

ORDINANCE NO.2554

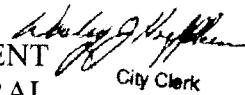
MAY 07 2007

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF TAX INCREMENT FINANCING DISTRICT REVENUE BONDS (2005 EXTENSION, ADMIRAL PARKWAY REDEVELOPMENT PROJECT AREA) OF THE CITY OF COLUMBIA, MONROE AND ST. CLAIR COUNTIES, ILLINOIS, IN THE AGGREGATE PRINCIPAL AMOUNT OF ONE MILLION, FOUR HUNDRED THOUSAND DOLLARS (\$1,400,000) FOR THE PURPOSE OF FUNDING A PORTION OF THAT CERTAIN 2005 EXTENSION OF THE ADMIRAL PARKWAY REDEVELOPMENT PLAN AND PROJECT OF THE CITY; PRESCRIBING THE FORM AND INCIDENTS OF SAID BONDS; PROVIDING FOR THE PAYMENT OF SAID BONDS, BOTH AS TO PRINCIPAL AND INTEREST FROM CERTAIN INCREMENTAL PROPERTY TAX REVENUES, IF ANY, ATTRIBUTABLE TO THE 2005 EXTENSION OF THE ADMIRAL PARKWAY REDEVELOPMENT PROJECT AREA OVER AND ABOVE CERTAIN BASE LEVEL PROPERTY TAX REVENUES ALLOCABLE TO SAID PROJECT AREA; FURTHER PROVIDING FOR THE CREATION OF A SPECIAL TAX ALLOCATION FUND OF THE CITY AND FOR SEGREGATION AND DISTRIBUTION OF SAID FUNDS; AND PROVIDING FOR THE RECEIPT AND DISBURSEMENT OF TAX INCREMENT ALLOCATION FUNDS.

WHEREAS, the City of Columbia, Monroe and St. Clair Counties, Illinois, by its Ordinance No. 1516 adopted by the City Council on November 18, 1996, after public hearing duly held as required by law, adopted and approved as a "Conservation Area" and a "Blighted Area" as these terms are defined in Chapter 65 ILCS, Section 5/11-74.4-1, et seq., as amended, (the Tax Increment Allocation Redevelopment Act of Illinois, the "Act") an area described in said Ordinance within said City; and

WHEREAS, the City, by its Ordinance No. 1517, also adopted on November 18, 1996, designated the said Conservation and Blighted Area as the "Admiral Parkway Redevelopment Project Area" pursuant to the said Tax Increment Allocation Redevelopment Act of Illinois; and

WHEREAS, also pursuant to its Ordinance No. 1517, the City adopted a plan of Tax Increment Financing to be carried out in furtherance of redevelopment of said Admiral

  
City Clerk

Parkway Redevelopment Project Area, as authorized pursuant to the said Tax Increment Allocation Redevelopment Act, which Act permits the issuance of obligations of the City for the aforesaid purpose and authorizes the pledging for payment of such obligations the special tax allocation fund all as set out in Section 5/11-74.4-8 of the said Act; and

WHEREAS, the City, by its Ordinance No. 2373 adopted by the City Council on June 20, 2005, amended its Redevelopment Plan and Redevelopment Project (the "2005 Extension") to include the property comprising the Admiral Trost Development Subdivision, which subdivision is created by subdivision plat recorded in the Monroe County, Illinois Recorder's Office on December 20, 2006, in Plat Envelope No. 2-232A, as Document No. 311726, and which subdivision property includes the taxable real estate in Monroe County, Illinois assigned the parcel numbers described in Section 2 of this Ordinance; and

WHEREAS, the City Council of said City of Columbia deems it advisable, necessary, and for the best interests of said City that, as heretofore authorized by Ordinances Nos. 1516, 1517, and as extended by Ordinance No. 2373, a tax increment project area, designated Admiral Parkway Redevelopment Project Area, 2005 Extension, be undertaken and tax increment financing therefor be implemented, the said project to be known as the "Admiral Trost Development Project" and to consist of site preparation and construction of the capital infrastructure improvements for the Admiral Trost Development Subdivision located at the intersection of Admiral Parkway Boulevard (a/k/a Illinois State Route 3 and Federal Aid Interstate Route 412) and Valmeyer Road in the City, together with all related engineering, financial, and legal costs of the project, plus an amount adequate to pay interest on such bonds for a period of Two (2) years from their date of issue and to meet the cost of issuance of bonds for the purpose, not to exceed One Million, Four Hundred Thousand Dollars (\$1,400,000); and

