

Covered
6 Certificates
of publication

ORDINANCE NO. 7677-78

AN ORDINANCE providing for and authorizing the issuance of Corporate Purpose Bonds of the City of Urbana, Champaign County, Illinois, in the principal amount of \$2,000,000, providing for the levy and collection of a direct annual tax to pay principal of and interest on said Bonds, and confirming the sale of said Bonds.

* * *

WHEREAS, pursuant to the provisions of Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, the City of Urbana has a population in excess of 25,000 and is a home rule unit and as such may exercise any power or perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and incur debt; and

WHEREAS, Section 6(d) of Article VII of said 1970 Constitution of the State of Illinois grants constitutional authority for the City of Urbana to incur debt payable from ad valorem property tax receipts maturing within forty (40) years from the time it is incurred and without prior referendum approval; and

WHEREAS, the City of Urbana, Champaign County, Illinois (the "City") has heretofore issued and has currently outstanding the following obligation (the "Outstanding Note"):

<u>Parking System Loan Note</u>	<u>Amount Outstanding</u>
Collateral Promissory Note, due April 1, 1977	\$2,200,000

; and

WHEREAS, the City desires to prepay the Outstanding Note as hereinafter provided and such prepayment will be to the fiscal advantage of the City; and

WHEREAS, the City is authorized by the Constitution of the State of Illinois and particularly by the provisions of Article VII, Section 6(d) thereof, to incur indebtedness payable from ad valorem property tax receipts maturing within forty (40) years from the time of incurring the same without prior referendum approval:

NOW, THEREFORE, Be It Ordained by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1. That in order to raise part of the funds necessary to prepay the Outstanding Note specified in the preamble hereof, there be borrowed by, for and on behalf of the City of Urbana, Champaign County, Illinois, the sum of \$2,000,000, which sum, together with other funds on hand and legally available for the purpose, will be sufficient to prepay the Outstanding Note. To evidence said loan negotiable coupon Corporate Purpose Bonds of the City, in the principal amount of \$2,000,000, be issued. Each of said bonds shall be designated "Corporate Purpose Bond," and be dated March 1, 1977. The bonds shall be numbered consecutively from 1 to 400, inclusive, be of the denomination of \$5,000 each, and become due serially on December 1 in each of the years and in the amounts and bear interest per annum as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
1978	\$100,000	4.50%
1979	100,000	4.10%
1980	100,000	4.10%
1981	110,000	4.10%
1982	115,000	4.10%
1983	125,000	4.10%
1984	125,000	4.10%
1985	125,000	4.50%
1986	125,000	4.50%
1987	125,000	4.50%
1988	125,000	4.50%
1989	125,000	4.75%
1990	125,000	4.75%
1991	150,000	4.75%
1992	150,000	5.00%
1993	175,000	5.00%

(Form of Bond)

UNITED STATES OF AMERICA

STATE OF ILLINOIS

COUNTY OF CHAMPAIGN

CITY OF URBANA

CORPORATE PURPOSE BOND

Number _____ \$5,000

KNOW ALL MEN BY THESE PRESENTS, that the City of Urbana, Champaign County, Illinois, hereby acknowledges itself to owe, and for value received promises to pay to bearer, or if this bond be registered, then to the registered holder hereof, the sum of FIVE THOUSAND DOLLARS (\$5,000) on the first day of December, 19__, together with interest on said sum from the date hereof until paid at the rate of _____ per cent (_____%) per annum, payable on June 1, 1977, and semiannually thereafter on December 1 and June 1 in each year, upon presentation and surrender of the respective interest coupons hereto attached as they severally become due and payable.

Both principal and interest are hereby made payable in lawful money of the United States of America at _____, in the City of _____, _____.

For the prompt payment of this bond, both principal and interest, as aforesaid, at maturity and the levy of taxes sufficient for that purpose, the full faith, credit and resources of said City are hereby irrevocably pledged.

This bond is one of an authorized issue of \$2,000,000 issued by said City for the purpose of prepaying the outstanding Parking System Collateral Promissory Note of the City, pursuant to and in all respects in compliance with the applicable provisions of Sections 6(a) and 6(d) of Article VII of

the 1970 Constitution of the State of Illinois, and an ordinance authorizing the issuance of this bond and the series of which it forms a part, duly published and now in full force and effect.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and Laws of the State of Illinois, to exist or to be done precedent to and in the issuance of this bond, have existed and have been properly done, happened and been performed in regular and due form and time as required by law; that the indebtedness of the City of Urbana, represented by this bond and the issue of which it forms a part, and including all other indebtedness of the City, howsoever evidenced and incurred does not exceed any constitutional or statutory limitation, and that provision has been made for the collection of a direct annual tax, in addition to all other taxes, on all of the taxable property in the City sufficient to pay the interest hereon as the same falls due and also to pay and discharge the principal hereof at maturity.

