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January 15, 2003

Mayor Tod Satterthwaite and
Members of the City Council
400 S. Vine Street
Urbana, IL 61801

**Re: AN ORDINANCE RATIFYING THE ISSUANCE OF THE CITY OF URBANA, ILLINOIS
VARIABLE RATE DEMAND MULTIFAMILY HOUSING REFUNDING REVENUE BONDS,
SERIES 2003 (PRAIRIE GREEN II APARTMENTS PROJECT) IN THE AGGREGATE
PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,400,000; AND RELATED MATTERS**

Ladies and Gentlemen:

On October 21, 2002, the City Council adopted an Ordinance Authorizing the Issuance of Variable Rate Demand Multifamily Housing Refunding Revenue Bonds, Series 2002 (Prairie Green II Apartments Project) in the aggregate principal amount of not to exceed \$1,400,000. For various technical reasons unrelated to the bond transaction itself, Village Community Partners I, L.P., the owner of this apartment project, was not able to proceed with the issuance of these bonds prior to the end of 2002 as originally intended.

The borrower is now in a position to close this transaction, however, and is requesting to do so prior to the end of January, 2003.

The attached ordinance simply makes technical changes to the prior ordinance to reflect a change to the dating of the various documents to be executed in connection with the issuance of the bonds and a change to the designation of the bonds as being "Series 2003" as opposed to "Series 2002". The attached ordinance otherwise ratifies and confirms the earlier ordinance as originally adopted.

Very truly yours,

EVANS, FROEHLICH, BETH & CHAMLEY

By: Kenneth N. Beth

KNB/vs
Attachment

ORDINANCE NO. 2003-01-007

**AN ORDINANCE RATIFYING THE ISSUANCE
OF THE CITY OF URBANA, ILLINOIS VARIABLE RATE DEMAND
MULTI-FAMILY HOUSING REFUNDING REVENUE BONDS, SERIES 2003 (PRAIRIE
GREEN II APARTMENTS PROJECT) IN THE AGGREGATE PRINCIPAL AMOUNT OF
NOT TO EXCEED \$1,400,000; AND RELATED MATTERS**

WHEREAS, the City of Urbana, Illinois (the "Issuer") is a home rule unit of government existing under the Constitution and the laws of the State of Illinois and is authorized and empowered by the provisions of the 1970 Constitution of the State of Illinois, Article VII, Section 6, and the provisions of Ordinance No. 7475-3, passed on May 20, 1974, and approved on May 21, 1974, as amended and supplemented by Ordinance No. 8081-37 passed on October 6, 1980, and approved October 14, 1980 (collectively, the "Act") to issue its revenue bonds to refund outstanding bonds previously issued under the Act; and

WHEREAS, on October 21, 2002, the Issuer adopted an Ordinance (the "Bond Ordinance") authorizing the issuance of the City of Urbana, Illinois Variable Rate Demand Multifamily Housing Refunding Revenue Bonds, Series 2002 (Prairie Green II Apartments Project) in the aggregate principal amount not to exceed \$1,400,000 in connection therewith; authorizing the execution and delivery of a Loan Agreement between the City of Urbana, Illinois and the Borrower; authorizing the execution and delivery of an Indenture of Trust securing said Bonds; authorizing the execution and delivery of an Amended and Restated Land Use Restriction Agreement; and authorizing the execution and delivery of a Bond Purchase Agreement; and

WHEREAS, Village Community Partners I, L.P., an Indiana limited partnership (the "Borrower") had originally intended to close the issuance of the Bonds prior to the end of 2002, but the closing was postponed; and

WHEREAS, the Borrower is now in a position to close this transaction and is requesting to do so prior by the end of January, 2003; and

WHEREAS, the Issuer has deemed it prudent to adopt this Ordinance (the "Ratification Ordinance") to ratify the issuance of the Bonds and the documents related thereto which have been revised to reflect the change in the timing of the closing;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The Issuer hereby ratifies the original Bond Ordinance and authorizes the changes to be made to the documents related thereto in order to reflect the change in the date of closing including, without limitation, the change to the dating of the various documents to be executed in connection with the issuance of the Bonds, and the change to the designation of the Bonds to be so designated as the "City of Urbana, Illinois Variable Rate Demand Multifamily Housing Refunding Revenue Bonds, Series 2003 (Prairie Green II Apartments Project)."

Section 2. That all other provisions of the Bond Ordinance, except as expressly modified by the adoption of this Ratification Ordinance, shall remain in full force and effect.

Section 3. That the provisions of this Ratification Ordinance are hereby declared to be separable, and if any section, phrase or provision shall, for any reason, be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions.

Section 4. That all ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ratification Ordinance are, to the extent of such conflict, hereby superseded.

Section 5. This Ratification Ordinance shall be in full force and effect from and after its passage and approval, in accordance with law.

PASSED by the City Council this _____ day of _____,
_____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Tod Satterthwaite, Mayor