

ORDINANCE NO. 10-18

AN ORDINANCE of the South Sangamon Water Commission, Sangamon County, Illinois, proposing the issuance of alternate bonds of the Commission in an aggregate principal amount not to exceed \$30,000,000 for the purpose of defraying the cost of constructing a new waterworks system of said Commission

WHEREAS, the South Sangamon Water Commission, Sangamon County, Illinois (the "Commission"), has heretofore been duly organized and is now operating as a commission and public corporation under the provisions of the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, as supplemented and amended (the "Act"), and in particular, 65 ILCS 5/11-135-1, *et seq.* thereof ("Division 135"); and

WHEREAS, the Village of Chatham, Illinois and the Village of New Berlin, Illinois (collectively, the "Villages") adopted ordinances pursuant to which the Villages elected to jointly acquire and operate a common source of supply of water (the "System") and establish the Commission under the authority granted by Division 135; and

WHEREAS, the Board of Commissioners of the Commission (the "Board") and the Villages have determined it is advisable, necessary and in the best interests of the Villages and the Commission to proceed with the development and construction of a common source of supply of water, described generally as follows (the "Project"):

A new water well field and new water treatment facilities located east of the Village of Rochester, Illinois designed to treat 3.3 million gallons per day of water, plus 18" and 20" transmission main to carry water 20 miles to the Village of Chatham, a 10" transmission line to the Village of New Berlin and a booster station that will feed 10 miles of water main, including all necessary engineering, design, land acquisition, connections, appurtenances, material, labor and equipment incident thereto, all mechanical, electrical and other services necessary, useful or advisable to such projects, and, incidental to such improvements, and all bond discount, bond interest, bond reserve account funding, legal, financing, and administrative expenses

all in accordance with the preliminary plans and estimate of costs, which have been prepared for the Commission by Greene & Bradford, Inc., Springfield, Illinois, the Commission's Engineer; and

WHEREAS, the Commission has previously issued its temporary short-term financing Water Commission Revenue Bonds, Series 2010A in the original principal amount of \$7,000,000 to pay a portion of the costs of the Project (the "Series 2010A Bonds"); and

WHEREAS, the Village of Chatham, Illinois also issued its Debt Certificates (Waterworks System), Series 2010 in the original principal amount of \$2,715,000 to pay a portion of the costs of the Project (the “2010 Debt Certificates”); and

WHEREAS, the total estimated costs of the Project, as defined, and refunding and paying the Series 2010A Bonds and the 2010 Debt Certificates in full (collectively, the “Refunding”) are not to exceed \$30,000,000; and

WHEREAS, there are insufficient funds on hand and lawfully available to pay costs of the Project and the Refunding and accordingly such costs must be met from up to \$30,000,000 proceeds of bonds; and

WHEREAS, the Commission is authorized to issue revenue bonds payable from revenues of the System to pay costs of the Project and the Refunding; and

WHEREAS, in lieu of issuing said revenue bonds, the Commission proposes to pay costs of the Project and the Refunding by issuing its general obligation “alternate bonds” pursuant to the Act including the Municipal Bond Reform Act, 65 ILCS 5/8-4.1-1 *et seq.*, the Intergovernmental Cooperation article of the Illinois Constitution (Section 10 of Article VII of the Constitution of the State of Illinois), the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, the Local Government Debt Reform Act, 30 ILCS 350/1 *et seq.*, the Omnibus Bond Acts, 5 ILCS 70/8 and other applicable law (collectively, “Applicable Acts”), in an aggregate principal amount not to exceed \$30,000,000 (the “Bonds”) as particularly authorized by Section 15 of the Local Government Debt Reform Act, but nevertheless expected to be paid from revenues of the System and any Federal subsidy payments received by the Commission for Bonds issued as Build America Bonds pursuant to §54AA of the Internal Revenue Code of 1986, as amended, and The American Recovery and Reinvestment Act of 2009; and

WHEREAS, if the above-mentioned revenue sources are insufficient to pay the Bonds, ad valorem property taxes upon all taxable property in the Commission, which presently consists of all the taxable property in the Villages, without limitation as to rate or amount are authorized to be extended to pay the principal of and interest on the Bonds; and

WHEREAS, the only municipalities which are members of the Commission are the Villages and the number of registered voters in the Villages on the date registration closed before the last regular election determined in accordance with 10 ILCS 5/3-1.3 was 8,310.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE SOUTH SANGAMON WATER COMMISSION, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Incorporation of Preambles.

The Board hereby finds that the recitals contained in the preambles to this Ordinance are true and correct and does incorporate the recitals contained in the preambles into this Ordinance by this reference.

Section 2. Determination To Issue Bonds.

It is necessary and in the best interests of the Commission to construct the Project for the public health, safety and welfare, in accordance with the plans and estimate of costs, as described, that the System be operated in accordance with the provisions of the Applicable Acts, and that for the purpose of paying the costs of acquiring and constructing the Project and paying for the Refunding, as aforesaid, there are hereby proposed to be issued and sold the Bonds of the Commission in an aggregate principal amount not to exceed \$30,000,000.

Section 3. Publication: Alternate Bond.

This Ordinance, including the notice in the statutory form set forth herein in Section 4 (the "Alternate Bond Notice"), shall be published once after passage hereof by the Board in the *Chatham Clarion* and the *New Berlin Bee* being newspapers published and having general circulation in the Commission, and if no petition, signed by 623 legal voters of the Commission in aggregate (being equal to the greater of: (i) 7.5% of the registered voters in the Commission; or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less), and asking that the question of proceeding with the Project and the Refunding, as provided in this Ordinance, and the issuance of the Bonds therefor, be submitted to the legal voters of the Commission, is filed with the Clerk of the Commission within thirty (30) days after the date of the last publication of this Ordinance and the Alternate Bond Notice, then this Ordinance shall be in full force and effect. A petition form shall be provided by the Clerk of the Commission to any individual requesting one.

