

ORDINANCE NO. 8182-58

AN ORDINANCE setting forth the procedures for the issuance of General Obligation Tax Increment Bonds funded by the special tax allocation fund for the Central Business District of the City of Urbana, Champaign County, Illinois

WHEREAS, the City of Urbana, Champaign County, Illinois (the "Municipality") has heretofore designated a portion of the Municipality as a "redevelopment project area" known as the Redevelopment Project Area (the "Project Area") in accordance with the provisions of the Real Property Tax Increment Allocation Redevelopment Act (the "Act"); and

WHEREAS, the Municipality has approved a redevelopment plan and redevelopment project for the Project Area and held the necessary public hearing required by the Act; and

WHEREAS, the City Council has determined that it is necessary and in the best interests of the Municipality that the Municipality issue general obligation tax increment bonds for the purpose of paying the redevelopment project costs for the redevelopment project which has been approved for the Project Area:

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

Section 1. Definitions. That the following words and terms used in this ordinance shall have the following meanings unless the context or use indicates another or different meaning:

(1) "Act" means the Real Property Tax Increment Allocation Redevelopment Act of the State of Illinois, as amended and supplemented from time to time.

(2) "Bonds" means the General Obligation Tax Increment Bonds (whether initial or parity) to be issued in accordance with the procedures set forth in this Ordinance and to be authorized by a Bond Ordinance.

(3) "Bond Ordinance" means an ordinance adopted by the City Council of the Municipality in accordance with the procedures set forth in this Ordinance authorizing the issuance of the Bonds.

(4) "Fund" means the special tax allocation fund for the Central Business District (Downtown Urbana) (hereinafter referred to as the "Project Area") established pursuant to Section 11-74.4-8 of the Act and created by an ordinance heretofore adopted by the City Council of the Municipality on December 15, 1980 and entitled:

Ordinance No. 8081-63, An Ordinance  
Adopting Tax Increment Financing.

(5) "Municipality" means the City of Urbana, Champaign County, Illinois, and its successors and assigns.

(6) "Qualified investments" means any investment not prohibited to the Municipality by law.

(7) "Series A Bonds" means the first series of Bonds to be issued in accordance with the procedures set forth in this Ordinance.

(8) "Ordinance" means this ordinance as originally adopted and as the same may from time to time be amended or supplemented in accordance with the terms hereof.

(9) "Parity Bonds" means bonds to be issued in the future which will be payable ratably and equally with the Se-

ries A Bonds in the proceeds of the collection of the Pledged Taxes and otherwise as provided in this Ordinance.

(10) "Pledged Taxes" means the ad valorem taxes, if any, arising from the tax levies upon taxable real property in the Project Area by any and all taxing districts or municipal corporations having the power to tax real property in the Project Area, which taxes are attributable to the increase in the then current equalized assessed valuation of each taxable lot, block, tract or parcel of real property in the Project Area over and above the Initial Equalized Assessed Value of each such piece of property, all as determined by the County Clerk of Champaign County in accordance with Section 11-74.4-9 of the Act.

(11) "Project" means the redevelopment project heretofore approved by the City Council of the Municipality by proceedings adopted on December 15, 1980, in furtherance of the objectives of the Redevelopment Plan, as Ordinance No. 8081-62.

(12) "Project Area" means the Redevelopment Project Area for the Central Business District described more fully in Exhibit A attached hereto and heretofore established by the City Council of the Municipality in accordance with the provisions of the Act.

(13) "Project Costs" means the sum total of all reasonable or necessary costs incurred or estimated to be incurred which are incidental to the Redevelopment Plan and the Project, including, without limitation, the following:

(a) Costs of studies and surveys, plans, and specifications; professional service costs including but not limited to architectural, engineering, legal, marketing, financial, planning or special services;

(b) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(c) Costs of rehabilitation, reconstruction or repair or remodeling of existing buildings and fixtures;

(d) Costs of the construction of public works or improvements;

(e) Financing costs, including but not limited to bond discount and all other necessary and incidental expenses related to the issuance of the Bonds and which may include payment of interest on the Bonds accruing during the estimated period of construction of the Project and not exceeding 18 months thereafter and including reasonable reserves related thereto;

(14) "Redevelopment Plan" means the comprehensive program of the Municipality for the Project Area heretofore approved by the City Council of the Municipality by proceedings adopted on December 15, 1980, together with any amendments and supplements thereto, as Ordinance No. 8081-61.

