

**COUNTY OF UNION,
ILLINOIS**

**ORDINANCE AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION BONDS (ALTERNATE
REVENUE SOURCE) OF THE COUNTY OF UNION,
ILLINOIS, IN AN AGGREGATE PRINCIPAL AMOUNT
NOT TO EXCEED \$14,500,000 FOR THE PURPOSE OF
FINANCING THE COSTS OF CERTAIN CAPITAL
PROJECTS OF THE COUNTY, AND PAYING FOR COSTS
RELATED THERETO.**

WHEREAS, the County of Union, Illinois, (the "County"), a body politic and corporate, is an Illinois county, duly created, organized and existing under the laws of the State of Illinois and having the powers, objects and purposes provided by the Counties Code of the State of Illinois; and

WHEREAS, Board of Commissioners of the County (the "Board") has determined that it is necessary to (i) finance the costs of certain capital projects within the County, including, but not limited to, the construction and equipping of a new courthouse (the "Project") and (ii) pay certain costs of issuance of the Bonds (as such term is hereinafter defined), all for the benefit of the inhabitants of the County; and

WHEREAS, the estimated cost of the Project, including legal, financial, bond discount, printing and publication costs, capitalized interest, and other expenses (collectively, the "Costs"), is not less than \$14,500,000, and there are insufficient funds on hand and lawfully available to pay such costs; and

WHEREAS, up to \$14,500,000 of alternate bonds (the "Bonds") need to be issued at this time pursuant to the Local Government Debt Reform Act, 30 ILCS 350/1 to 350/18 (the "Act"); and

WHEREAS, it is necessary for the best interests of the County that the Project be completed, and in order to raise funds required for such purpose it will be necessary for the County to borrow an aggregate principal amount of not to exceed \$14,500,000 and in evidence thereof to issue alternate bonds, being general obligation bonds payable from certain revenues obtained from the one percent (1%) county-wide sales tax that was approved via referendum on February 2, 2010 for purposes of public facilities, the County's share of Illinois income taxes, other sales taxes and such other funds lawfully available and annually appropriated for such purpose (collectively, referred to herein as the "Pledged Revenues") in an aggregate principal amount not to exceed \$14,500,000, all in accordance with the Act; and

WHEREAS, if the above-mentioned revenue source is insufficient to pay the alternate bonds, ad valorem property taxes upon all taxable property in the County without limitation as to

rate or amount are authorized to be extended to pay the principal of and interest on the alternate bonds;

WHEREAS, pursuant to and in accordance with the provisions of Section 15 of the Act, the County is authorized to issue alternate bonds in an aggregate principal amount not to exceed \$14,500,000 for the purpose of providing funds for the financing the Project and to pay the Costs; and

NOW THEREFORE, Be It Ordained by the Board of Commissioners of the County of Union, Illinois as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Determination To Issue Bonds; Underwriter and Bond Counsel. It is necessary and in the best interests of the County to complete the Project and that for the purpose of completing the Project and paying the Costs, alternate bonds of the County are hereby authorized to be issued and sold in an aggregate principal amount not to exceed \$14,500,000, known as "General Obligation Bonds (Alternate Revenue Source)" of the County, said Bonds being issued in one or more series and payable from certain revenues obtained from the one percent (1%) county-wide sales tax that was approved via referendum on February 2, 2010 for purposes of public facilities, the County's share of Illinois income taxes, other sales taxes and such other funds lawfully available and annually appropriated for such purpose (collectively, referred to herein as the "Pledged Revenues"). The County engages Bernardi Securities, Inc., as Underwriter with respect to the issuance of the Bonds and Ice Miller LLP as bond counsel.

Section 3. Publication. This Ordinance, together with a notice in the statutory form, shall be published once within ten days after passage hereof by the Board in *The Gazette-Democrat*, the same being a newspaper of general circulation in the County, and if no petition, signed by 1,146 or more electors (said number being the greater of (i) seven and one-half percent (7½%) of the registered voters in the County or (ii) the lesser of 200 registered voters or fifteen percent (15%) of the registered voters in the County), asking that the question of the issuance of the Bonds be submitted to the electors of the County, is filed with the County Clerk within thirty (30) days after the date of the publication of this Ordinance and said notice, then this Ordinance shall be in full force and effect and the Bonds shall be authorized to be issued. A petition form shall be provided by the County Clerk at the principal office of the County, located at 309 W. Market, Jonesboro, Illinois, to any individual requesting one.

Section 4. Additional Ordinances. If no petition meeting the requirements of applicable law is filed during the petition period hereinabove referred to, then the Board may adopt additional resolutions or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Bonds and prescribing all the details of the Bonds, so long as the maximum amount of the Bonds as set forth in this Ordinance is not exceeded and there is no material change in the purposes described herein. Such additional resolutions or proceedings shall in all instances become effective in accordance with applicable law. This Ordinance,

together with such additional resolutions or proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

Section 5. Additional Proceedings. If no petition meeting the requirement of applicable law is filed during the petition period hereinabove referred to, then the preparation and distribution of a preliminary official statement relating to the Bonds is hereby approved, and the County Board Chairman is hereby authorized to deem the preliminary official statement nearly final.

Section 6. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 7. Repealer. All resolutions, ordinances or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED at a regular meeting of the Board of Commissioners of the County of Union, Illinois this 6th day of July, 2010.

Chairman: Donald L. Kubit voting yes.

County Commissioner: John H. Hannon voting YES.

County Commissioner: Donald L. Kubit voting Yes.

Subscribed and Sworn to me this 6th day of July, 2010

County Clerk: Bobby Toler Jr.

**NOTICE OF INTENT TO ISSUE BONDS
AND RIGHT TO FILE PETITION
AND HEARING ON PROPOSED ISSUANCE**

Notice is hereby given that pursuant to a resolution, adopted on July 6, 2010, the County of Union, Illinois (the "County"), intends to issue alternate bonds, being general obligation bonds (the "Bonds") payable from the hereinafter identified revenue source, in an aggregate principal amount not to exceed \$14,500,000, and bearing interest per annum at not to exceed the maximum rate authorized by law at the time the Bonds are sold, for the purpose of financing project costs, including the construction and equipping of a new courthouse, and paying certain costs thereof. The Bonds shall be payable from certain revenues obtained from the one percent (1%) county-wide sales tax that was approved via referendum on February 2, 2010 for purposes of public facilities, the County's share of Illinois income taxes, other sales taxes and such other funds lawfully available and annually appropriated for such purpose (collectively, referred to herein as the "Pledged Revenues"). The ordinance authorizing the issuance of bonds is attached hereto and appears below this notice.

Notice is hereby further given that if a petition signed by 1,146 or more of registered voters of the County is submitted to the County Clerk of the County (the "County Clerk") within 30 days of publication of this notice, asking that the question of the issuance of the Bonds be submitted to referendum, then the question of the issuance of the Bonds shall be submitted to the electors of the County at the general election to be held on the 2nd day of November, 2010. If no petition is filed with the County Clerk within said 30-day period, the Bonds shall be authorized to be issued. A form of petition is available from the County Clerk at the principal office of the County at 309 W. Market, Jonesboro, Illinois.

By: Bobby Toles Jr.
Its: County Clerk,
County of Union, Illinois

PETITION

To the County Clerk of Union County, Illinois,:

We, the undersigned, being registered voters of the County of Union, Illinois, do hereby petition you to cause the question of issuing not to exceed \$14,500,000 General Obligation Bonds (Alternate Revenue Source) (the "Bonds") of said County for the purpose of financing the costs of construction and equipping of a new courthouse, and to pay costs of issuance thereof, said Bonds being payable from certain revenues obtained from the one percent (1%) county-wide sales tax that was approved via referendum on February 2, 2010 for purposes of public facilities, the County's share of Illinois income taxes, other sales taxes and such other funds lawfully available and annually appropriated for such purpose (collectively, referred to herein as the "Pledged Revenues") to be certified to the County Clerk of Union County, and submitted to the electors of said County at the general election to be held on the 2nd day of November, 2010.

<u>Name</u>	<u>Address</u>	<u>City</u>
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois

I, _____ of _____ (insert residence address), _____, Illinois, do hereby certify that I am a citizen of the United States and at least 18 years of age or older, and that the signatures on this petition were signed in my presence, and are genuine, and, to the best of my knowledge and belief, the persons so signing were at the time of signing this petition registered voters of said County and that their respective addresses are correctly stated herein.

/s/ _____

Subscribed and sworn to before me this _____ day of _____, 2010.

Notary Public

My Commission Expires: _____

BINA Notice Form

The Chairman and Board of Commissioners of the County of Union, Illinois will hold a public hearing on August 2, 2010 at 4:00 p.m. The hearing will be held at the County Office at 309 W. Market, in Jonesboro, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds in the amount of up to \$14,500,000 for the purpose of financing certain capital projects within the County, including the construction and equipping of a new courthouse.

By: /s/ Bobby Toler

Title: County Clerk

Note to Publisher: The above notice is to be published one time on or before 7 days before the hearing, but not prior to 30 days before the hearing. Suggest sometime in the week of July 12, 2010. **The publication may be in the "legals" or "classified" section of the paper. NO SPECIAL BORDER IS REQUIRED FOR THIS PUBLICATION. DO NOT USE ANY SPECIAL BORDER.** Please send your statement to:

Treasurer
The County of Union, Illinois
309 W. Market
Jonesboro, Illinois 62952

and send two publication certificates (and text) to Ice Miller LLP, 200 West Madison Street, Suite 3500, Chicago, Illinois 60606-3417, Attention Jenine Phillips.

PUBLISHER: DO NOT PRINT THE FOLLOWING:

Chairman's Approval and Order Setting Public Hearing:

The undersigned, Chairman of the above County hereby approves and orders the setting of the above Bond Issue Notification Act hearing.

Date: _____, 2010

Chairman

When signed by the Chairman, please date and fax back to Ice Miller LLP, Attention: Jenine Phillips at 312/726-2694.