

ORDINANCE NO. 2025-09-02

An Ordinance concerning the construction of certain additions and improvements to the Webster Lake Service Area of the Tippecanoe and Chapman Regional Sewer District, the issuance of revenue bonds to provide for the cost thereof, the collection, segregation and distribution of the revenues of the sewage works, the safeguarding of the interests of the owners of said revenue bonds, other matters connected therewith, including the issuance of bond anticipation notes, and repealing ordinances inconsistent herewith

WHEREAS, the Tippecanoe and Chapman Regional Sewer District ("District") owns and operates a sewage works pursuant to IC 13-26, and other applicable laws in effect on the date of delivery of the bonds issued hereunder ("Act"); and

WHEREAS, the Board of Trustees of the District ("Board of Trustees") has determined to divide the District into separate service areas for purposes of rates and charges and financing projects, and to date there are two separate service areas known as the "Tippecanoe and Chapman Service Area" and the "Webster Lake Service Area"; and

WHEREAS, the Board of Trustees now finds that certain improvements and extensions to the Webster Lake Service Area are necessary; that plans, specifications and estimates have been or will be prepared and filed by the engineers employed by the District for the construction of said improvements and extensions, as more fully described in Exhibit A attached hereto ("Project"), which plans and specifications have been or will be submitted to all governmental authorities having jurisdiction, particularly the Indiana Department of Environmental Management ("Department"), and have been or will be approved by the aforesaid governmental authorities and are incorporated herein by reference and are open for inspection at the office of the Secretary as required by law; and

WHEREAS, the District does not have sufficient funds on hand to apply to the estimated Project costs of \$9,199,000 and will need to finance the Project costs with the issuance of sewage

works revenue bonds, in one or more series, in an aggregate principal amount not to exceed Nine Million One Hundred Ninety-Nine Thousand Dollars (\$9,199,000) and, if necessary, bond anticipation notes ("BANs"), in an aggregate principal amount not to exceed Six Million Nineteen Thousand Dollars (\$6,019,000); and

WHEREAS, the Board of Trustees will enact rates and charges to be charged to the users of the Project within the Webster Lake Service Area for the purpose of revenue collection and the payment of revenue bonds; and

WHEREAS, the Project will provide service to and benefit the users of the Webster Lake Service Area; and

WHEREAS, the District has previously issued and has bonds outstanding which are payable from revenues generated by the sewage works in the Tippecanoe and Chapman Service Area; such outstanding bonds shall not have a claim against and are not payable from the revenues to be generated by the sewage works in Webster Lake Service Area; the bonds issued under this ordinance shall not have a claim against and are not payable from revenues generated by the sewage works in the Tippecanoe and Chapman Service Area; and

WHEREAS, the bonds to be issued pursuant to this ordinance will constitute a first charge against the Net Revenues (as hereinafter defined) of the sewage works of the Webster Lake Service Area of the District and are to be issued subject to the provisions of the laws of the Act, and the terms and restrictions of this ordinance; and

WHEREAS, the District desires to authorize the issuance of BANs hereunder, if necessary, in one or more series, payable from the proceeds of sewage works revenue bonds issued hereunder and to authorize the refunding of the BANs, if issued; and

WHEREAS, the District may enter into one or more Financial Assistance Agreements, Financial Aid Agreements and/or Funding Agreements with the Indiana Finance Authority ("Authority") as part of wastewater loan program, supplemental drinking water and wastewater assistance program, water infrastructure assistance program and/or water infrastructure grant program, established and existing pursuant to IC 5-1.2-1 through IC 5-1.2-4, IC 5-1.2-10, IC 5-1.2-11, IC 5-1.2-14 and/or IC 5-1.2-14.5 (collectively, the "IFA Programs"), pertaining to the Project and the financing of the Project (hereinafter, each an "IFA Agreement") if the bonds or other obligations are sold to the IFA Programs; and

WHEREAS, the District may accept other forms of financial assistance, as and if available, from the IFA Programs; and

WHEREAS, the Board of Directors understands that for the Project to be permitted to be financed under the IFA Program, the District must (a) agree to own, operate and maintain the sewage works and the Project for their useful life and (b) represent and warrant to the Authority that the District has no intent to sell, transfer or lease the sewage works or the Project for their useful life; and

WHEREAS, the Board of Trustees now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of said revenue bonds and BANs have been complied with in accordance with the provisions of the Act;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TIPPECANOE AND CHAPMAN REGIONAL SEWER DISTRICT, THAT:

Section 1. Authorization of Project. The District shall proceed with the design and construction of the Project in accordance with the cost estimates and the plans and specifications heretofore prepared and filed or to be filed by the consulting engineers employed by the District,

which plans and specifications will be on file in the office of the District, and by reference made a part of this ordinance as fully as if the same were attached hereto and incorporated herein. The estimated cost of the Project is not expected to exceed the sum of \$9,199,000, plus investment earnings on the BAN and bond proceeds, without further authorization from this Board of Trustees. The terms "sewage treatment works," "sewage works," "system," "works," and words of like import where used in this ordinance shall be construed to mean the Treatment Works, as defined in the IFA Agreement, and includes the Project, all of the existing sewage works system in Webster Lake Service Area, and all real estate and equipment used in connection therewith and appurtenances thereto, and all extensions, additions and improvements thereto and replacements thereof now or at any time hereafter constructed or acquired, and shall not include the sewage works of the District outside of the Webster Lake Service Area. The Project shall be constructed in accordance with the plans and specifications heretofore mentioned, which Project is hereby approved. The Project shall be constructed and the BANs and bonds herein authorized shall be issued pursuant to and in accordance with the Act.

The previously issued and outstanding bonds of the District payable from revenues generated by the sewage works in the Tippecanoe and Chapman Service Area, shall not have a claim against and are not payable from the revenues to be generated by the sewage works in the Webster Lake Service Area; the bonds issued under this ordinance shall not have a claim against and are not payable from revenues generated by the sewage works in the Tippecanoe and Chapman Service Area.

In the event the Bonds or BANs are purchased by the Authority as part of the IFA Program, on behalf of the District, the Board of Trustees hereby (i) agrees to own, operate and maintain the sewage works and the Project for their useful life and (ii) represents and warrants to the Authority

that the District has no intent to sell, transfer or lease the sewage works or the Project for their useful life.

Section 2. Issuance of BANs and Bonds. (a) The District shall issue, if necessary, its BANs for the purpose of procuring interim financing to apply on the cost of the Project and to pay costs of issuance. The District may issue its BANs, in one or more series, in an aggregate amount not to exceed Six Million Nineteen Thousand Dollars (\$6,019,000) to be designated "Sewage Works Bond Anticipation Notes of \_\_\_\_" (to be completed with the year in which issued and series designation, if any). The BANs shall be sold at not less than 99% of their par value or at a price not less than 100% of their par value if sold to the Authority as part of the IFA Programs, shall be numbered consecutively from 1 upward, shall be in denominations of One Dollar (\$1) if sold to the Authority as part of the IFA Programs or in the denominations of One Thousand Dollars (\$1,000) or integral multiples thereof if sold to another purchaser, as set forth in the hereinafter defined Purchase Agreement, shall be dated as of the date of delivery thereof, and shall bear interest at a rate not to exceed 7.0% per annum (the exact rate or rates to be determined through negotiation) payable upon maturity. Interest may also be paid semiannually on January 1 and July 1 from funds on hand of the District as further set forth in the Purchase Agreement. Each series of BANs will mature no later than five (5) years after their date of delivery. The BANs are subject to renewal or extension at an interest rate or rates not to exceed 7.0% per annum (the exact rate or rates to be negotiated). The term of the BANs and all renewal BANs may not exceed five years from the date of delivery of the initial BANs. The BANs shall be registered in the name of the purchasers thereof. Payment on the BANs may be made in the installments.

The BANs shall be issued pursuant to IC 5-1.5-8-6.1 if sold to the Indiana Bond Bank, pursuant to IC 5-1.2-1 through IC 5-1.2-4, IC 5-1.2-10, IC 5-1.2-11, IC 5-1.2-14 and/or IC 5-1.2-

14.5 if sold to the Authority or pursuant to IC 5-1-14-5 if sold to a financial institution or any other purchaser. The principal of and interest on the BANs shall be payable solely from the issuance of revenue bonds pursuant to and in the manner prescribed by the Act. The revenue bonds will be payable solely out of and constitute a first charge against the Net Revenues (herein defined as the gross revenues, inclusive of System Development Charges (as hereinafter defined), of the sewage works in the Webster Lake Service Area after deduction only for the payment of the reasonable expenses of operation, repair and maintenance), whether now or hereafter constructed or acquired. For purposes of this ordinance, "System Development Charges" shall mean the proceeds and balances from any non-recurring charges such as tap fees, subsequent connector fees, capacity or contribution fees, and other similar one-time charges that are available for deposit under this ordinance; provided, however, that any System Development Charges that are enacted under IC 13-26-11-7, shall be considered as Net Revenues of the sewage works.