(15) "Total Initial Equalized Assessed Value" means \$2,429,570, being the total initial equalized assessed value of the taxable real property within the Project Area determined by

the County Clerk of Champaign County in accordance with the provisions of Section 11-74.4-9 of the Act.

Section 2. Findings. That the City Council of the Municipality hereby finds that the Project Area has been established in accordance with the provisions of the Act and that it is necessary and in the best interests of the Municipality to issue its Bonds, including the Series A Bonds, to enable the Municipality to pay Project Costs.

Section 3. The Bonds.

(a) Authorization. That the Bonds be issued and sold in a principal amount not to exceed \$3,300,000 and shall be issued pursuant to one or more individual Bond Ordinances authorizing each series of Bonds. The Bonds shall be dated, be numbered, and be of such denomination or denominations and bear interest at the rate or rates per annum as shall be provided in the Bond Ordinance authorizing the same. Interest on the Bonds shall be payable as provided in the Bond Ordinance; and the Bonds shall mature as provided in the Bond Ordinance.

(b) Redemption. Each series of Bonds shall be subject to redemption at the option of the Municipality at the prices (which shall be not less than the par value of the Bonds being redeemed and accrued interest to the date of redemption) and at the times and from the sources to be set forth in the Bond Ordinance authorizing such series.

Written notice of the Municipality's exercise of its option to redeem any or all of the Bonds registered as to principal shall be given by the Municipality to the holder of any

such registered Bond by certified or registered mail to the last known address of such holder and by publication at least once in The Wall Street Journal or other financial journal of general circulation published in the City of New York, New York. The date of the mailing and publication of such notices shall be not more than sixty (60) and not less than thirty (30) days prior to such redemption date, and any such notice shall designate the date and place of redemption of the Bonds, shall designate the numbers and the aggregate principal amount of the Bonds to be redeemed, and shall state that on the designated date of redemption the Bonds will be redeemed by payment of the principal, premium, if any, and accrued interest thereon, and that from and after the redemption date interest on the Bonds called for redemption shall cease to accrue.

(c) Payment and Execution. Both principal and interest of the Bonds are payable in lawful money of the United States of America at such place as designated in the Bond Ordinance. The Bonds shall be signed by the manual or facsimile signature of the Mayor of the Municipality with the corporate seal of the Municipality imprinted on or affixed thereto, and attested by the manual or facsimile signature of the City Clerk, and the interest coupons attached to the Bonds shall be signed by the facsimile signatures of said officials, and said officials, by the execution of the Bonds, shall adopt as and for their own proper signatures their respective facsimile signatures appearing on said coupons and on said Bonds, as the case may be.

Section 4. Security. The Bonds, together with the interest and premium, if any, thereon, are payable from the collection of the Pledged Taxes and the amounts on deposit in the various funds and accounts as provided herein, and from the full faith, credit and resources of the Municipality which are hereby irrevocably pledged. To secure the timely payment of the principal of, premium, if any, and interest on the Bonds when the same are next to become due and payable, there is hereby directed to be levied a direct annual tax, without limit as to rate or amount, upon all of the taxable property within the Municipality sufficient, when added to the moneys to be derived from the Pledged Taxes an amount sufficient to pay the principal of, premium, if any, and interest on the Bonds as the same become due and payable, which levy shall be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the Municipality and which levy, however, shall be abated to the extent that moneys from other sources are available for and designated by the City Council of the Municipality available to be applied for the payment of the Bonds. The dates and amounts of the foregoing tax levy shall be determined and set forth in the Bond Ordinance. The proper officers of the Municipality at the earliest possible date, shall determine the sufficiency or insufficiency, as the case may be, of the moneys to be available from the Pledged Taxes. In the event the Municipality should extend, and derive moneys from, a di-

rect annual tax upon all of the taxable property within the Municipality, as hereinabove set forth, and in the event in any year or at any time thereafter the Municipality derives more moneys (hereinafter sometimes referred to as "Excess Moneys") from the Pledged Taxes than that which is necessary and sufficient to pay the principal of, premium, if any, and interest on the Bonds, then such Excess Moneys shall be paid into the Municipality's general operating funds, on one or more occasions as may be necessary, until an amount has been paid back to the Municipality for general corporate purposes equal to the aggregate amount of all direct annual tax levies upon all of the taxable property within the Municipality as herein referred to. When such Excess Moneys are applied to pay back the Municipality for general corporate purposes as set forth in the preceding sentence, the Municipality shall in the next succeeding tax levy ordinance reduce the amount of such tax levy extension by the amount so applied; and when such Excess Moneys are available to be applied between the second Monday in August in any year and the second Monday in December in any year, the Municipality shall accordingly abate the tax levy extended in that year. The Bonds shall be the general obligations of the Municipality, as herein provided, for which its full faith, credit and resources are hereby irrevocably pledged.