Section 4. Alternate Bond Notice.

The Board hereby determines that the Alternate Bond Notice as follows is in the proper statutory form and is made a part hereof; and notice is hereby given as follows:

**NOTICE OF INTENT TO ISSUE ALTERNATE BONDS  
AND RIGHT TO FILE PETITION**

**NOTICE IS HEREBY GIVEN** that pursuant to an ordinance duly passed by the Board of Commissioners (the "Board") of the South Sangamon Water Commission, Sangamon County, Illinois (the "Commission") on June 15, 2010 (the "Ordinance"), the Commission intends to issue alternate bonds of the Commission pursuant to Section 15 of the Local Government Debt Reform Act in an aggregate principal amount not to exceed \$30,000,000 (the "Bonds") in lieu of revenue bonds for the purpose of paying the costs of acquiring and constructing a new waterworks system of the Commission (the "System") and refunding and paying certain prior obligations whose proceeds were used to finance initial costs of planning, design and construction of the System. Principal and interest on the Bonds are to be paid from revenues of the System and any Federal subsidy payments received by the Commission for Bonds issued as Build America Bonds pursuant to §54AA of the Internal Revenue Code of 1986, as amended, and The American Recovery and Reinvestment Act of 2009. The Commission will also levy ad valorem property taxes upon all taxable property in the Commission, which presently consists of all the taxable property in the Villages of Chatham and New Berlin, Sangamon County, Illinois (the "Villages"), without limitation as to rate or amount to pay the principal of and interest on the Bonds.

**NOTICE IS HEREBY FURTHER GIVEN** that the municipalities comprising the Commission are the Villages and if a petition, signed by 623 legal voters of the Villages (being equal to the greater of: (i) 7.5% of the registered voters in the Villages comprising the Commission; or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less), requesting that the question of constructing the System and refunding the prior obligations, and the issuance of the Bonds therefor be submitted to referendum is filed with the Clerk of the Commission on or before July 19, 2010, the question of constructing the System and refunding the prior obligations as provided in the Ordinance and the issuance of the Bonds therefor shall be submitted to the legal voters of the Commission at the election to be held on November 2, 2010, for the purpose of voting upon such question. A form of petition for such purpose is available to any individual requesting one from the office of the Clerk of the Commission.

By order of the Board of Commissioners of the Commission.

Dated: June 15, 2010.

/s/ Craig R. Hall

Clerk, South Sangamon Water Commission,  
Sangamon County, Illinois

Section 5. Additional Ordinances.

If no petition meeting the requirements of the Applicable Acts is filed during the petition period specified in Section 3, then the Board may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Bonds, prescribing all the details of the Bonds, and providing for the collection, segregation and distribution of the revenues of the System, 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 Project or the Refunding or purposes described herein.

Such additional ordinances or proceedings shall in all instances become effective in accordance with the Applicable Acts. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

Section 6. Bond Issue Notification Act Hearing.

A public hearing shall be held before the Board pursuant to The Bond Issue Notification Act, 30 ILCS §352/1 for the Bonds. The time, place and location of the hearing shall be July 7, 2010 at 7:00 p.m. to be held at the Village Hall of the Village of New Berlin, Illinois, or such other time and place as may be designated by the Chairman. The Board finds and determines that the *Chatham Clarion* and the *New Berlin Bee* are newspapers published in the Commission and with a general circulation in the Commission and directs that notice of the hearing shall be published in compliance with the Bond Issue Notification Act in such newspapers. The notice shall also be given by posting a copy of the notice at the principal office of the Board at least 48 hours before the hearing.

Section 7. Severability.

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 8. Repealer.

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

Passed by the Board of Commissioners of the South Sangamon Water Commission, Illinois on June 15, 2010.

\_\_\_\_\_  
Chairman, South Sangamon Water Commission,  
Sangamon County, Illinois

AYES: Hall, Pfeffer, McCord

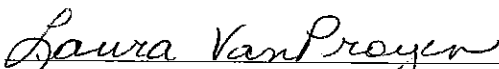
NAYS: None

ABSENT: None

PUBLISHED in the *Chatham Clarion* on June 17, 2010 and the *New Berlin Bee* on June 18, 2010.

RECORDED in the Commission's Records on June 15, 2010.

Attest:

  
Deputy Clerk, South Sangamon Water Commission,  
Sangamon County, Illinois

(SEAL)

CERTIFICATE

I, Craig R. Hall, Clerk of the South Sangamon Water Commission, Sangamon County, Illinois (the "Commission"), hereby certify that the foregoing Ordinance No. 10-18 entitled "AN ORDINANCE of the South Sangamon Water Commission, Sangamon County, Illinois, proposing the issuance of alternate bonds of the Commission in an aggregate principal amount not to exceed \$30,000,000 for the purpose of defraying the cost of constructing a new waterworks system of said Commission" is a true copy of an original Ordinance which was duly adopted by the recorded affirmative votes of a majority of the members of the Board of Commissioners of the Commission at a meeting thereof which was duly called and held in compliance with the Open Meetings Act on June 15, 2010, and at which a quorum was present and acting throughout, and that such copy has been compared by me with the original Ordinance signed by the Chairman of the Commission on June 15, 2010, and recorded in the Ordinance book of the Commission and that it is a correct transcript thereof and of the whole of such Ordinance, and that such Ordinance has not been altered, amended, repealed or revoked, but is in full force and effect.