(b) The District shall issue its sewage works revenue bonds, in one or more series, to be designated "Sewage Works Revenue Bonds of \_\_\_\_\_," to be completed with the year in which issued and appropriate series designation, if any ("Bonds"), in an aggregate principal amount not to exceed Nine Million One Hundred Ninety-Nine Thousand Dollars (\$9,199,000) for the purpose of procuring funds to apply on the costs of the Project, refunding the BANs, if issued, and issuance costs. Each series of Bonds shall be sold at a price not less than the par value if sold to the Authority as part of its IFA Programs or not less than 99% of par value thereof if sold to any other purchaser, shall be issued in the denomination of One Dollar (\$1) each or integral multiples thereof if sold to the Authority as part of its IFA Programs, or in denominations of One Thousand Dollars (\$1,000) each or integral multiples thereof if sold to any other purchaser, numbered consecutively from 1 upward, and will be originally dated as of the date of delivery of the Bonds. The Bonds

shall bear interest at a rate or rates not exceeding 7.0% per annum (the exact rate or rates to be determined through bidding or through negotiation with the Authority through its IFA Programs), payable semiannually on January 1 and July 1 in each year, commencing on the first January 1 or the first July 1 after the date of delivery of the Bonds, as determined by the District with the advice of its municipal advisor.

Principal shall be payable in lawful money of the United States of America, at the principal office of the Paying Agent (as hereinafter defined) and the Bonds shall mature or be subject to mandatory sinking fund redemption semiannually on January 1 and July 1, over a period not to exceed thirty-five (35) years from the date of issuance (as determined under the IFA Agreement for any Bonds sold to the Authority as part of its IFA Programs), and in such amounts that will either (i) produce as level annual debt service as practicable taking into account the annual debt service on the Bonds issued hereunder, (ii) produce as level annual debt service as practicable or, (iii) if the Bonds are sold to the Authority as part of its IFA Programs, allow the District to meet the coverage and/or amortization requirements of the IFA Programs. If the Bonds are sold to the Authority as part of its IFA Programs, such debt service schedule shall be finalized and set forth in the IFA Agreement.

All or a portion of each series of Bonds may be issued as one or more term bonds, upon election of the purchaser thereof. Such term bonds shall have a stated maturity or maturities consistent with the maturity schedule determined in accordance with the preceding paragraph, on the dates as determined by the purchaser thereof, but in no event later than the last serial maturity date of the Bonds as determined in the preceding paragraph. The term bonds shall be subject to mandatory sinking fund redemption and final payment(s) at maturity at 100% of the principal

amount thereof, plus accrued interest to the redemption date, on principal payment dates which are hereinafter determined in accordance with the preceding paragraph.

Interest on the Bonds and BANs shall be calculated according to a 360-day calendar year containing twelve 30-day months.

Each series of Bonds issued hereunder shall rank of a parity with any other Bonds issued hereunder for all purposes, including the pledge of Net Revenues under this ordinance.

Notwithstanding anything in this ordinance to the contrary, the BANs and Bonds issued hereunder may bear interest that is taxable and included in the gross income of the owners thereof. If any BANs or Bonds are issued on a taxable basis, the designated name shall include the term "Taxable" as the first word in the designated name.

Notwithstanding anything contained herein, the District may accept any other forms of financial assistance, as and if available, from the IFA Programs (including without limitation any forgivable loans, grants or other assistance) whether available as an alternative to any Bond or BAN related provision otherwise provided for herein or as a supplement or addition thereto. If required by the IFA Programs to be eligible for such financial assistance, one or more of the series of the Bonds issued hereunder may be issued on a basis such that the payment of the principal of or interest on (or both) such series of Bonds is junior and subordinate to the payment of the principal of and interest on other series of Bonds issued hereunder (and/or any other revenue bonds secured by a pledge of Net Revenues, whether now outstanding or hereafter issued), all as provided by the terms of such series of Bonds as modified pursuant to this authorization. Such financial assistance, if any, shall be provided in the IFA Agreement and the Bonds of each series of Bonds issued hereunder (including any modification made pursuant to the authorization in this paragraph to the form of Bonds otherwise contained herein).

(c) The Treasurer is authorized to select and appoint a qualified financial institution to serve as Registrar and Paying Agent for the Bonds, which Registrar is hereby charged with the responsibility of authenticating the Bonds ("Registrar" or "Paying Agent"). The Treasurer is hereby authorized to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of a Registrar and Paying Agent. The Treasurer is further authorized to pay such fees as the institution may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the Sewage Works Sinking Fund established to pay the principal of and interest on the Bonds and fiscal agency charges.

As to the BANs and as to the Bonds, if sold to the Authority as part of its IFA Programs or any other purchaser that does not object to such designation, the Treasurer may serve as Registrar and Paying Agent and is hereby charged with the duties of a Registrar and Paying Agent.

(d) If any Bonds or BANs are sold to the Authority as part of its IFA Programs, the principal of and interest thereon shall be paid by wire transfer to such financial institution if and as directed by the Authority on the due date of such payment or, if such due date is a day when financial institutions are not open for business, on the business day immediately after such due date. So long as the Authority is the owner of the Bonds or BANs, such Bonds and BANs shall be presented for payment as directed by the Authority.

If wire transfer payment is not required or if the Bonds are not sold to the Authority, the principal of the Bonds shall be payable at the principal corporate trust office of the Paying Agent. All payments of interest on the Bonds shall be paid by check, mailed one business day prior to the interest payment date to the registered owners thereof as the names appear as of the fifteenth day of the month preceding the interest payment date ("Record Date") and at the addresses as they

appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the Bonds shall be made in any coin or currency of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

(e) Each Bond shall be transferable or exchangeable only upon the books of the District kept for that purpose at the principal office of the Registrar, by the registered owner thereof in person, or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the District. The District and the Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

(f) The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent upon giving 30 days' notice in writing to the District and by first class mail to each registered

owner of the Bonds then outstanding, and such resignation will take effect at the end of such 30 day period or upon the earlier appointment of a successor registrar and paying agent by the District. Any such notice to the District may be served personally or sent by registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the District, in which event the District may appoint a successor registrar and paying agent. The District shall notify each registered owner of the Bonds then outstanding by first class mail of the removal of the Registrar and Paying Agent. Notices to the registered owners of the Bonds shall be deemed to be given when mailed by first class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar.

Upon the appointment of any successor registrar and paying agent by the District, the Treasurer is authorized and directed to enter into such agreements and understandings with such successor registrar and paying agent as will enable the institution to perform the services required of a registrar and paying agent for the Bonds. The Treasurer is further authorized to pay such fees as the successor registrar and paying agent may charge for the services it provides as registrar and paying agent and such fees may be paid from the Sewage Works Sinking Fund created in Section 13 hereof. Any predecessor registrar and paying agent shall deliver all of the Bonds and any cash or investments in its possession with respect thereto, together with the registration books, to the successor registrar and paying agent.

(g) Interest on the Bonds sold to the Authority as part of its IFA Programs shall be payable from the date or dates of payments made by the Authority as part of its purchase of the Bonds pursuant to the IFA Agreement. Interest on all other Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date of the Bonds unless the Bonds are authenticated after the Record Date and on or before such interest

payment date in which case they shall bear interest from such interest payment date, or unless the Bonds are authenticated on or before the Record Date preceding the first interest payment date, in which case they shall bear interest from the original date until the principal shall be fully paid.

(h) The District has determined that it may be beneficial to the District to have the Bonds held by a central depository system pursuant to an agreement between the District and The Depository Trust Company, New York, New York ("Depository Trust Company") and have transfers of the Bonds effected by book-entry on the books of the central depository system ("Book Entry System"). The Bonds may be initially issued in the form of a separate single authenticated fully registered Bond for the aggregate principal amount of each separate maturity of the Bonds. In such case, upon initial issuance, the ownership of such Bonds shall be registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company.

With respect to the Bonds registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, the District and the Paying Agent shall have no responsibility or obligation to any other holders or owners (including any beneficial owner ("Beneficial Owner")) of the Bonds with respect to (i) the accuracy of the records of the Depository Trust Company, CEDE & CO., or any Beneficial Owner with respect to ownership questions, (ii) the delivery to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any notice with respect to the Bonds including any notice of redemption, or (iii) the payment to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any amount with respect to the principal of, or premium, if any, or interest on the Bonds except as otherwise provided herein.

No person other than the Depository Trust Company shall receive an authenticated Bond evidencing an obligation of the District to make payments of the principal of and premium, if any, and interest on the Bonds pursuant to this ordinance. The District and the Registrar and Paying Agent may treat as and deem the Depository Trust Company or CEDE & CO. to be the absolute bondholder of each of the Bonds for the purpose of (i) payment of the principal of and premium, if any, and interest on such Bonds; (ii) giving notices of redemption and other notices permitted to be given to bondholders with respect to such Bonds; (iii) registering transfers with respect to such Bonds; (iv) obtaining any consent or other action required or permitted to be taken of or by bondholders; (v) voting; and (vi) for all other purposes whatsoever. The Paying Agent shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the order of the Depository Trust Company, and all such payments shall be valid and effective fully to satisfy and discharge the District's and the Paying Agent's obligations with respect to principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. Upon delivery by the Depository Trust Company to the District of written notice to the effect that the Depository Trust Company has determined to substitute a new nominee in place of CEDE & CO., and subject to the provisions herein with respect to consents, the words "CEDE & CO." in this ordinance shall refer to such new nominee of the Depository Trust Company. Notwithstanding any other provision hereof to the contrary, so long as any Bond is registered in the name of CEDE & CO., as nominee of the Depository Trust Company, all payments with respect to the principal of and premium, if any, and interest on such Bonds and all notices with respect to such Bonds shall be made and given, respectively, to the Depository Trust Company as provided in a representation letter from the District to the Depository Trust Company.

