

BEFORE THE BOARD OF PORT COMMISSIONERS  
THE PORT OF NEWPORT, OREGON

ORDINANCE NO. 4 -1988

AN ORDINANCE AWARDDING THE SALE OF \$1,540,000 GENERAL OBLIGATION BONDS; AUTHORIZING DELIVERY OF BONDS TO SUCCESSFUL BIDDER; AUTHORIZING DISCHARGE AND CANCELLATION OF OUTSTANDING INSTALLMENT REVENUE BONDS, SERIES A AND INSTALLMENT REVENUE BOND, SERIES B; TERMINATION OF SECURITY ASSIGNMENT OF LEASE AND DISCHARGE OF TRUSTEE, PAYING AGENT AND REGISTRAR FOR INSTALLMENT REVENUE BONDS.

WHEREAS, on October 18, 1988, the Board of Port Commissioners of the Port of Newport, Lincoln County, Oregon (the "Issuer") by Resolution authorized the issuance and sale of \$1,540,000 General Obligation Bonds (the "Bonds"). The Bonds were authorized and approved by a majority of the votes cast at a special election held within the Port of Newport, Oregon on June 28, 1988.

WHEREAS, Notices of Bond Sale were duly published as provided by law on November 2, 1988. At 10:00 a.m. on November 17, 1988, representatives of the Issuer received the following bids for the purchase of the Bonds:

<u>Bidder</u>	<u>True Effective Interest Rate</u>
United States National Bank of Oregon	6.960239%
Shearson Lehman Hutton	6.9664109%
Security Pacific Bank Oregon	7.151493%
Kidder, Peabody & Co.	7.187377%
National Security Bank	7.8612%

WHEREAS, the bid of United States National Bank of Oregon offers the lowest true effective interest rate of 6.960239%.

WHEREAS, the Board of Port Commissioners has reviewed the bids and, upon advice of United States National Bank of Oregon, financial advisor, and the Board being fully advised;

NOW, THEREFORE, THE BOARD OF PORT COMMISSIONERS OF THE PORT OF NEWPORT, LINCOLN COUNTY, OREGON ORDAINS AS FOLLOWS:

1. The sale of the General Obligation Bonds, Series 1988, in the principal amount of \$1,540,000 is awarded to United States National Bank of Oregon. The Bonds shall bear interest at the rates stated in the successful bid.

2. The General Manager of the Port is authorized to direct the payment of the proceeds of the Bonds to United States National Bank of Oregon, as Trustee for the United States of America acting by and through the Department of Agriculture, Farmers Home Administration, pursuant to the provisions of Ordinances No. 1-1980, No. 2-1980, and No. 3-1980 as amended by Ordinance No. 1-1982 (the "Ordinances").

The Trustee is authorized, upon receipt of proceeds of the Bonds and the delivery to the Trustee of the original, executed Installment Revenue Bonds from the Farmers Home Administration, namely:

(a) Installment Revenue Bond (South Beach Marina, Inc. Project, Series A)

\$1,250,000

(b) Installment Revenue Bond (South Beach Marina, Inc. Project, Series A)

\$950,000

(c) Installment Revenue Bond (South Beach Marina, Inc. Project, Series B)

\$500,000

to deliver and pay to the United States of America acting by and through the Department of Agriculture, Farmers Home Administration, the sum of \$1,500,000 in full payment, discharge and satisfaction of each and all of the Installment Revenue Bonds as herein referred to.

3. Upon receipt of the Installment Revenue Bonds, the Trustee is authorized and directed to cancel and discharge such bonds and to deliver the cancelled bonds to the Issuer. Thereupon, the Installment Revenue Bonds shall be deemed fully discharged, paid and satisfied and shall no longer be deemed outstanding and unpaid.

4. The Security Assignment of Lease dated May 8, 1980, assigned and transferred to the Trustee by the Issuer to be held by the Trustee as security for the Installment Revenue Bonds, be and hereby is terminated and shall be of no further force or effect. The President or the General Manager of the Port is authorized to execute a "Termination of Security Assignment of Lease" and to deliver an executed original of such Termination to the Trustee.

5. Ordinances No. 1-1980, No. 2-1980, No. 3-1980 as amended by No. 1-1982, and the indebtedness created thereby be and hereby are satisfied and discharged and shall be of no further force or effect.

6. Thereupon the Trustee, Paying Agent and Registrar is discharged.

Adopted by the Board of Port Commissioners of the Port of Newport, Lincoln County, Oregon this 17th day of November, 1988.

PORT OF NEWPORT

By Thomas Coffield  
President

ATTEST:

PORT OF NEWPORT

By Dave L. Welch  
Secretary