

**VILLAGE OF CHATHAM
SANGAMON COUNTY**

ORDINANCE NO. 97-68

AN ORDINANCE approving the rates of interest to be born on \$1,200,000 General Obligation Bonds (Alternate Revenue Source), Series 1997, of the Village of Chatham, Sangamon County, Illinois.

Adopted by the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois on December 16, 1997

Published in pamphlet form by the authority of the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois this December 17, 1997.

ORDINANCE NO. 97-68

AN ORDINANCE approving the rates of interest to be born on \$1,200,000 General Obligation Bonds (Alternate Revenue Source), Series 1997, of the Village of Chatham, Sangamon County, Illinois.

PREAMBLES

WHEREAS, the Village of Chatham, in Sangamon County, Illinois (the "Issuer"), is duly established and operates under and in accordance with the provisions of the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, as supplemented and amended (the "Act"); and

WHEREAS, the Issuer heretofore on November 25, 1997 adopted Ordinance No. 97-66 entitled "AN ORDINANCE authorizing and providing for the issuance of \$1,200,000 General Obligation Bonds (Alternate Revenue Source), Series 1997, of the Village of Chatham, Sangamon County, Illinois, for the purpose of defraying the costs of certain street, sidewalk, drainage and utility improvements of said Village of Chatham, authorizing the publication of this Ordinance, prescribing all the details of said bonds, and providing for an alternate revenue source to pay the principal of and interest on said bonds", pursuant to which the Issuer authorized issuance of its General Obligation Bonds (Alternate Revenue Source) in the amount of \$1,200,000 (the "Bonds");

WHEREAS, the Issuer now desires to adopt this additional ordinance supplementing and amending Ordinance No. 97-66 to specify the interest rates to be born on the Bonds and to determine certain other terms of the Bonds; and

WHEREAS, for convenience of reference only capitalized terms used in this Ordinance shall have the same meanings as those used in Ordinance No. 97-66.

NOW, THEREFORE, BE IT ORDAINED BY PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Amendment of Section 5

Section 5 of the Bond Ordinance is hereby amended to read as follows:

Section 5. Authorization and Terms of Bonds

To meet part of the estimated cost of paying the costs of the Project, there is hereby appropriated the sum of \$1,200,000, to be derived from the proceeds of the Bonds. For the purpose of financing such appropriation, Bonds of the Issuer shall be issued and sold in an aggregate principal amount of not to exceed \$1,200,000 and shall each be designated "General Obligation Bonds (Alternate Revenue Source), Series 1997".

The Bonds shall be dated December 1, 1997 and shall also bear the date of authentication thereof. The Bonds shall be in fully registered form, shall be in denominations of \$5,000 and authorized integral multiples thereof, and shall be numbered consecutively in such reasonable fashion as may be established by the Bond Registrar, and shall bear interest payable August 1, 1998 and semiannually thereafter on February 1 and August 1 of each year. The Bonds shall mature serially on February 1 of each of the following years bearing interest at the rates per annum and in the amounts as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2000	\$45,000	4.15%
2001	\$55,000	4.20%
2002	\$55,000	4.30%
2003	\$60,000	4.40%
2004	\$60,000	4.45%
2005	\$65,000	4.50%
2006	\$70,000	4.60%
2007	\$70,000	4.70%
2008	\$75,000	4.80%
2009	\$80,000	4.90%
2010	\$85,000	5.00%
2011	\$90,000	5.10%
2012	\$90,000	5.15%
2013	\$95,000	5.20%
2014	\$100,000	5.30%
2015	\$105,000	5.30%

Although the Bonds are authorized in the principal amounts and at the rates set forth above, the Bonds are nevertheless hereby authorized to issued in such lesser amount and bear interest at such lower rate or rates as approved in supplemental proceedings by the Corporate Authorities.

Each Bond shall bear interest from its date, or from the most recent interest payment date to which interest has been paid or duly provided for, computed on the basis of a 360-day year consisting of twelve 30-day months, and payable in lawful money of the United States of America. The rate of interest for each maturity of the Bonds shall be determined by a subsequently adopted amendment to this Ordinance. The principal of and premium, if any, on the Bonds shall be payable in lawful money of the United States of America upon presentation and surrender thereof at the principal corporate trust office of the financial institution designated in this ordinance, acting as the Paying Agent for the Bonds (including any successors, the "Paying Agent"). Interest on the Bonds shall be payable on each interest payment date to the registered owners of record appearing on the registration books maintained by the Bond Registrar on behalf of the Issuer for such

purpose (including any successors, the "Bond Registrar"), at the principal office of the Bond Registrar as of the close of business on the fifteenth (15th) day of the calendar month next preceding the applicable interest payment date. Interest on the Bonds shall be paid by check or draft mailed to such registered owners at their addresses appearing on the registration books. The Bond Registrar shall not be required to transfer or exchange any Bond during a period commencing the fifteenth (15th) day of the month next preceding each interest payment date and ending on such interest date or during a period of fifteen (15) days next preceding the mailing of a notice of redemption of any Bond which could designate all or a part of such Bond for redemption. Notwithstanding the foregoing, during any period that the Purchaser, or FFG Trust, Inc., Springfield, Illinois as trustee for the Purchaser, is the registered owner of all or any part of the Bonds outstanding, immediately available funds for each payment of the principal of, premium, if any, and interest on the Bonds shall be available at the principal corporate trust office of such Paying Agent not later than five (5) days prior to each such principal, premium, if any, and interest payment date.