This bond is subject to registration as to principal in the name of the holder on the books of the City Treasurer, such registration to be evidenced by notation of such Treasurer on the back hereof, and after such registration no transfer hereof, except upon such books and similarly noted hereon, shall be valid unless the last registration shall have been to bearer. Registration hereof shall not affect the negotiability of the coupons hereto attached which shall continue negotiable by delivery merely, notwithstanding registration hereof.

IN WITNESS WHEREOF, the City of Urbana, Champaign County, Illinois, by its City Council has caused its corporate seal to be hereunto affixed and this bond to be signed by the Mayor of said City and attested by its City Clerk and the coupons hereto attached

to be signed and attested by said officials, respectively, by their facsimile signatures, and said officials do, by the execution hereof, adopt as and for their own proper signatures their respective facsimile signatures appearing on said coupons, all as of the first day of March, 1977.

Mayor

(SEAL)

Attest:

City Clerk

(Form of Coupon)

Number _____ \$ _____

On the first day of _____, 19__, the City of Urbana, Champaign County, Illinois, will pay to bearer _____ Dollars (\$_____) in lawful money of the United States of America at _____, in the City of _____, _____, for interest due that day on its Corporate Purpose Bond, dated March 1, 1977, Number _____.

(Facsimile Signature)
Mayor

Attest:

(Facsimile Signature)
City Clerk

(Form for Registration as to Principal)

<u>Date of Registration</u>	<u>Name of Registered Owner</u>	<u>Signature of City Treasurer</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Section 4. That for the purpose of providing funds required to pay the interest on said bonds promptly when and as the same falls due and to pay and discharge the principal thereof at maturity, there be and there is hereby levied upon all the taxable property within said City, in each year while any of said bonds are outstanding, a direct annual tax sufficient for that purpose, and that there be and there is hereby levied on all of the taxable property in said City, in addition to all other taxes, the following direct annual tax, to-wit:

<u>Year</u>	<u>Amount</u>	
1977	\$ 300,081.25	for principal and interest up to and including June 1, 1979
1978	183,375.00	for principal and interest
1979	179,275.00	for principal and interest
1980	184,970.00	for principal and interest
1981	185,357.50	for principal and interest
1982	190,437.50	for principal and interest
1983	185,312.50	for principal and interest
1984	179,937.50	for principal and interest
1985	174,312.50	for principal and interest
1986	168,687.50	for principal and interest
1987	163,062.50	for principal and interest
1988	157,281.25	for principal and interest
1989	151,343.75	for principal and interest
1990	169,812.50	for principal and interest
1991	162,500.00	for principal and interest
1992	179,375.00	for principal and interest

That interest or principal coming due at any time when there are insufficient funds on hand to pay the same be paid promptly when due from current funds on hand in advance of the collection of said taxes herein levied, and when said taxes shall have been collected, reimbursement shall be made to the said funds in the amounts thus advanced.

Section 5. That forthwith as soon as this ordinance becomes effective, a copy hereof certified to by the City Clerk, which certificate shall recite that this ordinance has been passed by the City Council of said City and published, shall be filed with the County Clerk of Champaign County, Illinois, and said County

Clerk shall in and for each of the years 1977 to 1992, both years included, ascertain the rate per cent required to produce the aggregate tax hereinbefore provided to be levied in each of said years, respectively, and said County Clerk shall extend the same for collection on the tax books in connection with other taxes levied in each of said years, respectively, in and by said City for general corporate purposes of said City, and in each of said years such annual tax shall be levied and collected by said City in like manner as taxes for general corporate purposes for each of said years are levied and collected and when collected, such taxes shall be used solely for the purpose of paying principal and interest upon the bonds herein authorized when same mature.

Section 6. That the funds derived from such levy be and the same are hereby appropriated and set aside and shall be deposited in a special fund designated the "Corporate Purpose Bond dated March 1, 1977 and Interest Fund" and is hereby appropriated and irrevocably pledged to and shall be used solely for the purpose of paying principal of and interest on said bonds when and as the same become due. That the funds derived from the sale of said bonds be and they are hereby appropriated and set aside for the purpose hereinbefore set out.

Section 7. That the sale of the bonds herein authorized to LaSalle National Bank of Chicago, Illinois, at the price of par and accrued interest to the date of delivery, and a premium of \$241.56, in accordance with the contract of sale heretofore entered into, is hereby ratified, confirmed and approved. That the contract for the sale of said bonds heretofore entered into, be and is in all respects ratified, approved and confirmed, it being hereby found and determined that said contract is in the best

interests of said City, and that no person holding an office of the City, either by election or appointment, is in any manner interested, either directly or indirectly, in his own name or the name of any other person, association, trust or corporation, in said contract for the purchase of said bonds. After said bonds have been executed as herein provided, they shall be deposited with the Treasurer of said City and be by him delivered to the purchaser thereof upon receipt of the purchase price therefor in accordance with the terms of the contract for the sale.