Upon receipt by the District of written notice from the Depository Trust Company to the effect that the Depository Trust Company is unable or unwilling to discharge its responsibilities and no substitute depository willing to undertake the functions of the Depository Trust Company hereunder can be found which is willing and able to undertake such functions upon reasonable and customary terms, then the Bonds shall no longer be restricted to being registered in the register of the District kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, but may be registered in whatever name or names the bondholders transferring or exchanging the Bonds shall designate, in accordance with the provisions of this ordinance.

If the District determines that it is in the best interest of the bondholders that they be able to obtain certificates for the fully registered Bonds, the District may notify the Depository Trust Company and the Registrar, whereupon the Depository Trust Company will notify the Beneficial Owners of the availability through the Depository Trust Company of certificates for the Bonds. In such event, the Registrar shall prepare, authenticate, transfer and exchange certificates for the Bonds as requested by the Depository Trust Company and any Beneficial Owners in appropriate amounts, and whenever the Depository Trust Company requests the District and the Registrar to do so, the Registrar and the District will cooperate with the Depository Trust Company by taking appropriate action after reasonable notice (i) to make available one or more separate certificates evidencing the fully registered Bonds of any Beneficial Owner's Depository Trust Company account or (ii) to arrange for another securities depository to maintain custody of certificates for and evidencing the Bonds.

If the Bonds shall no longer be restricted to being registered in the name of a Depository Trust Company, the Registrar shall cause the Bonds to be printed in blank in such number as the Registrar shall determine to be necessary or customary; provided, however, that the Registrar shall

not be required to have such Bonds printed until it shall have received from the District indemnification for all costs and expenses associated with such printing.

In connection with any notice or other communication to be provided to bondholders by the District or the Registrar with respect to any consent or other action to be taken by bondholders, the District or the Registrar, as the case may be, shall establish a record date for such consent or other action and give the Depository Trust Company notice of such record date not less than fifteen (15) calendar days in advance of such record date to the extent possible.

So long as the Bonds are registered in the name of the Depository Trust Company or CEDE & CO. or any substitute nominee, the District and the Registrar and Paying Agent shall be entitled to request and to rely upon a certificate or other written representation from the Beneficial Owners of the Bonds or from the Depository Trust Company on behalf of such Beneficial Owners stating the amount of their respective beneficial ownership interests in the Bonds and setting forth the consent, advice, direction, demand or vote of the Beneficial Owners as of a record date selected by the Registrar and the Depository Trust Company, to the same extent as if such consent, advice, direction, demand or vote were made by the bondholders for purposes of this ordinance and the District and the Registrar and Paying Agent shall for such purposes treat the Beneficial Owners as the bondholders. Along with any such certificate or representation, the Registrar may request the Depository Trust Company to deliver, or cause to be delivered, to the Registrar a list of all Beneficial Owners of the Bonds, together with the dollar amount of each Beneficial Owner's interest in the Bonds and the current addresses of such Beneficial Owners.

Section 3. Redemption of BANs and Bonds. (a) The BANs are prepayable by the District, in whole or in part, on any date beginning one hundred twenty days (120) after the date of issuance, upon twenty (20) days' notice to the owner of the BANs, with no premium.

(b) The Bonds are redeemable at the option of the District, but no sooner than ten (10) years after their date of delivery, and thereafter on any date, on sixty (60) days' notice, in whole or in part, in inverse order of maturity, and by lot within a maturity, at face value together with a premium no greater than 2%, plus accrued interest to the date fixed for redemption; provided however if the Bonds are sold to the IFA Programs and registered in the name of the Authority, the Bonds shall not be redeemable at the option of the District unless and until consented to by the Authority. The exact redemption dates and premiums shall be established by the Treasurer, with the advice of the District's municipal advisor, prior to the sale of the Bonds.

(c) If any Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement for the Bonds maturing as term bonds, and corresponding mandatory redemption obligation, in the order determined by the District, any Bonds maturing as term bonds which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Bond maturing as a term bond so delivered or cancelled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date.

Each authorized denomination amount of Bonds shall be considered a separate bond for purposes of optional and mandatory redemption. If less than an entire maturity is called for

redemption at one time, the Bonds to be redeemed shall be selected by lot within a maturity by the Registrar. If some Bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the Bonds for optional redemption before selecting the Bonds by lot for the mandatory sinking fund redemption.

(d) In either case, notice of such redemption shall be given not less than sixty (60) days, if the Bonds are sold to the Authority as part of its IFA Programs, and not less than thirty (30) days, if the Bonds are sold to another purchaser, prior to the date fixed for redemption by mail unless the notice is waived by the registered owner of a Bond. Such notice shall be mailed to the address of the registered owner as shown on the registration record of the District as of the date which is sixty-five (65) days if the Bonds are sold to the Authority as part of its IFA Programs and forty-five (45) days, if the Bonds are sold to another purchaser, prior to such redemption date. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption may be determined by the District. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

Section 4. Execution of Bonds and BANs. Each of the BANs and Bonds shall be signed in the name of the District by the manual or facsimile signature of the President of the Board of Trustees and attested by the manual or facsimile signature of its Secretary, who shall affix the seal of the District, if any, to each of the Bonds and BANs manually or shall have the seal imprinted or impressed thereon by facsimile. These officials, by the signing of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures their facsimile

signatures appearing on the Bonds. The Bonds must be authenticated by an authorized officer of the Registrar.

The Bonds and any bonds ranking on a parity therewith, as to both principal and interest, shall be payable from and secured by an irrevocable pledge of and shall constitute a first charge upon the Net Revenues of the sewage works of the District. The District shall not be obligated to pay the Bonds or the interest thereon except from the Net Revenues of the sewage works, and the Bonds shall not constitute an indebtedness of the District within the meaning of the provisions and limitations of the constitution of the State of Indiana.

Section 5. Form of Bonds. The form and tenor of the Bonds shall be substantially as follows, all blanks to be filled in properly and all necessary additions and deletions to be made prior to delivery thereof:

[Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Tippecanoe and Chapman Regional Sewer District, or its agent for registration of 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.]

NO. \_\_\_\_\_

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF KOSCIUSKO

TIPPECANOE AND CHAPMAN REGIONAL SEWER DISTRICT  
SEWAGE WORKS REVENUE BOND OF \_\_\_\_\_[, SERIES \_\_\_\_]

REGISTERED OWNER:

Interest	[Maturity	Original	Authentication	
<u>Rate</u>	<u>Date]</u>	<u>Date</u>	<u>Date</u>	[CUSIP]

PRINCIPAL SUM:

The Tippecanoe and Chapman Regional Sewer District ("District"), Kosciusko County, State of Indiana, for value received, hereby promises to pay to the Registered Owner (named

above) or registered assigns, solely out of the special revenue fund hereinafter referred to, the Principal Sum set forth above[, or so much thereof as may be advanced from time to time and be outstanding as evidenced by the records of the registered owner making payment for this hereinafter defined Bond, or its assigns,] [on the Maturity Date set forth above] **OR** [on the dates and in the amounts as set forth on Exhibit A attached hereto] (unless this Bond be subject to and shall have been duly called for redemption and payment as provided for herein), and to pay interest hereon until the Principal Sum shall be fully paid at the rate[s] per annum [specified above] from [the dates of payment made on this Bond] **OR** [the interest payment date to which interest has been paid next preceding the Authentication Date of this Bond unless this Bond is authenticated after the fifteenth day of the month preceding an interest payment date and on or before such interest payment in which case it shall bear interest from such interest payment date, or unless this Bond is authenticated on or before \_\_\_\_\_ 15, \_\_\_\_, in which case it shall bear interest from the Original Date.] which interest is payable semiannually on January 1 and July 1 of each year, beginning on \_\_\_\_\_ 1, 20\_\_ . Interest shall be calculated according to a 360-day calendar year containing twelve 30-day months.

[The principal of this Bond is payable at the principal office of \_\_\_\_\_ ("Registrar" or "Paying Agent"), in the \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_.] All payments of [principal of and] interest on this Bond shall be paid by [check mailed one business day prior to the interest payment date] **OR** [wire transfer for deposit to a financial institution as directed by the Indiana Finance Authority ("Authority") on the due date or, if such due date is a day when financial institutions are not open for business, on the business day immediately after such due date] to the registered owner hereof, as of the fifteenth day of the month preceding such payment, at the address as it appears on the registration books kept by [The Bank of New York Mellon Trust Company, N.A. ("Registrar" or "Paying Agent") in the City of East Syracuse, New York] **OR** [the Registrar] or at such other address as is provided to the Paying Agent in writing by the registered owner. [If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time).] All payments on the Bond shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

This Bond shall not constitute an indebtedness of the District within the meaning of the provisions and limitations of the constitution of the State of Indiana, and the District shall not be obligated to pay this bond or the interest hereon except from the special fund provided from the Net Revenues (as hereinafter defined).

