

VILLAGE OF CHATHAM, ILLINOIS

ORDINANCE NO. 09- 02

**AN ORDINANCE ELECTING TO ACQUIRE AND OPERATE A COMMON
SOURCE OF SUPPLY OF WATER WITH THE VILLAGE OF NEW BERLIN,
ILLINOIS, AND TO ESTABLISH A WATER COMMISSION PURSUANT TO
DIVISION 135 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE**

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF CHATHAM, ILLINOIS
THIS 27 DAY OF JAN, 2009

Published in pamphlet form by the authority of the President and
Board of Trustees of the Village of Chatham, Sangamon County,
Illinois, this 27 day of JAN, 2009

STATE OF ILLINOIS)
) ss.
COUNTY OF SANGAMON)

CERTIFICATE

I certify that I am the duly elected and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I further certify that on 1-27, 2009, the corporate authorities of such Village passed and approved Ordinance No. 09- 02 entitled:

AN ORDINANCE ELECTING TO ACQUIRE AND OPERATE A COMMON SOURCE OF SUPPLY OF WATER WITH THE VILLAGE OF NEW BERLIN, ILLINOIS, AND TO ESTABLISH A WATER COMMISSION PURSUANT TO DIVISION 135 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 09- 02 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on 1-27, 2009, to continue for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

DATED at Chatham, Illinois, this 27 day of JAN, 2009.

(SEAL)



Pat School
Village Clerk

Ordinance No. 09- 02

AN ORDINANCE ELECTING TO ACQUIRE AND OPERATE A COMMON SOURCE OF SUPPLY OF WATER WITH THE VILLAGE OF NEW BERLIN, ILLINOIS, AND TO ESTABLISH A WATER COMMISSION PURSUANT TO DIVISION 135 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE

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

SECTION 1: Pursuant to authority granted by Division 135 of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-135-1 *et seq.*) the Village of Chatham hereby elects to acquire and operate jointly with the Village of New Berlin, Illinois a common source of supply of water, and hereby establishes with the Village of New Berlin a water commission to be known as the Chatham-New Berlin Water Commission, in accordance with Division 135.

SECTION 2: The Village of Chatham hereby obligates itself to fund the startup costs of the Commission hereby established, which will be reimbursed by the Commission from the proceeds of a revenue bond to be issued by the Commission.

SECTION 3: The Village of Chatham expresses the following intentions with respect to the Commission, upon which the Village of New Berlin may reasonably rely:

A. When the Villages of New Berlin and Chatham, together with the Commission, make the final decision to proceed with the construction and operation of a water treatment and transmission system, then it will assign to the Commission all of the

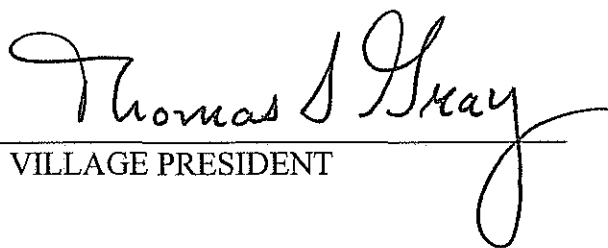
Village's right, title and interest in wellsites, treatment plant sites, easements, plans, specifications and other rights in tangible and intangible property relating to such system, on the condition that the Village of Chatham's expenses relating thereto ("Project Expenses") will be reimbursed from the proceeds of a revenue bond to be issued by the Commission.

B. Rates charged by the Commission to the Villages of Chatham and New Berlin should be the same at the respective points of delivery agreed on by the Commission and the two Villages, which will be in the respective corporate limits of the two Villages.

C. If for any reason the Commission is rescinded prior to the issuance of a revenue bond, New Berlin will have no responsibility with respect either to the startup costs of the Commission or with respect to Project Expenses incurred by Chatham.

SECTION 4: This Ordinance is effective upon its passage, signing and publication as required by law.

PASSED this 27 day of JAN, 2009.


VILLAGE PRESIDENT

ATTEST:


Village Clerk



HERR, SCHAATEMAN

YES: 6 REYNOLDS, MCGRATH, BOYLE, KAVANAGH

NO: 0

PASSED: 1-27-09

APPROVED: 1-27-09

ABSENT: 0

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 09-02 adopted by the President and Board of Trustees of said Village on 1-27-09 said Ordinance being entitled:

AN ORDINANCE ELECTING TO ACQUIRE AND OPERATE A COMMON SOURCE OF SUPPLY OF WATER WITH THE VILLAGE OF NEW BERLIN, ILLINOIS, AND TO ESTABLISH A WATER COMMISSION PURSUANT TO DIVISION 135 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 27 day of JAN, 2009.





Village Clerk