

ORDINANCE NO. 2009-02

**AN ORDINANCE AUTHORIZING THE EXECUTION AND SALE
OF \$326,000 FIRE PROTECTION NOTES, SERIES 2009
TO MB FINANCIAL BANK, N.A.**

WHEREAS, the Board of Trustees (the "Board") of the Warrenville Fire Protection District, DuPage County, Illinois (the "District"), has determined that it needs to purchase a fire truck at a total cost of not less than \$326,000; and

WHEREAS, pursuant to the provisions of Section 6 of The Fire Protection District Act, approved July 8, 1927 (the "Act"), and all laws amendatory thereof and supplementary thereto, the District has the power to execute a note or notes and to apply the proceeds thereof to pay the cost of acquiring real property and the erection of improvement on real estate in and for the District and to pay for personal property to be used for the purposes of the District; and

WHEREAS, the District deems it necessary and advisable that the District execute \$326,000 Fire Protection Notes, Series 2009 dated May 2009 and enter into an agreement to sell said Note and execute related documents to MB Financial Bank, N.A., St. Charles, Illinois. Said Notes shall be issued at an interest rate of 4.65% percent per annum over the first five years (the "Note") with a balloon payment owing thereafter.

NOW, THEREFORE, Be It Ordained by the Board of Trustees of the Warrenville Fire Protection District, DuPage County, Illinois, as follows:

Section One: That the preambles of this Ordinance be and the same are hereby, incorporated in the text hereof as if set out herein in full.

Section Two: Under the authority vested in the Board under the Act, the Board hereby finds and determines it to be advisable, necessary and in the best interests of the District and its

residents, to execute \$326,000 Fire Protection Notes, Series 2009 at the rate of 4.65% per annum over a five year period with a balloon payment due thereafter. Said Notes shall be issued in the format as attached hereto as **Exhibit A** (the "Agreement").

Section Three: That William B. Mennell, President, and Kenneth J McNatt, Secretary, Treasurer, are and were hereby authorized to execute on behalf of this District the Agreement above referred to, the same to be in substantially the same form as **Exhibit A** attached hereto and made a part hereof, and that said officials be, and the same are and were empowered, authorized and directed to do all such acts and things necessary to carry out and to comply with the provisions of this Ordinance.

Both principal and interest shall be paid by check or draft by the District, payable upon presentation in lawful money of the United States of America to the person in whose name said Notes is registered at the opening of business on each principal and interest payment date.

The Treasurer is hereby appointed Note Registrar of the Notes and is given full authority to act within the normal and customary scope of the position.

Section Four: That said Notes shall be sold at the par value thereof plus accrued interest to the date of delivery to MB Financial Bank, N.A., St. Charles, Illinois, and the President, Secretary, and Treasurer of the Fire Protection District are hereby authorized and directed to deliver the Notes to the purchaser upon receipt of \$326,000. The Agreement for the sale of said Notes and the execution of any related documentation with said purchaser be and the same is hereby in all respects ratified and confirmed and that it is hereby found and determined that said Agreement is in the best interests of the District and that no person holding any office of the District, 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 Notes.

Section Five: That all ordinances, resolutions, or other proceedings in conflict herewith be to the extent of such conflict, hereby repealed and that this ordinance be effective forthwith upon its adoption and publication as provided by law.

PASSED this 11th day of May, 2009, by a roll call vote of the Board of Trustees of the Warrenville Fire Protection District as follows:

AYES: 3
NAYS: 0
ABSENT: 0



President, Board of Trustees
Warrenville Fire Protection District

ATTEST:


Secretary, Board of Trustees
Warrenville Fire Protection District

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)

SS

SECRETARY'S CERTIFICATE

I, **KENNETH MCNATT**, the duly qualified and acting Secretary of the Board of Trustees of the Warrenville Fire Protection District, DuPage County, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:


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adopted by said Board of Trustees at its meeting on the 11th day of May, 2009.

I do further certify that a quorum of said Board of Trustees was present at the said meeting, and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of May, 2009.




Secretary, Board of Trustees
Warrenville Fire Protection District

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE) SS

No Conflict of Interest Certificate

We, the undersigned, do hereby certify that we are the duly qualified and acting President, Secretary/Treasurer, and Member respectively, of the Board of Trustees of Warrenville Fire Protection District, DuPage County, Illinois (the "District"), and as such officials we do further certify that no person holding any office of the District, either by election or appointment, is in any manner financially interested directly in his own name or indirectly in the name of any other person, association, trust or corporation, in the contract heretofore entered into between the District and MB Financial Bank, N.A., St. Charles, Illinois, for the purchase of \$326,000 Fire Protection Notes, Series 2009, proposed to be issued by the District.

IN WITNESS WHEREOF, we hereunto affix our office signatures, this 11th day of May, 2009.



President, Board of Trustees



Secretary/Treasurer Board of Trustees



Member, Board of Trustees