This Bond is [the only] one of an authorized issue of Bonds of the District, [to be] [issued in series] [of like tenor and effect, except as to numbering, interest rate, series designation and dates of maturity] in the total amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) ("Bonds"), numbered from 1 up, issued for the purpose of providing funds to be applied on the cost of additions and improvements to the District's sewage works, [to refund interim notes issued in anticipation of the Bonds] and to pay incidental expenses, as authorized by an Ordinance adopted by the Board of Trustees of the District on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, entitled "An Ordinance concerning the construction of certain additions and improvements to the Webster Lake

Service Area of the Tippecanoe and Chapman Regional Sewer District, the issuance of revenue bonds to provide for the cost thereof, the collection, segregation and distribution of the revenues of the sewage works, the safeguarding of the interests of the owners of said revenue bonds, other matters connected therewith, including the issuance of bond anticipation notes, and repealing ordinances inconsistent herewith" ("Ordinance"), and in strict compliance with the provisions of IC 13-26, as in effect on the issue date of the Bonds ("Act").

[Reference is hereby made to the IFA Agreement ("IFA Agreement") between the District and the Indiana Finance Authority ("Authority") concerning certain terms and covenants pertaining to the sewage works project and the purchase of this Bond as part of the wastewater loan program established and existing pursuant to IC 5-1.2-1 through IC 5-1.2-4, and IC 5-1.2-10.]

Pursuant to the provisions of the Act and the Ordinance, the principal and interest of this Bond and all other Bonds of said issue, [including the Sewage Works Revenue Bonds of \_\_\_\_\_ ("Series \_ Bonds"),] and any bonds hereafter issued on a parity therewith, are payable solely from the Sewage Works Sinking Fund (created by the Ordinance) to be provided from the Net Revenues (defined as the gross revenues, inclusive of System Development Charges (as defined in the Ordinance), of the sewage works in the Webster Lake Service Area after deduction only for the payment of the reasonable expenses of operation, repair and maintenance), whether now or hereafter constructed or acquired. [This Bond and the issue of which it is a part shall rank on a parity with the Series \_\_ Bonds.] No revenues of the District's sewage works outside of the Webster Lake Service Area are pledged to the payment of the bonds and may not be used to pay or secure the bonds.

The District irrevocably pledges the entire Net Revenues of said sewage works to the prompt payment of the principal of and interest on the Bonds authorized by the Ordinance, of which this is one, and any bonds ranking on a parity therewith [including the Series \_\_ Bonds], to the extent necessary for that purpose, and covenants that it will cause to be fixed, maintained and collected such rates and charges for service rendered by said works as are sufficient in each year for the payment of the proper and reasonable expenses of [Operation and Maintenance (as defined in the IFA Agreement)] **OR** [operation, repair and maintenance] of said works and for the payment of the sums required to be paid into said Sinking Fund under the provisions of the Act and the Ordinance. If the District or the proper officers of the District shall fail or refuse to so fix, maintain and collect such rates or charges, or if there be a default in the payment of the interest on or principal of this Bond, the owner of this Bond shall have all of the rights and remedies provided for in the Act, including the right to have a receiver appointed to administer the works and to charge and collect rates sufficient to provide for the payment of this Bond and the interest hereon.

The District further covenants that it will set aside and pay into its Sewage Works Sinking Fund a sufficient amount of the Net Revenues of said works to meet: (a) the interest on all bonds which by their terms are payable from the revenues of the sewage works, as such interest shall fall due; (b) the necessary fiscal agency charges for paying the bonds and interest; (c) the principal of all bonds which by their terms are payable from the revenues of the sewage works, as such principal shall fall due; and (d) an additional amount to [create and] maintain the reserve required by the Ordinance. Such required payments shall constitute a first charge upon all the Net Revenues of said works, on a parity [with the Series \_\_ Bonds].

The Bonds of this issue maturing on and after \_\_\_\_\_ 1, 20 \_\_\_, are redeemable at the option of the District on \_\_\_\_\_ 1, 20 \_\_\_, or any date thereafter, on [sixty (60)] **OR** [thirty (30)] days' notice, in whole or in part, [in inverse order of maturity] **OR** [in the order of maturity as determined by the District] and by lot within a maturity, at face value, together with [no] [the following] premium[s]:

\_\_\_% if redeemed on \_\_\_\_\_ 1, 20 \_\_ or thereafter  
on or before \_\_\_\_\_, 20 \_\_;  
\_\_\_% if redeemed on \_\_\_\_\_ 1, 20 \_\_ or thereafter  
on or before \_\_\_\_\_, 20 \_\_;  
0% if redeemed on \_\_\_\_\_ 1, 20 \_\_ or thereafter  
prior to maturity;

plus accrued interest to the date fixed for redemption[; provided however if the Bonds are registered in the name of the Authority, the Bonds shall not be redeemable at the option of the District unless and until consented to by the Authority].

[The Bonds maturing on \_\_\_\_\_ 1, \_\_\_ are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount thereof plus accrued interest, on the dates and in the amounts set forth below:

<u>Term Bond</u>	<u>Term Bond</u>
<u>Date</u> <u>Amount</u>	<u>Date</u> <u>Amount</u>
*	*

\*Final Maturity]

Each [Five Thousand Dollars (\$5,000)] **OR** [One Dollar (\$1)] principal amount shall be considered a separate bond for purposes of optional [and mandatory] redemption. If less than an entire maturity is called for redemption, the Bonds to be called shall be selected by lot by the Registrar. [If some Bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the Bonds for optional redemption before selecting the Bonds by lot for the mandatory sinking fund redemption.]

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration records of the District, as of the date which is [sixty-five (65)] **OR** [forty-five (45)] days prior to such redemption date, not less than [sixty (60)] **OR** [thirty (30)] days prior to the date fixed for redemption unless the notice is waived by the registered owner of this Bond. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption may be determined by the District. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

If this Bond shall not be presented for payment or redemption on the date fixed therefor, the District may deposit in trust with its depository bank, an amount sufficient to pay such Bond

or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with said bank for payment and the District shall have no further obligation or liability in respect thereto.

This Bond is subject to defeasance prior to redemption or payment as provided in the Ordinance referred to herein. THE OWNER OF THIS BOND, BY THE ACCEPTANCE HEREOF, HEREBY AGREES TO ALL THE TERMS AND PROVISIONS CONTAINED IN THE ORDINANCE. The Ordinance may be amended without the consent of the owners of the Bonds as provided in the Ordinance.

This Bond is transferable or exchangeable only upon the books of the District kept for that purpose at [the] **OR** [a principal corporate trust] office of the Registrar, by the registered owner hereof in person, or by its attorney duly authorized in writing, upon surrender of this Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. The District, the Registrar and any paying agent for this Bond may treat and consider the person in whose name this Bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The District has designated the Bonds as qualified tax-exempt obligations to qualify for the \$10,000,000 exception from the provisions of Section 265(b) of the Internal Revenue Code of 1986 relating to the disallowance of 100% of the deduction for interest expense allocable to tax-exempt obligations.

[The Bonds shall be initially issued in a Book Entry System (as defined in the Ordinance). The provisions of this Bond and of the Ordinance are subject in all respects to the provisions of the Letter of Representations between the District and The Depository Trust Company, or any substitute agreement, effecting such Book Entry System.]

The Bonds maturing in any one year are issuable only in fully registered form in the denomination of [\$5,000] **OR** [\$1] or any integral multiple thereof not exceeding the aggregate principal amount of the Bonds maturing in such year.

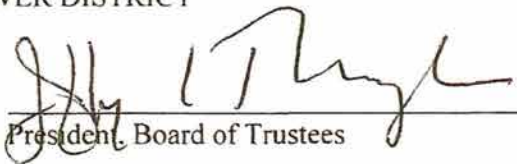
It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the preparation and complete execution, issuance and delivery of this Bond have been done and performed in regular and due form as provided by law.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the Tippecanoe and Chapman Regional Sewer District, in Kosciusko County, Indiana, has caused this Bond to be executed in its corporate name by the manual or facsimile signature of the President of its Board of Trustees, [its corporate seal to be hereunto affixed, imprinted or impressed by any means] and attested manually or by facsimile by its Secretary.

TIPPECANOE AND CHAPMAN REGIONAL  
SEWER DISTRICT

[SEAL]

By:   
President, Board of Trustees

Attest:  
  
Secretary

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

It is hereby certified that this Bond is one of the Bonds described in the Ordinance.

