the Registered Owner of this Bond as the absolute owner hereof, for all purposes, whether or not this Bond shall be overdue, and neither the Borough nor the Paying Agent shall be affected by any notice to the contrary.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon or on the Ordinance against any member, officer or employee, past, present or future, of the Borough or of any successor body, as such, either directly or through the Borough or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the issuance of this Bond.

It is hereby certified that the approval of the Department of Community and Economic Development of the Commonwealth of Pennsylvania for the Borough to issue and deliver this Bond has been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth of Pennsylvania to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond, together with all other indebtedness of the Borough is within every debt and other limit prescribed by the Constitution and the statutes of the Commonwealth of Pennsylvania and applicable to the Borough; and that the Borough has established with the Paying Agent as Sinking Fund Depository a sinking fund for the Bonds and has agreed to deposit therein amounts sufficient to pay the principal of and interest on the Bonds as the same shall become due and payable.

This Bond is hereby declared to be a general obligation of the Borough. The Borough, in the Ordinance authorizing the issuance of the Bonds, has covenanted with the registered owners, from time to time, of the Bonds that the Borough will include the amount of the debt service charges on the Bonds for each fiscal year in which such sums are payable, in its budget for that year, that it will appropriate such amounts to the payment of such debt service, and will duly and punctually pay or cause to be paid the principal of every Bond, and the interest thereon, on the dates and at the places and in the manner stated in the Bonds, according to the true intent and meaning thereof, and for such budgeting, appropriation and payment, the Borough has pledged its full faith, credit and taxing power. This covenant is specifically enforceable.

This Bond shall not be valid or become obligatory for any purpose unless the certificate of authentication hereon shall have been signed by the manual signature of an officer of the Paying Agent.

IN WITNESS WHEREOF, the Borough has caused this Bond to be duly executed and dated as of the date of its authentication.

ATTEST:

BOROUGH OF WEST VIEW

/s/ Facsimile Signature  
Secretary

By /s/ Facsimile Signature  
President

[SEAL]



PAYING AGENT'S AUTHENTICATION CERTIFICATE

This Bond is one of the Borough of West View, General Obligation Bonds, Series of 2012, described in the within-mentioned Ordinance. The text of opinion printed hereon is the text of the opinion of Eckert Seamans Cherin & Mellott, LLC, Bond Counsel, of Pittsburgh, Pennsylvania, an executed counterpart of which, dated and delivered on the date of original delivery of and payment for said Bonds, is on file with the undersigned.

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.,  
Paying Agent

By \_\_\_\_\_  
Authorized Officer

Dated:

\* \* \* \* \*

[STATEMENT OF INSURANCE]

\* \* \* \* \*

[TEXT OF OPINION OF ECKERT SEAMANS CHERIN & MELLOTT, LLC,  
BOND COUNSEL, OF PITTSBURGH, PENNSYLVANIA]

\* \* \* \* \*

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common  
TEN ENT - as tenants by the  
entireties  
JT TEN - as joint tenants with  
right of survivorship and  
not as tenants in common

UNIF. TRANS. MIN. ACT-  
Custodian  
(Cust) (Minor)  
under Uniform Transfers to Minors

Act \_\_\_\_\_  
(State)

Additional abbreviations may also be used though not in the list above.

[FORM OF ASSIGNMENT]

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

Please insert Social Security  
or other identifying number of  
assignee

\_\_\_\_\_  
\_\_\_\_\_

Please print or typewrite name and address  
including postal zip code of transferee

\_\_\_\_\_ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

\_\_\_\_\_ Agent

to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated

Signature(s) Guaranteed: \_\_\_\_\_

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by a member of an approved Signature Guarantee Medallion Program.

\_\_\_\_\_  
NOTICE: The signature(s) to this assignment must correspond with the name(s) as written upon the face of the Bond, in every particular, without alteration or enlargement or any change whatever.  
\_\_\_\_\_

SECTION 27. Bond Insurance.

The Borough hereby accepts a commitment from the bond insurance company, if any specified in the Proposal (the "Bond Insurer") to issue its financial guaranty insurance policy insuring the payment when due of the principal of and interest on the Bonds, authorizes the payment of an appropriate premium to the Bond Insurer, authorizes the printing of an appropriate statement of insurance on the Bonds and covenants to comply with the Bond Insurer's requirements set forth in such commitment.

SECTION 28. Disclosure Agreement.

The Borough covenants that it will enter into and comply with a Continuing Disclosure Agreement (the "Disclosure Agreement") for the benefit of the owners of the Bonds at or prior to the closing for the issuance of the Bonds. Pursuant to the Disclosure Agreement, the Borough will provide certain financial and operating information on an annual basis and notice of certain events to the Municipal Securities Rulemaking Board in accordance with United States Securities and Exchange Commission Rule 15c2-12. The Disclosure Agreement is hereby approved in the form presented to this meeting. The President or Vice President of the Borough Council is hereby authorized and directed to execute and deliver the Disclosure Agreement on behalf of the Borough with such changes as have been approved by the Solicitor and Bond Counsel, and the Secretary of the Borough is hereby authorized and directed to seal and attest the Disclosure Agreement.