WHEREAS, the estimated cost of carrying out said tax increment redevelopment plan, including such interest for two (2) years and legal, engineering, financing and other incidental expenses, prepared at the instance of this City Council, is at least One Million, Four Hundred Thousand Dollars (\$1,400,000); and

WHEREAS, this City Council does hereby find and declare that the estimated cost of carrying out the tax increment redevelopment plan and costs necessarily associated therewith, should be met through the issuance of tax increment allocation bonds of said City to the amount of One Million, Four Hundred Thousand Dollars (\$1,400,000); and

WHEREAS, the City of Columbia is authorized by Chapter 65 Illinois Compiled Statutes, Section 5/11-74.4-1 the Tax Increment Allocation Redevelopment Act of Illinois, to issue its tax increment allocation bonds in the amount of One Million, Four Hundred Thousand Dollars (\$1,400,000) for the purpose of providing the funds necessary for the purpose of implementing financing of the aforesaid tax increment redevelopment plan and project:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS, AS FOLLOWS:

SECTION 1. That the financing of the tax increment redevelopment plan and project, 2005 extension, of the City of Columbia described in the preamble hereto be implemented and carried out.

SECTION 2. That, for the purpose of implementing and carrying out the tax increment redevelopment plan and project designated the Admiral Parkway Redevelopment Project Area, 2005 Extension, of the City of Columbia, as hereinbefore set out in the preamble hereto, there are hereby authorized and directed to be issued Tax Increment Financing District Revenue Bonds (2005 Extension of the Admiral Parkway Redevelopment Project Area) of the City of Columbia, Illinois, to the amount of One Million, Four Hundred Thousand Dollars

(\$1,400,000), said bonds pledging for their payment certain sums of a special fund of the City designated the “Admiral Trost Development Project Bond Account” of the “Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension” (the “2005 Bond Account of the Special Tax Allocation Fund”). There shall be deposited by the City into said 2005 Bond Account of the Special Tax Allocation Fund that portion, if any, of the ad valorem taxes arising from levies upon taxable real property in Monroe County real estate parcel numbers 04-16-349-001, 04-16-349-002, 04-16-349-003, 04-16-349-004, 04-16-349-005, 04-16-349-006, 04-16-349-009, 04-16-349-010, 04-16-349-011, and 04-16-349-012 in the Admiral Parkway Redevelopment Project Area, 2005 Extension, of said City which is attributable to the increase in the current equalized assessed valuation of each such designated taxable lot, block, tract or parcel of such real property over and above the lower of the existing equalized assessed value or the initial equalized assessed value of each said designated lot, block, tract or parcel in the said Project Area as certified by the County Clerk of Monroe County on June 20, 2005, pursuant to Section 5/11-74.4-9 of the Tax Increment Allocation Redevelopment Act.

SECTION 3. That the bonds to be issued hereunder shall have all the qualities of negotiable instruments under the laws of the State of Illinois: and

Said bonds shall be dated April 15, 2007;

Said bonds shall be of the denomination of Five Thousand Dollars (\$5,000) each, or a whole multiple thereof;

Said bonds shall bear interest at the rate of four and three-quarters per centum (4-3/4%) per annum from the date hereof, payable on May 15 and November 15 in each year, beginning on November 15, 2007, until the principal of said bonds shall have been fully paid. Said bonds shall be issued as fully registered bonds payable, both as to principal and interest, in lawful money of the United States of America, by check or draft drawn by the Paying Agent for said bonds, The Bank of New York Trust Company, N.A., in the City of St. Louis, State of Missouri, to the Registered Owner appearing on the books and records of the Bond Registrar, also The Bank of New York Trust Company, N.A., in the City of St. Louis, State of Missouri, on the fifteenth (15th) day of the calendar month next

preceding each such principal or interest payment date. Registration, payment of principal and interest, and transfer of the bonds shall be carried out by said Paying Agent and Bond Registrar in the manner specified on the face of the bonds and no bond shall be or become valid or obligatory for any purpose or be entitled to any security, source of payment, or benefit under this ordinance until authenticated by the Bond Registrar in the manner provided on the face of the bonds; and