I do further certify that a copy of said Ordinance including the Notice of Intent to Issue Alternate Bonds was published more than thirty (30) days ago in the *Chatham Clarion* on June 17, 2010 and the *New Berlin Bee* on June 18, 2010 and no petitions have been received asking that the question of proceeding with the Project and the Refunding, as provided in said Ordinance and the issuance of Alternate Bonds therefore, be submitted to the legal voters of the Commission.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the South Sangamon Water Commission, Illinois this June 15, 2010.

  
Clerk

(SEAL)

**CERTIFICATE OF PUBLICATION IN THE CHATHAM CLARION**

STATE OF ILLINOIS  
COUNTY OF SANGAMON, SS  
VILLAGE OF CHATHAM

*Attest*

The undersigned Joseph Michelich, publisher of THE CHATHAM CLARION, a secular newspaper of general circulation in said county, printed and published in the aforesaid Village of Chatham, county of Sangamon and state of Illinois, does hereby certify that a notice of which the annexed is a true copy has been regularly published in said newspaper one time each week for one successive weeks.

The first publication of said notice was on the 17th day of June, A.D., 2010 and the last said publication was on the 17th day of June, A.D., 2010. And

the undersigned does further certify that the said Chatham Clarion has been and was regularly published in said city, county and state for at least six months prior to the first publication of said notice.

In Witness whereof the undersigned publisher as aforesaid has hereunto set his hand and seal on this 17th day of June, A.D., 2010.

*Joseph Michelich*  
\_\_\_\_\_  
Publisher

Subscribed and sworn to before me this 17th day of June, 2010  
OFFICIAL SEAL  
PATRICE HUBER  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 10/14/13  
*Patrice Huber*  
\_\_\_\_\_  
Notary Public

# Public Notice

## ORDINANCE NO. 10-18

AN ORDINANCE of the South Sangamon Water Commission, Sangamon County, Illinois, proposing the issuance of alternate bonds of the Commission in an aggregate principal amount not to exceed \$30,000,000 for the purpose of defraying the cost of constructing a new waterworks system of said Commission.

WHEREAS, the South Sangamon Water Commission, Sangamon County, Illinois (the "Commission"), has heretofore been duly organized and is now operating as a commission and public corporation under the provisions of the Illinois Municipal Code, 65 ILCS 5/1-1, et seq., as supplemented and amended (the "Act"), and in particular, 65 ILCS 5/1-135-1, et seq. thereof ("Division 135"); and

WHEREAS, the Village of Chatham, Illinois and the Village of New Berlin, Illinois (collectively, the "Villages") adopted ordinances pursuant to which the Villages elected to jointly acquire and operate a common source of supply of water (the "System") and establish the Commission under the authority granted by Division 135; and

WHEREAS, the Board of Commissioners of the Commission (the "Board") and the Villages have determined it is advisable, necessary and in the best interests of the Villages and the Commission to proceed with the development and construction of a common source of supply of water, described generally as follows (the "Project"):

A new water well field and new water treatment facilities located east of the Village of Rochester, Illinois designed to treat 3.3 million gallons per day of water, plus 18" and 20" transmission main to carry water 20 miles to the Village of Chatham; a 10" transmission line to the Village of New Berlin; and a booster station that will feed 10 miles of water main, including all necessary engineering, design, land acquisition, connections, appurtenances, material, labor and equipment incident thereto, all mechanical, electrical and other services necessary, useful or advisable to such projects, and incidental to such improvements; and all bond discount, bond interest, bond reserve account funding, legal, financing, and administrative expenses.

All in accordance with the preliminary plans and estimate of costs, which have been prepared for the Commission by Greene & Bradford, Inc., Springfield, Illinois, the Commission's Engineer; and

WHEREAS, the Commission has previously issued temporary short-term financing Water Commission Revenue Bonds, Series 2010A in the original principal amount of \$7,000,000 to pay a portion of the costs of the Project (the "Series 2010A Bonds"); and

WHEREAS, the Village of Chatham, Illinois also issued its Debt Certificates (Waterworks System), Series 2010 in the original principal amount of \$2,715,000 to pay a portion of the costs of the Project (the "2010 Debt Certificates"); and

WHEREAS, the total estimated costs of the Project, as defined and refunding and paying the Series 2010A Bonds and the 2010 Debt Certificates in full (collectively, the "Refunding") are not to exceed \$30,000,000; and

WHEREAS, there are insufficient funds on hand and lawfully available to pay costs of the Project and the Refunding and accordingly such costs must be met from up to \$30,000,000 proceeds of bonds; and

WHEREAS, the Commission is authorized to issue revenue bonds payable from revenues of the System to pay costs of the Project and the Refunding; and

WHEREAS, in lieu of issuing said revenue bonds, the Commission proposes to pay costs of the Project and the Refunding by issuing its general obligation "alternate bonds" pursuant to the Act including the Municipal Bond Reform Act, 65 ILCS 5/8-4, et seq. and the Intergovernmental Cooperation Act of the Illinois Constitution (Section 10 of Article VII of the Constitution of the State of Illinois), the Intergovernmental Cooperation Act, 5 ILCS 220/1-1, et seq., the Local Government Debt Reform Act, 30 ILCS 350/1, et seq., the Omnibus Bond Acts, 5 ILCS 708 and other applicable law (collectively, "Applicable Acts"), in an aggregate principal amount not to exceed \$30,000,000 (the "Bonds") as particularly authorized by Section 15 of the Local Government Debt Reform Act, but nevertheless expected to be paid from revenues of the System and any Federal subsidy payments received by the Commission for Bonds issued as Build America Bonds pursuant to §54AA of the Internal Revenue Code of 1986, as amended, and The American Recovery and Reinvestment Act of 2009; and