That the sum of \$ 2,000,000.00 received from the proceeds from the sale of the bonds shall be immediately applied to the payment of the Outstanding Note described in the preamble hereto and the collateral securing the Outstanding Note shall thereupon be released. Evidence of the payment and cancellation of the Outstanding Note and the release of the collateral securing the Outstanding Note shall be preserved in the records of the City.

Section 8. That prior to the delivery of the bonds there shall be irrevocably deposited with the paying agent the sum of \$ 67,443.75, representing the interest becoming due on the bonds on June 1, 1977 and December 1, 1977, said sum to be held by the paying agent only for the purpose of paying such interest as it becomes due.

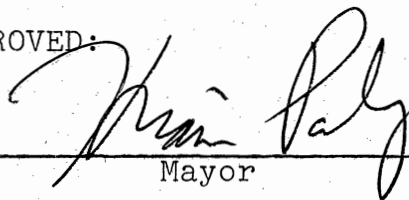
Section 9. That the City of Urbana hereby covenants and agrees that so long as any of the bonds hereby authorized remain outstanding it will make no use of the moneys derived from bond proceeds which, if such use could have been reasonably expected on the date of issue of said bonds, would have caused such bonds to be classified as "arbitrage bonds" within the meaning of Section 103 of the Internal Revenue Code of 1954, as amended, and regulations

promulgated or proposed thereunder, and in connection with any such investments, it will comply with the requirements of said Section 103 and Treas. Reg. §§1.103-13 and 1.103-14, as the same presently exist or may hereafter from time to time be amended and supplemented.

Section 10. That promptly after the adoption of this ordinance it shall be published one time in the Champaign-Urbana Courier, a newspaper published in and of general circulation in the City, and shall become effective as provided by law.

Section 11. That all ordinances, resolutions and orders, or parts thereof, in conflict herewith, be and the same are hereby repealed and this ordinance shall be in full force and effect upon its passage, approval and the publication thereof as provided by law.

APPROVED:



 Mayor

Introduced	<u>February 22</u>	, 1977.
Approved	<u>Feb. 22</u>	, 1977.
Signed	<u>February 25</u>	, 1977.
Recorded	<u>March 8</u>	, 1977.

(SEAL)

Attest:



 City Clerk

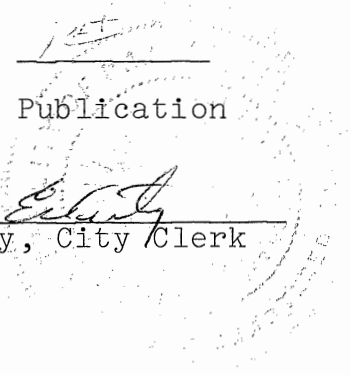
Transferred & back to Carriers
2/28/77
for

No. County Clerk
3/8/77

CERTIFICATE OF PUBLICATION

I, Duane Eckerty, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Champaign Tribune on the 1st day of March, A.D., 1977, and a Certificate of Publication is attached hereto.

Duane Eckerty
Duane Eckerty, City Clerk



COPY OF ADVERTISEMENT

20806
Certificate of Publication

STATE OF ILLINOIS }
Champaign County } ss.

CHAMPAIGN-URBANA COURIER, Inc., a corporation hereby certifies that it is the publisher of THE COURIER, a daily secular newspaper of general circulation in said County, printed in the City of Urbana, and published in the City of Urbana and in the City of Champaign, in said County and State, and that said newspaper is a newspaper as defined in "An Act to revise the law in relation to notices," approved February 13, 1874, as amended, and that the printed notice hereto annexed and hereby made a part of this certificate has been published in said

newspaper at least once each week for one successive weeks in each and every copy

and impression thereof; that the date of the first newspaper containing said publication was

March 1, A.D. 19 77 and that the date of the last newspaper containing said

publication was _____ A.D. 19 _____ ; and that _____

Barbara A. Ross by resolution of the Board of Directors of said CHAMPAIGN-URBANA COURIER, Inc., has been authorized to make this certificate.

IN TESTIMONY WHEREOF said CHAMPAIGN-URBANA COURIER, Inc., has caused this cer-

tificate to be executed in its name by said Barbara A. Ross

this 1st day of March A.D. 19 77.

CHAMPAIGN-URBANA COURIER, Inc.

Publication Fee, \$ 82.26

By Barbara A. Ross

CERTIFICATE OF PUBLICATION

in

THE COURIER

CHAMPAIGN AND URBANA, ILLINOIS

In the Matter of

~~Ordinance no. 76 77 78~~

Solicitors or
Attorneys

City of Urbana

City Clerk
