

RESOLUTION NO. 74

A RESOLUTION ESTABLISHING THE DATE, TIME, AND PLACE OF A PUBLIC HEARING TO CONSIDER WHETHER THE CITY COUNCIL OF THE CITY OF DOVER, IDAHO, SHOULD ADOPT A RESOLUTION AUTHORIZING THE FILING OF A PETITION FOR JUDICIAL CONFIRMATION UNDER TITLE 7, CHAPTER 13, IDAHO CODE; APPROVING A FORM OF NOTICE OF HEARING AND DIRECTING THE PUBLICATION THEREOF; PROVIDING FOR NOTICE BY MAIL TO ANY PERSON REQUESTING SUCH NOTICE; AND PROVIDING AN EFFECTIVE DATE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DOVER, IDAHO, as follows:

Section 1: A public hearing before the City Council of the City of Dover, Bonner County, Idaho (the "City"), is hereby called for THURSDAY, the 14th day of APRIL, 2011, at 7:00 o'clock P.M., at the City Council meeting room at Dover City Hall, 699 Lakeshore Avenue, Dover, ID 83825, for the purpose of considering the adoption by the City Council of a resolution authorizing the filing of a petition for judicial confirmation under the Idaho Judicial Confirmation Law, Title 7, Chapter 13, Idaho Code, seeking judicial confirmation of the authority of the City (1) to incur an indebtedness as an "ordinary and necessary expense" of the City authorized by the general laws of the state within the meaning of Article 8, Section 3 of the Idaho Constitution, in an amount not to exceed \$194,062.50 for the purpose of financing the cost of necessary improvements to its water intake facilities; (2) to enter into a loan agreement and to issue its promissory note or other evidence of indebtedness for the same; and (3) to pledge the net revenues of its water system for the payment of such indebtedness.

Section 2: Notice of the public hearing, substantially in the form which is annexed hereto as Exhibit "A," shall be published once in the official newspaper of the City, at least fifteen (15) days prior to the public hearing, in the manner required by Section 7-1304, Idaho Code.

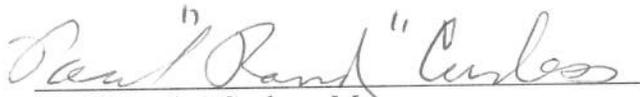
Section 3: In accordance with Section 7-1304, Idaho Code, as amended, a copy of the notice of public hearing shall be sent by certified mail, at least fourteen (14) days before the public hearing, by the City Clerk to all persons who request, in writing, a copy of notice of meetings of the City Council at which a public hearing will be held to consider a resolution or ordinance authorizing the filing of a petition for judicial confirmation. If a request for notice is received within fourteen (14) days of the public hearing, the City Clerk shall send a copy of the notice by certified mail as soon as possible after the receipt of such request.

Section 4. The staff of the City are hereby authorized to take such actions necessary to prepare for the public hearing including preparation of legal documents to be presented at the public hearing.

ADOPTED by the Council of the City of Dover, Idaho, this 21st day of March, 2011.

APPROVED by the Mayor of the City of Dover, this 21st day of March, 2011.

APPROVED:


Paul "Randy" Curless, Mayor

ATTEST:

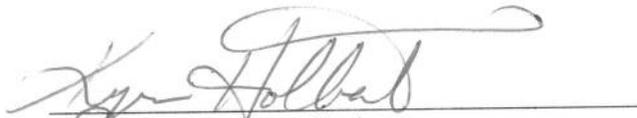

Kym Holbert, City Clerk

EXHIBIT "A"

**NOTICE OF HEARING TO CONSIDER A RESOLUTION AUTHORIZING THE
FILING OF A PETITION FOR JUDICIAL CONFIRMATION UNDER THE IDAHO
JUDICIAL CONFIRMATION LAW
CITY OF DOVER, BONNER, STATE OF IDAHO**

THIS NOTICE OF HEARING is provided pursuant to Idaho Code Section 7-1304. Notice is hereby given that the City Council of the City of Dover, Bonner County, State of Idaho (the "City") shall conduct a public hearing to consider the adoption of a Resolution authorizing the filing of a Petition for judicial confirmation under Title 7, Chapter 13 of the Idaho Code (the "Judicial Confirmation Law"). The public hearing will be held on APRIL 14, 2011 at 7 p.m. at Dover City Hall, 699 Lakeshore Avenue, Dover, ID 83825 .

The matter to be discussed in the public hearing is whether the City should adopt a resolution authorizing the filing of a petition in the District Court under the Judicial Confirmation Law to obtain judicial examination and determination of the validity of borrowing to improve its water intake facilities. The District Court will be requested to determine that the water intake improvement is not an indebtedness or liability of the City as defined under Article VIII, Section 3 of the Idaho Constitution or that this project is "ordinary and necessary" as defined in Article VII, Section 3 of the Idaho Constitution, that the City may enter into an agreement for financing the project without an election, and that such loan may be payable with the City's water revenues.

PASSED AND APPROVED this 21ST day of MARCH, 2011.
CITY OF DOVER

Mayor

ATTEST:

City Clerk