Said bonds shall mature at the times and in the amounts as follows:

<u>Maturity Date</u> (November 15)	<u>Interest</u> <u>Rate</u>	<u>Amount</u>
2009	All Bonds 4.75%	\$ 90,000
2010		100,000
2011		105,000
2012		115,000
2013		120,000
2014		125,000
2015		135,000
2016		140,000
2017		150,000
2018		155,000
2019		165,000

The right is reserved unto said City to call in, pay, and redeem any or all of the bonds on any interest payment date prior to their maturity, at a price of par plus interest accrued to the date of redemption, in inverse order of maturity dates and by lot within a maturity in multiples of \$5,000 if less than all the bonds of that maturity are called. Written notice of the call for redemption of any of said bonds shall be given to the Registered Owner of each bond wholly or partially called for redemption at the address of that Registered Owner as the same appears of record with the Bond Registrar and Paying Agent named in said bonds as the place of payment therefor, mailed by prepaid United States Mail not less than thirty (30) days prior to the date fixed for redemption of such bond, provided, however, that the call of any bond for which notice of call has so been given shall be effective notwithstanding any defect therein or lack of

actual receipt by any Registered Owner. Interest shall cease on any bond or portion of bond so called from and after the redemption date, provided funds are then available for its payment.

SECTION 4. That said bonds shall be executed by the facsimile signature of the Mayor of the City, attested by the facsimile signature of the City Clerk with the seal of said City imprinted upon each bond in facsimile and each of said officers, shall cause his manual signature, certified by him under oath, to be filed with the Secretary of State of the State of Illinois, and said bonds shall be authenticated by the manual signature of an authorized officer or employee of The Bank of New York Trust Company, N.A., in the City of St. Louis, State of Missouri, which shall authenticate each of said bonds in its capacity as Bond Registrar.

SECTION 5. That said bonds and the authentication certificate and assignment form to be printed on the backs thereof shall be in substantially the following forms, to-wit:

(FORM OF BOND)

UNITED STATES OF AMERICA

STATE OF ILLINOIS

MONROE AND ST. CLAIR COUNTIES

CITY OF COLUMBIA

TAX INCREMENT FINANCING DISTRICT REVENUE BOND  
(2005 EXTENSION OF THE ADMIRAL PARKWAY REDEVELOPMENT PROJECT AREA)

NUMBER: \_\_\_\_\_

ORIGINAL  
ISSUE DATE:

INTEREST RATE: \_\_\_\_\_ MATURITY DATE: \_\_\_\_\_

April 15, 2007

REGISTERED OWNER: \_\_\_\_\_

PRINCIPAL AMOUNT: \_\_\_\_\_

DOLLARS

The City of Columbia, Monroe and St. Clair Counties, Illinois, acknowledges itself indebted and, for value received, hereby promises to pay to the Registered Owner hereof, identified above on this bond or registered assigns, as hereinafter provided, solely from certain sums of the Admiral Trost Development Project Bond Account of the Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension, as hereinafter described, and not otherwise, the Principal Amount stated above on this bond on the Maturity Date likewise stated above on this bond and to pay to the Registered Owner interest on said Principal Amount from the date hereof or from the latest interest payment date to which such interest shall have been paid at the per centum Interest Rate per annum stated above on this bond payable on November 15, 2007, and semi-annually thereafter on May 15 and November 15 in each year until payment of the Principal Amount in full. No interest shall accrue on this bond after the Maturity Date hereof unless this bond be presented for payment at maturity and be not then paid.

