STATE OF ILLINOIS
COUNTY OF KANE

ORDINANCE NO. 09-334

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION ALTERNATE BONDS (REGIONAL TRANSPORTATION AUTHORITY SALES TAX ALTERNATE REVENUE SOURCE) OF THE COUNTY OF KANE, ILLINOIS, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $40,000,000 FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, AND EQUIPPING VARIOUS ROAD, BRIDGE AND TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS WITHIN THE COUNTY, AND RELATED COSTS AND EXPENSES

WHEREAS, The County of Kane, Illinois (the "County"), is a duly organized and existing county created under the provisions of the laws of the State of Illinois operating under the provisions of the Counties Code, as amended, 55 ILCS 5/1-1001 et seq. (the "Counties Code"), and is a "governmental unit" as defined in Section 2(i) of the Local Government Debt Reform Act of the State of Illinois, as amended, 30 ILCS 350/1 et seq. (the "Debt Reform Act"); and

WHEREAS, the County Board of the County (the "County Board") has determined that it is advisable, necessary and in the best interests of the County and its residents, in order to promote and protect the public health, welfare, safety and convenience, to acquire, construct, improve and equip various road, bridge and transportation infrastructure improvements within the County and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements, and legal, other financing and related administrative fees and costs (collectively, the "Project"), all in accordance with preliminary estimates of costs which have been prepared for the County; and

WHEREAS, the estimated costs of the Project, including all of the costs previously described, are anticipated to be not more than $40,000,000 plus estimated investment earnings on the borrowing provided for in this ordinance during the time prior to the expenditure of such amount; and

WHEREAS, the County Board has determined that there are insufficient funds on hand and lawfully available to pay the costs of the Project, and it is necessary to issue additional obligations of the County to pay such costs; and

WHEREAS, the costs of the Project not paid from other sources are expected to be defrayed by up to $40,000,000 of proceeds of bonds, and not by any cash on hand or expected to be on hand and lawfully available for such purpose; and

WHEREAS, there exists for the County a "revenue source" as defined in Section 3(1) of the Debt Reform Act consisting of (i) revenues derived from the taxes imposed by the Regional Transportation Authority pursuant to 70 ILCS 3615/4.03, as amended (the "RTA Sales Tax Act") and distributed to the County under 70 ILCS 3615/4.03(n) (the "RTA Sales Tax Revenues"); and

WHEREAS, the County has been advised by its bond counsel that the RTA Sales Tax Revenues are not a revenue source that is "limited in its purposes or applications" within the meaning of that phrase as used in Section 15(a) of the Debt Reform Act, and that alternate
bonds payable from RTA Sales Tax Revenues may therefore be issued for any lawful corporate purpose of the County; and

WHEREAS, the acquisition, construction, improvement and equipping of the Project is a lawful corporate purpose of the County, including pursuant to authority granted by the Counties Code; and

WHEREAS, it is necessary and in the best interests of the County that the Project be undertaken, and in order to raise the funds required for such purpose it will be necessary for the County to borrow an amount not to exceed $40,000,000 and in evidence of such borrowing to issue alternate bonds, being general obligation bonds issued payable from such revenue source, in an aggregate principal amount not to exceed $40,000,000, all under and in accordance with the RTA Sales Tax Act, the Counties Code and the Debt Reform Act; and

WHEREAS, the Reform Act provides that after the authorizing ordinance providing for the alternate bonds has been adopted, the County must provide for the publication of public notice and, if required, a “backdoor referendum” (as that term is defined in the Debt Reform Act), and the County Board desires to provide for the required “backdoor referendum” procedures under the provisions of the Debt Reform Act; and

WHEREAS, the Bond Issue Notification Act, 30 ILCS 352/1 et seq., as amended, requires that in connection with the issuance of any “non-referendum general obligation bond” (as defined in the Debt Reform Act), the County Board (a) must hold at least one public hearing, following the publication of public notice as specified in the Bond Issue Notification Act, at which the County Board must explain the reasons for the proposed financing and permit persons desiring to be heard an opportunity to present written or oral testimony within reasonable time limits, and (b) may not adopt the ordinance selling the non-referendum general obligation bonds for a period of seven (7) days after the final adjournment of the public hearing; and

