

ORDINANCE NO. 737

AN ORDINANCE providing for the issue of \$535,000 Sewer Bonds of the City of Nokomis, Montgomery County, Illinois, and the levy of a direct annual tax sufficient to pay the principal and interest on said bonds.

* * *

WHEREAS, the Council (the "Council") of the City of Nokomis, Montgomery County, Illinois (the "Municipality"), petitioned the Circuit Court of the Fourth Judicial Circuit (Montgomery County), Illinois (the "Court"), for an emergency referendum; and

WHEREAS, the Court, by an order entered on the 6th day of January, 1984, did authorize the submission of the following question:

Shall bonds in the amount of \$535,000 be issued by the City of Nokomis, Montgomery County, Illinois, to pay the cost of making improvements to the sewerage system of the City of Nokomis, which would include the possible future sewerage system needs of the City of Nokomis, said bonds to bear interest at the rate or rates not to exceed the maximum permitted by law which is the greater of 9% per annum or 125% of the rate for the most recent date shown in the 20 G. O. Bonds Index of average municipal bond yields as published in the most recent edition of The Bond Buyer, published in New York, New York, at the time the contract is made for the sale of the bonds?

to the voters of the Municipality at an emergency referendum held on the 2nd day of February, 1984 (the "Election"); and

WHEREAS, the County Clerk of The County of Montgomery, Illinois (the "County"), has caused proper notice to be given of the Election by publishing notice thereof in the Free Press-Progress, the same being a local, community newspaper published

and having general circulation in the Municipality, and in the Montgomery County News, the same being a local, community newspaper having general circulation in the Municipality and published in the County, the dates of publication of such notice being not less than 20 days prior to the date of the Election, which notice did specify the date of the Election, the time of opening and closing of the polls, the polling place for the Election and the question to be voted upon, as evidenced by affidavits executed by the publishers of said newspapers, and having attached thereto a newspaper clipping of said notice as so published, which said notice and affidavits of publication are now on file with and are a part of the permanent records of the Council; and

WHEREAS, the Election was duly held in the manner provided by law, and it has heretofore been found, determined, declared and proclaimed that a majority of all the votes cast at the Election on said question was cast in favor of said question, and said question was approved by a majority of the electors of the Municipality voting upon said question; and

WHEREAS, the Municipality by the Election has heretofore been authorized to borrow the sum of \$535,000 to pay the cost of making improvements to the sewerage system of the Municipality (the "Project"), and it is in the judgment of the Council necessary for the purpose aforesaid at this time to borrow \$535,000 of the said authorized sum and issue bonds of the Municipality therefor:

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

Section 1. Incorporation of Preambles. The Council 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. Authorization. It is hereby found and determined that by and at the Election, the Municipality was authorized to issue bonds in the amount of \$535,000 to pay the cost of the Project.

Section 3. Bond Details. There shall be borrowed on the credit of and for and on behalf of the Municipality the sum of \$535,000 to pay the cost of the Project; and bonds of the Municipality (the "Bonds") shall be issued in said amount and shall be designated "Sewer Bonds," the Bonds shall be dated June 1, 1984, and shall also bear the date of authentication, shall be in fully registered form, shall be in denominations of \$5,000 each and authorized integral multiples thereof (but no single Bond shall represent installments of principal maturing on more than one date), shall be numbered 1 and upward, and the Bonds shall become due and payable serially (without option of prior redemption) on January 1 of each of the years, in the amounts and bearing interest per annum as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Rate of Interest</u>
1987	\$ 60,000	9.0%
1988	65,000	9.0%
1989	65,000	9.0%
1990	65,000	9.0%
1991	70,000	9.0%
1992	70,000	9.0%
1993	70,000	9.0%
1994	70,000	9.0%

The Bonds shall bear interest from their date or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of the Bonds is paid, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on the first days of January and July of each year, commencing on July 1, 1985.

Interest on each Bond shall be paid by check or draft of the First National Bank of Nokomis, Nokomis, Illinois (the "Paying Agent"), payable upon presentation in lawful money of the United States of America, to the person in whose name such Bond is registered at the close of business on the 15th day of the month next preceding the interest payment date. The principal of the Bonds shall be payable in lawful money of the United States of America at the Paying Agent.

