

RESOLUTION NO. 7576-5^{R-}

WHEREAS, on the 2 day of June, 1975, the City Council of the City of Urbana adopted its Ordinance No. 7475-104 providing for the issuance of its Corporate Purpose Bonds, Series of 1975, in the amount of \$40,000; and

WHEREAS, the said Ordinance No. 7475-104 has become fully effective in the manner prescribed by law; and

WHEREAS, the City Council has authorized and directed that bonds be prepared, sold and delivered pursuant to the terms of said Ordinance No. 7475-104; and

WHEREAS, the City Council has been notified, in a letter dated July 16, 1975, by the Honorable Hiram Paley, Mayor of the City of Urbana, that he respectfully refuses to sign and execute the bonds so authorized by said Ordinance No. 7475-104; and

WHEREAS, the City Council of the City of Urbana is of the opinion that the execution of the said bonds by the Mayor of the City of Urbana is a mere ministerial act that the said Mayor does not have discretion to decline to perform; and

WHEREAS, the City Council of the City of Urbana is of the opinion that it has a clear legal right to require the said Mayor of the City of Urbana to execute the said bonds and desires to enforce that right in the manner provided by law.

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

SECTION ONE: The City Council finds as facts the matters hereinabove set forth.

SECTION TWO: The City Council does hereby authorize and direct Mr. Jack Waaler, City Attorney of the City of Urbana,

and Messrs. Ross, Hardies, O'Keefe, Babcock & Parsons, special counsel to the City of Urbana, to commence promptly an action for a writ of mandamus commanding the Mayor of the City of Urbana to execute the bonds so authorized by the aforesaid Ordinance No. 7475-104, and to pursue other legal remedies in connection with the matters hereinabove set forth as they may deem necessary and proper and to report the result thereof to the City Council of the City of Urbana for the entry of a Final Order in any proceedings undertaken pursuant to the authority conferred in this Section Two.

SECTION THREE: This Resolution shall be in full force and effect from and after its passage in the manner provided by law.

PASSED THIS 21 DAY OF July, 1975.

AYES:

NAYS:

ABSENT:

ATTEST:

(The Mayor did not sign this resolution. He felt it would be inappropriate for him to sign a resolution which was taking action against him).