

MINUTES of a regular public meeting of the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois, held in the Civic Center, 327 West Wilson Street, Batavia, Illinois, in said Park District at 7:00 o'clock P.M., on the 27th day of July, 2010.

* * *

The meeting was called to order by the President and upon the roll being called, Patrick J. Callahan, the President, and the following Park Commissioners were physically present at said location: Behmer, Corken, Foiles, Tilmon and Callahan _____

The following Park Commissioners were allowed by a majority of the members of the Board of Park Commissioners in accordance with and to the extent allowed by rules adopted by the Board of Park Commissioners to attend the meeting by video or audio conference: _____

No Park Commissioner was not permitted to attend the meeting by video or audio conference.

The following Park Commissioners were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

The President announced that the next item for consideration by the Board of Park Commissioners would be an ordinance directing the Secretary of the Board of Park Commissioners to certify the question of the issuance of its general obligation alternate bonds to the County Clerk of The County of Kane, Illinois, and to the Board of Election Commissioners of the City of Aurora Illinois, to be submitted to the voters of said Park District at the general election to be held on the 2nd day of November, 2010.

Whereupon Park Commissioner Callahan presented and read by title an ordinance as follows, a copy of which was provided to each Park Commissioner prior to said meeting and to everyone in attendance at said meeting who requested a copy:

ORDINANCE NO. 295

AN ORDINANCE directing the Secretary of the Board of Park Commissioners to certify the question of the issuance of General Obligation Park Bonds (Alternate Revenue Source) of the Batavia Park District, Kane County, Illinois, to the County Clerk of The County of Kane, Illinois, and to the Board of Election Commissioners of the City of Aurora, Illinois, to be submitted to the voters of said Park District at the general election to be held on the 2nd day of November, 2010.

* * *

WHEREAS, the Batavia Park District, Kane County, Illinois (the "*District*"), is a duly organized and existing Park District created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Park District Code of the State of Illinois, as supplemented and amended; and

WHEREAS, the Board of Park Commissioners of the District (the "*Board*") has determined that it is advisable, necessary and in the best interests of the District to build and equip a community recreation center and related parking facilities and acquire and improve the land therefor (the "*Project*"); and

WHEREAS, for the purpose of providing funds to pay the cost of the Project and in accordance with the provisions of the Local Government Debt Reform Act of the State of Illinois, as amended (the "*Act*"), the Board, on the 20th day of April, 2010, adopted Ordinance No. 291 (the "*Authorizing Ordinance*"), authorizing the issuance of alternate bonds in an amount not to exceed \$20,000,000; and

WHEREAS, on the 23rd day of April, 2010, the Authorizing Ordinance, together with a notice in the statutory form, were published in the *Kane County Chronicle*, being a newspaper of general circulation in the District, and an affidavit evidencing the publication of the Authorizing Ordinance and said notice have heretofore been presented to the Board and made a part of the permanent records of the Board; and

WHEREAS, within thirty (30) days of the date of publication of the Authorizing Ordinance and said notice, a petition with the requisite number of valid signatures thereon was filed with the Secretary of the Board (the "*Secretary*") requesting that the question of the issuance of said alternate bonds be submitted to referendum at the general election to be held on the 2nd day of November, 2010 (the "*Election*");

NOW, THEREFORE, Be It Ordained by the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Certification of Question. The Board hereby directs the Secretary to certify, not later than September 1, 2010, in accordance with general election law, the following question to the County Clerk of The County of Kane, Illinois, and to the Board of Election Commissioners of the City of Aurora Illinois, for submission to the voters of the District at the Election:

"Shall the Batavia Park District, Kane County, Illinois, be authorized to issue \$20,000,000 general obligation alternate bonds for the purpose of building and equipping a community recreation center and related parking facilities and acquiring and improving the land therefor, as provided for by Ordinance No. 291 adopted by the Board of Park Commissioners of said Park District on the 20th day of April, 2010, with amounts received by said Park District from its corporate fund levy and other legally available funds of said Park District, including the principal proceeds received by said Park District from time to time from the issuance of its general obligation bonds or notes to the fullest extent permitted by law, including Section 6-4 of the Park District Code of the State of Illinois, as amended, and Section 15.01 of the Local Government Debt Reform Act of the State of Illinois, as amended, to be the revenue source to be used to pay the principal of and interest on said bonds unless said proceeds and funds are insufficient to pay said bonds, in which case ad valorem property taxes levied upon all taxable property in said Park District without limitation as to rate or amount are authorized to be extended for such purpose?"

Section 3. Severability. If any section, paragraph, clause or provision of this ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

Section 4. Repealer. 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.

Adopted July 27, 2010.

Attest:



Secretary, Board of Park Commissioners


President, Board of Park Commissioners

Park Commissioner Tilmon moved and Park Commissioner Corken seconded the motion that said ordinance as presented and read by title be adopted.

After a full and complete discussion thereof, the President directed that the roll be called for a vote upon the motion to adopt said ordinance.

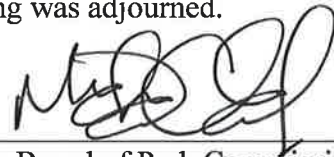
Upon the roll being called, the following Park Commissioners voted AYE: Tilmon, Corken, Foiles, Behmer and Callahan _____

and the following Park Commissioners voted NAY: _____

Whereupon the President declared the motion carried and said ordinance adopted, and henceforth did approve and sign the same in open meeting and did direct the Secretary to record the same in full in the records of the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois, which was done.

Other business not pertinent to the adoption of said ordinance was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.



Secretary, Board of Park Commissioners

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

CERTIFICATION OF ORDINANCE AND MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois (the "Board"), and as such official I am the keeper of the books, records and files of the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 27th day of July, 2010, insofar as same relates to the adoption of Ordinance No. 295 entitled:

AN ORDINANCE directing the Secretary of the Board of Park Commissioners to certify the question of the issuance of General Obligation Park Bonds (Alternate Revenue Source) of the Batavia Park District, Kane County, Illinois, to the County Clerk of The County of Kane, Illinois, and to the Board of Election Commissioners of the City of Aurora, Illinois, to be submitted to the voters of said Park District at the general election to be held on the 2nd day of November, 2010.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said ordinance were taken openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 96 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict accordance with the provisions of the Park District Code of the State of Illinois, as amended, the Open Meetings Act of the State of Illinois, as amended, and the Local Government Debt Reform Act of the State of Illinois, as amended, and that the Board has complied with all of the applicable provisions of said Code and said Acts and its procedural rules in the adoption of said ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said Park District, this 27th day of July, 2010.

Secretary, Board of Park Commissioners



(SEAL)