The seal of the Municipality shall be affixed to or printed on each of the Bonds, and the Bonds shall be signed by the facsimile signature of the Mayor of the Municipality and attested by the facsimile signature of the Clerk of the Municipality, and in case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

All Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the First National Bank of Nokomis, Nokomis, Illinois

(the "Bond Registrar"), as authenticating agent of the Municipality and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this ordinance. The certificate of authentication on any Bond shall be deemed to have been executed by the Bond Registrar if signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 4. Registration of Bonds; Persons Treated as Owners. The Municipality shall cause books (the "Bond Register") for the registration and for the transfer of the Bonds as provided in this ordinance to be kept at the office of the Bond Registrar, which is hereby constituted and appointed the registrar of the Municipality. The Municipality is authorized to prepare, and the Bond Registrar shall keep custody of, multiple Bond blanks executed by the Municipality for use in the transfer and exchange of Bonds.

Upon surrender for transfer of any Bond at the office of the Bond Registrar, duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by, the registered owner

or his attorney duly authorized in writing, the Municipality shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of the same maturity of authorized denominations, for a like aggregate principal amount. Any fully registered Bond or Bonds may be exchanged at said office of the Bond Registrar for a like aggregate principal amount of Bond or Bonds of the same maturity of other authorized denominations. The execution by the Municipality of any fully registered Bond shall constitute full and due authorization of such Bond and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond, provided, however, the principal amount of outstanding Bonds of each maturity authenticated by the Bond Registrar shall not exceed the authorized principal amount of Bonds for such maturity less previous retirements. The Bond Registrar shall not be required to transfer or exchange any Bond during the period beginning on the close of business on the fifteenth day of the month next preceding any interest payment date on such Bond and ending on such interest payment date.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the Municipality or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds.

Section 5. Form of Bond. The Bonds shall be prepared in compliance with the National Standard Specifications for Fully Registered Municipal Securities prepared by the American National Standards Institute and shall be in substantially the following form; provided, however, that if the text of the Bond is to be printed in its entirety on the front side of the Bond, then paragraph [2] and the legend, "See Reverse Side for Additional Provisions", shall be omitted and paragraphs [6] through [9] shall be inserted immediately after paragraph [1]:

(Form of Bond - Front Side)

REGISTERED
NO. _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA

STATE OF ILLINOIS

COUNTY OF MONTGOMERY

CITY OF NOKOMIS

SEWER BOND

:See Reverse Side:
:for Additional :
:Provisions :

Interest _____ Maturity _____ Dated _____
Rate: _____% Date: January 1, _____ Date: June 1, 1984 CUSIP _____

Registered Owner:

Principal Amount:

[1] KNOW ALL MEN BY THESE PRESENTS, that the City of Nokomis, Montgomery County, Illinois (the "Municipality"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the date of this Bond or from the most recent interest payment date to which interest has been paid at the Interest Rate per annum set forth above on January 1 and July 1 of each year commencing July 1, 1985, until said Principal Amount is paid. Principal of this Bond is payable in

lawful money of the United States of America at First National
Bank of Nokomis, Nokomis, Illinois, as paying
agent (the "Paying Agent"). Payment of the installments of
interest shall be made to the Registered Owner hereof as shown
on the registration books of the Municipality maintained by
First National Bank of Nokomis, Nokomis ; Illinois (the "Bond
Registrar"), at the close of business on the 15th day of the
month next preceding each interest payment date and shall be
paid by check or draft of the Paying Agent, payable upon
presentation in lawful money of the United States of America,
mailed to the address of such Registered Owner as it appears on
such registration books or at such other address furnished in
writing by such Registered Owner to the Bond Registrar. For the
prompt payment of this bond, both principal and interest at
maturity, the full faith, credit and resources of the Municipality
are hereby irrevocably pledged.

[2] Reference is hereby made to the further provisions
of this Bond set forth on the reverse hereof and such further
provisions shall for all purposes have the same effect as if set
forth at this place.