SECTION 29. Repealer.

All ordinances and resolutions or parts thereof, not in accordance with this Ordinance are hereby repealed insofar as they conflict with this Ordinance.

*{Remainder of page intentionally left blank}*

ENACTED by the Borough Council of the Borough of West View, in lawful session assembled, on February 9, 2012.

**ATTEST:**

**BOROUGH OF WEST VIEW**

\_\_\_\_\_  
Secretary

By \_\_\_\_\_  
Ralph R. Burchell  
Council President

[SEAL]

Examined and Approved by Me This  
9<sup>th</sup> Day of February, 2012:

By \_\_\_\_\_  
Mayor John R. Henry

*Adopted February 9, 2012*

SCHEDULE A

Borough of West View  
 Allegheny County, Pennsylvania  
 General Obligation Bonds  
 Series of 2012

MAXIMUM PRINCIPAL AND INTEREST RATE SCHEDULE

<u>Date of</u> <u>Maturity or</u> <u>Mandatory</u> <u>Redemption</u>	<u>Maximum Principal</u> <u>Maturity Amount or</u> <u>Mandatory <u>Redemption</u></u> <u>Amount</u>	<u>Maximum Annual</u> <u>Interest Rate</u>	<u>Maximum Yield</u>
8/1/12	\$ 170,000	6.000%	6.000%
8/1/13	295,000	6.000%	6.000%
8/1/14	300,000	6.000%	6.000%
8/1/15	310,000	6.000%	6.000%
8/1/16	315,000	6.000%	6.000%
8/1/17	320,000	6.000%	6.000%
8/1/18	320,000	6.000%	6.000%
8/1/19	325,000	6.000%	6.000%
8/1/20	325,000	6.000%	6.000%
8/1/21	330,000	6.000%	6.000%
8/1/22	335,000	6.000%	6.000%
8/1/23	345,000	6.000%	6.000%
8/1/24	350,000	6.000%	6.000%
8/1/25	355,000	6.000%	6.000%
8/1/26	365,000	6.000%	6.000%
8/1/27	375,000	6.000%	6.000%
8/1/28	385,000	6.000%	6.000%
8/1/29	395,000	6.000%	6.000%
8/1/30	405,000	6.000%	6.000%
8/1/31	415,000	6.000%	6.000%
8/1/32	425,000	6.000%	6.000%
8/1/33	445,000	6.000%	6.000%
8/1/34	455,000	6.000%	6.000%
8/1/35	470,000	6.000%	6.000%
8/1/36	485,000	6.000%	6.000%
8/1/37	500,000	6.000%	6.000%
8/1/38	515,000	6.000%	6.000%
8/1/39	530,000	6.000%	6.000%
8/1/40	540,000	6.000%	6.000%



SCHEDULE B

Borough of West View  
Allegheny County, Pennsylvania  
General Obligation Bonds  
Series of 2012

MAXIMUM DEBT SERVICE SCHEDULE

<u>Fiscal Year</u> <u>(Ending December 31)</u>	<u>Fiscal Year</u> <u>Total</u>
2012	\$ 336,500.00
2013	950,800.00
2014	938,100.00
2015	930,100.00
2016	916,500.00
2017	902,600.00
2018	883,400.00
2019	869,200.00
2020	849,700.00
2021	835,200.00
2022	820,400.00
2023	810,300.00
2024	794,600.00
2025	778,600.00
2026	767,300.00
2027	755,400.00
2028	742,900.00
2029	729,800.00
2030	716,100.00
2031	701,800.00
2032	686,900.00
2033	681,400.00
2034	664,700.00
2035	652,400.00
2036	639,200.00
2037	625,100.00
2038	610,100.00
2039	594,200.00
2040	572,400.00

CERTIFICATE

I, the undersigned, Secretary of the Borough of West View, Allegheny County, Pennsylvania (the "Borough"), hereby certify that: (a) attached to this Certificate is a true, correct and complete copy of an Ordinance (the "Ordinance") which was duly enacted at a meeting of the Borough Council of the Borough on February 9, 2012, at which a quorum was present and acting throughout, and which was at all times open to the public; (b) the Ordinance was duly recorded in the Borough's Ordinance Book, and a summary of the Ordinance was published as required by law in a newspaper of general circulation in the Borough; (c) the Borough met the advance notice requirements of 65 Pa. C.S. ch. 7, as amended (the "Sunshine Law") by advertising the date of the meeting and posting a notice of the meeting at the public meeting place of the Borough Council; (d) the total number of members of the Borough Council is seven (7); and (e) the vote upon the Ordinance was called and duly recorded upon the minutes and that the members voted in the following manner:

	Yes	No	Abstain	Absent
William F. Aguglia	_____	_____	_____	_____
Mary C. Bernhard	_____	_____	_____	_____
Ralph R. Burchell	_____	_____	_____	_____
John W. Koerts	_____	_____	_____	_____
Donald E. Mikec	_____	_____	_____	_____
Barry G. Schell	_____	_____	_____	_____
M. Kimberly Steele	_____	_____	_____	_____

WITNESS my hand and seal of the Borough of West View on February 9, 2012.

By \_\_\_\_\_  
Secretary

[SEAL]