\_\_\_\_\_ as Registrar

By: \_\_\_\_\_

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_, the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney, to transfer the within Bond in the books kept for the registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

[EXHIBIT A

To be completed on a separate page]

Section 6. Preparation and Sale of BANs and Bonds. (a) The Secretary is hereby authorized and directed to have the BANs and Bonds prepared, and the President and Secretary

are hereby authorized and directed to execute the BANs and Bonds in the form and manner herein provided. The Treasurer is hereby authorized and directed to deliver the BANs and Bonds to the respective purchasers thereof after sale made in accordance with the provisions of this ordinance, provided that at the time of said delivery the Treasurer shall collect the full amount which the respective purchasers have agreed to pay therefor, which amount shall not be less than 100% of the par value of the BANs if sold to the Authority as part of its IFA Programs, not less than 99% of the par value of the BANs if sold to any other purchaser, not less than 100% of the par value of the Bonds if sold to the Authority as part of its IFA Programs and not less than 99% of the face value of the Bonds if sold to any other purchaser, as the case may be. The District may receive payment for the BANs and any Bonds sold to the Authority as part of its IFA Programs in installments. Each series of Bonds herein authorized, when fully or as and to the extent paid for and delivered to the purchaser, shall be the binding special revenue obligations of the District, payable out of the Net Revenues of the District's sewage works to be set aside into the Sinking Fund as herein provided. The proceeds derived from the sale of the Bonds shall be and are hereby set aside for application on the cost of the Project hereinbefore referred to, the refunding of the BANs, if issued, and the expenses necessarily incurred in connection with the BANs and Bonds. The proper officers of the District are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary to carry out the provisions of this ordinance.

(b) Distribution of an Official Statement (preliminary and final) prepared by Baker Tilly Municipal Advisors, LLC, on behalf of the District, is hereby approved and the President or the Secretary are authorized and directed to execute the Official Statement on behalf of the District in a form consistent with this ordinance. The President or the Secretary are hereby authorized to

designate the preliminary Official Statement as "nearly final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission ("Rule").

(c) If necessary to comply with the Rule, the District shall execute and deliver a form of Continuing Disclosure Undertaking ("Disclosure Undertaking"). The President or the Secretary are hereby authorized and directed to complete and execute the Disclosure Undertaking on behalf of the District, if necessary to comply with the Rule. Notwithstanding any other provisions of this ordinance, failure of the District to comply with the Disclosure Undertaking shall not be considered an event of default under the Bonds or this ordinance.

Section 7. Bond Sale. If any series of Bonds will be sold at a competitive sale, the District may cause to be published: (i) a notice of such sale two (2) times at least one (1) week apart in the newspaper or newspapers in accordance with IC 5-1-11-2(a) and IC 5 1-11-1(a)(1) which meets the requirements of IC 5-3-1, with the first publication occurring at least fifteen (15) days prior to the sale date and the second publication occurring at least three (3) days prior to the sale date; (ii) a notice of intent to sell bonds in the *Indianapolis Business Journal* and the newspaper or newspapers which meet the requirements of IC 5-3-1, as described in (i) above, all in accordance with IC 5-1-11-2(b) and IC 5 1-11-1(a)(1) and IC 5-3-1; (iii) a notice or notices as determined by the Secretary-Treasurer, upon the advice of the District's municipal advisor, to assist the District with the sale of the Bonds pursuant to IC 5-1-11-1(a)(2); or (iv) the District may negotiate a sale with a potential bidder, upon the advice of the District's municipal advisor. A notice or summary notice of sale may also be published one time in the *Indianapolis Business Journal*, and a notice or summary notice may also be published in *The Bond Buyer* in New York, New York. The notice shall state the character and amount of the Bonds, the maximum rate of interest thereon, the terms and conditions upon which bids will be received and the sale made, and

such other information as the Treasurer and the attorneys employed by the District shall deem advisable and any summary notice may contain any information deemed so advisable. The notice will also state that the winning bidder will agree to assist the District in establishing the issue price of the Bonds under Treas. Reg. Section 1.148-1(f) ("Issue Price Regulation"). The criteria for establishing the issue price under the Issue Price Regulation shall be set forth in the preliminary official statement and/or the bid form. The notice may provide, among other things, that electronic bidding will be permitted and that the successful bidder shall be required to submit a certified or cashier's check or wire transfer in an amount equal to 1% of the principal amount of the Bonds described in the notice within twenty-four hours of the sale and that in the event the successful bidder shall fail or refuse to accept delivery of the Bonds and pay for the same as soon as the Bonds are ready for delivery, or at the time fixed in the notice of sale, then said check and the proceeds thereof shall be the property of the District and shall be considered as its liquidated damages on account of such default; that bidders for the Bonds will be required to name the rate or rates of interest which the Bonds are to bear, not exceeding the maximum rate hereinbefore fixed, and that such interest rate or rates shall be in multiples of one-eighth (1/8) or one-hundredth (1/100) of one percent (1%). No conditional bid or bid for less than 99% of the face amount of the Bonds will be considered. The opinion of Ice Miller LLP, bond counsel of Indianapolis, Indiana, approving the legality of the Bonds, will be furnished to the purchaser at the expense of the District.

The Bonds shall be awarded by the Treasurer to the best bidder who has submitted his bid in accordance with the terms of this ordinance, IC 5-1-11 and the notice of sale. The best bidder will be the one who offers the lowest net interest cost to the District, to be determined by computing the total interest on all of the Bonds to their maturities and adding thereto the discount bid, if any, and deducting the premium bid, if any. The right to reject any and all bids shall be reserved. If an

acceptable bid is not received on the date of sale, the sale may be continued from day to day thereafter without further advertisement for a period of thirty (30) days, during which time no bid which provides a higher net interest cost to the District than the best bid received at the time of the advertised sale will be considered.

As an alternative to public sale, the Treasurer may negotiate the sale of any series of Bonds to the Authority as part of its IFA Programs or to any other purchaser. The President and the Treasurer are hereby authorized to: (i) submit an application to the Authority as part of its IFA Programs; (ii) execute one or more IFA Agreements with the Authority with terms conforming to this ordinance; and (iii) sell such Bonds upon such terms as are acceptable to the President and the Treasurer consistent with the terms of this ordinance. The IFA Programs will provide a substantially final form of IFA Agreement, which is hereby approved by the Board of Trustees. The President and Treasurer are hereby authorized to execute and deliver the IFA Agreement in the form required by the IFA Programs, and to approve any changes in form or substance to the IFA Agreement which are consistent with the terms of this ordinance, such changes to be conclusively evidenced by their execution.

Section 8. Maintenance of Books and Records. (a) The District shall keep proper records and books of account, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues received on account of the operation of said sewage works and all disbursements made therefrom and all transactions relating to said sewage works. Copies of all such statements and reports, including audits prepared by the State Board of Accounts, shall be kept on file in the office of the District.

(b) If any series of Bonds or BANs are sold to the Authority as part of its IFA Programs, the District shall establish and maintain the books and other financial records of the Project

(including the establishment of a separate account or subaccount for the Project) and the sewage works in accordance with (i) generally accepted governmental accounting standards for utilities, on an accrual basis, as promulgated by the Government Accounting Standards Board and (ii) the rules, regulations and guidance of the State Board of Accounts.

Section 9. Use of Proceeds. The proceeds from the sale of all series of Bonds, to the extent not used to refund BANs, and BAN proceeds shall be deposited in a bank or banks which are legally designated depositories for the funds of the District, in a special account or accounts to be designated as "Tippecanoe and Chapman Regional Sewer District, Webster Lake Sewage Works Construction Account" ("Construction Account"). All funds deposited to the credit of the Sewage Works Sinking Fund or the Construction Account shall be deposited, held, secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including particularly IC 5-13, as amended and supplemented and as applicable pursuant to IC 5-1.2-1 through IC 5-1.2-4, IC 5-1.2-10, IC 5-1.2-11, IC 5-1.2-14 and/or IC 5-1.2-14.5. The funds in the Construction Account shall be expended only for the purpose of paying the cost of the Project, refunding the BANs, or as otherwise required by the Act or for the expenses of issuance of the Bonds and BANs. The cost of obtaining the services of Ice Miller LLP, Baker Tilly Municipal Advisors, LLC, and Carson, LLP, local counsel to the District, shall be considered as a part of the cost of the Project on account of which the Bonds and BANs are issued. Any balance or balances remaining unexpended in such special account or accounts after completion of the Project, which are not required to meet unpaid obligations incurred in connection with such Project, shall either (1) be paid into the Sewage Works Sinking Fund and used solely for the purposes of the Sewage Works Sinking Fund or (2) be used for the

same purpose or type of project for which the Bonds were originally issued, all in accordance with IC 5-1-13, as amended and supplemented.

With respect to any Bonds sold to the Authority as part of its IFA Programs, to the extent that (a) the total principal amount of the Bonds is not paid by the purchaser or drawn down by the District or (b) proceeds remain in the Construction Account and are not applied to the Project (or any modifications or additions thereto approved by the Department and the Authority), the District shall reduce the principal amount of the Bond maturities to effect such reduction in a manner that will still achieve the annual debt service as described in Section 2 subject to and upon the terms forth in the IFA Agreement.

Section 10. Pledge of Net Revenues. The interest on and the principal of the Bonds issued pursuant to the provisions of this ordinance, and any bonds hereafter issued on a parity therewith, shall constitute a first charge on all the Net Revenues and such Net Revenues are hereby irrevocably pledged to the payment of the interest on and principal of such Bonds, to the extent necessary for that purpose.