[3] It is hereby certified and recited that all condi-
tions, acts and things required by law to exist or to be done
precedent to and in the issuance of this bond did exist, have
happened, been done and performed in regular and due form and
time as required by law; that the indebtedness of the Municipality,
including the issue of bonds of which this is one, does not exceed
any limitation imposed by law; and that provision has been made
for the collection of a direct annual tax sufficient to pay the

interest hereon as it falls due and also to pay and discharge the principal hereof at maturity.

[4] 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.

[5] IN WITNESS WHEREOF, said City of Nokomis, Montgomery County, Illinois, by its Council, has caused its corporate seal to be imprinted by facsimile hereon or hereunto affixed, and this bond to be signed by the duly authorized facsimile signature of the Mayor of the Municipality and attested by the facsimile signature of the Clerk of the Municipality, all as of the Dated Date identified above.

(Facsimile Signature)
Mayor

Attest:

(Facsimile Signature)
Municipal Clerk

Date of Authentication: _____, 19__

CERTIFICATE
OF
AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned ordinance and is one of the Sewer Bonds of the City of Nokomis, Montgomery County, Illinois.

Bond Registrar: First National Bank
of Nokomis, Nokomis, Illinois

Paying Agent: First National Bank of
Nokomis, Nokomis, Illinois

First National Bank of Nokomis
as Bond Registrar

By (Manual Signature)
Authorized Officer

[Form of Bond - Reverse Side]

City of Nokomis
Montgomery County, Illinois
Sewer Bond

[6] This bond is one of a series of bonds issued by the Municipality to pay the cost of making improvements to the sewerage system of the Municipality, pursuant to and in all respects in compliance with the provisions of the Illinois Municipal Code, and all acts amendatory thereof and supplementary thereto, and pursuant to the approval of the question to issue said bonds by a majority of the electors of the Municipality voting upon said question at an election duly called, notice, held and canvassed for that purpose in the Municipality, and in compliance with an ordinance, which has been duly passed by the Council, approved by the Mayor of the Municipality, and published (the "Bond Ordinance"), in all respects as by law required.

[7] This Bond is transferable by the registered holder hereof in person or by his attorney duly authorized in writing at the office of the Bond Registrar in Nokomis, Illinois, but only in the manner, subject to the limitations and upon payment of the charges provided in the Bond Ordinance, and upon surrender and cancellation of this Bond. Upon such transfer a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

[8] The Bonds are issued in fully registered form in the denomination of \$5,000 each or authorized integral multiples thereof. This Bond may be exchanged at the office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations, upon the terms set forth in the Bond Ordinance.

[9] The Municipality, the Paying Agent and the Bond Registrar may deem and treat the registered holder hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the Municipality, the Paying Agent nor the Bond Registrar shall be affected by any notice to the contrary.

(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 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.

Section 6. Sale of Bonds. The Bonds hereby authorized shall be executed as in this ordinance provided as soon after the passage hereof as may be, and thereupon be deposited with the Treasurer of the Municipality, and be by said Treasurer delivered to First National Bank of Nokomis, Nokomis, Illinois, the purchaser thereof, upon receipt of the purchase price therefor, the same being the par value of the Bonds, plus accrued interest to date of delivery; the contract for the sale of the Bonds heretofore entered into is in all respects ratified, approved and confirmed, it being hereby found and determined that said contract is in the best interests of the Municipality and that no person holding an office of the Municipality 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 said contract for the purchase of the Bonds.

Section 7. Tax Levy. In order to provide for the collection of a direct annual tax sufficient to pay the interest on the Bonds as it falls due, and also to pay and discharge the principal thereof at maturity, there be and there is hereby levied upon all the taxable property within the Municipality a direct annual tax for each of the years while the Bonds or any of them are outstanding, in amounts sufficient for that purpose, and that there be and there is hereby levied upon all of the taxable property in the Municipality, the following direct annual tax, to-wit:

<u>For the Year</u>	<u>A Tax Sufficient to Produce the Sum of:</u>
1984	\$ 100,312.50 for interest only up to July 1, 1986
1985	\$ 105,450.00
1986	\$ 104,825.00
1987	\$ 98,975.00
1988	\$ 93,125.00
1989	\$ 92,050.00
1990	\$ 85,750.00
1991	\$ 79,450.00
1992	\$ 73,150.00

Principal or interest maturing at any time when there are not sufficient funds on hand from the foregoing tax levy to pay the same shall be paid from the general funds of the Municipality, and the fund from which such payment was made shall be reimbursed out of the taxes hereby levied when the same shall be collected.

