

Resolution No. 06-04

**A RESOLUTION APPROVING SUBSTITUTE SECURITY
PERTAINING TO MANOR HILL SUBDIVISION, PLAT 4, PHASE 1**

WHEREAS, the construction of subdivision improvements for Manor Hill Subdivision, Plat 4, Phase 1, is currently secured by a letter of credit issued by Illini Bank, which has been released except for the amount of \$57,000;

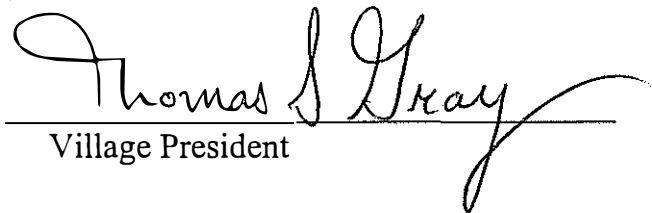
WHEREAS, the developer of Manor Hill Subdivision Plat 4, Phase 1 has requested the substitution of a new letter of credit for the existing letter of credit securing the construction of infrastructure for Manor Hill Subdivision, Plat 4, Phase 1;

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

SECTION 1: Letter of credit No. 467, issued by Illini Bank on February 9, 2004, a copy of which is attached as Exhibit A, is hereby accepted as security with respect to construction of infrastructure for Manor Hill Subdivision, Plat 4, Phase 1; and the prior letter of credit securing same is hereby released.

SECTION 2: This Resolution is effective immediately.

PASSED this 24 day of FEB, 2004.



Village President

ATTEST:



Pat Schad
Village Clerk



AYES: 6 HERR M'ADAMS BOYLE M'CARNEY M'CRATH KAVANAHA
NAYS: 0

PASSED: 2-24-04
APPROVED: 2-24-04

ABSENT: 0

Illini Bank

P.O. Box 13257 Springfield, IL 62791 Phone (888) 455-4641 Fax (217) 547-9672

**IRREVOCABLE LETTER OF CREDIT
467**

February 9, 2004

Village of Chatham
116 E. Mulberry
Chatham, Illinois 62629

RE: Manor Hill Subdivision - Phase I Plat 4

Gentlemen:

We hereby establish our IRREVOCABLE LETTER OF CREDIT NUMBER 467 in your favor for the account of Charles E. Robbins and Maurice Tippet/ Manor Hill Subdivision for the amount of \$ 57 000.00, available by your drafts at sight, drawn on the ILLINI BANK, Springfield Illinois accompanied by:

(a) Copy of final inspection letter from the Municipality to Developer detailing work to be completed including cost estimate.

(b) Statement signed by the Engineer of the Village of Chatham, Illinois certifying that the public improvements for which this Letter of Credit is security have not been completed as required by Article III, Chapter 33A of the code of the Village of Chatham, and releasing ILLINI BANK of liability under this Letter of Credit to the extent of each draw.

Except as otherwise expressly stated herein, this credit is subject to the Uniform Commercial Code as adopted in the State of Illinois.

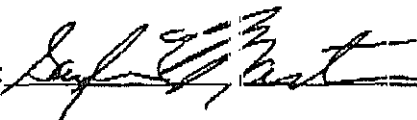
EXHIBIT A

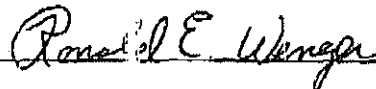
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Village of Chatham
February 9, 2004

We hereby agree with the drawers, endorsers and bona fide holders of drafts drawn under and in compliance with the terms of this debt, that such drafts will be duly honored on due presentation to the drawee on or before February 9, 2006. All parties hereto agree that the outstanding obligation hereunder may be released only upon written authorization of the Engineer of said Village of Chatham. This Letter of Credit shall be automatically extended for additional periods of one year from the expiration date or each future expiration date unless sixty (60) days prior to such date, the Bank shall notify you in writing, by registered mail at the above address, that we elect not to renew this Letter of Credit at the end of said 60 day period, provided however, that nothing contained herein shall be construed to limit the right of Village of Chatham to make drafts against this letter until its initial expiry date or any date to which said letter is automatically extended as described above.

ILLINI BANK

BY: 
Gaylon E. Martin, President

ATTEST: 
Ronald E. Wenger, Senior Vice President

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 Resolution No. _____, adopted by the President and Board of Trustees of said Village on the _____ day of _____, 2004, said Ordinance being entitled:

**A RESOLUTION APPROVING SUBSTITUTE SECURITY
PERTAINING TO MANOR HILL SUBDIVISION, PLAT 4, PHASE 1**

I do further certify that prior to the making of this certificate, the said Resolution 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 ___ day of _____, 2004.



Village Clerk