WHEREAS, if the above-mentioned revenue sources are insufficient to pay the Bonds, ad valorem property taxes upon all taxable property in the Commission, which presently consists of all the taxable property in the Villages, without limitation as to rate or amount are authorized to be extended to pay the principal and interest on the Bonds; and

WHEREAS, the only municipalities which are members of the Commission are the Villages and the number of registered voters in the Villages on the date registration closed before the last regular election determined in accordance with 10 ILCS 5/3-1.3 was 8,310.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE SOUTH SANGAMON WATER COMMISSION, SANGAMON COUNTY, ILLINOIS AS FOLLOWS:

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

**Section 2. Determination To Issue Bonds.**  
It is necessary and in the best interests of the Commission to construct the Project for the public health, safety and welfare, in accordance with the plans and estimate of costs, as described, that the System be operated in accordance with the provisions of the Applicable Acts, and that for the purpose of paying the costs of acquiring and constructing the Project and paying for the Refunding, as aforesaid, there are hereby proposed to be issued and sold the Bonds of the Commission in an aggregate principal amount not to exceed \$30,000,000.

**Section 3. Publication - Alternate Bond.**  
This Ordinance, including the notice in the station form set forth herein in Section 4 (the "Alternate Bond Notice"), shall be published once after passage hereof by the Board in the Chatham Clarion and the New Berlin Bee being newspapers published and having general circulation in the Commission, and if no petition, signed by 623 legal voters of the Commission in aggregate (being equal to the greater of: (i) 7.5% of the registered voters in the Commission, or (ii) 200 of those registered voters or 15% of those registered voters, whichever

is less), and asking that the question of proceeding with the Project and the Refunding, as provided in this Ordinance, and the issuance of the Bonds therefor, be submitted to the legal voters of the Commission, is filed with the Clerk of the Commission within thirty (30) days after the date of the last publication of this Ordinance and the Alternate Bond Notice, then this Ordinance shall be in full force and effect. A petition form shall be provided by the Clerk of the Commission to any individual requesting one.

**Section 4. Alternate Bond Notice.**  
The Board hereby determines that the Alternate Bond Notice as follows is in the proper statutory form and is made a part hereof; and notice is hereby given as follows:

**NOTICE OF INTENT TO ISSUE ALTERNATE BONDS AND RIGHT TO FILE PETITION.**

NOTICE IS HEREBY GIVEN that pursuant to an ordinance duly passed by the Board of Commissioners (the "Board") of the South Sangamon Water Commission, Sangamon County, Illinois (the "Commission"), on June 15, 2010 (the "Ordinance"); the Commission intends to issue alternate bonds of the Commission pursuant to Section 15 of the Local Government Debt Reform Act in an aggregate principal amount not to exceed \$30,000,000 (the "Bonds") in lieu of revenue bonds for the purpose of paying the costs of acquiring and constructing a new waterworks system of the Commission (the "System") and refunding and paying certain prior obligations whose proceeds were used to finance initial costs of planning, design and construction of the System. Principal and interest on the Bonds are to be paid from revenues of the System and any Federal subsidy payments received by the Commission for Bonds issued as Build America Bonds pursuant to §54AA of the Internal Revenue Code of 1986, as amended, and The American Recovery and Reinvestment Act of 2009. The Commission will also levy ad valorem property taxes upon all taxable property in the Commission, which presently consists of all the taxable property in the Villages of Chatham and New Berlin, Sangamon County, Illinois (the "Villages"), without limitation as to rate or amount to pay the principal and interest on the Bonds.

NOTICE IS HEREBY FURTHER GIVEN that the municipalities comprising the Commission are the Villages and a petition, signed by 623 legal voters of the Villages (being equal to the greater of: (i) 7.5% of the registered voters in the Villages comprising the Commission; or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less), requesting that the question of constructing the System and refunding the prior obligations, and the issuance of the Bonds therefor be submitted to referendum, is filed with the Clerk of the Commission on or before July 19, 2010, the question of constructing the System and refunding the prior obligations as provided in the Ordinance and the issuance of the Bonds therefor shall be submitted to the legal voters of the Commission at the election to be held on November 2, 2010, for the purpose of voting upon such question. A form of petition for such purpose is available to any individual requesting one from the office of the Clerk of the Commission.

By order of the Board of Commissioners of the Commission.  
Dated: June 15, 2010.  
/s/ Craig B. Hall  
Clerk, South Sangamon Water Commission,  
Sangamon County, Illinois.

**Section 5. Additional Ordinances.**  
If no petition meeting the requirements of the Applicable Acts is filed during the petition period specified in Section 3, then the Board may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Bonds, prescribing all the details of the Bonds, and providing for the collection, segregation and distribution of the revenues of the System, 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 Project or the Refunding or purposes described herein.

Such additional ordinances or proceedings shall in all instances become effective in accordance with the Applicable Acts. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

**Section 6. Bond Issue Notification Act Hearing.**  
A public hearing shall be held before the Board pursuant to The Bond Issue Notification Act, 30 ILCS §352/1 for the Bonds. The time, place and location of the hearing shall be July 7, 2010 at 7:00 p.m. to be held at the Village Hall of the Village of New Berlin, Illinois, or such other time and place as may be designated by the Chairman. The Board finds and determines that the Chatham Clarion and the New Berlin Bee are newspapers published in the Commission and with general circulation in the Commission and directs that notice of the hearing shall be published in compliance with the Bond Issue Notification Act in such newspapers. The notice shall also be given by posting a copy of the notice at the principal office of the Board and at the location of the hearing at least 48 hours before the hearing.