Section 5. Registration. The Bonds shall be registered at the option of the holder as to principal only in the office of the Clerk of the Municipality in the manner and sub-



ject to the conditions set forth in the form of Bond set out in Section 6 of this Ordinance.

Section 6. Form of Bond. The Bonds, and coupons appertaining thereto, as more fully set forth in each Bond Ordinance, shall be in substantially the following form (with such omissions, revisions or additions as shall be appropriate to each series of Bonds as shall be set forth in each Bond Ordinance):

(Form of Bond)  
UNITED STATES OF AMERICA  
STATE OF ILLINOIS  
COUNTY OF CHAMPAIGN  
CITY OF URBANA  
GENERAL OBLIGATION TAX INCREMENT BOND  
CENTRAL BUSINESS DISTRICT REDEVELOPMENT PROJECT AREA  
SERIES \_\_\_\_\_

Number \_\_\_\_\_ \$ \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, that the City of Urbana, Champaign County, Illinois (the "Municipality"), for value received hereby promises to pay to bearer, or, if this Series \_\_\_\_\_ Bond be registered, to the registered holder hereof, upon surrender hereof, from the Special Tax Allocation Fund (the "Fund") for the Central Business District Redevelopment Project Area of the Municipality and other sources, as hereinafter mentioned, the sum of

\_\_\_\_\_ THOUSAND DOLLARS (\$\_\_\_\_,000)

on \_\_\_\_\_, \_\_\_\_\_, together with interest on said sum from date hereof until paid at the rate of \_\_\_\_\_ percent (\_\_\_\_%) per annum, payable semiannually on the \_\_\_\_\_ days of \_\_\_\_\_ and \_\_\_\_\_ in each year, beginning on \_\_\_\_\_, \_\_\_\_\_, upon presentation and surrender of the annexed interest coupons as they severally become due. Both principal of and interest on this bond are payable in lawful money of the United States of America at \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, as paying agent.

This bond, and each bond of the series of which it forms a part, together with any other bond of any other series payable from moneys derived pursuant to the hereinafter described Pledged Taxes and any other moneys on deposit in the hereinafter described Fund (together, the "Bonds"), is issued

pursuant to Division 74.4 of Article 11 of the Illinois Municipal Code (the "Act") and all laws amendatory thereof and supplemental thereto, and the home rule provisions of section 6 of Article VII of the 1970 Illinois Constitution, and the principal of and interest on, and premium, if any, on the Bonds are payable from the ad valorem taxes, if any, arising from the taxes levied upon taxable real property in the Redevelopment Project Area for the Central Business District established by the Municipality in accordance with the provisions of the Act (the "Project Area") by any and all taxing districts or municipal corporations having the power to tax real property in the Project Area, which taxes are attributable to the increase in the then current equalized assessed valuation of each taxable lot, block, tract or parcel of real property in the Project Area over and above the initial equalized assessed value of each such piece of property, all as determined by the County Clerk of Champaign County in accordance with the provisions of the Act (the "Pledged Taxes"). The Bonds are general obligations of the Municipality for which the full faith, credit and resources of the Municipality have been and are hereby irrevocably pledged. The Municipality has levied a direct annual tax upon all taxable property within the Municipality which is sufficient to pay the principal of, premium, if any, and interest on the Bonds as the same become due and payable, which levy, however, shall be abated to the extent that moneys from other sources are available to be applied to the payment of the Bonds. The Bonds are being issued for the purpose of paying the costs of a redevelopment project in the Project Area, all

