

CITY OF JEFFERSONTOWN
COMMONWEALTH OF KENTUCKY

ORDINANCE NO. 1278, SERIES 2012

AN ORDINANCE OF THE CITY OF JEFFERSONTOWN, KENTUCKY, APPROVING THE ISSUANCE BY THE COLORADO HEALTH FACILITIES AUTHORITY OF ITS HEALTH FACILITIES REVENUE BONDS (THE EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY PROJECT) SERIES 2012 (THE "BONDS") ON BEHALF OF THE EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY (THE "SOCIETY") IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$250,000,000, OF WHICH UP TO \$800,000 OF THE PROCEEDS OF THE BONDS WILL BE USED TO REFUND THAT PORTION OF THE COLORADO HEALTH FACILITIES AUTHORITY, HEALTH FACILITIES REVENUE BONDS (THE EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY PROJECT) SERIES 2002, ISSUED ON BEHALF OF THE SOCIETY, WHICH WERE USED INDIRECTLY FOR THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF HEALTHCARE FACILITIES AT THE GOOD SAMARITAN SOCIETY-JEFFERSONTOWN, LOCATED AT 3500 GOOD SAMARITAN WAY, JEFFERSONTOWN, KENTUCKY 40299-6117, OWNED AND OPERATED BY THE SOCIETY (THE "PROJECT").

WHEREAS, The Evangelical Lutheran Good Samaritan Society (the "Society") owns and operates certain healthcare facilities at the Good Samaritan Society-Jeffersontown, located at 3500 Good Samaritan Way, Jeffersontown, Kentucky 40299-6117 (the "Project"); and

WHEREAS, the Colorado Health Facilities Authority previously issued its Health Facilities Revenue Bonds (The Evangelical Lutheran Good Samaritan Society Project), Series 2002 on behalf of the Society (the "Prior Bonds"), certain proceeds of which were used to refund bonds issued by the City of Jeffersontown, Kentucky (the "City") for the acquisition, construction, improvement and equipping of the Project; and

WHEREAS, the acquisition, construction, improvement and equipping of the Project by the Society has implemented economic expansion and growth of business in the City and substantial employment within the City, with the result that the existence of the Project has assisted and will continue to assist in preventing and relieving unemployment in the City and will encourage the retention and expansion of industry in accordance with the public policies of the Commonwealth of Kentucky; and

WHEREAS, the Colorado Health Facilities Authority desires to issue its Health Facilities Revenue Bonds (The Evangelical Lutheran Good Samaritan Society Project) Series 2012 on behalf of the Society in the principal amount not to exceed \$250,000,000 (the "Refunding Bonds"), of which up to \$800,000 of the proceeds of the Refunding Bonds will be used to refund the Prior Bonds, thus resulting in interest rate savings to the Society; and

WHEREAS, under 26 U.S.C. § 147, the issuance of the Refunding Bonds must be approved by the City insofar as a portion of the proceeds of the Refunding Bonds will be used to finance the Project, which is located within the boundaries of the City; and

WHEREAS, under 26 U.S.C. § 147, as a condition to the approval of the issuance of the Refunding Bonds by the City, the City is required to hold a public hearing to consider the issuance of the Bonds following the provision of reasonable public notice of the hearing;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JEFFERSONTOWN, KENTUCKY, ACTING BY AND THROUGH ITS CITY COUNCIL, AS FOLLOWS:

Section 1. For the purposes set forth in the preamble, there is hereby authorized and directed the following:

(A) The incorporation by reference of the preambles of this Ordinance as integral parts of this Ordinance, to the same extent as if repeated herein verbatim, it being declared that the statements of fact set forth in such preambles are true and accurate in all respects.

(B) The approval of the issuance of the Refunding Bonds, certain proceeds of which will be used to finance the Project which is located within the boundaries of the City.

Section 2. The Mayor, City Attorney, City Clerk and other City officials, and each of them, for and on behalf of the City, are hereby authorized, empowered and directed to do and perform any and all things necessary to carry out the authority conferred or contemplated by and the purposes of this Ordinance, and further to approve and to execute all papers, documents, certificates or other instruments that may be required for the carrying out and effectuation of the authority conferred by and the purposes of this Ordinance, or to evidence said authority and purposes.

Section 3. The City shall never be required to pay from its own funds any obligations deriving from the issuance of the Refunding Bonds, and the Refunding Bonds are declared to be special and limited obligations payable solely and only from the receipts derived under the various agreements, documents and instruments executed and delivered by the Society in connection with the issuance of the Refunding Bonds. The approval of the issuance of the Refunding Bonds shall not be deemed to constitute an approval of the Project for any other municipal purpose of the City.

Section 4. The adoption of this Ordinance shall not be deemed to and shall not constitute an approval of the Refunding Bonds or any representation made by the Colorado Health Facilities Authority or the Society in the issuance thereof and shall not impose any liability or responsibility, financial or otherwise, upon the City.

Section 5. The provisions of this Ordinance may be supplemented from time to time by resolution or municipal order of the City Council.

Section 6. The provisions of this Ordinance are hereby declared to be severable and, if any section or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

Section 7. In the event of any conflict or conflicts between the provisions of this Ordinance and of any prior ordinances, resolutions, municipal orders or parts thereof, the provisions of this Ordinance shall prevail.

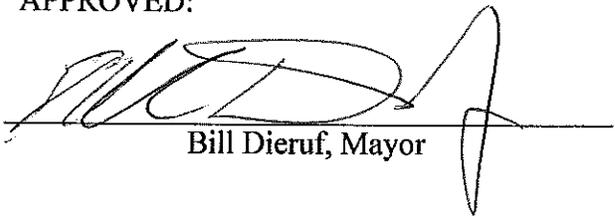
Section 8. This Ordinance shall be in full force and effect from and after its adoption as provided by law. The summary of this Ordinance read at the meetings of the City Council described below is approved for such purposes and for the purpose of publication as provided by law.

INTRODUCED, SECONDED AND GIVEN FIRST READING at a duly convened meeting of the City Council of the City of Jeffersontown, Kentucky, held on April 18, 2012.

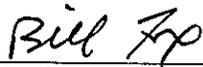
GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the City Clerk of the City held on May 7, 2012, signed by the Mayor as evidence of his approval, attested by the City Clerk, ordered published in summary form, duly enrolled and declared to be in full force and effect.

APPROVED:

(SEAL)


Bill Dieruf, Mayor

ATTEST:

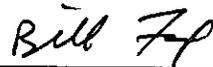


Bill Fox, City Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Jeffersontown, Kentucky, and as such Clerk I further certify that the foregoing is a true, correct and complete copy of an Ordinance duly adopted by the City Council of said City upon second reading at a duly convened meeting held on May 7, 2012, signed by the Mayor and now in full force and effect, all as appears from the official records of said City in my possession and under my control.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of May, 2012.



Bill Fox, City Clerk