

## ORDINANCE #298

**AN ORDINANCE abating the tax heretofore levied for the year 2010 to pay debt service on \$4,070,000 General Obligation Park Bonds (Alternate Revenue Source), Series 2002, of the Batavia Park District, Kane County, Illinois.**

**WHEREAS**, the Board of Commissioners (the "Board") of the Batavia Park District, Kane County, Illinois (the "District") by ordinance adopted on the 2nd day of July, 2002, (the "Ordinance"), did provide for the issue of \$4,070,000 General Obligation Park Bonds (Alternate Revenue Source) Series 2002 (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

**WHEREAS**, the District will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying debt service on the Bonds heretofore imposed by the 2010 levy; and

**WHEREAS**, such Pledged Revenues are hereby directed to be deposited into the Bond Escrow Fund (as defined in the Ordinance) and used for the purpose of paying debt service on the Bonds; and

**WHEREAS**, it is necessary and in the best interests of the District that the tax heretofore levied for the year 2010 to pay the Bonds be abated:

**NOW, THEREFORE**, be it and it is hereby ordained by the Board of Commissioners of the Batavia Park District, Kane County, Illinois, as follows:

**Section 1.** *Abatement of Tax.* The tax heretofore levied for the year 2010 in the Ordinance is hereby abated it its entirely.

**Section 2.** *Filing of Ordinance.* Forthwith upon the adoption of this ordinance, the

Secretary of the Board shall file a certified copy hereto with the County Clerk of Kane County, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2010 in accordance with the provisions hereof.

**Section 3. *Effective Date.*** This ordinance shall be in full force and effect forthwith upon its adoption.

ADOPTED this 18th day of January, 2011 by a roll call vote as follows:

AYES:          3  

NAYS:          0  

ABSENT:       2  

APPROVED this 18th day of January, 2011.

  
\_\_\_\_\_  
President

ATTEST:  
  
\_\_\_\_\_  
Secretary

**MINUTES of a regular public meeting of the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois held at 327 West Wilson Street, Batavia, Illinois at 7:00 p.m. on the 18th day of January, 2011.**

The President called the meeting to order and directed the Secretary to call the roll.

Upon the roll being called, the following Park Commissioners answered present: Corken, Foiles, Tilmon. The following Park Commissioners were absent from the meeting: Callahan, Behmer.

The Treasurer announced that the next item of business before the Board of Park Commissioners was the consideration of an ordinance abating the tax heretofore levied for the year 2010 to pay debt service on the \$4,070,000 General Obligation Park Bonds (Alternate Revenue Source), Series 2002, of the Batavia Park District, Kane County, Illinois. Following a full and complete discussion thereof, President Callahan presented and the Secretary read in full (*waived*) an ordinance as follows:

Commissioner Corken moved and Commissioner Foiles seconded the motion that said ordinance as presented and read by the Secretary be adopted.

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

Upon the roll being called, the following Commissioners voted AYE: Corken, Foiles, Tilmon. and the following Commissioners voted NAY: \_\_\_\_\_.

Whereupon the Treasurer declared the motion carried and said ordinance adopted, approved and signed the same in open meeting and directed 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 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

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 (the "Board") of the Batavia Park District, Kane County, Illinois (the "District") and as such official, I am the keeper of the records and files of the Board and the District.

I further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 18th day of January, 2011 insofar as the same relates to the adoption of Ordinance #298 entitled:

*AN ORDINANCE abating the tax heretofore levied for the year 2010 to pay debt service on \$4,070,000 General Obligation Park Bonds (Alternate Revenue Source), Series 2002, of the Batavia Park District, Kane County, Illinois.*

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

I do further certify that the deliberations of the Board on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was called and 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 48 hours in advance of the holding of said meeting, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Park District Code of the State of Illinois, as amended, and the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board in the adoption of said ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and seal of said District, this 18th day of January, 2011.



Secretary, Board of Commissioners

(SEAL)