as more fully described in proceedings adopted by the City Council of the Municipality pursuant to the Act, in an Ordinance setting forth the procedures for the issuance of the Bonds (Ordinance No. 8182-58, adopted February 8, 1982 and approved February 8, 1982, the "Enabling Ordinance") and in the bond ordinance (Ordinance No. \_\_\_\_-\_\_\_\_) adopted by the City Council of the Municipality on \_\_\_\_\_, 19\_\_\_\_, and approved by its Mayor on \_\_\_\_\_, 19\_\_\_\_ (the "Bond Ordinance"), to all the provisions of which the holder by the acceptance of this Bond assents. This Bond and each Bond of the series of which it forms a part, maturing on or after \_\_\_\_\_, \_\_\_\_\_, shall be subject to redemption, in inverse order of their maturities (if less than all of the Bonds of a single maturity are to be redeemed, the Bonds shall be selected by lot in such manner as may be designated by the Municipality) on any interest payment date on or after \_\_\_\_\_, 19\_\_\_\_, at the option of the Municipality at the redemption price of 100% of the principal amount thereof plus accrued interest to the redemption date plus a redemption premium, expressed as percentages of the principal amount of the Series A Bonds to be redeemed, for such periods as follows:

[To be specified in the Bond Ordinance]

Notice of the redemption of any or all of said Bonds registered as to principal, shall be given by the Municipality to the registered holder thereof, and to the paying agent, by certified or registered mail to the last known address of such holder and by publication at least once in The Wall Street Journal or other financial journal of general circulation

published in the City of New York, New York. The dates of the mailing of such notices and of such publication shall be not more than sixty (60) and not less than thirty (30) days prior to such redemption date, and when any or all of said Bonds shall have been called for redemption and payment made or provided for, interest thereon shall cease from and after the date so specified.

In the Enabling Ordinance, the Municipality has ordered created, established and maintained the special tax allocation fund pursuant to Section 11-74.4-8 of the Act (the "Fund"). Under the Act, the Enabling Ordinance and the Bond Ordinance, the Pledged Taxes when received shall be deposited in the Fund. Moneys on deposit in the Fund shall be used for paying the principal of, premium, if any, and interest on the Bonds and in making all required payments to the funds and accounts as provided by the terms of the Bond Ordinance and the Enabling Ordinance.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the issuance of this Bond, have been done and have happened and have been performed in regular and due form of law, and that provision has been made for depositing in the Fund the Pledged Taxes to be applied in the manner as hereinabove set forth, and the Municipality hereby covenants and agrees that it will properly account for the revenues derived from the Pledged Taxes and will comply with all the covenants of, and maintain the funds and accounts as provided by the Bond Ordinance.

This Bond shall be registered as to principal only in the name of the holder hereof on the books of the Municipality

in the office of the Municipal Clerk, such registration to be noted hereon by the Municipal Clerk, and thereafter the principal of such registered bond shall be payable only to the registered holder, or his or her legal representative or assigns. Any such Bond shall be transferable to another registered holder or back to bearer only upon presentation to the Municipal Clerk with a legal assignment duly acknowledged or approved. The registration of this Bond shall not restrict the negotiability of the coupons merely by delivery.

IN WITNESS WHEREOF, the City of Urbana, Champaign County, Illinois, by its City Council, has caused this Bond to be signed by the manual or facsimile signature of its Mayor, its corporate seal to be printed hereon or affixed hereto and attested by the manual or facsimile signature of its City Clerk, and has caused the coupons hereto attached to be signed by the facsimile signatures of said Mayor and said City Clerk, which officials, by the execution of this Bond, do adopt as and for their own proper signatures their respective facsimile signatures appearing on said coupons or on this Bond, as the case may be, and has caused this Bond to be dated as of the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mayor, City of Urbana,  
Champaign County, Illinois

Attest:

\_\_\_\_\_  
City Clerk, City of Urbana  
Champaign County, Illinois

(Form of Coupon)  
CITY OF URBANA  
COUNTY OF CHAMPAIGN  
STATE OF ILLINOIS  
GENERAL OBLIGATION TAX INCREMENT BOND

Number \_\_\_\_\_ \$ \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the City of Urbana, Champaign County, Illinois, will pay to bearer out of the Special Tax Allocation Fund for the Central Business District Redevelopment Project Area of said Municipality and other sources as provided in the Series \_\_ Bond to which this coupon is attached

\_\_\_\_\_ Dollars (\$ \_\_\_\_\_)  
in lawful money of the United States of America at \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_, Illinois, being interest then due on its General Obligation Tax Increment Bond, Central Business District Redevelopment Project Area, Series \_\_, dated \_\_\_\_\_, \_\_\_\_\_, Number \_\_\_\_\_.

facsimile signature  
Mayor, City of Urbana,  
Champaign County, Illinois

facsimile signature  
City Clerk, City of Urbana,  
Champaign County, Illinois

(Form for Registration as to principal)

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

The Bonds shall be registered only as to principal. The holder of any Bond registered as to principal may, if so provided in the Bond Ordinance, have any Bonds held by said person converted from a Bond registered as to principal to a Bond registered as to principal and interest; the holder of any Bond registered as to principal and interest may, if so provided in the Bond Ordinance, have any Bonds held by said person converted from a Bond registered as to principal and interest to a Bond registered as to principal with coupons.