Whenever other funds (including the proceeds of bonds issued to refund the Bonds) are made available for the purpose of paying any principal of or interest on the Bonds so as to enable the abatement of taxes levied for the same, the Council shall, by ordinance, direct the deposit of such funds into the Bond Fund hereinafter created and defined, and further, in and by such ordinance, shall direct the abatement of the taxes by the amount so deposited. A certified copy of such ordinance shall be filed with the County Clerk of The County of Montgomery, Illinois, in a timely manner to effect such abatement.

The Municipality covenants and agrees with the purchasers and the holders of the Bonds that so long as any of the Bonds remain outstanding, the Municipality will take no action or fail to take any action which in any way would adversely affect the ability of the Municipality to levy and collect the foregoing tax levy and the Municipality and its officers will comply with all present and future applicable laws in order to assure that the foregoing taxes will be levied, extended and collected as provided herein and deposited in the fund established to pay the principal of and interest on the Bonds.

Section 8. Filing of Ordinance. Forthwith upon the passage of this ordinance, the Clerk of the Municipality is hereby directed to file a certified copy of this ordinance with the County Clerk of Montgomery County, Illinois, and it shall be the duty of said County Clerk to annually in and for each of the years 1984 to 1992, inclusive, ascertain the rate necessary to produce the tax herein levied, and extend the same for collection on the tax books against all of the taxable property within the Municipality in connection with other taxes levied in each of said years for general corporate purposes, in order to raise the respective amounts aforesaid and in each of said years such annual tax shall be computed, extended and collected in the same manner as now or hereafter provided by law for the computation, extension and collection of taxes for general corporate purposes of the Municipality, and when collected, the taxes hereby levied shall be placed to the credit of a special fund to be designated "Sewer Bond and Interest Fund," which fund is hereby irrevocably

pledged to and shall be used only for the purpose of paying the principal of and interest on the Bonds.

Section 9. Creation of Funds and Appropriations. From the amounts received upon sale of the Bonds, all principal proceeds shall be deposited into the "Sewer Facilities Project Improvement Fund" (the "Project Fund"), hereby created; and disbursements shall be made from the Project Fund only for the purpose for which the Bonds are being issued and for which the principal proceeds are hereby appropriated. Interest received from deposits in the Project Fund shall, at the discretion of the Council, either be transferred to the Bond Fund for payment of the principal of or interest on the Bonds on the interest payment date next after such interest is received or be retained in the Project Fund.

Accrued interest on the Bonds shall be and are hereby appropriated for the purpose of paying the first interest due on the Bonds and, to that end, is hereby ordered deposited into the Bond Fund, which fund shall be the fund for the payment of principal of and interest on the Bonds. Taxes received for the payment of the Bonds shall be deposited into the Bond Fund and used solely and only for paying the Bonds. Interest received from deposits in the Bond Fund shall be retained in the Bond Fund for payment of the principal of or interest on the Bonds on the interest payment date next after such interest is received.

Section 10. Non-Arbitrage. The Municipality represents and certifies as follows with respect to the Bonds:

(a) The Municipality has heretofore incurred, or within six months after delivery of the Bonds expect to incur, substantial binding obligations with respect to the Project to be paid for with money received from the sale of the Bonds, said binding obligations comprising binding contracts for work on the Project in not less than the amount of \$100,000.

(b) All of the proceeds of the Bonds and investment earnings thereon will be expended on or before March 1, 1987, for the purpose of paying the costs of the Project.

(c) Work on the Project is expected to proceed with due diligence to completion.

(d) No acquisition or improvement made as a part of the Project has been or is expected to be sold or otherwise disposed of in whole or in material part prior to the last maturity of the Bonds. "Material part" means (i) land, or (ii) any improvement, or (iii) personal property or fixtures in excess of that which is expected to be sold, traded in or discarded upon wearing out or becoming obsolete.