Section 2. Amendment of Section 15

Section 15 of the Bond Ordinance is hereby amended to read as follows:

Section 15. Levy and Extension of Taxes; Abatement

For the purpose of providing the money required to pay the interest on the Bonds when and as the same falls due and to pay and discharge the principal thereof as the same shall mature, there shall be levied upon all the taxable property within the Issuer's corporate limits in each year while any of the Bonds shall be outstanding, a direct annual tax in each of the years 1998 to 2013, inclusive, sufficient for that purpose, in addition to all other taxes, and in the amounts for each year, as follows:

<u>For Each Year</u>	<u>A Tax Sufficient to Produce the Sum of:</u>
1998	\$103,088 for interest and principal
1999	\$111,220 for interest and principal
2000	\$108,910 for interest and principal
2001	\$111,545 for interest and principal
2002	\$108,905 for interest and principal
2003	\$111,235 for interest and principal
2004	\$113,310 for interest and principal
2005	\$110,090 for interest and principal
2006	\$111,800 for interest and principal
2007	\$113,200 for interest and principal
2008	\$114,280 for interest and principal
2009	\$115,030 for interest and principal
2010	\$110,440 for interest and principal
2011	\$110,805 for interest and principal
2012	\$110,865 for interest and principal
2013	\$110,565 for interest and principal

Interest or principal coming due at any time when there shall be insufficient funds on hand to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of the taxes herein levied; and when such taxes shall have been collected, reimbursement shall be made to such fund or funds from which such advance was made in the amounts thus advanced.

As soon as this Ordinance becomes effective, a copy hereof certified by the Village Clerk, which certificate shall recite that this ordinance has been duly adopted, shall be filed with the County Clerk of the County of Sangamon, Illinois, who is hereby directed to ascertain the rate percent required to produce the aggregate tax hereinabove provided to be levied in the years 1998 to 2013, inclusive, and to extend the same for collection on the tax books in connection with other taxes levied in each of such years, in and by the Issuer for general corporate purposes of the Issuer, and in each of such years such annual tax shall be levied and collected in like manner as taxes for general corporate purposes for each of such years are levied and collected and, when collected, such taxes shall be used solely for the purpose of paying the principal of and interest on the Bonds herein authorized as the same become due and payable.

In the event the Bonds are issued in such amount or at such rates that result in annual tax levies less than as set forth above, the reduced tax levies shall be contained in the Bond Order which shall be filed with the County Clerk of the County of Sangamon, Illinois together with a certificate abating the tax levies set forth above. The Issuer may also adopt an ordinance supplementing this Ordinance containing such reduced levies.

The Issuer covenants and agrees with the registered owners of the Bonds that so long as any of the Bonds remain outstanding, unless or to the extent Pledged Revenues or other duly appropriated moneys shall be then irrevocably on deposit in the Bond and Interest Account, the Issuer will take no action or fail to take any action which in any way would adversely affect the ability of the Issuer to levy and collect the Pledged Revenues or Pledged Taxes, and the Issuer and its officers will comply with all present and future applicable laws in order to assure that the foregoing taxes will be levied, extended and collected as provided herein and deposited in the Bond and Interest Account to pay the principal of and interest on the Bonds.

As provided in the Applicable Acts, whenever the Pledged Revenues shall have been determined by the Corporate Authorities to provide an amount not less than an amount equal to debt service on the Bonds, the Corporate Authorities or such officers of the Issuer acting with proper authority shall direct the abatement of the Pledged Taxes for the Bonds, and proper notification of such abatement shall be filed with the County Clerk of Sangamon County in a timely manner to effect such abatement.

Section 3. Publication

This Ordinance, together with a notice in the statutory form, shall be published in pamphlet form.

CERTIFICATION OF MINUTES

I, Robert Krueger, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Illinois (the "Issuer"), and as such Village Clerk I am the keeper of the official journal of proceedings, books, records, minutes and files of the Issuer and of the President and Board of Trustees of the Issuer (the "Corporate Authorities").

I do further certify that attached hereto are true, correct and complete copies of minutes of meetings of the Corporate Authorities held on October 14, 1997, November 25, 1997 and December 16, 1997. *Public hearing NOV 11th.*

IN WITNESS WHEREOF, I have affixed hereto my official signature and the seal of the Issuer this December 18, 1997.

(SEAL)



Robert A. Krueger

Village Clerk

Section 4. Severability

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 5. Repealer

The Purchase Agreement executed between the Issuer and the Purchaser is hereby ratified and approved, and all other provisions of Ordinance No. 97-66 are ratified and approved. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

PASSED by the Corporate Authorities on December 16, 1997.

APPROVED: December 16, 1997.

Linda Kestner
President

AYES: Gray, Miller, Oblinger, Balwa, Williamsen and Franke

NAYS: NONE

ABSENT: NONE

PUBLISHED: December 17, 1997.

RECORDED IN the Records of the Issuer on December 17, 1997.

ATTEST:

Ronald A. Krueger
Village Clerk