Section 7. Pledged Taxes Fund - Accounts. There is hereby ordered created, established and maintained the special tax allocation fund pursuant to Section 11-74.4-8 of the Act (and continued and maintained if heretofore created and established) by the Municipality and known as the "Fund." The Bonds are secured by a pledge of all of the moneys on deposit in the Principal and Interest Account of the Fund and such pledge is irrevocable until the Bonds have been paid in full or until the obligations of the Municipality are discharged under this Ordinance and any Bond Ordinance.

In accordance with the provisions of the Act, the Pledged Taxes are to be paid to the Municipal Treasurer by the Officers who collect or receive the Pledged Taxes. Whenever



the Municipal Treasurer receives any of the Pledged Taxes he or she shall promptly deposit the same into the Fund. The moneys on deposit in the Fund shall be used solely and only for the purpose of carrying out the terms and conditions of this Ordinance and any Bond Ordinance and shall be deposited as hereinafter provided to the following accounts within the Fund:

(1) The Principal and Interest Account. There is hereby created a special account within the Fund to be known as the "Principal and Interest Account." Moneys deposited by the Municipality into the Fund shall first be deposited into the Principal and Interest Account and, except as hereinafter provided, such moneys shall be used solely and only for the purpose of paying principal of and interest on the Bonds as the same become due.

If, on or before 175 days before the principal payment date on any of the Bonds, there are funds in the Principal and Interest Account in excess of the amount necessary to pay such principal, if any, and interest on such principal payment date and on the next two occurring interest payment dates and the next principal payment date (to the extent that any principal is due on such date), such funds shall be transferred by the Municipality into the General Account.

(2) The General Account. There is hereby created a special account within the fund to be known as the "General Account," which the Municipality agrees to maintain. Moneys on deposit in the General Account shall be used to remedy any deficiencies in the Principal and Interest Account and thereafter

shall, at the discretion of the City Council of the Municipality, be used for one or more of the following purposes:

(a) for the purpose of paying any Project Costs not paid from other sources; or

(b) for the purpose of redeeming Bonds in accordance with the provisions of the Bond Ordinances authorizing the same; or

(c) for the purpose of purchasing Bonds at a price not in excess of par and accrued interest, and premium, if any, to the date of purchase; or

(d) for the purpose of refunding, advance refunding, or prepaying any Bonds; or

(e) for the purpose of distributing such funds to the taxing districts or municipal corporations having the power to tax real property in the Project Area in accordance with the provisions of the Act; or

(f) for any other purpose related to the Project or the Redevelopment Plan permitted by the Act.

(3) Investments. The moneys on deposit in the Fund and the various accounts therein may be invested from time to time in qualified investments. Any such investments may be sold from time to time by the Municipality as moneys may be needed for the purposes for which the Fund and such accounts have been created. In addition, the Municipality shall sell such investments when necessary to remedy any deficiency in the Principal and Interest Account. Any earnings or losses on such

investments shall be attributed to the account within the Fund for which the investment was made.

Section 8. General Covenants. The Municipality covenants and agrees with the holders of the Bonds and coupons that, so long as any Bonds or coupons remain outstanding and unpaid:

(1) The Municipality will punctually pay or cause to be paid the principal of, interest on and premium, if any, to become due in respect to the Bonds in strict conformity with the terms of the Bonds, this Ordinance and any Bond Ordinance, and it will faithfully observe and perform all of the conditions, covenants and requirements thereof.

(2) The Municipality will pay and discharge, or cause to be paid and discharged, any and all lawful claims which, if unpaid, might become a lien or charge upon the Pledged Taxes or any part thereof, or upon the Fund or which might impair the security of the Bonds. Nothing herein contained shall require the Municipality to make any such payment so long as the Municipality in good faith shall contest the validity of said claims.