WHEREAS, the County has been advised by its bond counsel that the proposed alternate bond issue is a “non-referendum general obligation bond” as that term is used in the Bond Issue Notification Act; and

WHEREAS, pursuant to Section 10 of the Bond Issue Notification Act, the Chairman of the County Board set Tuesday, September 8, 2009 at 9:45 o’clock a.m. at the Kane County Government Center, 719 South Batavia Avenue, Second Floor Board Room, Geneva, Illinois, as the date, time and location of the public hearing; and

WHEREAS, the Chairman of the County Board caused public notice of the September 8, 2009 public hearing to be (i) posted in the form attached as Exhibit A at least 48 hours prior to the public hearing at the County’s principal offices, and (ii) published one time on August 26, 2009, in the form attached as Exhibit A in the Daily Herald, and an affidavit of publication with newspaper clipping attached evidencing such publication has been filed in the office of the County Clerk; and

WHEREAS, the County Clerk, the election authority (within the meaning of the Election Code) for those portions of the County outside of the corporate limits of the City of Aurora, Illinois (the “City”), has determined that the number of registered voters in that portion of the County is 254,090, and has been advised by the Board of Election Commissioners of the City that the number of registered voters of the County living within the corporate limits of the City is 61,626, and that each such number is the most recent available figure; and
WHEREAS, the Daily Herald is a daily secular newspaper that is (i) qualified to publish legal notices under Section 5 of the Notice by Publication Act, (ii) published in Kane County, Illinois, and (iii) of general circulation in the County.

NOW, THEREFORE, BE IT ORDAINED by The County Board of the County of Kane, Illinois, as follows:

Section 1. Incorporation of Preambles. The County Board finds and determines that all of the recitals contained in the preambles to this ordinance are true, correct and complete and incorporates them into this ordinance by this reference.

Section 2. Determination To Issue Bonds. It is necessary and in the best interests of the County to undertake the Project for the public health, welfare, safety and convenience of the residents of the County in accordance with the preliminary plans and estimates of costs, as described in the preambles. Accordingly, the Project shall be acquired, constructed, improved and equipped. For the purpose of paying the costs of the Project, there are authorized to be issued and sold alternate bonds, being General Obligation Alternate Bonds (Regional Transportation Authority Sales Alternate Revenue Source) (the “Bonds”) of the County in an aggregate principal amount not to exceed $40,000,000. The Bonds will be payable from the RTA Sales Tax Revenues. As provided in the Debt Reform Act, the Bonds will also be general obligations of the County to which its full faith and credit will be pledged and, to the extent that RTA Sales Tax Revenues are insufficient for the purpose, will be payable from ad valorem taxes levied on all of the taxable property within the County without limitation as to rate or amount.

Section 3. Publication. This ordinance, including the notice in statutory form set forth in Section 4 (the “Notice”), shall be published by the County Clerk one time in the Daily Herald, and if no petition, signed by electors numbering the greater of (i) seven and one-half percent (7.5%) of the registered voters in the County (i.e., 23,678 electors), or (ii) 200 of those registered voters or fifteen percent (15.0%) of those registered voters (i.e., 47,357 electors), whichever is less, and asking that the issuance of the Bonds be submitted to referendum, is filed with the County Clerk within thirty (30) days after the date of the publication of this ordinance and the Notice, then this ordinance shall be in full force and effect, and the Bonds shall be authorized to be issued, except as provided below.

Section 4. Notice. The County Board determines that the following Notice is in the proper statutory form and is made a part of this ordinance and notice is given as follows:

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

NOTICE IS GIVEN that pursuant to an ordinance adopted on September 8, 2009 (the “Ordinance”) by the County Board of The County of Kane, Illinois (the “County”), the County intends to issue alternate bonds in an aggregate principal amount not to exceed $40,000,000 (the “Bonds”), and bearing interest at a rate or rates per year not to exceed the maximum rate authorized by law at the time the Bonds are sold, for the purpose of defraying the costs of a project consisting of acquiring, constructing, improving and equipping various road, bridge and transportation infrastructure improvements within the County and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements, and legal, other financing and related administrative fees and costs. The Bonds will be payable from revenues received by the County from the tax imposed by the Regional Transportation Authority under 80 ILCS 3615/4.03 and distributed to the County under 70 ILCS 3615/4.03(n). The Bonds will also be general
obligations of the County to which its full faith and credit will be pledged and, to the extent that revenues received by the County from the foregoing taxes are insufficient for the purpose, will be payable from ad valorem taxes levied on all of the taxable property within the County without limitation as to rate or amount.