(e) The Municipality will receive the price set forth in Section 6 hereof from the sale of the Bonds. Accrued interest on the Bonds is to be deposited into the Bond Fund and used to pay first interest coming due on the Bonds.

(f) Except for the Bond Fund, the Municipality has not created or established and will not create or establish any sinking fund, reserve fund or any other similar fund to provide for the payment of the Bonds.

(g) The foregoing statements of expectation are based upon the following facts and estimates:

- (1) Amounts shown as received will be received pursuant to contract of sale.
- (2) Amounts paid or to be paid into various funds and accounts have been directed to be paid into said funds and accounts by authority hereof or are expected to be so directed to be paid by further proceedings.
- (3) The anticipated dates of the obligation of and expenditure of money in the Project Fund derived from the sale of Bonds and the amount to be spent on or before such dates is based upon consultation with the engineers charged with responsible supervision of the Project.

(h) Amounts deposited in the Bond Fund will be expended within a 12-month period beginning on the date of deposit; the Bond Fund will be depleted to an amount not greater than 1/12 annual principal and interest requirements payable therefrom at least once yearly; and any amounts received from investment of money in the Bond Fund will be expended within a one year period beginning on the date of receipt.

(i) If at any time after the third anniversary of the date of issuance of the Bonds, the amount of money in the Project Fund exceeds \$80,250, the amount of money then in the Project Fund in excess of said sum of \$80,250 shall not be invested at a yield "materially higher" (as defined in the Treasury Regulations hereinafter cited) than the yield on the Bonds unless the Council receives an opinion from an attorney or a firm of attorneys of nationally recognized standing in matters pertaining to tax-exempt bonds to the effect that investment of such moneys at a yield materially higher than the yield on the Bonds will not result in the inclusion of interest on the Bonds in gross income for federal income tax purposes.

(j) In valuing the moneys on deposit in the Project Fund at any time for the purposes of complying with the foregoing paragraph, investments will be taken into account at purchase price with the following exception: if an investment is purchased at a discount or results in interest payments for any annual period in excess of interest payments for any preceding annual period (reflecting the annual reinvestment of accrued interest as principal), the amount of such discount or excess interest (not discounted to present value) shall be added to the purchase price ratably each year over the term of the investment. The yield on investments shall be calculated on the basis of the actual payments received from and the price paid for such investments.

(k) To the best of the knowledge and belief of the Council, there are no facts, estimates or circumstances that would materially change the conclusions and representations set out in this section, and the expectations set out in this Section are reasonable.

(l) The Municipality has not been notified of any disqualification or proposed disqualification of it by the Commissioner of the Internal Revenue Service as a bond issuer which may not certify bond issues under Treas. Reg. §1.103-13 (a)(2)(ii) (1979).

The Council also certifies and further covenants with the purchasers and holders of the Bonds from time to time outstanding that so long as any of the Bonds remain outstanding, moneys on deposit in any fund or account in connection with the Bonds, whether or not such moneys were derived from the proceeds of the sale of the Bonds or from any other source, will not be used in a manner which will cause the Bonds to be "arbitrage bonds" within the meaning of I.R.C. Section 103(c) and any lawful regulations promulgated thereunder, including Treas. Reg. §§1.103-13, 1.103-14 and 1.103-15 (1979) as the same presently exist or may from time to time hereafter be amended, supplemented or revised. The Council reserves the right, however, to make any investment of moneys on deposit in any fund or account in connection with the Bonds permitted by state law, if, when and to the extent that said Section 103(c) or regulations promulgated thereunder shall be repealed or relaxed or shall be held void by final decision of a court of competent jurisdiction, but only if any investment made by virtue of such repeal, relaxation or decision would not, in the opinion of an attorney at law or a firm of attorneys, as hereinabove described in paragraph (i), result in the inclusion of interest on the Bonds in gross income for federal income tax purposes.

The officers of the Municipality are hereby authorized and directed to make such further covenants, estimates, representations, or assurances as may be necessary or advisable to the end that the Bonds not be "arbitrage bonds" as aforesaid.