Section 11. Revenue Fund. All revenues derived from the operation of the sewage works and from the collection of rates and charges (including any System Development Charges that are not considered Net Revenues) shall be deposited in the Webster Lake Sewage Works Revenue Fund ("Revenue Fund"), hereby created, and segregated and deposited as set forth in this ordinance. Of these revenues the proper and reasonable expenses of operation, repair and maintenance of the works shall be paid, the principal and interest of all bonds and fiscal agency charges of registrars and paying agents shall be paid, the reserve shall be funded, and the costs of replacements, extensions, additions and improvements to the works shall be paid. Except as permitted hereunder, no moneys derived from the revenues of the sewage works shall be used for

any purpose not connected with the sewage works so long as any obligations payable from the Net Revenues of the sewage works are outstanding.

Section 12. Operation and Maintenance Fund. The Webster Lake Operation and Maintenance Fund ("O&M Fund") is hereby created. On the last day of each calendar month, revenues of the sewage works shall be transferred from the Revenue Fund to the O&M Fund so that the balance maintained in this Fund shall be sufficient to pay the expenses of operation, repair and maintenance for the then next succeeding two calendar months. The moneys credited to this O&M Fund shall be used for the payment of the reasonable and proper operation, repair and maintenance expenses of the sewage works on a day-to-day basis, but none of the moneys in such O&M Fund shall be used for depreciation, replacements, improvements, extensions or additions. Any monies in said O&M Fund may be transferred to the Sewage Works Sinking Fund if necessary to prevent a default in the payment of principal of or interest on the outstanding bonds of the sewage works.

Section 13. Sewage Works Sinking Fund. (a) The special fund designated Webster Lake Sewage Works Sinking Fund ("Sinking Fund") is hereby created for the payment of the principal of and interest on the revenue bonds which by their terms are payable from the Net Revenues of the sewage works and the payment of any fiscal agency charges in connection with the payment of bonds. There shall be set aside and deposited in the Sinking Fund, as available, and as hereinafter provided, a sufficient amount of the Net Revenues (including any System Development Charges that are considered Net Revenues) of said sewage works to meet the requirements of the Bond and Interest Account, the Reserve Account, each hereby created in the Sinking Fund. Such payments shall continue until the balance in the Bond and Interest Account,

plus the balances in the Reserve Account, equal the principal of and interest on the then outstanding bonds of the sewage works to their final maturity.

(b) Bond and Interest Account. The Webster Lake Bond and Interest Account ("Bond and Interest Account") is hereby created. There shall be transferred, on the last day of each calendar month, from the Revenue Fund and credited to the Bond and Interest Account an amount of Net Revenues equal to the sum of at least one-sixth (1/6) of the interest on all then outstanding bonds payable from the Net Revenues on the next succeeding interest payment date, and at least one-sixth (1/6) of the principal on all then outstanding bonds payable from Net Revenues on the next succeeding principal payment date, until the amount so credited shall equal the principal payable during the next succeeding six (6) calendar months and the interest payable during the next succeeding six (6) calendar months. There shall similarly be credited to the account any amount necessary to pay the bank fiscal agency charges for paying principal and interest on the bonds as the same become payable. The District shall, from the sums deposited in the Sinking Fund and credited to the Bond and Interest Account, remit promptly to the registered owner or to the bank fiscal agency sufficient moneys to pay the principal and interest on the due dates thereof together with the amount of bank fiscal agency charges.

(c) Reserve Account. There is hereby created, within the Sinking Fund, the Webster Lake Reserve Account ("Reserve Account"). The Reserve Account shall be used to secure the Bonds. On the date of delivery of the Bonds, funds on hand of the sewage works, Bond proceeds or a combination thereof may be deposited into the Reserve Account. The initial balance or the balance to be accumulated in the Reserve Account shall equal but not exceed the least of: (i) the maximum annual debt service on the Bonds and any bonds issued in the future by the District which are payable from Net Revenues of the sewage works and which rank on a parity with the

Bonds ("Future Parity Bonds"); (ii) 125% of average annual debt service on the Bonds and the Parity Bonds; or (iii) 10% of the stated principal amount or issue price, as applicable, of the Bonds and the Future Parity Bonds ("Reserve Requirement"); provided that if any Bonds are sold to or owned by the Authority as part of its IFA Programs, the Reserve Requirement shall equal the maximum annual debt service on the Bonds and any Future Parity Bonds. If the initial deposit into the Reserve Account does not cause the balance therein to equal the Reserve Requirement or if no deposit is made, an amount of Net Revenues shall be credited to the Reserve Account on the last day of each calendar month until the balance therein equals the Reserve Requirement. The monthly deposits shall be equal in amount and sufficient so that the balance in the Reserve Account shall equal the Reserve Requirement within five (5) years from the date of delivery of the Bonds.

The Reserve Account shall constitute the margin of safety and a protection against default in the payment of principal and interest on the Bonds and any Parity Bonds. Moneys in the Reserve Account shall be used to pay current principal and interest on the Bonds and any Parity Bonds to the extent that moneys in the Bond and Interest Account are insufficient for that purpose. Any deficiency in the balance maintained in the Reserve Account shall be promptly made up from the next available Net Revenues remaining after credits into the Bond and Interest Account. In the event moneys in the Reserve Account are transferred to the Bond and Interest Account to pay principal and interest on the Bonds or the Future Parity Bonds, then such depletion of the balance in the Reserve Account shall be made up from the next available Net Revenues after the credits into the Bond and Interest Account. Any moneys in the Reserve Account in excess of the Reserve Requirement shall be considered as revenues of the sewage works and shall be transferred to the Sewage Works Improvement Fund.

(d) The Sinking Fund (containing the Bond and Interest Account and the Reserve Account) and the Construction Account, may be held by a financial institution acceptable to the Authority as part of its IFA Programs, pursuant to terms acceptable to the Authority. If the Sinking Fund and the accounts therein are held in trust, the District shall transfer the monthly required amounts of Net Revenues to the Bond and Interest Account and the Reserve Account in accordance with this section, and the financial institution holding such funds in trust shall be instructed to pay the required payments in accordance with the payment schedules for the District's outstanding bonds. If the Construction Account is so held in trust, the District shall deposit the proceeds of the Bonds therein until such proceeds are applied consistent with this ordinance and the IFA Agreement. The financial institution selected to serve in this role may also serve as the Registrar and the Paying Agent for any then outstanding bonds of the District and the Bonds. The President and the Secretary are hereby authorized to execute and deliver an agreement with a financial institution to reflect this trust arrangement for the Sinking Fund and the Construction Account in the form of trust agreement ("Trust Agreement") as approved by the President and the Secretary, consistent with the terms and provisions of this ordinance.

Section 14. Sewage Works Improvement Fund. After meeting the requirements of the O&M Fund and the Sinking Fund, any excess revenues may be transferred or credited from the Revenue Fund to a fund designated as the Webster Lake Sewage Works Improvement Fund ("Improvement Fund"), hereby created and said Fund shall be used for improvements, replacements, additions and extensions of the sewage works. Moneys in the Improvement Fund shall be transferred to the Sinking Fund if necessary to prevent a default in the payment of principal and interest on the then outstanding bonds or, if necessary, to eliminate any deficiencies in credits to or minimum balance in the Reserve Account of the Sinking Fund or may be transferred to the

O&M Fund to meet unforeseen contingencies in the operation, repair and maintenance of the sewage works.

Section 15. Maintenance of Accounts; Investments. The Sinking Fund shall be deposited in and maintained as a separate banking account or accounts from all other accounts of the District. The O&M Fund and the Improvement Fund may be maintained in a single banking account, or accounts, but such account, or accounts, shall likewise be maintained separate and apart from all other accounts of the District and apart from the Sinking Fund account or accounts. All moneys deposited in the accounts shall be deposited, held and secured as public funds in accordance with the public depository laws of the State of Indiana; provided that moneys therein may be invested in obligations in accordance with the applicable laws, including particularly IC 5-13, as amended or supplemented and as applicable, pursuant to IC 5-1.2-1 through IC 5-1.2-4, IC 5-1.2-10, IC 5-1.2-11, IC 5-1.2-14 and/or IC 5-1.2-14.5, and in the event of such investment the income therefrom shall become a part of the funds invested and shall be used only as provided in this ordinance. Nothing in this Section or elsewhere in this ordinance shall be construed to require that separate bank accounts be established and maintained for the Funds and Accounts created by this ordinance except that (a) the Sinking Fund and Construction Account shall be maintained as a separate bank account from the other Funds and Accounts of the sewage works and (b) the other Funds and Accounts of the sewage works shall be maintained as a separate bank account from the other funds and accounts of the District.

Section 16. Rate Covenant. The District covenants and agrees that it will establish and maintain just and equitable rates and charges for the use of and the service rendered by the Webster Lake Service Area, to be paid by the owner of each and every lot, parcel of real estate or building that is connected with and uses the Webster Lake Service Area, or that in any way uses or is served

by the Webster Lake Service Area, at a level adequate to produce and maintain sufficient revenue (including user and other charges, fees, income or revenues available to the District), provided that System Development Charges shall be excluded, to the extent permitted by law, when determining if such rates and charges are sufficient in each year so long as the Bonds are outstanding and owned by the Authority as part of its IFA Program, to provide for the timely payment of the proper and reasonable expenses of operation, repair and maintenance, or Operation and Maintenance (as defined in the Financial Assistance Agreement) if the Bonds are sold to the Authority as part of its IFA Program, of the Webster Lake Service Area to comply with and satisfy all covenants contained in this ordinance and the Financial Assistance Agreement, and to pay all obligations of the Webster Lake Service Area with respect to the Webster Lake Service Area. Such rates and charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation, repair and maintenance, or Operation and Maintenance, as the case may be, of the Webster Lake Service Area and the requirements of the Sinking Fund and the Act. The rates and charges so established shall apply to any and all use of the Webster Lake Service Area by and rendered to the District and shall be paid by the District as the charges accrue.