(3) The Municipality will keep, or cause to be kept, proper books of records and accounts, separate from all other records and accounts of the Municipality, in which complete and correct entries shall be made of all transactions relating to the Project, the Fund, and the Pledged Taxes. Such books of record and accounts shall at all times during business hours be subject to the reasonable inspection of the holders of not less

than ten percent (10%) of the principal amount of the Bonds then outstanding, or their representatives authorized in writing.

The Municipality will cause to be prepared and filed with the Municipal Clerk annually, within one hundred twenty (120) days after the close of each fiscal year of the Municipality so long as any of the Bonds are outstanding, complete financial statements with respect to the preceding fiscal year showing the Pledged Taxes received, all disbursements from the Fund and accounts created by this Ordinance, including the balances in all funds and accounts relating to the Bonds and the Project as of the end of such fiscal year. The Municipality will furnish a copy of such statements to any Bondholder upon written request.

(4) The Municipality will preserve and protect the security of the Bonds and the rights of the holders of the Bonds. From and after the sale and delivery of any of the Bonds by the Municipality, the Bonds and coupons appertaining thereto shall be incontestable by the Municipality.

(5) The Municipality will continue to implement the Project with all practicable dispatch in accordance with its stated objectives and purposes in conformity with the Redevelopment Plan and the Act.

(6) The Municipality will adopt, make, execute and deliver any and all such further ordinances, resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention of, or to facilitate the perform-

ance of, this Ordinance and any Bond Ordinance, and for the better assuring and confirming unto the holders of the Bonds of the rights and benefits provided in this Ordinance and any Bond Ordinance.

Section 9. Additional Bonds. That as long as any of the Bonds are outstanding no obligations or bonds shall be issued which are payable from the Pledged Taxes except upon compliance with the provisions of this Section.

I.

The Municipality reserves the right to issue Parity Bonds for the purpose of paying Project Costs upon compliance with the following conditions:

- (a) The Municipality must be in full compliance with all of the requirements of this Ordinance and any Bond Ordinance and the amounts required to be deposited in the Funds and accounts provided for by this Ordinance must have been deposited in full to the date of the delivery of such Parity Bonds; and
- (b) All Bonds issued under this Section shall mature as to principal on the same days of the same months as specified in the Bond Ordinance in connection with the Bonds; and
- (c) The ordinance authorizing the issuance of Parity Bonds may provide for such additional reserve accounts, and additional provisions for the protection of Bondholders as the Municipality then deems appropriate.

II.

Without compliance with the conditions set forth in I above, the Municipality reserves the right to issue bonds payable from the Pledged Taxes to refund, advance refund or prepay all of the Bonds then outstanding.

Section 10. Sale of the Bonds. That the Bonds shall be sold on such terms as shall be agreed upon between the Municipality and the purchaser thereof.

Section 11. Use of Bond Proceeds. The accrued interest received by the Municipality from the purchaser of the bonds and capitalized interest, if any, shall be deposited in the Principal and Interest Account of the Fund and be used to pay the interest first coming due on the Bonds. When the consideration for the issuance of the Bonds is money, the Municipality shall then pay from the Bond proceeds the expenses incurred in the issuance of the Bonds, and the balance of the Bond proceeds shall be placed by the Municipality in a special fund to be designated as the "Project Fund." The moneys in the Project Fund shall be kept separate and apart from all other funds of the Municipality. Funds in the Project Fund (including any interest earned thereon) shall be used to pay or to reimburse the Municipality for the payment of Project Costs, and such funds shall be held therein for the benefit of the Municipality for such purpose and for the benefit of the holder or holders of any of the Bonds as their interests may appear. Funds on deposit in the Project Fund shall be withdrawn by the Municipality upon the submission to any bank or other person holding or in charge of disbursing such funds of the following:

- (a) A duplicate of an order signed by the Mayor of the Municipality stating that the order is issued to pay or reimburse the Municipality for a part of the Project Costs and stating further that the expenditure has been authorized by the City Council of the Municipality; and

(b) A certificate executed by the Comptroller of the Municipality, stating that the order has been issued for the purpose of paying Project Costs, and stating further the specific nature of the work completed or property acquired, and the amount due and payable therefor at the time.

Within sixty (60) days after the completion of the Project and after all Project Costs have been paid, the Comptroller of the Municipality shall certify to the City Council of the Municipality that the Project has been completed in accordance with the plans and specifications therefor, and has been fully paid for. The City Council of the Municipality shall pass upon the sufficiency of said certificate and if the City Council approves said certificate, the Mayor and the Comptroller shall certify to any bank or other person holding or in charge of disbursing funds in the Project Fund that the Project has been completed and paid for, and if after such payment there remain any moneys in the Project Fund, such bank or other person shall transfer such moneys to the Municipality for deposit into the Fund.