**Section 7. Severability.**  
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 provisions of this Ordinance.

**Section 8. Repealer.**  
All other ordinances, resolutions or orders or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Passed by the Board of Commissioners of the South Sangamon Water Commission, Illinois on June 15, 2010.

/s/ Del McCord  
Chairman, South Sangamon Water Commission,  
Sangamon County, Illinois.

AYES: Hall, Fleiter, McCord

NAYS: None

ABSENT: None

Attest:  
/s/ Craig B. Hall  
Clerk, South Sangamon Water Commission,  
Sangamon County, Illinois.

(SEAL)



CERTIFICATE OF PUBLICATION IN THE NEW BERLIN BEE

STATE OF ILLINOIS  
COUNTY OF SANGAMON, SS  
VILLAGE OF NEW BERLIN

*Patrice Huber*

The undersigned, Joseph Michelich, publisher of the NEW BERLIN BEE, a secular newspaper of general circulation in said county, printed and published in the aforesaid Village of New Berlin, county of Sangamon and state of Illinois, does hereby certify that a notice of which the annexed is a true copy has been regularly published in said newspaper one time each week for one successive weeks.

The first publications of said notice was on the 18th day of June, A.D., 20 10 and the last publications was on the 18th day of June, A.D., 20 10. And the undersigned does further certify that the said NEW BERLIN BEE, has been and was regularly published in said village, county and state for at least six months prior to the first publication of said notice.

In Witness whereof the undersigned publisher as aforesaid has hereunto set his hand and seal on this 18th day of June, A.D., 20 10.

*Joseph Michelich*  
Publisher

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 10.

*Patrice Huber*  
Notary Public

OFFICIAL SEAL  
PATRICE HUBER  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 10/14/13

# Public Notice

ORDINANCE NO. 10-18

AN ORDINANCE of the South Sangamon Water Commission, Sangamon County, Illinois, proposing the issuance of alternate bonds of the Commission in an aggregate principal amount not to exceed \$30,000,000 for the purpose of defraying the cost of constructing a new waterworks system of said Commission.

WHEREAS, the South Sangamon Water Commission, Sangamon County, Illinois (the "Commission"), has heretofore been duly organized and is now operating as a commission and public corporation under the provisions of the Illinois Municipal Code, 65 ILCS 5/1-1, et seq., as supplemented and amended (the "Act"), and in particular, 65 ILCS 5/1-1.35, et seq. thereof ("Division 135"); and

WHEREAS, the Village of Chatham, Illinois and the Village of New Berlin, Illinois (collectively, the "Villages") adopted ordinances pursuant to which the Villages elected to jointly acquire and operate a common source of supply of water (the "System") and establish the Commission under the authority granted by Division 135; and

WHEREAS, the Board of Commissioners of the Commission (the "Board") and the Villages have determined it is advisable, necessary and in the best interests of the Villages and the Commission to proceed with the development and construction of a common source of supply of water, described generally as follows (the "Project"):

A new water well field and new water treatment facilities located east of the Village of Rochester, Illinois designed to treat 3.3 million gallons per day of water, plus 18" and 20" transmission main to carry water 20 miles to the Village of Chatham, a 10" transmission line to the Village of New Berlin and a booster station that will feed 10 miles of water main, including all necessary engineering, design, land acquisition, connections, appurtenances, material, labor and equipment incident thereto, all mechanical, electrical and other services necessary, useful or advisable to such projects and incidental to such improvements, and all bond discount, bond interest, bond reserve account funding, legal, financing, and administrative expenses.

all in accordance with the preliminary plans and estimate of costs, which have been prepared for the Commission by Greene & Bradford, Inc., Springfield, Illinois, the Commission's Engineer; and

WHEREAS, the Commission has previously issued its temporary short-term financing Water Commission Revenue Bonds, Series 2010A in the original principal amount of \$7,000,000 to pay a portion of the costs of the Project (the "Series 2010A Bonds"); and

WHEREAS, the Village of Chatham, Illinois also issued its Debt Certificates (Waterworks System), Series 2010 in the original principal amount of \$2,715,000 to pay a portion of the costs of the Project (the "2010 Debt Certificates"); and

WHEREAS, the total estimated costs of the Project, as defined, and refunding and paying the Series 2010A Bonds and the 2010 Debt Certificates in full (collectively, the "Refunding") are not to exceed \$30,000,000; and

WHEREAS, there are insufficient funds on hand and lawfully available to pay costs of the Project and the Refunding, and accordingly such costs must be met from up to \$30,000,000 proceeds of bonds; and

WHEREAS, the Commission is authorized to issue revenue bonds payable from revenues of the System to pay costs of the Project and the Refunding; and

WHEREAS, in lieu of issuing said revenue bonds, the Commission proposes to pay costs of the Project and the Refunding by issuing its general obligation "alternate bonds" pursuant to the Act including the Municipal Bond Reform Act, 65 ILCS 5/8-4.1-1 et seq., the Intergovernmental Cooperation article of the Illinois Constitution (Section 10 of Article VII of the Constitution of the State of Illinois), the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., the Local Government Debt Reform Act, 30 ILCS 350/1 et seq., the Omnibus Bond Acts, 5 ILCS 70/1 and other applicable law (collectively, "Applicable Acts"), in an aggregate principal amount not to exceed \$30,000,000 (the "Bonds") as particularly authorized by Section 15 of the Local Government Debt Reform Act, but nevertheless expected to be paid from revenues of the System and any Federal subsidy payments received by the Commission for Bonds issued as Build America Bonds pursuant to 544A of the Internal Revenue Code of 1986, as amended, and The American Recovery and Reinvestment Act of 2009; and

