

ORDINANCE PROVIDING FOR THE USE
OF A PORTION OF THE DeGRAFFENRIED LEGACY
FOR EXTENSION, DEVELOPMENT AND REMODELING THE PRESENT
LOGAN COUNTY PUBLIC LIBRARY BUILDING,
RUSSELLVILLE, KENTUCKY, AND
THE PURCHASE OF ADDITIONAL EQUIPMENT THEREFOR

WHEREAS, the Kentucky Department of Libraries has approved application of the Logan County Public Library District Board of Trustees for extension, development and remodeling of the present library building located on Sixth and Winter Streets, Russellville, Kentucky, and the purchase of additional equipment therefor, with the use of State Amortization Funds and funds provided from local sources, and

WHEREAS, such extension, development and remodeling of the present facilities and the purchase of new equipment therefor is necessary to provide adequate library services for the reasons set forth in the Resolutions of the Logan County Public Library District Board of Trustees passed November 6, 1972, a copy of which is filed with the City Clerk and is made a part hereof by reference, and

WHEREAS, in order to comply with the requirements to obtain State Amortization Funds to the extent of 62% of the total cost of the project, it is necessary for the City of Russellville, Kentucky, the holder of the legal title to the real estate and improvements thereon now used by the Logan County Public Library District Board of Trustees, as leasees, to provide 38% of the total cost of the project from local sources, and to further provide the sum of \$90,000.00 to be applied on the State's portion of the total cost of the project, which is to be repaid with 6% interest from the State Amortization Funds, in annual payments of \$10,000.00 each beginning on or before December 31, 1974, and

WHEREAS, by a resolution of the Logan County Public Library District Board of Trustees under date of November 6, 1972,

the City Council of the City of Russellville was requested to take such action as is necessary to provide that the sum of \$70,000.00 to apply on the amount which is required to be paid from local sources, be paid entirely from the DeGraffenried Legacy, and

WHEREAS, the various banks and other financial institutions from which the sum of \$90,000.00 to be applied on the State's portion of the cost of the project could be acquired, require as additional collateral to secure said loan a first mortgage on the real estate owned by the City of Russellville and leased to the Logan County Public Library District Board of Trustees, by lease dated May 6, 1966, which requirements the City of Russellville is unable to meet since the local funds used in acquiring the property originally and constructing the improvements thereon was acquired from the DeGraffenried Legacy, and

WHEREAS, the committee appointed by the Logan County Public Library District Board of Trustees, pursuant to the resolution of that Board dated November 6, 1972, has recommended that the sum of \$90,000.00 to be applied on the State's portion of the cost of the project be set aside and transferred from the DeGraffenried Legacy to the Logan County Library Project Account and that the repayment of same with interest thereon at the rate of 6% per annum, be secured by rental on the property to be leased from the City to the Logan County Public Library District Board of Trustees, and any improvements hereafter made thereon until said loan is fully paid at the rate of \$10,000.00 per year, payable annually until the principal with interest thereon at the rate of 6% per annum from date of transfer shall have been fully paid, and

WHEREAS, by resolution of the Logan County Public Library District Board of Trustees passed on December 4, 1972, as amended by resolution of said Board passed on September 25, 1973, said Board requested the City Council to take such action as is

necessary to set aside and transfer to the account of the Logan County Library Project Account the sum of \$90,000.00 to apply on the State's portion of the funds necessary to finance an amount equal to 62% of the total project cost, the amount to bear interest at the rate of 6% per annum on the unpaid balance from date of said transfer, with interest and principal payable in the sum of \$10,000.00 per year until same is fully paid, and secured by rental in said sum annually to be paid on said property now owned by the City and to be leased to the Logan County Public Library District Board of Trustees, and any improvements hereafter made thereon until said loan is fully repaid; provided that any sums which may hereafter be received by the City of Russellville from the State Amortization Funds, while said indebtedness is outstanding, be credited against the rental payment due for the respective year or years in which said sums are received,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Russellville, Kentucky, as follows:

(1) That the sum of \$70,000.00 to be applied on the amount required to be paid from local sources for the extension, development and remodeling of the present library building located on Sixth and Winter Streets, Russellville, Kentucky, and the purchase of additional equipment therefor, be paid from the DeGraffenried Legacy, and deposited in the Logan County Library Project Account.

(2) That the sum of \$90,000.00 be set aside from the DeGraffenried Legacy and transferred to the account of the Logan County Library Project Account, to be applied on the State's portion of the funds necessary to finance the total project cost.

(3) That the amount of \$90,000.00 ~~set~~ aside in the aforesaid fund, together with interest on the unpaid balance, at the rate of 6% per annum from the date of transfer, shall be repaid in the sum of \$10,000.00 per year until same is fully paid, and secured by

rental to be paid on the property now owned by the City and under lease to the Logan County Public Library District Board of Trustees by lease dated May 6, 1966, and any improvements hereafter made thereon until said loan and interest thereon is fully repaid and any sums which may be received by the City of Russellville from the State Amortization Funds while any part of said indebtedness is outstanding shall be credited against the rental payment due for the respective year or years in which said sums are received.

(4) That the aforesaid lease dated May 6, 1966, shall be modified and amended to provide for the payment of the rental as aforesaid on December 31st of each year the lease is in force and effect, beginning in the year 1974, and continuing each year thereafter that said lease is renewed until the aforesaid sum of \$90,000.00, together with interest on the unpaid balance at 6% per annum is fully paid, and providing that the lease shall be for a term of one year with option to renew from year to year on the same terms and conditions until said indebtedness and interest thereon is fully paid, and thereafter from year to year without rental for an additional period of ten years if the lessee is not in default, and the lessee complies with the covenants and conditions of said lease, and public library facilities and services are provided therein and therefrom by and at the sole expense of the lessee.

(5) That the appropriate action be filed immediately in the Logan Circuit Court, Russellville, Kentucky, requesting the approval of the aforesaid.

(6) That upon the approval of the aforesaid by the Logan Circuit Court and the Kentucky Department of Libraries, the Mayor and the City Clerk are hereby authorized and directed to execute the amendment and modification of the lease above referred to and such other instruments and do such things as are necessary to carry out the provisions of this ordinance.

(7) Any provisions of the ordinance passed by the City of Russellville, Kentucky, on February 6, 1973, pertaining to the aforesaid matter which conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Passed at a regular meeting of the City Council of the City of Russellville, Kentucky, Oct 2, 1973.

Mayor Bobby A. Sawyer
MAYOR

ATTEST:

Gene Bui
CITY CLERK