Funds on deposit in the Project Fund may, by direction of the Municipality, be invested in qualified investments. Any such investments shall mature or be callable at the option of the holder on or before the date on which moneys will be needed to pay the Project Costs as the same become due.

Any grant moneys or other funds received by the Municipality for the purpose of paying Project Costs shall be depos-

ited in the Project Fund and disbursed as herein provided.

Any moneys or other funds to be applied as provided above in paragraph (f) of subsection (2) of Section 7 of this Ordinance shall be deposited in the Project Fund and disbursed as herein provided.

Section 12. Arbitrage. The City Council certifies and covenants with the purchasers and holders of the Bonds from time to time outstanding, that so long as any of the bonds remain outstanding, moneys on deposit in any fund or account in connection with the Bonds, whether or not such moneys were derived from the proceeds of the sale of the Bonds or from any other sources, will not be used in a manner which will cause such Bonds to be "arbitrage bonds" within the meaning of Section 103(c) of the Internal Revenue Code of 1954, as amended, and any lawful regulations promulgated or proposed thereunder, including Treas. Reg. Sections 1.103-13, 1.103-14 and 1.103-15, as the same presently exist, or may from time to time hereafter be amended, supplemented or revised. The City Council reserves the right, however, to make any investment of such moneys not prohibited by Illinois law and this Ordinance, if, when and to the extent the said Section 103(c) or regulations promulgated thereunder shall be repealed or relaxed or shall be held void by final decision of a court of competent jurisdiction, but only if any investment made by virtue of such repeal, relaxation or decision would not, in the opinion of counsel of recog-



nized competence in such matters, result in making the interest on the bonds subject to federal income taxation.

Section 13. This Ordinance a Contract. The provisions of this Ordinance shall constitute a contract between the Municipality and the holders of the Bonds, and no changes, additions or alterations of any kind shall be made hereto, except as herein provided, until such time as the Bonds and the interest thereon shall be paid in full, or unless and until adequate provision is made for the payment of the Bonds and the interest thereon.

The Municipality covenants and agrees with the holders of any outstanding Bonds or coupons attached thereto that any such holder may, either in law or in equity, by suit, action, mandamus or other proceedings, enforce or compel performance by the officials of the Municipality of all duties required by law, by this Ordinance and by any Bond Ordinance, including the application of the Pledged Taxes or the proceeds to be derived from the levy of taxes provided for in Section 4 hereof, to the respective accounts and funds created by this Ordinance and in the time and manner as herein provided.

Section 14. Discharge. The Municipality may discharge its obligations under this Ordinance and the Bond Ordinances in any one or more of the following ways:

(a) by paying, or causing to be paid, the principal of, premium, if any, and interest on all of the Bonds outstanding as and when the same become due, either at maturity or by redemption prior to maturity; or

(b) by depositing in the Fund cash or Government Securities in such amount as will, together with the income or increment to accrue thereon without consideration of any reinvestment thereof, be fully sufficient to pay and discharge the indebtedness on all Bonds at their respective maturity or redemption dates, as the case may be, including all interest thereon.

Section 15. Partial Invalidity. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 16. Prior Inconsistent Proceedings. 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. Without intending a limitation on the foregoing, Ordinance No. 8182-10, passed August 12, 1981, and approved August 14, 1981, is hereby repealed.


Section 17. Amendments to this Ordinance. This Ordinance may be amended at any time, provided, however, that any such amendment shall not diminish or impair the rights of the holder of any outstanding Bond.

Section 18 Effective Date. This Ordinance shall become effective immediately upon its passage and approval.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the

Members of the City Council of the City of Urbana, Illinois, at  
a regular meeting of said Council on the 8th day of February,  
1982.

PASSED by the City Council this 8th day of February,  
1982.

  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 8th day of February, 1982.

  
Jeffrey T. Markland, Mayor

Alderman Wort moved and Alderman  
Tiebout seconded the motion that said Ordinance  
as presented and read by the Municipal Clerk be adopted.

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

Upon the roll being called, the following Aldermen  
voted AYE:

Barr, Peterson, Scott, Tiebout, Wascher, and Wort - 6

NAY: none

ABSENT: Whelan - 1.