Both the Principal Amount of and interest on this bond are payable in lawful money of the United States of America by check of or draft upon The Bank of New York Trust Company, N.A., in the City of St. Louis, State of Missouri, the Paying Agent, drawn payable to and mailed by prepaid United States mail to the Registered Owner at the address of the Registered Owner appearing of record on the fifteenth (15th) day of the calendar month next preceding each of the aforesaid interest payment dates on the books and records of The Bank of New York Trust Company, N.A., in the City of St. Louis, State of Missouri, the Bond Registrar, provided, however, that the principal sum hereof shall be payable only upon presentation and surrender of this bond at the principal office of the Paying Agent.

The right is hereby reserved unto said City to call in, pay, and redeem any or all of the bonds on any interest payment date prior to their maturity, at a price of par plus interest

accrued to the date of redemption, in inverse order of maturity dates and by lot within a maturity in multiples of \$5,000 if less than all the bonds of that maturity are called. Written notice of the call for redemption of any of said bonds shall be given to the Registered Owner of each bond wholly or partially called for redemption at the address of that Registered Owner as the same appears of record with the Bond Registrar and Paying Agent named in said bonds as the place of payment therefor, mailed by prepaid United States Mail not less than thirty (30) days prior to the date fixed for redemption of such bond, provided, however, that the call of any bond for which notice of call has so been given shall be effective notwithstanding any defect therein or lack of actual receipt by any Registered Owner. Interest shall cease on any bond or portion of bond so called from and after the redemption date, provided funds are then available for its payment.

This bond is one of a duly authorized issue of Tax Increment Financing District Revenue Bonds (2005 Extension, Admiral Parkway Redevelopment Project Area) of the City of Columbia, all of like date, tenor and effect, except as to date of maturity of the denomination of Five Thousand Dollars (\$5,000) each or a whole multiple thereof aggregating the sum of One Million, Four Hundred Thousand Dollars (\$1,400,000) issued for the purpose of providing for redevelopment project costs of the Admiral Parkway Redevelopment Project Area, 2005 Extension, as designated and approved pursuant to Ordinance No. 2373 of the City, adopted on June 20, 2005, including the costs of such financing, and is issued under authority of the Tax Increment Allocation Redevelopment Act of Illinois (Chapter 65, Illinois Compiled Statutes Section 5/11-74.4-1 et seq., as amended) and pursuant to Ordinance No. \_\_\_\_ of said City, duly adopted on the 7th day of May, 2007, reference to which is hereby made with the same force and effect as if said Ordinance were set out in full herein.

This bond is and shall be a negotiable instrument in accordance with the laws of the State of Illinois and shall be transferable only by delivery to The Bank of New York Trust

Company, N.A., St. Louis, Missouri, as Bond Registrar for this bond and the issue of which it is one, of a written instrument of transfer executed by the Registered Owner or by his attorney thereunto duly authorized, subject to the limitations herein provided and upon surrender of this bond to said Bond Registrar for cancellation. Upon such transfer, a new registered bond or bonds of the same issue and the same maturity, of the denomination of Five Thousand Dollars (\$5,000) or a whole multiple thereof and for the same aggregate principal amount as the surrendered bond, will be issued to the transferee or transferees in exchange therefor by the said Bond Registrar. The City Council of the City and the said Bond Registrar may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of the Principal Amount of this bond, premium, if any, interest due hereon, and for all other purposes, and neither the City Council of the City nor the Bond Registrar shall be affected by any notice to the contrary.

This bond and the bonds of the issue of which it is one are payable solely from sums available in the Admiral Trost Development Project Bond Account of the Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension, into which shall be deposited by the City that portion, if any, of the ad valorem taxes arising from levies upon taxable real property identified by Monroe County real estate parcel numbers 04-16-349-001, 04-16-349-002, 04-16-349-003, 04-16-349-004, 04-16-349-005, 04-16-349-006, 04-16-349-009, 04-16-349-010, 04-16-349-011, and 04-16-349-012, of the Admiral Parkway Redevelopment Project Area, 2005 Extension, of said City which is attributable to the increase in the current equalized assessed valuation of each such designated taxable lot, block, tract, or parcel of such real property over and above the lower of the existing equalized assessed value or the initial equalized assessed value of each such designated lot, block, tract or parcel in the said

Project Area as certified by the County Clerk of Monroe County on June 20, 2005, pursuant to Section 5/11-74.4-9 of the Tax Increment Allocation Redevelopment Act.