NOTICE IS FURTHER GIVEN that if a petition, signed by 26,678 or more electors of the County, asking that the issuance of the Bonds be submitted to referendum, is filed with the County Clerk within thirty (30) days after the date of publication of the Ordinance and this notice, the question of the issuance of the Bonds shall be submitted to the electors of the County at the general primary election to be held on February 2, 2010, for the purpose of voting upon such question, unless the Circuit Court of Kane County, Illinois, on the petition of the County, declares that an emergency referendum shall be held prior to that date pursuant to the provisions of Section 2A-1.4 of the Election Code, as amended. A form of petition for such purpose is available to any individual requesting one from the office of the County Clerk at 719 South Batavia Avenue, Building B, Geneva, Illinois.

Notice dated September 8, 2009.

/s/ John Andrew Cunningham
County Clerk,
The County of Kane, Illinois

Section 5. Petition Form. A petition form in substantially the form attached to this ordinance as Exhibit A shall be provided by the County Clerk to any individual requesting one from the date of publication of this ordinance to the expiration of the 30 day petition period specified in Section 3 above.

Section 6. Public Hearing. The holding of the public hearing on the Bonds under the Bond Issue Notification Act as described in the preambles, and actions taken by the Chairman of the County Board and other officers, agents and employees of the County in calling, giving public notice of and holding the public hearing, are in all respects ratified, confirmed and approved.

Section 7. Additional Ordinances. If no petition meeting the requirements of applicable law is filed during the petition period referred to in Section 3, then the County Board may adopt additional ordinances or proceedings supplementing or amending this ordinance providing for the issuance and sale of the Bonds, and prescribing all the details of the Bonds, so long as (a) the maximum aggregate principal amount of the Bonds as set forth in this ordinance is not exceeded, and (b) there is no material change in the Project or purposes described in this ordinance and as further provided in the Debt Reform Act. Such additional ordinances or proceedings shall in all instances become effective in accordance with law. This ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the County to issue the Bonds in accordance with applicable law.

Section 8. Declaration of Intent to Reimburse Project Expenditures. The County Board anticipates that a portion of the expenditures relating to the Project have been paid not more than 60 days prior to the date of adoption of this ordinance or will be paid on or after the date of adoption of this ordinance and prior to the issuance of the Bonds. Such expenditures (the "Reimbursed Expenditures") will be paid initially from other funds of the County and the County reasonably expects to reimburse itself from a portion of the proceeds of the Bonds.
NOTICE OF PUBLIC HEARING CONCERNING THE INTENT OF THE COUNTY BOARD OF THE COUNTY OF KANE, ILLINOIS, TO SELL NOT TO EXCEED $40,000,000 ALTERNATE BONDS

NOTICE IS GIVEN that the County Board (the “County Board”) of The County of Kane, Illinois (the “County”), will hold a public hearing on September 8, 2009, beginning at 9:45 o'clock a.m. The public hearing will be held at the Kane County Government Center, Second Floor Board Room at 719 South Batavia Avenue, Geneva, Illinois. The purpose of the public hearing will be to receive public comments on the proposal for the County to sell alternate bonds in an aggregate principal amount not to exceed $40,000,000 for the purpose of defraying the costs of a project consisting of acquiring, constructing, improving and equipping various road, bridge and transportation infrastructure improvements within the County and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements, and legal, other financing and related administrative fees and costs.

At the public hearing, the County Board will explain the reasons for the proposed bond issue. The County Board invites all interested persons to attend the public hearing and present written or oral testimony within reasonable time limits. The public hearing may be adjourned to another date without further notice other than a motion, to be entered upon the minutes of the County Board, fixing the time, place, and date of the reconvened hearing.