Section 17. Defeasance of Bonds. If, when any of the Bonds issued hereunder shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds or any portion thereof shall be paid; or (i) sufficient moneys, or (ii) direct obligations of (including obligations issued or held in book entry form on the books of) the Department of the Treasury of the United States of America, the principal of and

the interest on which when due will provide sufficient moneys, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds issued hereunder or any designated portion thereof shall no longer be deemed outstanding or entitled to the pledge of the Net Revenues of the Webster Lake Service Area.

Section 18. Additional Bond Provisions. The District reserves the right to authorize and issue additional BANs at any time ranking on a parity with the BANs. The District reserves the right to authorize and issue Future Parity Bonds payable out of the Net Revenues of the Webster Lake Service Area, ranking on a parity with the Bonds, for the purpose of financing the cost of future additions, extensions and improvements to the Webster Lake Service Area, or to refund obligations, subject to the following conditions:

(a) All required payments into the Sinking Fund shall have been made in accordance with the provisions of this ordinance, and the interest on and principal of all bonds payable from the Net Revenues of the Webster Lake Service Area shall have been paid in accordance with the terms thereof. The Reserve Requirement shall be satisfied for the additional Future Parity Bonds either at the time of delivery of the additional Future Parity Bonds or over a five year or shorter period, in a manner which is commensurate with the requirements established in Section 13(b) of this ordinance.

(b) The Net Revenues of the Webster Lake Service Area in the fiscal year immediately preceding the issuance of any such Future Parity Bonds shall be not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional Future Parity Bonds proposed to be issued; or, prior to the issuance of the Future Parity Bonds, the sewage rates and charges of the Webster Lake Service

Area shall be increased sufficiently so that said increased rates and charges applied to the previous fiscal year's operations would have produced Net Revenues for said year equal to not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of all then outstanding bonds and Future Parity Bonds proposed to be issued. For purposes of this subsection, the records of the Webster Lake Service Area shall be analyzed and all showings shall be prepared by a certified public accountant employed by the District for that purpose. In addition, for purposes of this subsection, with respect to any Future Parity Bonds hereafter issued while the Bonds remain outstanding and owned by the Authority as part of its IFA Programs, Net Revenues may not include any revenues from the System Development Charges unless the Authority provides its consent to include all or some portion of the System Development Charges as part of the Net Revenues or otherwise consents to the issuance of such Future Parity Bonds without satisfying this subsection (b).

(c) The principal of, or mandatory sinking fund redemption dates for, said additional parity bonds shall be payable semiannually on January 1 and July 1 and the interest on said additional parity bonds shall be payable semiannually on January 1 and July 1 in the years in which such principal and interest are payable.

(d) If any series of the Bonds are sold to the Authority as part of its IFA Programs, (i) the District obtains the consent of the Authority, (ii) the District has faithfully performed and is in compliance with each of its obligations, agreements and covenants contained in the IFA Agreement and this ordinance, and (iii) the District is in compliance with its National Pollutant Discharge Elimination System permits, except for non-compliance for which purpose the Parity Bonds are issued, including refunding bonds issued prior to, but part of the overall plan to eliminate such non-compliance.

Section 19. Further Covenants. For the purpose of further safeguarding the interests of the holders of the BANs and Bonds, it is specifically provided as follows:

(a) All contracts let by the District in connection with the construction of the Project shall be let after due advertisement as required by the laws of the State of Indiana, and all contractors shall be required to furnish surety bonds in an amount equal to one hundred percent (100%) of the amount of such contracts, to insure the completion of said contracts in accordance with their terms, and such contractors shall also be required to carry such employer's liability and public liability insurance as are required under the laws of the State of Indiana in the case of public contracts, and shall be governed in all respects by the laws of the State of Indiana relating to public contracts.

(b) The Project shall be constructed under the supervision and subject to the approval of such competent engineer as shall be designated by the District. All estimates for work done or material furnished shall first be checked by the engineer and approved by the District.

(c) The District shall at all times maintain its sewage works in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) So long as any of the BANs, Bonds or additional Future Parity Bonds are owned by the Authority as part of its IFA Programs and remain outstanding, the District shall acquire and maintain insurance coverage acceptable to the Authority, including fidelity bonds, to protect the sewage works and its operations. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana. Insurance proceeds shall be used in replacing or repairing the property destroyed or damaged unless the Authority consents to a different use.

(e) So long as any of the Bonds or BANs are outstanding, the District shall not sell, transfer, lease, mortgage, pledge or otherwise encumber the property and plant of its sewage works system, or any part thereof, nor shall it sell, lease or otherwise dispose of any part of the same, excepting only such machinery, equipment or other property as may be replaced, or shall no longer be necessary for use in connection with said utility, provided, however, the District shall obtain the prior written consent of the Authority if such BANs or Bonds are sold to the Authority as part of its IFA Programs.

(f) If the Authority purchases the Bonds as part of its IFA Programs, so long as the Bonds are outstanding and owned by the Authority, and, except as otherwise specifically provided in Section 18 hereof, the District shall not without the prior written consent of the Authority (i) enter into any lease, contract or agreement or incur any other liabilities in connection with the sewage works other than for normal operating expenditures or (ii) borrow any money (including without limitation any loan from other utilities operated by the District) in connection with the sewage works.

(g) Except as hereinbefore provided in Section 18 hereof, so long as any of the Bonds herein authorized are outstanding, no additional bonds or other obligations pledging any portion of the revenues of said sewage works shall be authorized, executed, or issued by the District except such as shall be made subordinate and junior in all respects to the Bonds herein authorized, unless all of the Bonds herein authorized are redeemed, retired or defeased pursuant to Section 17 hereof coincidentally with the delivery of such additional bonds or other obligations.

(h) The District shall take all action or proceedings necessary and proper to require connection of all property where liquid and solid waste, sewage, night soil or industrial waste is

produced with available sanitary sewers. The District shall, insofar as possible, cause all such sanitary sewers to be connected with said sewage works.

(i) The provisions of this ordinance shall constitute a contract by and between the District and the owners of the Bonds and BANs herein authorized, and after the issuance of the Bonds or BANs, this ordinance shall not be repealed or amended in any respect which will adversely affect the rights of the owners of the Bonds or BANs nor shall the Board of Trustees adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of the Bonds, BANs or the interest thereon remain unpaid. Except for the changes set forth in Section 22(a)-(g), this ordinance may be amended, however, without the consent of BAN or Bond owners, if the Board of Trustees determines, in its sole discretion, that such amendment would not adversely affect the owners of the BANs or Bonds; provided, however, that the District shall obtain the prior written consent of the Authority if any of the BANs or Bonds are sold to the Authority as part of its IFA Programs.

(j) The provisions of this ordinance shall be construed to create a trust in the proceeds of the sale of the Bonds and BANs herein authorized for the uses and purposes herein set forth, and the owners of the Bonds and BANs shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this ordinance and of the governing Act. The provisions of this ordinance shall also be construed to create a trust in the portion of the Net Revenues herein directed to be set apart and paid into the Sinking Fund for the uses and purposes of said fund as in this ordinance set forth. The owners of the Bonds shall have all of the rights, remedies and privileges set forth in the provisions of the governing Act hereinbefore referred to, including the right to have a receiver appointed to administer said sewage works, in the event of

default in the payment of the principal of or interest on any of the Bonds herein authorized or in the event of default in respect to any of the provisions of this ordinance or the governing Act.

(k) For purpose this Section 19, the term "lease" shall include any lease, contract, or other instrument conferring a right upon the District to use property in exchange for a periodic payments made from the revenues of the sewage works, whether the District desires to cause such to be, or by its terms (or its intended effects) is to be, (i) payable as rent, (ii) booked as an expense or an expenditure, or (iii) classified for accounting or other purposes as a capital lease, financing lease, operating lease, non-appropriation leases, installment purchase agreement or lease, or otherwise (including any combination thereof).

Section 20. Investment of Funds. (a) The Treasurer is hereby authorized to invest moneys pursuant to IC 5-1-14-3 and the provisions of this ordinance (subject to applicable requirements of federal law to insure such yield is the then current market rate) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the Bonds and BANs under federal law.

(b) The Treasurer shall keep full and accurate records of investment earnings and income from moneys held in the funds and accounts created or referenced herein. In order to comply with the provisions of the ordinance, the Treasurer is hereby authorized and directed to employ consultants or attorneys from time to time to advise the District as to requirements of federal law to preserve the tax exclusion. The Treasurer may pay any fees as operation expenses of the sewage works.