WHEREAS, if the above-mentioned revenue sources are insufficient to pay the Bonds, ad valorem property taxes upon all taxable property in the Commission, which presently consists of all the taxable property in the Villages, without limitation as to rate or amount are authorized to be extended to pay the principal of and interest on the Bonds; and

WHEREAS, the only municipalities which are members of the Commission are the Villages and the number of registered voters in the Villages on the date registration closed before the last regular election determined in accordance with 10 ILCS 5/3-1.3 was 8,310.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE SOUTH SANGAMON WATER COMMISSION, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

#### Section 1. Incorporation of Preambles.

The Board hereby finds that the recitals contained in the preambles to this Ordinance are true and correct and does incorporate the recitals contained in the preambles into this Ordinance by this reference.

#### Section 2. Determination To Issue Bonds.

It is necessary and in the best interests of the Commission to construct the Project for the public health, safety and welfare, in accordance with the plans and estimate of costs as described, that the System be operated in accordance with the provisions of the Applicable Acts; and that for the purpose of paying the costs of acquiring and constructing the Project and paying for the Refunding, as aforesaid, there are hereby proposed to be issued and sold the Bonds of the Commission in an aggregate principal amount not to exceed \$30,000,000.

#### Section 3. Publication: Alternate Bond.

This Ordinance, including the notice in the statutory form set forth herein in Section 4 (the "Alternate Bond Notice"), shall be published once after passage hereof by the Board in the Chatham Clarion and the New Berlin Bee being newspapers published and having general circulation in the Commission, and if no petition, signed by 623 legal voters of the Commission in aggregate (being equal to the greater of: (i) 7.5% of the registered voters in the Commission; or (ii) 200 of those registered voters or 15% of those registered voters, whichever

is less), and asking that the question of proceeding with the Project and the Refunding, as provided in this Ordinance, and the issuance of the Bonds hereof, be submitted to the legal voters of the Commission, is filed with the Clerk of the Commission within thirty (30) days after the date of the last publication of this Ordinance and the Alternate Bond Notice, then this Ordinance shall be in full force and effect. A petition form shall be provided by the Clerk of the Commission to any individual requesting one.

#### Section 4. Alternate Bond Notice.

The Board hereby determines that the Alternate Bond Notice as follows is in the proper statutory form and is made a part hereof; and notice is hereby given as follows:

#### NOTICE OF INTENT TO ISSUE ALTERNATE BONDS AND RIGHT TO FILE PETITION.

NOTICE IS HEREBY GIVEN that, pursuant to an ordinance duly passed by the Board of Commissioners (the "Board") of the South Sangamon Water Commission, Sangamon County, Illinois (the "Commission") on June 15, 2010 (the "Ordinance"), the Commission intends to issue alternate bonds of the Commission pursuant to Section 15 of the Local Government Debt Reform Act in an aggregate principal amount not to exceed \$30,000,000 (the "Bonds") in lieu of revenue bonds for the purpose of paying the costs of acquiring and constructing a new waterworks system of the Commission (the "System") and refunding and paying certain prior obligations whose proceeds were used to finance initial costs of planning, design and construction of the System. Principal and interest on the Bonds are to be paid from revenues of the System and any Federal subsidy payments received by the Commission for Bonds issued as Build America Bonds pursuant to 544A of the Internal Revenue Code of 1986, as amended, and The American Recovery and Reinvestment Act of 2009. The Commission will also levy ad valorem property taxes upon all taxable property in the Commission, which presently consists of all the taxable property in the Villages of Chatham and New Berlin, Sangamon County, Illinois (the "Villages"), without limitation as to rate or amount to pay the principal of and interest on the Bonds.

NOTICE IS HEREBY FURTHER GIVEN that the municipalities comprising the Commission are the Villages and if a petition, signed by 623 legal voters of the Villages (being equal to the greater of: (i) 7.5% of the registered voters in the Villages comprising the Commission; or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less), requesting that the question of constructing the System and refunding the prior obligations, and the issuance of the Bonds hereof be submitted to referendum is filed with the Clerk of the Commission on or before July 15, 2010, the question of constructing the System and refunding the prior obligations as provided in the Ordinance and the issuance of the Bonds hereof shall be submitted to the legal voters of the Commission at the election to be held on November 2, 2010, for the purpose of voting upon such question. A form of petition for such purpose is available to any individual requesting one from the office of the Clerk of the Commission.

By order of the Board of Commissioners of the Commission.

Dated: June 15, 2010.

/s/ Craig R. Hall

Clerk, South Sangamon Water Commission,  
Sangamon County, Illinois

#### Section 5. Additional Ordinances.

If no petition meeting the requirements of the Applicable Acts is filed during the petition period specified in Section 3, then the Board may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Bonds, prescribing all the details of the Bonds, and providing for the collection, segregation and distribution of the revenues of the System, 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 Project or the Refunding or purposes described herein.