Said bonds are not and shall not become an indebtedness or obligation of the City within the meaning of any constitutional or statutory provision or limitation.

Under the aforesaid Tax Increment Allocation Redevelopment Act of Illinois and the Ordinance which authorized the issuance of this bond, that portion of taxes levied upon each such hereinabove designated taxable lot, block, tract or parcel of real property in each year after the effective date of the Ordinance authorizing and designating the tax increment allocation redevelopment project area and until all bonds hereby authorized for meeting the redevelopment project costs pursuant to said Act have been paid, shall be set aside as collected and deposited in a separate fund designated the "Admiral Trost Development Project Bond Account" of the "Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension", and shall be used only for the payment of Tax Increment Financing Development Incentive agreements pertaining to the hereinabove designated and numbered Monroe County, Illinois real estate parcels, for payment of redevelopment project costs as set out in the said Act, and for the payment of the principal of and the interest on bonds or other obligations of said City which are payable by their terms solely from said Bond Account of the Special Tax Allocation Fund.

The City of Columbia hereby covenants that it will perform all duties required by law and by the Ordinance which authorized this bond; that it has validly designated the Admiral Parkway Redevelopment Project Area and the 2005 Extension thereto and has provided that the ad valorem taxes, if any, arising from the levies upon taxable real property in said Redevelopment Project Area by taxing districts and tax rates determined in the manner provided in Section 5/11-74.4-9 (c) of the Tax Increment Allocation Redevelopment Act of Illinois each

year until redevelopment project costs and all bonds or other obligations of the City issued for the purpose of financing redevelopment project costs incurred pursuant to said Act have been paid, shall be divided as follows:

- (a) That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the Admiral Parkway Redevelopment Project Area, 2005 Extension, as certified by the County Clerk of Monroe County, Illinois, under date of June 20, 2005, shall be allocated to and when collected shall be paid by the County Collector of said County to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing by said City;
- (b) That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract or parcel of real property in the Redevelopment Project Area, 2005 Extension, of the City over and above the initial equalized assessed value of each property in the project area as certified by the County Clerk of Monroe County, Illinois, under date of June 20, 2005, including that portion of such taxes, if any, as shall be attributable to parcels of property identified in (c) below, shall be allocated to and when collected shall be paid to the City Treasurer who shall deposit said taxes into that certain special fund called the "Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension" for the purpose of paying redevelopment project costs and obligations incurred in the payment thereof for said Redevelopment Project Area; and
- (c) That portion, if any, of the taxes described in (b), above, attributable to real estate identified by Monroe County real estate parcel numbers 04-16-349-001, 04-16-349-002, 04-16-349-003, 04-16-349-004, 04-16-349-005, 04-16-349-006, 04-16-349-009, 04-16-349-010, 04-16-349-011, and 04-16-349-012 shall be identified by the City Treasurer and by him shall be allocated to, and when collected, the City Treasurer shall deposit said taxes into that certain special fund of the Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension, designated the Admiral Trost Development Project Bond Account. The City Treasurer shall pay from such Account sums due pursuant to each Tax Increment Financing Development Incentive agreement heretofore authorized by Ordinance No. 2234 of the City adopted February 3, 2004, applicable to the real estate identified by Monroe County real estate parcel numbers hereinabove set out, and from sums therein remaining available, shall

provide for the payment of the principal of and interest on the bonds authorized by this Ordinance and to meet necessarily related costs thereof.

The City further covenants that it will cause said Admiral Trost Development Bond Account and said Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension, to be held prior to disbursements in a separate collateralized account of the City at First National Bank of Waterloo, Columbia, Illinois, which is a member of the Federal Deposit Insurance Corporation, and that it will keep and perform all covenants and agreements contained in the Ordinance which authorized the issuance of this bond.

It is hereby certified, recited, and represented that all acts, conditions, and things required to exist, to happen, and to be performed, precedent to and in the issuance of this bond and of the issue of which it is one, in order to make the same valid and binding obligations of said City payable solely and only from the special fund above provided, do exist, have happened, and have been performed in regular and due time, form, and manner, as required by law. For the prompt payment of this bond and the interest hereon and for the performance in apt time and manner of every official act necessary therefore, the full faith of said City of Columbia is hereby irrevocably pledged.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security, source of payment, or benefit under the Ordinance of the City of Columbia adopted on May 7, 2007, above mentioned until the certificate of authentication hereon shall have been signed by the aforesaid Bond Registrar.

IN WITNESS WHEREOF, the City of Columbia, Monroe and St. Clair Counties, Illinois, has executed this bond by causing it to be signed with the facsimile signature

of the Mayor of said City and attested by the facsimile signature of its City Clerk, with the seal of said City imprinted hereon in facsimile, and this bond to be dated April 15, 2007.

CITY OF COLUMBIA, ILLINOIS

By \_\_\_\_\_ (facsimile signature)  
(Seal) Mayor

Attest:

\_\_\_\_\_  
(facsimile signature)  
City Clerk  
(Printer's Note)

(Not less than the first paragraph and the last two paragraphs of the text of the bond shall be printed on the face of the bonds. If any portion of the text of the bonds shall be printed on the reverse of the bonds, the following statement shall appear set out in contrasting print in the text on the face of the bond: REFERENCE IS MADE TO THE FURTHER PROVISIONS OF THIS BOND SET FORTH ON THE REVERSE HEREOF WHICH, FOR ALL PURPOSES, SHALL HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH IN THIS BOND AT THIS PLACE and the portion of the text printed on the reverse of the bonds shall be captioned FURTHER BOND PROVISIONS, CITY OF COLUMBIA, MONROE AND ST. CLAIR COUNTIES, ILLINOIS.)

Date of Authentication:

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the issue of the City of Columbia, Monroe and St. Clair Counties, Illinois, Tax Increment Financing District Revenue Bonds (2005 Extension, Admiral Parkway Redevelopment Project Area) authorized by Ordinance of the City Council of the City, as said Ordinance is referred to on the face of this said bond.

THE BANK OF NEW YORK TRUST  
COMPANY, N.A., Bond Registrar

By \_\_\_\_\_  
Authorized Signature

(The following shall appear on the reverse of each of the bonds.)

## ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns, and transfers unto

(Name and Address of Assignee)

the within Tax Increment Financing District Revenue Bond (2005 Extension, Admiral Parkway  
Redevelopment Project Area) and does hereby irrevocably constitute and appoint

\_\_\_\_\_ to transfer the said Tax Increment Financing District Revenue Bond (2005 Extension, Admiral Parkway Redevelopment Project Area) on the books kept for registration thereof with full power of substitution in the premises.

Dated:

### Signature Guaranteed

Notice: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration, enlargement, or any change whatever.

## INTEREST AMOUNTS

Interest due on each outstanding Five Thousand Dollar (\$5,000) Principal Amount of said bonds shall be payable as follows: On November 15, 2007, \$138.54, and on each subsequent semi-annual payment date, \$118.75.

SECTION 6. That the bonds authorized hereby shall contain a recital that they are issued pursuant to Chapter 65, Illinois Compiled Statutes, Section 5/11-74.4, as amended, (the Tax Increment Allocation Redevelopment Act) and the said bonds and interest thereon shall be payable equally and ratably, solely and only from sums available in the special fund of the City hereinafter created and designated the Admiral Trost Development Project Bond Account of the Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension, of the City of Columbia and said bonds shall not constitute an indebtedness of the City of Columbia or any other taxing district within the meaning of any constitutional or statutory limitation.

SECTION 7. That, for the purpose of providing for the payment of the principal of and the interest on said bonds as they shall, respectively, mature and accrue, and to meet redevelopment project costs of the Admiral Parkway Redevelopment Project Area, there is hereby created a "Admiral Trost Development Project Bond Account" of the "Special Tax Allocation Fund for The Admiral Parkway Redevelopment Project Area, 2005 Extension", which Bond Account is hereby pledged as herein specified to the payment of said bonds both as to principal and interest as the same mature and accrue.

SECTION 8. That for the purpose of providing funds for said "Admiral Trost Development Project Bond Account" of the "Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension", ad valorem taxes, if any, arising from the levies upon taxable real property within said Redevelopment Project Area, in respect to every taxing district containing said Redevelopment Project Area, the County Clerk of Monroe County,

Illinois, or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within such district for the purpose of computing the rate per cent of tax to be extended upon taxable property within said district, shall in every year that tax increment allocation financing authorized by this Ordinance is in effect ascertain the amount of value of taxable property in said Admiral Parkway Redevelopment Project Area, 2005 Extension, by including in such amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in such area. The rate per cent of tax determined shall be extended to the current equalized assessed value of all property in the Redevelopment Project Area, 2005 Extension, in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of extending taxes established under this Section shall terminate when the City adopts an ordinance dissolving the Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension, provided, however, the City covenants that, unless required by law, it shall not dissolve the Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension, from which the Admiral Trost Development Bond Account is funded nor abate the levy and collection of the ad valorem real property taxes which provide such funding so long as any of the Tax Increment Financing District Revenue Bonds issued by this Ordinance shall remain outstanding and unpaid.

SECTION 9. That when incremental tax revenues attributing to the Admiral Parkway Redevelopment Project Area, 2005 Extension, and ascertained in the manner described in Section 12 above, shall have been received by the City Treasurer, the City Treasurer, within a reasonable time of receipt, shall deposit such revenues to the "Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area", to be held in a bank which is a member of

the Federal Deposit Insurance Corporation in an account separate and distinct from the other funds and accounts of the City.

SECTION 10. That any moneys not required for payment of or the securing of the bonds hereby authorized, both as to principal and interest, and payment of the redevelopment project costs shall be deemed "surplus funds" and the amount thereof shall be calculated annually and distributed to taxing districts in the manner provided in Section 5/11-74.4-7 of the Act; provided, however, that to the extent such moneys are committed under the terms of the Economic Development Agreement dated February 25, 2004, between the City and Wegman Group, Inc., et al., (the Admiral Trust Development), the sums shall not be deemed "surplus funds".

SECTION 11. That the City Clerk shall promptly certify a copy hereof, with an appropriate memorandum of the date of its passage and its publication, which shall be filed with the County Clerk of Monroe County, Illinois.

SECTION 12. That, at least three (3) business days prior to May 15 and November 15 in each year, the City Treasurer shall remit from sums available in the Admiral Trost Development Project Bond Account of the Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension, to the paying agent designated for the bonds authorized hereby the amounts which will come due on each such date as principal of and interest on the bonds hereby authorized, together with the charges of said Paying Agent and Bond Registrar for its services and responsibilities.

SECTION 13. That the principal proceeds received from the sale of the bonds herein authorized to be issued, immediately upon receipt thereof, shall be set aside in the separate fund to be designated the "2005 Extension of the Admiral Parkway Redevelopment Project Area Account" to be deposited in a separate account of the City and such funds shall be

used solely and only for the purposes contemplated by this Ordinance. The accrued interest and the premium, if any, received upon delivery of the aforesaid bonds shall forthwith be deposited with the depository bank for credit to the Admiral Trost Development Project Bond Account of the Special Tax Allocation Fund For The Admiral Parkway Redevelopment Project Area, 2005 Extension, created in Section 11 of this Ordinance.

SECTION 14. That the Registered Owners of twenty-five percent (25%) of the bonds issued hereunder and then outstanding, either at law or in equity, by suit, mandamus, or other proceeding, may enforce or compel performance of all duties required by this Ordinance, including the collection of incremental taxes and general taxes by the City and the application of such amounts in the manner herein provided.

SECTION 15. That, when the said bonds shall have been prepared, they shall be lodged with the Treasurer of the City who shall cause them to be delivered to The Bank of New York Trust Company, N.A., in the City of St. Louis, State of Missouri, which is hereby designated as the Bond Registrar, for the purpose of registering, transferring, and authenticating the bonds of the issue on behalf of the City and it shall be the responsibility of said Bond Registrar to maintain the registration records for the bonds of this issue, to transfer ownership of any of the bonds of this issue on such registration records upon receipt of property authorization from the Registered Owner of such bond, to initially authenticate the bonds of the issue and to authenticate for issuance and again register bonds of the issue as ownership thereof subsequently may be transferred in the manner herein stated. The said Bond Registrar, upon receipt of the bonds, shall authenticate the principal amount of the bonds of the issue by causing to be affixed to each such bond the manual signature of its authorized officer, and, acting as Bond Registrar, shall thereupon register each such bond in the name of the Registered Owner for whose account such bond is purchased and then shall deliver each bond to the purchaser thereof upon

confirmation to said Bond Registrar of payment of the purchase price in accordance with the contract for the sale of said bonds.

SECTION 16. That the City Council of the City of Columbia, Monroe and St. Clair Counties, Illinois, for the benefit of the Registered Owners of the City's bonds hereby authorized, agrees hereby to undertake, on a continuing basis, to provide secondary market disclosures of financial information and operating data that is customarily prepared by the City and is publicly available and also agrees to disclose the occurrence of material events such as principal and interest payment delinquencies, failure to comply with covenants made in this Ordinance, unscheduled draws on debt service funds or reserves, events adversely affecting tax-exempt status of the bonds, call of bonds, extinguishment of the bond obligations and sale or disposition of any facilities of the City constructed with bond proceeds. Information and data will be provided at least annually to such state information depository, if any, as is designated by the State of Illinois or to nationally-recognized municipal securities information repositories, or, upon request, to any interested person. Any such filing may be made solely by transmitting such filing to the Municipal Advisory Council (the "MAC"), as provided at <http://www.disclosureusa.org> unless the U.S. Securities and Exchange Commission shall have withdrawn the interpretive advice in its letter to the MAC dated September 7, 2004. However, to the extent that such disclosures by the City may be now or in the future excepted from applicability by disclosure rules now invoked under Securities and Exchange Commission Rule 15c2-12, by undertaking the foregoing disclosures of information, the City does not waive the option of accepting such exception and discontinuing such disclosures as are here undertaken based upon such exception.

SECTION 17. That the City Council of the City of Columbia, Monroe and St. Clair Counties, Illinois, with reference to the Internal Revenue Code of 1986, as amended,

hereby covenants specifically with the Registered Owners of the bonds herein authorized that, within its lawful powers, the City Council, on behalf of said City, will not do and will not refrain from doing anything in the course of issuing said bonds or in the use or expenditure of the proceeds thereof which would result in the interest income derived or to be derived from said bonds becoming taxable for Federal income tax purposes.

SECTION 18. That, with further reference to the Internal Revenue Code of 1986, as amended, the City Council of the City hereby finds and declares the following:

- (a) The bonds issued hereunder are not “private activity bonds”;
- (b) The bonds issued hereunder are designated by the City Council acting for and on behalf of the aforesaid City, as “qualified tax-exempt obligations”;
- (c) The City Council anticipates that the amount of qualified tax-exempt obligations which have been or will be issued by the aforesaid City during the calendar year 2007 will not exceed in the aggregate Ten Million Dollars (\$10,000,000);
- (d) No other obligations issued by the aforesaid City have been designated during the year 2007 by the aforesaid City Council on behalf of said City as “qualified tax-exempt obligations”; and
- (e) No subordinate entities to the aforesaid City have issued any bonds during the calendar year 2007, and no such entities will anticipate issuing any bonds during the calendar year 2007.

The foregoing findings and declarations have been made herein pursuant to the requirements of Section 265(b)(3) of the aforesaid Code of 1986, as amended.

SECTION 19. This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Alderman Agne moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Huch, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Row, Huch and Mayor Hutchinson.

NAYS: Alderman Unnerstall.

ABSENT: Aldermen Conrad and Koesterer.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 7<sup>th</sup> day of May, 2007.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY J. HOEFFKEN, City Clerk

(SEAL)