Section 21. Tax Covenants. In order to preserve the exclusion of interest on the Bonds and BANs from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as existing on the date of issuance of the Bonds or BANs, as the case may

be ("Code") and as an inducement to purchasers of the Bonds and BANs, the District represents, covenants and agrees that:

(a) The sewage works is intended to be and will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity other than the District or another state or local governmental unit will use more than 10% of the proceeds of the BANs or Bonds or property financed by the BAN or Bond proceeds other than as a member of the general public. No person or entity other than the District or another state or local governmental unit will own property financed by BAN or Bond proceeds or will have any actual or beneficial use of such property pursuant to a lease, management, service or incentive payment contract, an arrangement including take-or-pay or other type of output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the BANs or Bonds. The District has entered into a management contract for all or a portion of the sewage works and the terms of the contract comply with the Regulations and IRS Revenue Procedure 2017-13, so that the contract does not give rise to private business use under the Code and the Regulations unless such use in the aggregate will not relate to more than 10% of the proceeds of the BANs or Bonds.

(b) No more than 10% of the principal of or interest on the BANs or Bonds is (under the terms of the Bonds, BANs, this ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for private business use or payments in respect of such property, or to be derived from payments (whether or not to the District) in respect of such property or borrowed money used or to be used for a private business use.

(c) No more than 5% of the BAN or Bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than 5% of the BAN or Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the BAN or Bond proceeds.

(d) The District reasonably expects, as of the date hereof, that the BANs and Bonds will not meet either the private business use test described in paragraph (a) and (b) above or the private loan test described in paragraph (c) above during the entire term of the BANs and Bonds.

(e) No more than 5% of the proceeds of the BANs or Bonds will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issues (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(f) The District will not take any action nor fail to take any action with respect to the BANs or Bonds that would result in the loss of the exclusion from gross income for federal tax purposes of interest on the BANs or Bonds pursuant to Section 103 of the Code, nor will the District act in any other manner which would adversely affect such exclusion, and it will not make any investment or do any other act or thing during the period that the BANs or Bonds are outstanding which would cause the BANs or Bonds to be private activity bonds under the meaning of Section 141 of the Code.

(g) It shall be not an event of default under this ordinance if the interest on any BANs or Bonds is not excludable from gross income for federal tax purposes or otherwise pursuant to

any provision of the Code which is not currently in effect and in existence on the date of issuance of the BANs or Bonds, as the case may be.

(h) The District represents that it will rebate any arbitrage profits to the United States in accordance with Section 148(f) of the Code with respect to the Bonds and enter into a rebate agreement with the Authority in a form provided to the District by the Authority.

(i) The District represents that:

(1) The Bonds and BANs are not private activity bonds as defined in Section 141 of the Code;

(2) The District hereby designates the Bonds and BANs as qualified tax-exempt obligations for purposes of Section 265(b) of the Code;

(3) The reasonably anticipated amount of qualified tax-exempt obligations (including qualified 501(c)(3) obligations and tax-exempt leases but excluding other private activity bonds) which will be issued by the District and all entities subordinate to the District during 2025 or 2026 does not exceed \$10,000,000; and

(4) The District has not designated and will not designate more than \$10,000,000 of qualified tax-exempt obligations during 2025 or 2026.

Therefore, the Bonds and BANs qualify for the exception in the Code from the disallowance of 100% of the deduction by financial institutions of interest expense allocable to newly acquired tax-exempt obligations.

(j) These covenants are based solely on current law in effect and in existence on the date of delivery of the BANs and the Bonds, as the case may be.

Section 22. Amendments with Consent of Bondholders. Subject to the terms and provisions contained in this Section and Section 19(i), and not otherwise, the owners of not less

than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds issued pursuant to this ordinance and then outstanding shall have the right, from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the District of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the District for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that if any of the Bonds or BANs are sold to the Authority as part of its IFA Programs, the District shall obtain the prior written consent of the Authority; and provided, further, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any Bond issued pursuant to this ordinance; or

(b) A reduction in the principal amount of any Bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the sewage works ranking prior to the pledge thereof created by this ordinance; or

(d) A preference or priority of any Bond or Bonds issued pursuant to this ordinance over any other Bond or Bonds issued pursuant to the provisions of this ordinance; or

(e) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance; or

(f) A reduction in the Reserve Requirement; or

(g) The extension of mandatory sinking fund redemption dates, if any.

If the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the District, no owner of any Bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the District or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the District and all owners of Bonds issued pursuant to the provisions of this ordinance then outstanding, shall thereafter be determined exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the District and of the owners of the Bonds authorized by this ordinance, and the terms and provisions of the Bonds and this ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the District and the consent of the owners of all the Bonds issued pursuant to this ordinance then outstanding.

Section 23. Issuance of BANs. (a) The District, having satisfied all the statutory requirements for the issuance of its Bonds, may elect to issue its BAN or BANs pursuant to a Bond Anticipation Note Purchase Agreement ("Purchase Agreement") to be entered into between the District and the purchaser of the BAN or BANs. If the BANs are sold to the Authority as part of its IFA Programs, the IFA Agreement shall serve as the Purchase Agreement. The Board of

Trustees hereby authorizes the issuance and execution of the BAN or BANs in lieu of initially issuing Bonds to provide interim financing for the Project until permanent financing becomes available. It shall not be necessary for the District to repeat the procedures for the issuance of its Bonds, as the procedures followed before the issuance of the BAN or BANs are for all purposes sufficient to authorize the issuance of the Bonds and the use of the proceeds to repay the BAN or BANs.

(b) The President and the Treasurer are hereby authorized and directed to execute a Purchase Agreement or IFA Agreement (and any amendments made from time to time) in such form or substance as they shall approve acting upon the advice of counsel. The President, the Secretary and the Treasurer may also take such other actions or deliver such other certificates as are necessary or desirable in connection with the issuance of the BANs or any series of Bonds and the other documents needed for the financing as they deem necessary or desirable in connection therewith.

Section 24. Tax Exemption. Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance ("Tax Sections") which are designed to preserve the exclusion of interest on the BANs and Bonds from gross income under federal law ("Tax Exemption") need not be complied with if the District receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

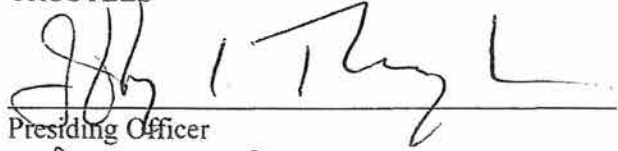
Section 25. Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 26. Headings. The headings or titles of the several sections shall be solely for convenience of reference and shall not affect the meaning, construction or effect of this ordinance.

Section 27. Effective Date. This ordinance shall be in full force and effect from and after its passage.

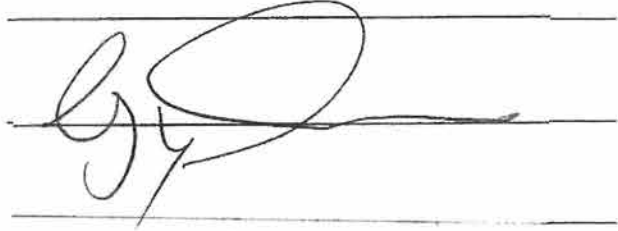
Adopted this 8<sup>th</sup> day of September, 2025.

TIPPECANOE AND CHAPMAN LAKES  
REGIONAL SEWER DISTRICT BOARD OF  
TRUSTEES

  
\_\_\_\_\_  
Presiding Officer

*Brian Dawson*

\_\_\_\_\_  
*Robert C Weaver*

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

*Edward Ormsby*

Attest:

\_\_\_\_\_  
Secretary

## EXHIBIT A

### Project Description

The Webster Lake Service Area is the last unsewered section around Webster Lake, located in Kosciusko County, IN. The service area is bounded by Epworth Forrest Road to the north, CR 975 to the east, Backwater Road to the south and Webster Lake shoreline to the west.

The property owners in this service area currently rely upon private septic systems for wastewater disposal. The proposed project includes a centralized pressure sewer system to serve the sewage producing properties. The proposed Project will include the following:

- 14,500 lineal feet of 1.5" to 4" pressure sewer pipe;
- 13,200 lineal feet of 1-1/4" pressure sewer lateral;
- 150 grinder stations serving approximately 200 properties;
- 20 flushing stations and air release valve structures;
- 44,000 lineal feet of electrical conductors to energize the grinder stations;
- 50 electrical risers to distribute electrical power to the electrical grid for the grinder stations; and
- One 300 gpm wastewater pump station.

The wastewater from the Webster Lake Service Area will be directed through the pressure sewer to the new wastewater pump station. There is an existing force main along Epworth Forrest Road that transports the Knapp Lake Conservancy District wastewater to the North Webster WWTP. As part of this project, the force main from Knapp Lake will be rerouted into the proposed East Webster pump station. The discharge from the East Webster pump station will then reconnect to the existing Knapp Lake force main and will be transported to the Town of North Webster's wastewater collection system and conveyed to the North Webster wastewater treatment plant for treatment and disposal.

The Project is more fully described in, and shall be in accordance with, the Preliminary Engineering Report and the Plans and Specifications approved by the Finance Authority (or if designated by the Finance Authority, the Department).