

ORDER calling a public hearing concerning the intent of the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois, to sell \$440,000 General Obligation Limited Tax Park Bonds.

* * *

WHEREAS, the Batavia Park District, Kane County, Illinois (the “*District*”), is a duly organized and existing Park District created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Park District Code of the State of Illinois, and all laws amendatory thereof and supplementary thereto, including the Local Government Debt Reform Act of the State of Illinois, as amended; and

WHEREAS, the Board of Park Commissioners of the District (the “*Board*”) intends to sell bonds in the amount of \$440,000 for the payment of land condemned or purchased for parks, for the building, maintaining, improving and protecting of the same and the existing land and facilities of the District and for the payment of the expenses incident thereto (the “*Bonds*”); and

WHEREAS, the Bond Issue Notification Act of the State of Illinois, as amended, requires the Board to hold a public hearing concerning the Board’s intent to sell the Bonds before adopting an ordinance providing for the sale of the Bonds:

NOW, THEREFORE, Be It and It is Hereby Ordered by the undersigned President of the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois, as follows:

1. I hereby call a public hearing to be held at 7:00 o’clock P.M. on the 18th day of January, 2011, at the Civic Center, 327 West Wilson Street, Batavia, Illinois, in the District, concerning the Board’s intent to sell the Bonds and to receive public comments regarding the proposal to sell the Bonds (the “*Hearing*”).

2. I hereby direct that the Secretary of the Board (the “*Secretary*”) shall (i) publish notice of the Hearing at least once in the *Daily Herald*, the same being a newspaper of general

circulation in the District, not less than 7 nor more than 30 days before the date of the Hearing and (ii) post at least 96 hours before the Hearing a copy of said notice at the principal office of the Board.

3. Notice of the Hearing shall appear above the name of the Secretary and shall be in substantially the following form:

**NOTICE OF PUBLIC HEARING CONCERNING THE INTENT OF
THE BOARD OF PARK COMMISSIONERS OF
THE BATAVIA PARK DISTRICT, KANE COUNTY, ILLINOIS
TO SELL \$440,000 GENERAL OBLIGATION LIMITED TAX PARK BONDS**

PUBLIC NOTICE IS HEREBY GIVEN that the Batavia Park District, Kane County, Illinois (the "*District*"), will hold a public hearing on the 18th day of January, 2011, at 7:00 o'clock P.M. The hearing will be held at the Civic Center, 327 West Wilson Street, Batavia, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds of the District in the amount of \$440,000 for the payment of land condemned or purchased for parks, for the building, maintaining, improving and protecting of the same and the existing land and facilities of the District and for the payment of the expenses incident thereto.

By order of the President of the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois.

DATED the 3rd day of January, 2011.

Michael Clark
Secretary, Board of Park Commissioners,
Batavia Park District, Kane County,
Illinois

4. At the Hearing the Board shall explain the reasons for the proposed bond issue and permit persons desiring to be heard an opportunity to present written or oral testimony within reasonable time limits. The Board shall not adopt an ordinance selling the Bonds for a period of seven (7) days after the final adjournment of the Hearing.

Ordered this 3rd day of January, 2011.

President, Board of Park Commissioners,
Batavia Park District, Kane County,
Illinois

MINUTES of a regular public meeting of the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois, held at the Civic Center, 327 West Wilson Street, Batavia, Illinois, in said Park District at 7:00 o'clock P.M., on the 18th day of January, 2011.

* * *

The meeting was called to order by the Treasurer, and upon the roll being called, John Tilmon, the Treasurer, and the following Park Commissioners were physically present at said location: Gary Foiles and Nicole Corken _____

The following Park Commissioners were allowed by a majority of the members of the Board of Park Commissioners in accordance with and to the extent allowed by rules adopted by the Board of Park Commissioners to attend the meeting by video or audio conference: _____

No Park Commissioner was not permitted to attend the meeting by video or audio conference.

The following Park Commissioners were absent and did not participate in the meeting in any manner or to any extent whatsoever: Patrick Callahan, Chris Behmer _____

At 7:00 o'clock P.M., the Treasurer announced that the next agenda item for the Board of Park Commissioners was a public hearing (the "*Hearing*") to receive public comments on the proposal to sell \$440,000 General Obligation Limited Tax Park Bonds (the "*Bonds*") for the payment of land condemned or purchased for parks, for the building, maintaining, improving and protecting of the same and the existing land and facilities of the District and for the payment of the expenses incident thereto, and explained that all persons desiring to be heard would have an opportunity to present written or oral testimony with respect thereto.

The Treasurer opened the discussion and explained that the reasons for the proposed issuance of the Bonds were as follows: for future Capital Development Projects.

Whereupon the Treasurer asked for additional comments from the Park Commissioners. Additional comments were made by the following: none.

Written testimony concerning the proposed issuance of the Bonds was read into the record by the Secretary and is attached hereto as *Exhibit I*. None.

Whereupon the Treasurer asked for oral testimony or any public comments concerning the proposed issuance of the Bonds. Statements were made by the following: Yvonne Dinwiddie of 1156 Pine St. Batavia, IL and Carl Dinwiddie of 1156 Pine St. Batavia, IL.

The Treasurer then announced that all persons desiring to be heard had been given an opportunity to present oral and written testimony with respect to the proposed issuance of the Bonds.

Park Commissioner Foiles moved and Park Commissioner Corken seconded the motion that the Hearing be finally adjourned.

After a full discussion thereof, the Treasurer directed that the roll be called for a vote upon the motion.

Upon the roll being called, the following Park Commissioners voted AYE: Foiles, Corken and Tilmon

The following Park Commissioners voted NAY: _____

Whereupon the Treasurer declared the motion carried and the Hearing was finally adjourned.

Other business not pertinent to the conduct of the Hearing was duly transacted at said meeting.

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

Secretary, Board of Park Commissioners

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

CERTIFICATION OF MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois (the “Board”), and as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitute a full, true and complete transcript of the minutes of the meeting of the Board held on the 18th day of January, 2011, insofar as the same relates to a public hearing concerning the intent of the Board to sell \$440,000 General Obligation Limited Tax Park Bonds.

I do further certify that the deliberations of the Board at said meeting were conducted openly, that all votes taken at said meeting were 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 an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 96 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, 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, the Park District Code of the State of Illinois, as amended, and the Bond Issue Notification Act of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Acts and said Code and with all of the procedural rules of the Board in the conduct of said meeting.

I do further certify that notice of said public hearing was posted at least 96 hours before said public hearing at the principal office of the Board and that attached hereto as *Exhibit B* is a true, correct and complete copy of said notice as so posted.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said Park District, this 18th day of January, 2011.

Secretary, Board of Park Commissioners

[SEAL]

EXHIBIT B

**NOTICE OF PUBLIC HEARING CONCERNING THE INTENT OF
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DATED the 3rd day of January, 2011.

Michael Clark
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