Dated: August 26, 2009

/is/ John Andrew Cunningham
County Clerk,
The County of Kane, Illinois
EXHIBIT B

STATE OF ILLINOIS  )
                         ) ss
COUNTY OF KANE  )

PETITION

We, the undersigned, certify that we are registered voters of The County of Kane, Illinois, and as such voters, we request that the following proposition be submitted to the voters of the County: "Shall The County of Kane, Illinois, be authorized to pay a portion of the costs of road, bridge and transportation infrastructure improvements within the County and issue its alternate bonds to the amount of $40,000,000 for the purpose of paying the costs of doing so?" We further request that the County Clerk certify the proposition to the County Clerk of The County of Kane, Illinois, and the Board of Election Commissioners of the City of Aurora, Illinois, to be submitted to the electors of the County at the general primary election to be held on February 2, 2009.

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The undersigned, being first duly sworn, deposes and certifies that he is 18 years of age or older and a citizen of the United States, that his residence address is:

__________________________________________, __________________________________________,
(Street Address) (City, County or Town)

__________________________________________, (County) (State)
that the signatures on the foregoing petition were signed in his presence and are genuine, that to the best of his knowledge and belief the persons so signing were at the time of signing said petition registered voters of said County and that their respective residences are correctly stated therein.

__________________________________________
Signed and sworn to before me this ___ day of ____________, 200__.

[NOTARY SEAL]  
STATE OF ILLINOIS  )
                         ) ss
COUNTY OF KANE  )

Notary Public

My commission expires ____________, 20
Section 9. 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 10. Repealer and Effective Date. All ordinances, resolutions or orders, or parts of ordinances, resolutions or orders, in conflict with the provisions of this ordinance are repealed to the extent of such conflict. This ordinance shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed by the Kane County Board on September 8, 2009.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes 24
No 0
Voice
Abstentions

STATE OF ILLINOIS
COUNTY OF KANE

DATE OCT 23 2009

I, John A. Cunningham, Kane County Clerk and Keeper of the Records in Kane County, Illinois do hereby certify that the attached is a true and correct copy of the original record on file.

In witness whereof, I have hereunto set my hand and affixed the Seal of the County of Kane at my office in Geneva, Illinois.

John A. Cunningham, Kane County Clerk
CERTIFICATION OF ORDINANCE

I, the undersigned, certify that I am the duly qualified and acting County Clerk of The County of Kane, Illinois (the “County”), and that as such official I am the keeper of the records and files of the County and of the County Board of the County (the “County Board”).

I further certify that the foregoing is a full, true and complete copy of an ordinance adopted at the regular meeting of the County Board held on September 8, 2009, entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION ALTERNATE BONDS (REGIONAL TRANSPORTATION AUTHORITY SALES TAX ALTERNATE REVENUE SOURCE) OF THE COUNTY OF KANE, ILLINOIS, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $40,000,000 FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING VARIOUS ROAD, BRIDGE AND TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS WITHIN THE COUNTY, AND RELATED COSTS AND EXPENSES.

which ordinance was duly adopted at said meeting by a roll call vote of \( \frac{11}{12} \) in favor and \( \frac{1}{12} \) against, with \( \frac{1}{12} \) abstentions and \( \frac{1}{12} \) absent. At the meeting a quorum was present and acting throughout the meeting. The ordinance has not been amended or repealed and remains in full force and effect.

I further certify that (i) the deliberations of the County Board on the adoption of the ordinance were conducted openly, (ii) the vote on the adoption of the ordinance was taken openly, (iii) the meeting was held at a specified time and place convenient to the public, (iv) notice of the meeting was duly given to all of the news media requesting such notice, (v) a copy of public notice of and the agenda for the meeting was posted at least 48 hours prior to the convening of the meeting at the meeting place and at my offices at 719 South Batavia Avenue, Building B, Geneva, Illinois, (vi) the meeting was called and held in strict compliance with the provisions of the Open Meetings Act, as amended, and the Counties Code, as amended, and (vii) in the adoption of the ordinance the County Board has complied with all of the provisions of the Open Meetings Act and the Counties Code and with all of the procedural rules of the County Board.

IN WITNESS WHEREOF, I hereunto affix my official signature and the official seal of said County as of this \( \frac{8}{12} \) day of October, 2009.

[SEAL]

County Clerk,
The County of Kane, Illinois
CERTIFICATE OF PUBLICATION
Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of
the State of Illinois, DOES HEREBY CERTIFY that it is the publisher
of the DAILY HERALD. That said DAILY HERALD is a secular
newspaper and has been circulated daily in the Village(s) of
Barrington Hills, Batavia, Burlington, Campton Hills, Carpentersville,
East Dundee, West Dundee, Elburn, Elgin, South Elgin, Gilberts,
Geneva, Hampshire, Hoffman Estates, North Aurora, Sleep Hollow,
Wayne

County(ies) of Kane

and State of Illinois, continuously for more than one year prior to the
date of the first publication of the notice hereinafter referred to and is of
general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in
"an Act to revise the law in relation to notices" as amended in 1992
Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a
notice of which the annexed printed slip is a true copy, was published
September 11, 2009

IN WITNESS WHEREOF, the undersigned, the said Paddock
PUBLICATIONS, Inc., has caused this certificate to be signed by, this

Paddock PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Authorized Agent

Control # 4177155
NOTICE OF PUBLIC HEARING

CONCERNING THE INTENT OF THE COUNTY BOARD
OF THE COUNTY OF KANE, ILLINOIS, TO SELL, NOT
TO EXCEED $40,000,000 ALTERNATE BONDS

NOTICE IS GIVEN that the County Board (the "County Board") of the County of Kane, Illinois (the "County"), will hold a public hearing on September 8, 2009, beginning at 9:45 o'clock a.m. The public hearing will be held at the Kane County Government Center, Second Floor Board Room at 719 South Batavia Avenue, Geneva, Illinois. The public hearing will commence at the time and place shown above. The purpose of the public meeting will be to receive public comments on the proposal for the County to sell alternate bonds in an aggregate principal amount not to exceed $40,000,000 for the purpose of defraying the costs of a project consisting of acquiring, constructing, improving and equipping various roads, bridge and transportation infrastructure improvements within the County and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements, after-the-fact interest and related financing and related administrative fees and costs.

At the public hearing, the County Board will explain the reasons for the proposed bond issue. The County Board invites all interested persons to attend the public hearing and present written or oral testimony within reasonable time limits. The public hearing may be adjourned to another date without further notice other than a motion, to be entered upon the minutes of the County Board, fixing the time, place, and date of the reconvened hearing.

Dated: August 25, 2009

John Andrew Cunningham
The County of Kane, Illinois

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the DAILY HERALD. That said DAILY HERALD is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published August 26, 2009 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDock PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDock PUBLICATIONS, Inc.
DAILY HERALD NEWSPAPERS

By

Noely Bratansik
 Authorized Agent

Control # 4174678
ORDER CALLING A PUBLIC HEARING CONCERNING THE INTENT OF THE COUNTY BOARD OF THE COUNTY OF KANE, ILLINOIS, TO SELL NOT TO EXCEED $40,000,000 OF ALTERNATE BONDS (REGIONAL TRANSIT AUTHORITY SALES TAX ALTERNATE REVENUE SOURCE).

WHEREAS, The County of Kane, Illinois (the "County"), is duly organized and existing under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Counties Code of the State of Illinois, 55 ILCS 5/1 et seq., as amended, and is a "governmental unit" as defined in Section 2(i) of the Local Government Debt Reform Act of the State of Illinois, as amended, 30 ILCS 350/1 et seq. (the "Debt Reform Act"); and

WHEREAS, the County Board of the County (the "County Board") intends to sell alternate bonds of the County in an amount not to exceed $40,000,000 (the "Bonds"), for the purpose of defraying the costs of a project consisting of acquiring, constructing, improving and equipping various road, bridge and transportation infrastructure improvements within the County and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements, and legal, other financing and related administrative fees and costs; and

WHEREAS, the Bond Issue Notification Act of the State of Illinois, as amended, requires the County Board to hold a public hearing concerning the County Board’s intent to sell the Bonds before adopting an ordinance providing for the sale of the Bonds, and provides that the date, time and location of the hearing may be set by the presiding officer of the County Board:

Now, THEREFORE, Be It and It is Hereby Ordered by the undersigned Chairman of the County Board of The County of Kane, Illinois, as follows:

1. I hereby call a public hearing to be held at 9:45 o’clock A.M/ on the 8th day of September, 2009, at the Kane County Government Center, Second Floor Board Room, at 719 South Batavia Avenue, Geneva, Illinois, concerning the County 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 County Clerk of the County (the “County Clerk”) shall (i) publish notice of the Hearing at least once in the Daily Herald, the same being a newspaper of general circulation in the County, not less than 7 nor more than 30 days before the date of the Hearing and (ii) post at least 48 hours before the Hearing a copy of said notice at the principal office of the County Board.

3. Notice of the Hearing shall appear above the name of the County Clerk and shall be in substantially the following form:
4. At the Hearing the County Board shall explain the reason 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 County Board shall not adopt an ordinance authorizing the selling of the Bonds for a period of seven (7) days after the final adjournment of the Hearing.

Ordered this _____ day of August, 2009.

Chairman of the County Board
From: Bratanick, Holly [mailto:hbratanick@dailyherald.com] On Behalf Of legals
Sent: Tuesday, August 25, 2009 11:14 AM
To: Booth, Christine
Subject: RE: Publication Public Hearing

Christine - I received your notice and will publish for tomorrow. I will forward 3 certificates to your attention. Thanks,
Kathleen

-----Original Message-----
From: Booth, Christine [mailto:BoothChristine@co.kane.il.us]
Sent: Tuesday, August 25, 2009 11:09 AM
To: legals
Subject: FW: Publication Public Hearing

Christine Booth
Administrative Assistant
For John A. Cunningham
Kane County Clerk
719 S. Batavia Avenue
Geneva IL 60134
630-232-5998

From: Westhoff, Alex
Sent: Tuesday, August 25, 2009 11:07 AM
To: Booth, Christine
Subject: FW:

From: Booth, Christine
Sent: Tuesday, August 25, 2009 11:06 AM
To: 'legals@dailyherald.com'
Cc: Westhoff, Alex
Subject: GOOD DAY,

PLEASE SEE ATTACHED FILE TO BE PRINTED FOR PUBLIC NOTICE TO BE PUBLISHED AUGUST 26, 2009. SAME IS ALSO COPIED BELOW. PLEASE CALL IF YOU HAVE ANY QUESTIONS 630-232-25916.
ThAnK YOu.

NotIce of Public Hearing Concerning the Intent of the County Board of the County of Kane, Illinois, to Sell Not to Exceed $40,000,000 Alternate Bonds

Notice is Given that the County Board (the "County Board") of The County of Kane, Illinois (the "County"), will hold a public hearing on September 8, 2009, beginning at 9:45 o'clock a.m. The public hearing will be held at the Kane County Government Center, Second Floor Board Room at 719 South Batavia Avenue, Geneva, Illinois. The purpose of the public hearing will be to receive public comments on the proposal for the County to sell alternate bonds in an aggregate principal amount not to exceed $40,000,000 for the purpose of defraying the costs of a project consisting of acquiring, constructing, improving and equipping various road, bridge and transportation infrastructure improvements within the County and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements, and legal, other financing and related administrative fees and costs.

At the public hearing, the County Board will explain the reasons for the proposed bond issue. The County Board invites all interested persons to attend the public hearing and present written or oral testimony within reasonable time limits. The public hearing may be adjourned to another date without further notice other than a motion, to be entered upon the minutes of the County Board, fixing the time, place, and date of the reconvened hearing.

Dated: August 25, 2009

/s/ John Andrew Cunningham
County Clerk,
The County of Kane, Illinois

Christine Booth
Administrative Assistant
For John A. Cunningham
Kane County Clerk
719 S. Batavia Avenue
Geneva IL 60134
630-232-5998

NOTICE OF PUBLIC HEARING
CONCERNING THE INTENT OF THE COUNTY BOARD OF THE COUNTY OF KANE, ILLINOIS, TO SELL NOT TO EXCEED $40,000,000 ALTERNATE BONDS

Notice is Given that the County Board (the "County Board") of The County of Kane, Illinois (the "County") will hold a public hearing on September 8, 2009, beginning at 9:45 o'clock a.m. The public hearing will be held at the Kane County Government Center, Second Floor Board Room at 719 South Batavia Avenue, Geneva, Illinois. The purpose of the public hearing will be to receive public comments on the proposal for the County to sell alternate bonds in an aggregate principal amount not to exceed $40,000,000 for the purpose of defraying the costs of a project consisting of acquiring, constructing, improving and equipping various road, bridge and transportation infrastructure improvements within the County and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements, and legal, other financing and related administrative fees and costs.

At the public hearing, the County Board will explain the reasons for the proposed bond issue. The County Board invites all interested persons to attend the public hearing and present written or oral testimony within reasonable time limits. The public hearing may be adjourned to another date without further notice other than a motion, to be entered upon the minutes of the County Board, fixing the time, place, and date of the reconvened hearing.

Dated: August 25, 2009

/s/ John Andrew Cunningham
County Clerk,
The County of Kane, Illinois

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KANE COUNTY
PUBLIC HEARING
TUESDAY, SEPTEMBER 8, 2009
9:45 A.M.

COUNTY BOARD ROOM, BLDG. A
719 S. BATAVIA AVENUE
GENEVA, IL 60134
Karen McConnaughay, Hearing Officer
Chairman, Kane County Board

AGENDA

1. Convene Hearing for the purpose of:

Receive comment on the intent of the County Board of the County of Kane, Illinois, to sell, not to exceed $40,000,000 of alternate bonds (Regional Transit Authority Sales Tax Alternate Revenue Source).

2. Invite Public Comment
3. Close Hearing
Hi Ellyn,

Please post the attached Notice of Public Hearing in the Board Office.

Thanks,

Al Westhoff, Administrative Deputy
Kane County Clerk's Office
719 S. Batavia Avenue
Geneva, IL 60134
Phone 630-232-5916
FAX 630-208-8112
NOTICE OF PUBLIC HEARING CONCERNING THE INTENT OF THE COUNTY BOARD OF THE COUNTY OF KANE, ILLINOIS, TO SELL NOT TO EXCEED $40,000,000 ALTERNATE BONDS

NOTICE IS GIVEN that the County Board (the "County Board") of The County of Kane, Illinois (the "County"), will hold a public hearing on September 8, 2009, beginning at 9:45 o’clock a.m. The public hearing will be held at the Kane County Government Center, Second Floor Board Room at 719 South Batavia Avenue, Geneva, Illinois. The purpose of the public hearing will be to receive public comments on the proposal for the County to sell alternate bonds in an aggregate principal amount not to exceed $40,000,000 for the purpose of defraying the costs of a project consisting of acquiring, constructing, improving and equipping various road, bridge and transportation infrastructure improvements within the County and, incidental to those project costs, to pay bond discount, interest, bond reserve requirements, and legal, other financing and related administrative fees and costs.

At the public hearing, the County Board will explain the reasons for the proposed bond issue. The County Board invites all interested persons to attend the public hearing and present written or oral testimony within reasonable time limits. The public hearing may be adjourned to another date without further notice other than a motion, to be entered upon the minutes of the County Board, fixing the time, place, and date of the reconvened hearing.

Dated: August 25, 2009

/s/ John Andrew Cunningham
County Clerk,
The County of Kane, Illinois
Hi Jack- Attached is an order to call a public hearing for our proposed upcoming transportation bond issuance. Per the order your office is to publish the notice for the public hearing. However, we actually have requested bond counsel to publish the hearing. Can you just confirm with me that it is OK to allow bond counsel to publish the notice (rather than your office)?

I believe they want to publish tomorrow, Tuesday, so can you get back to me about this as soon as you can?

Thanks- take care.

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Cheryl

Please have Karen execute the attached Order and obtain the Clerks permission to allow me to cause the publication of the notice. Thanks for your help.

Don

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