

STATE OF INDIANA) IN THE MARION COUNTY CIRCUIT COURT
) SS:
 COUNTY OF MARION) CAUSE NO. 0000006448

IN THE MATTER OF THE)
)
 BEN DAVIS CONSERVANCY DISTRICT)

FILED
 May 22, 2018
Myra L. Eldridge
 CLERK OF THE COURT
 MARION COUNTY
 TA

**ORDER APPROVING AND AUTHORIZING THE
 BEN DAVIS CONSERVANCY DISTRICT
 TO TAKE PRELIMINARY STEPS TO SECURE FUNDING
 FOR A PROPOSED SEWAGE TREATMENT PLANT**

Come now the Directors of the Ben Davis Conservancy District, by counsel, for a public hearing on the Ben Davis Conservancy District’s Petition for Authority to Take Preliminary Steps to Secure Funding for a Proposed Sewage Treatment Plant.

And the Court, having examined the petition and having conducted a public hearing and having considered the evidence presented, now finds that it is prudent to lock up the rate of interest for the funding for a proposed sewage treatment plant which would involve obtaining a loan from the Indiana Finance Authority Wastewater State Revolving Fund (WWSRF) in the sum of \$13,485,000.

It is, therefore, ORDERED, ADJUDGED, AND DECREED as follows:

1. The Conservancy Board is authorized to proceed with a loan application with the Indiana Finance Authority Wastewater State Revolving Fund for approximately \$13,485,000 to secure the rate of interest for funding for the project should the Conservancy Board later decide to commit to the construction of a sewage treatment plant.

2. That the Board is ordered and authorized to take all action to advertise, schedule, and hold public hearings , to present the preliminary engineering report to the public and the freeholders of the Conservancy, and after the hearings or continuations thereof, to consider public input and to decide whether to proceed with the construction of a sewage treatment plant at that time.

3. That should the Conservancy Board after the public hearings decide to commit to the construction of a sewage treatment plant, the Board may without further authorization or order from this Court:

(a) Commit to the project and exercise the options with the Town of Speedway for the lease of 6 acres of land as described in the Option Agreement with the Town of Speedway executed on March 13, 2018.