Such additional ordinances or proceedings shall in all instances become effective in accordance with the Applicable Acts. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

#### Section 6. Bond Issue Notification Act Hearing.

A public hearing shall be held before the Board pursuant to the Bond Issue Notification Act, 30 ILCS 352/1 for the Bonds. The time, place and location of the hearing shall be July 7, 2010 at 7:00 p.m. to be held at the Village Hall of the Village of New Berlin, Illinois, or such other time and place as may be designated by the Chairman. The Board finds and determines that the Chatham Clarion and the New Berlin Bee are newspapers published in the Commission and with a general circulation in the Commission and directs that notice of the hearing shall be published in compliance with the Bond Issue Notification Act in such newspapers. The notice shall also be given by posting a copy of the notice at the principal office of the Board and at the location of the hearing at least 48 hours before the hearing.

#### Section 7. Severability.

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 8. Repealer.

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

Passed by the Board of Commissioners of the South Sangamon Water Commission, Illinois on June 15, 2010.

/s/ Del McCord  
Chairman, South Sangamon Water Commission,  
Sangamon County, Illinois

AYES: Hall, Pieller, McCord

NAYS: None

ABSENT: None

Attest:

/s/ Craig R. Hall

Clerk, South Sangamon Water Commission,  
Sangamon County, Illinois

(SEAL)

NB: 6-18

BOND ORDER NO. 2  
SOUTH SANGAMON WATER COMMISSION  
WATER COMMISSION REVENUE BOND  
SERIES 2010A

We, Del McCord and Craig R. Hall, do hereby certify that we are, respectively, the Chairman and Clerk of South Sangamon Water Commission, Sangamon County, Illinois (the "Commission"), and as such officers, we have reviewed the books, records, minutes and files of the Commission, and from such review and based on our authority, we do further certify as follows:

1. On April 28, 2010, the Board of Commissioners (the "Board") adopted Ordinance Number 10-7 of the Commission (the "Bond Ordinance") entitled:

AN ORDINANCE authorizing and providing for the issue of not to exceed \$7,000,000 Water Commission Revenue Bonds, Series 2010A, of the South Sangamon Water Commission, Sangamon County, Illinois

The terms used herein are defined in the Bond Ordinance.

2. We are the Designated Officials under the Bond Ordinance, and we are authorized, in accordance within the delegated limits contained in the Bond Ordinance, to sell the Bonds from time to time to provide temporary short term financing of the costs of the Project.

3. We hereby approve the sale of a \$ \_\_\_\_\_ principal portion of the Bonds to Bank of Springfield, Springfield, Illinois, at a price of par (the "Current Bond"). The principal amount of the Current Bond, when added to the principal amount of the Bonds previously issued pursuant to the Bond Ordinance, equals \$ \_\_\_\_\_ of the authorized principal amount of not to exceed \$7,000,000 of Bonds.

4. We find and determine that no person holding any office of the Commission either by election or appointment, is in any manner interested, either directly or indirectly, in his own name or in the name of any other person, association, trust or corporation, in the Bonds or in the Purchase Agreement for such bonds with the Purchaser.

5. This Bond Order shall be entered into the records of the Commission and made available to all members of the Board.

IN WITNESS WHEREOF, we have affixed our official signatures and have caused the Commission's corporate seal to be affixed hereto, this June 15, 2010.

SOUTH SANGAMON WATER COMMISSION,  
Sangamon County, Illinois

\_\_\_\_\_  
Chairman

(SEAL)  
Attest:

\_\_\_\_\_  
Clerk

Owner or by such a Registered Owner's duly authorized attorney, and thereupon a new registered Bond or Bonds, in the authorized denominations of \$1,000 or any authorized integral multiple thereof and of the same aggregate principal amount as this Bond shall be issued to the transferee in exchange therefor. In like manner, this Bond may be exchanged for an equal aggregate principal amount of Bonds of any authorized denomination. The Commission or the Bond Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange of this Bond. No other charge shall be made for the privilege of making such transfer or exchange.

(8) The Commission, the Paying Agent and the Bond Registrar may treat and consider the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal, premium, if any, and interest due hereon and for all other purposes whatsoever, and all such payments so made to such Registered Owner or upon such Registered Owner's order shall be valid and effectual to satisfy and discharge the liability upon this Bond to the extent of the sum or sums so paid, and neither the Commission nor the Paying Agent or the Bond Registrar shall be affected by any notice to the contrary.

(9) No recourse shall be had for the payment of any Bonds against the Chairman, any member of the Board of Commissioners or any other officer or employee of the Commission (past, present or future) who executes any Bonds, or on any other basis. The Commission may remove the Bond Registrar or Paying Agent at any time and for any reason and appoint a successor.

(10) The Commission has designated the Bonds as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986.

(11) 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 into the System Fund the Revenues, and such are to be applied in the manner as hereinabove set forth; and the Commission hereby covenants and agrees that it will fix and maintain rates for the use and service of the System and collect and account for the Revenues sufficient at all times to pay Operation and Maintenance Costs, to promptly pay principal of and interest on all Bonds issued by the Commission which are payable solely from the Revenues, to provide an adequate depreciation fund, and to comply with all the covenants of and to maintain the accounts created by the Ordinance.

(12) This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

(13) IN WITNESS WHEREOF, the South Sangamon Water Commission, Sangamon County, Illinois, by its Board of Commissioners, has caused this Bond to be executed with the duly authorized manual or facsimile signature of its Chairman and attested by the duly authorized manual or facsimile signature of its Clerk and its corporate seal or a facsimile thereof to be

impressed or reproduced hereon, all as appearing hereon and as of the Dated Date identified above.

\_\_\_\_\_  
Chairman

(SEAL)

\_\_\_\_\_  
Clerk

CERTIFICATE  
OF  
AUTHENTICATION

Bond Registrar  
and Paying Agent:

South Sangamon Water Commission  
Chatham, Illinois

This Bond is one of the Bonds described in the within mentioned Ordinance and is one of the Water Commission Revenue Bonds, Series 2010A, of the South Sangamon Water Commission, Sangamon County, Illinois.