Whereupon the Mayor declared the motion carried and  
the foregoing ordinance adopted, and henceforth did approve and  
sign the same as above indicated and did direct the City Clerk  
to record the same in full in the records of the City Council  
of the City of Urbana, Champaign County, Illinois.

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

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

The foregoing is a true and correct excerpt from the  
meeting of the City Council and of the actions of the City  
Council and of the Mayor in connection with the Ordinance and  
the attached Ordinance, consisting of 27 pages, this page and  
the following page excluded, is a true and correct copy of the

Ordinance adopted and approved as aforesaid, all being in compliance with the laws of this State in respect to open meetings.

Ruth S. Brookens  
City Clerk, Ruth S. Brookens



THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN  
ORDINANCE NO. 8182-58 AND IS INCORPORATED  
THEREIN BY REFERENCE.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

February 12, 1982  
Date



Exhibit A

DOWNTOWN URBANA CONSERVATION-REDEVELOPMENT DISTRICT AREA BOUNDARY

LEGAL DESCRIPTION

The City of Urbana proposes that the Redevelopment Project Area encompasses the following area within the corporate limits of the City, more particularly described to wit: Commencing at a point on the West R.O.W. line of Race Street 160.00' North of the North R.O.W. line of Griggs Street said point being the North R.O.W. line of the Norfolk & Western R.R.; thence Easterly along said North R.O.W. line to the East R.O.W. line of Vine Street (IL. Rt. 130); thence South along said East R.O.W. line to the South R.O.W. line of Water Street; thence West 411.40' along said South R.O.W. line to the East R.O.W. line of Walnut Street; thence South 391.50' along said East R.O.W. line to the South R.O.W. line of Main Street; thence West 298.38' along said South R.O.W. line to the East R.O.W. line of Broadway Avenue; thence South 414.38' along said East R.O.W. line to the North line of Lot 1 of the Central Business Addition; thence S 88° 35' 42" W, 82.50'; thence S 0° 54' 38" E, 142.70'; thence S 89° 05' 22" W, 178.83'; thence S 1° 03' 33" E, 55.02'; thence N 89° 05' 22" E, 15.67'; thence S 0° 54' 38" E, 76.33'; thence N 89° 05' 22" E, 69.00'; thence S 0° 54' 38" E, 224.99'; thence S 88° 32' 22" W, 19.95'; thence S 1° 05' 18" E, 58.08'; thence N 88° 38' 31" E, 198.00'; thence S 1° 04' 20" E, 198.96' to the South R.O.W. line of Illinois Street (the aforementioned bearings were derived from the plat of the Central Business Addition, Urbana, Illinois); thence West 255.75' along said South R.O.W. line to the East line of Crane Alley; thence south 121.50' along said East line to the South line of Cedar Alley; thence East 241.25' to the West R.O.W. line of Race Street; thence Northerly 952.66' along said West R.O.W. line to the South R.O.W. line of Elm Street; thence West 398.50' along said South R.O.W. line to the West R.O.W. line of Cedar Street; thence North 348.45' along said West R.O.W. line to the North

R.O.W. line of Springfield Avenue; thence East along said North R.O.W. line to the intersection of the South R.O.W. line of Main Street; thence Northwesterly along said South R.O.W. line to an extension of the West property line of Lot 1 in Worthy's Addition; thence Northeasterly 66.00' along said property line extended to the North R.O.W. line of Main Street; thence Southeasterly 123.10' along said North R.O.W. line to the West property line of Lot 4 in Blackshaws Addition; thence North along said West property line to the North line of Blackshaws Addition; thence East 16.25' along said North line to the West line of Hooper and Parks Addition, thence North 44.79' along said West line; thence East 255.33' parallel to the South property line of Lot 7 in Hooper and Parks Addition, to the East R.O.W. line of Race Street; thence south 0.29' along said East R.O.W. line to the North line of Goose Alley; thence East 173.25' along said North line to the West line of Crane Alley; thence North 180.50' along said West line to the North R.O.W. line of Water Street; thence East 27.00' along said North R.O.W. line; thence North 107.24' parallel with the East line of Crane Alley; thence West 257.67', parallel with the North R.O.W. line of Water Street to the West R.O.W. line of Race Street; thence North 385.84' along said West R.O.W. line to the point of beginning; said tract containing 34 acres  $\pm$  and being situated in the South Half of Section 8 and the North Half of Section 17, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois.