

TOWN OF BOLIVAR, NEW YORK

PLEASE TAKE NOTICE that on August 21, 2012, the Town Board of the Town of Bolivar, in the County of Allegany, New York, adopted a resolution entitled:

öResolution of the Town of Bolivar, New York, adopted August 21, 2012, approving the establishment of Water District No. 1 at the estimated maximum cost to the Town of \$480,400, and providing that such resolution shall be subject to a permissive referendum,ö

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: RECITING that the Town Board of the Town of Bolivar (the öTownö), in the County of Allegany, New York, has heretofore received and reviewed a map, plan and report prepared by Clark Patterson Lee, Engineers and Surveyors PC, competent engineers duly licensed by the State of New York, which report is dated November 2011 and was prepared for the Village of Richburg, New York in contemplation of a proposed joint water system improvement project proposed to be constructed pursuant to an existing Intermunicipal Agreement between the Village of Richburg and the Village of Bolivar (collectively referred to herein as the öVillagesö); and RECITING that the improvements described in said map, plan and report include improvements located outside the boundaries of said Villages, but within the boundaries of the Town, for the purpose of improving and expanding the water service currently provided by the Villages to residents of the Town outside of the Villages; and that it is proposed that the Town shall hereafter provide water service as a Town function in the area described herein, which area would be designated as Water District No. 1 (the öDistrictö), pursuant to an Intermunicipal Agreement among the Town and the two Villages; and that the two Villages have entered into an existing Intermunicipal Agreement for the provision of water service on a joint basis and it is expected that such Intermunicipal Agreement shall be amended to also include the Town; and RECITING that the map, plan and report dated November 2011 has been duly filed in the office of the Town Clerk of the Town for public inspection; and that pursuant to an Order adopted by the Town Board on August 7, 2012 and a notice duly published and posted pursuant to applicable provisions of the Town Law a public hearing has been held on August 21, 2012 for the purpose of hearing those in favor of and those opposed to the proposed establishment of the District;

SECOND: RESOLVING AND DETERMINING that (a) the Notice of Public Hearing was published and posted as required by Law and is otherwise sufficient, (b) all the property and property owners within the District are benefited thereby, (c) all the property and property owners benefited are included within the limits of the District and (d) it is in the public interest to establish the District;

THIRD: APPROVING the establishment of the District; DESIGNATING the District as Water District No. 1; and DESCRIBING District by metes and bounds in a manner sufficient to identify the lands included therein;

FOURTH: RESOLVING that the maximum amount proposed to be expended for the construction of the joint project, including the portions to be paid for by the Village of Bolivar, the Village of Richburg and the Town of Bolivar, is \$6,833,640 and the maximum amount proposed to be expended for construction of the Town's allocable local share is \$480,400, which is planned to be financed by grants from the United States of America and/or the State of New York, to the extent available, and the issuance of not to exceed \$480,400 serial bonds of the Town to finance the portion of the Town's share of the cost not covered by grant funds. The Town's share of the cost, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same; and any grant funds received or to be received from the United States of America, and/or the State of New York and/or other applicable funding sources in connection with such project shall be applied towards the cost of said object or purpose or redemption of said bonds issued for such purpose, or shall be budgeted as an offset to the taxes for the payment of the principal and interest on said bonds;

FIFTH: STATING that permission of the State Comptroller is not required with respect to the District because the estimated cost of the District to the Typical Property (as defined in the Town Law) is not above the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts, as computed by the State Comptroller; and

SIXTH: STATING that this resolution is subject to a permissive referendum.

By order of the Town Board of the  
Town of Bolivar, in the County of  
Allegany, New York.

Debbie Wight  
Town Clerk