South Sangamon Water Commission,  
as Bond Registrar

By: \_\_\_\_\_  
Treasurer

Date of Authentication: \_\_\_\_\_, 2010

(ASSIGNMENT)

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

\_\_\_\_\_

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint \_\_\_\_\_

\_\_\_\_\_ as attorney to transfer the said Bond 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 of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

UNITED STATES OF AMERICA  
STATE OF ILLINOIS  
COUNTY OF SANGAMON  
SOUTH SANGAMON WATER COMMISSION  
WATER COMMISSION REVENUE BOND  
SERIES 2010A

REGISTERED NO. R-2

REGISTERED \$ \_\_\_\_\_

INTEREST RATE:  
1.89%

MATURITY DATE:  
January 1, 2012

DATED DATE:  
\_\_\_\_\_, 2010

Registered Owner: BANK OF SPRINGFIELD

Principal Amount: \_\_\_\_\_ DOLLARS.

KNOW ALL PERSONS BY THESE PRESENTS that the South Sangamon Water Commission, a commission and public corporation situated in the County of Sangamon, in the State of Illinois (the "Commission"), acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner identified above, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, and to pay interest on such Principal Amount from the Dated Date hereof, or from the most recent interest payment date to which interest has been paid, at the Interest Rate per annum set forth above, computed on the basis of a 360-day year consisting of twelve 30-day months and payable on the Maturity Date, by check or draft to the Registered Owner of this Bond appearing on the registration books maintained for such purpose by the Commission, as Bond Registrar (including its successors, the "Bond Registrar"). This Bond, as to principal and interest when due, will be payable in lawful money of the United States of America upon presentation and surrender of this Bond at the principal office of the Commission as Paying Agent (including its successors, the "Paying Agent").

(1) This Bond is one of a series of Bonds issued from time to time in aggregate principal amount of not to exceed \$7,000,000 under a single authorization of the Commission, which are all of like tenor. The Bonds are authorized and issued under and pursuant to the Constitution and laws of the State of Illinois, including the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, and in particular, 65 ILCS 5/11-135-1, *et seq.* thereof, the Intergovernmental Cooperation article of the Illinois Constitution (Section 10 of Article VII of the Constitution of the State of Illinois), the Intergovernmental Cooperation Act 5 ILCS 220/1 *et seq.*, the Municipal Bond Reform Act, 65 ILCS 5/8-4.1-1 *et seq.*, the Local Government Debt Reform Act, 30 ILCS 350/1 *et seq.*, the Omnibus Bond Acts, 5 ILCS 70/8, each as supplemented and amended, and other applicable law (collectively the "Applicable Acts"), and pursuant to and in accordance with Ordinance No. 10-7 adopted by the Board of Commissioners of the Commission on April 28, 2010 (the "Ordinance"), to which reference is hereby expressly made for all definitions and terms and to all the provisions of which the holder by acceptance of this Series 2010A Bond assents.

(2) The Bonds are payable solely from the Revenues, as defined and not otherwise, and are issued under authority of the provisions of the Applicable Acts for the purpose of providing temporary short term financing to pay a portion of the costs of the Project, as defined, of constructing a new water treatment and supply system of the Commission (the "System") to supply wholesale water to the Village of Chatham, Illinois and the Village of New Berlin, Illinois. This Bond does not constitute an indebtedness of the Commission or any municipality represented by the Commission within the meaning of any constitutional or statutory provision or limitation.

(3) Under the Act and the Ordinance, the Revenues are to be deposited into the System Fund, which shall be used only and is hereby pledged for paying Operation and Maintenance Costs, paying the principal of and interest on all Bonds of the Commission that are payable by their terms only from the Revenues, providing an adequate depreciation fund, and in making all payments required to maintain the accounts established under the terms of the Ordinance.

(4) Outstanding Bonds issued and authenticated pursuant to the Ordinance are co-equal as to the lien on the Revenues for their payment and share ratably, without any preference, priority, or distinction, the one over the other, as to the source or method of payment and security of any Outstanding Bonds.

(5) The Bonds may be called for redemption and payment prior to maturity at the option of the Commission on any date, in whole or in part (if in part, Bonds to be selected in multiples of \$1,000 principal amount by lot by the Bond Registrar in such manner as it shall deem fair and appropriate) at a redemption price equal to the principal amount thereof plus accrued interest to the date fixed for redemption.

(6) Notice of the redemption of Bonds shall be delivered not less than one (1) day prior to the date fixed for such redemption to the registered owners of Bonds to be redeemed at their last addresses appearing on such registration books. The Bonds or portions thereof specified in such notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date, moneys for payment of the redemption price of all the Bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on such date, and if notice of redemption shall have been delivered as aforesaid) and notwithstanding any defect therein or the lack of actual receipt thereof by any registered owner) then from and after the redemption date interest on such Bonds or portions thereof shall cease to accrue and become payable. If there shall be called for redemption less than all of a Bond, the Commission shall execute and the Bond Registrar shall authenticate and deliver, upon the surrender of such Bond, without charge to the registered owner thereof, for the unredeemed balance of the Bond so surrendered, Bonds of like maturity and of the denomination of \$1,000 or any authorized integral multiple thereof.

(7) This Bond is transferable only upon the registration books therefor by the Registered Owner hereof in person, or by such Registered Owner's attorney duly authorized in writing, upon surrender hereof at the principal office of the Bond Registrar together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the Registered