Section 11. Registered Form. The Municipality recognizes that Section 103(j) of the Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon is exempt from federal income taxation under laws in force at the time the Bonds are delivered. In this connection, the Municipality agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

Section 12. List of Bondholders. The Bond Registrar shall maintain a list of the names and addresses of the holders of all Bonds and upon any transfer shall add the name and address of the new Bondholder and eliminate the name and address of the transferor Bondholder.

Section 13. Duties of Bond Registrar. If requested by the Bond Registrar, the Mayor and Clerk of the Municipality are authorized to execute the Bond Registrar's standard form of agreement between the Municipality and the Bond Registrar with respect to the obligations and duties of the Bond Registrar hereunder which may include the following:

(a) to act as bond registrar, authenticating agent, paying agent and transfer agent as provided herein;

(b) to maintain a list of Bondholders as set forth herein and to furnish such list to the Municipality upon request, but otherwise to keep such list confidential;

(c) to give notice of redemption of Bonds as provided herein;

(d) to cancel and/or destroy Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer;

(e) to furnish the Municipality at least annually a certificate with respect to Bonds cancelled and/or destroyed; and

(f) to furnish the Municipality at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

Section 14. Publication of Ordinance. Within thirty (30) days after the adoption of this ordinance, a full, true and complete copy of this ordinance shall be published in the Free Press-Progress, the same being a newspaper published and having general circulation in the Municipality.

Section 15. Superseder and Effective Date. All ordinances, resolutions and orders, or parts thereof, in conflict herewith, be and the same are hereby repealed and that this ordinance be in full force and effect forthwith upon its adoption, approval and publication, as provided by law.

Placed on File May 15, 1984.

Adopted May 21, 1984.

AYES: Adden, Barnstable, Spengel, Petty, Miles

NAYS: None

ABSENT: None

Approved May 14, 1984.

Approved:


Mayor

Published in the Free Press-Progress on May, 1984.

Attest:

Mary Jean Scheller
Municipal Clerk

Recorded in the Municipal Records on May 22, 1984.

Commissioner Spengel moved and Commissioner Barnstable seconded the motion that said ordinance as presented and read by the City Clerk be adopted.

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

Upon the roll being called, the following Commissioners voted AYE: Adden, Barnstable, Spengel, Petty, Miles

The following Commissioners voted NAY:

None

Whereupon the Mayor declared the motion carried and said ordinance adopted, approved and signed the same in open meeting and directed the City Clerk to record the same in full in the records of the Council of the City of Nokomis, Montgomery County, Illinois, which was done.

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

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

Mary Jean Scheller
City Clerk

MINUTES of an adjourned regular public
meeting of the Council of the City of
Nokomis, Montgomery County, Illinois,
held at the Council Room
City Hall,
Nokomis, Illinois, in said City at
7:30 o'clock P.M., on the 21st day of
May, 1984.

* * *

The Mayor called the meeting to order and directed the City Clerk to call the roll.

Upon roll call, the following answered present:

Gene Adden, Mayor, and Commissioners: Cecil Barnstable
Mary Lou Spengel, Donald Petty, Warren Miles

The following Commissioners were absent: none

Commissioner Spengel presented and the City Clerk read in full an ordinance as follows:

#737

STATE OF ILLINOIS)
) SS
COUNTY OF MONTGOMERY)

CERTIFICATION OF MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Nokomis, Montgomery County, Illinois (the "City") and that as such official I am the keeper of the records and files of the Council of the City (the "Council").

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Council held on the 21st day of May, 1984, insofar as the same relates to the adoption of Ordinance No. 237 entitled:

AN ORDINANCE providing for the issue of \$535,000 Sewer Bonds of the City of Nokomis, Montgomery County, Illinois, and the levy of a direct annual tax sufficient to pay the principal and interest on said bonds.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Council on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Council has complied with all of the applicable provisions of said Act and said Code and with all of the procedural rules of the Council.

I do further certify that said ordinance remained on file in my office for public inspection, in the form in which it was finally passed, at least one week before the final passage thereof.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the City, this 21st day of May, 1984.

Mary Jean Schellor
City Clerk

(SEAL)