

ATTACHMENT NO. XI-E:	Resolution Abating Tax on a Portion of the Debt Service
Suggested Motion:	Move to approve the Resolution Abating a Portion of the Tax heretofore Levied for the Year 2010 to Pay Debt Service on \$2,850,000 General Obligation Refunding School Bonds Series 2004, of Community Unit School District Number 200, Boone and Winnebago Counties
Recommended Action:	Approve as presented.

**RELATED INFORMATION:**

The Bond Series 2004 is the result of a refunding of the 1994 bonds. At the time of the refunding and reissuance of the original bonds, a parameters resolution was approved which set an abatement of funds from the original issuance. The 2010 levy year is the final year to be levied for the payment of the 2004 Bond Series and excess funds are available from prior years of this issuance to be abated against the final payment.

MINUTES of a regular public meeting of the Board of Education of Community Unit School District Number 200, Boone and Winnebago Counties, Illinois, held at the North Boone District Office, 6248 North Boone School Road, Poplar Grove, Illinois, in said School District at 6:30 o'clock P.M., on the 24th day of January, 2011.

\* \* \*

The meeting was called to order by the President, and upon the roll being called, Donald Ward, the President, and the following members of the Board of Education were physically present at said location: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

The following members were absent and did not participate in the meeting in any manner or to any extent whatsoever: \_\_\_\_\_

\_\_\_\_\_

The President announced that the next item of business before the Board of Education was the consideration of a resolution abating a portion of the tax heretofore levied for the year 2010 to pay the debt service on the District's outstanding General Obligation Refunding School Bonds, Series 2004.

Whereupon Member \_\_\_\_\_ presented and the Secretary read by title the following resolution, a copy of which was provided to each member of the Board of Education prior to said meeting and to everyone in attendance at said meeting who requested a copy:

RESOLUTION abating a portion of the tax heretofore levied for the year 2010 to pay debt service on \$2,850,000 General Obligation Refunding School Bonds, Series 2004, of Community Unit School District Number 200, Boone and Winnebago Counties, Illinois.

\* \* \*

WHEREAS, the Board of Education (the "*Board*") of Community Unit School District Number 200, Boone and Winnebago Counties, Illinois (the "*District*"), by resolution adopted on the 20th day of July, 2004 (the "*Resolution*"), did provide for the issue of not to exceed \$3,100,000 General Obligation Refunding School Bonds, Series 2004, and the levy of a direct annual tax sufficient to pay the debt service thereon; and

WHEREAS, on the 24th day of September, 2004, a duly certified copy of the Resolution was filed in the office of the County Clerk of Boone County, Illinois, and on the 29th day of September, 2004, a duly certified copy of the Resolution was filed in the office of the County Clerk of Winnebago County, Illinois (collectively, the "*County Clerks*"); and

WHEREAS, on the 1st day of September, 2004, the District sold \$2,850,000 General Obligation Refunding School Bonds, Series 2004 (the "*Bonds*"), pursuant to the Resolution and the President and Secretary of the Board and the School Treasurer of the District executed a Direction for Abatement of Taxes (the "*Direction*") abating a portion of the taxes levied to pay the Bonds pursuant to the Resolution; and

WHEREAS, on the 24th day of September, 2004, the Direction was filed in the office of the County Clerk of Boone County, Illinois, and on the 28th day of September, 2004, the Direction was filed in the office of the County Clerk of Winnebago County, Illinois; and

WHEREAS, the District has surplus funds in the "School Bond and Interest Fund of 2004" (the "*Bond Fund*") established pursuant to Section 10 of the Resolution for the purpose of paying the debt service on the Bonds; and



WHEREAS, it is necessary and in the best interests of the District that a part of the tax heretofore levied for the year 2010 to pay the debt service on the Bonds be abated:

NOW, THEREFORE, Be It and It is Hereby Resolved by the Board of Education of Community Unit School District Number 200, Boone and Winnebago Counties, as follows:

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

*Section 2. Abatement of Tax.* A portion of the tax heretofore levied for the year 2010 in the Resolution shall be abated by that amount representing surplus funds in the Bond Fund, and the amount of the tax levied in Section 9 of the Resolution for the year 2010 to pay debt service on the Bonds, the amount previously abated in the Direction, the additional amount of the tax to be abated for said year, and the remainder of the tax levied which is to be extended for said year to pay debt service on the Bonds are as follows:

YEAR	AMOUNT LEVIED	AMOUNT PREVIOUSLY ABATED	ADDITIONAL AMOUNT TO BE ABATED	REMAINDER OF TAX TO BE EXTENDED
2010	\$531,000.00	\$43,610.00	\$ 131,686.11	\$ 355,703.89

*Section 3. Filing of Resolution.* Forthwith upon the adoption of this Resolution, the Secretary of the Board shall file a certified copy hereof with the County Clerks, and it shall be the duty of the County Clerks to abate said tax levied for the year 2010 in accordance with the provisions hereof and as shown hereinabove in Section 2 hereof.

*Section 4. Effective Date.* This Resolution shall be in full force and effect forthwith upon its adoption.

Adopted January 24, 2011.

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President, Board of Education

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Secretary, Board of Education

Member \_\_\_\_\_ moved and Member \_\_\_\_\_  
seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the President directed that the roll be called for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following members voted AYE: \_\_\_\_\_

\_\_\_\_\_  
NAY: \_\_\_\_\_

Whereupon the President declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the Secretary to record the same in the records of the Board of Education of Community Unit School District Number 200, Boone and Winnebago Counties, Illinois, which was done.

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

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

\_\_\_\_\_  
Secretary, Board of Education

STATE OF ILLINOIS     )  
                                      ) SS  
COUNTY OF BOONE     )

**CERTIFICATION OF RESOLUTION AND MINUTES**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education (the "*Board*") of Community Unit School District Number 200, Boone and Winnebago Counties, Illinois (the "*District*"), and as such official I am the keeper of the records and files of the District and the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 24th day of January, 2011, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION abating a portion of the tax heretofore levied for the year 2010 to pay debt service on \$2,850,000 General Obligation Refunding School Bonds, Series 2004, of Community Unit School District Number 200, Boone and Winnebago Counties, Illinois.

a true, correct and complete copy of which said resolution 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 Board on the adoption of said resolution were taken openly, that the vote on the adoption of said resolution 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 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 72 hours in advance of the holding of said meeting, 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 with the provisions of the School Code of the State of Illinois, as amended, and that the Board has complied with all of the applicable provisions of said Act and said Code and with all of the procedural rules of the Board in the passage of said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 24th day of January, 2011.

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Secretary, Board of Education



STATE OF ILLINOIS     )  
                                      ) SS  
COUNTY OF BOONE     )

**FILING CERTIFICATE**

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of Boone, Illinois, and as such official I do further certify that on the \_\_\_\_ day of \_\_\_\_\_, 2011, there was filed in my office a duly certified copy of a resolution entitled:

RESOLUTION abating a portion of the tax heretofore levied for the year 2010 to pay debt service on \$2,850,000 General Obligation Refunding School Bonds, Series 2004, of Community Unit School District Number 200, Boone and Winnebago Counties, Illinois.

duly adopted by the Board of Education of Community Unit School District Number 200, Boone and Winnebago Counties, Illinois, on the 24th day of January, 2011, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this \_\_\_\_ day of \_\_\_\_\_, 2011.

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County Clerk of The County  
of Boone, Illinois

(SEAL)



STATE OF ILLINOIS                    )  
  ) SS  
COUNTY OF WINNEBAGO            )

**FILING CERTIFICATE**

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of Winnebago, Illinois, and as such official I do further certify that on the \_\_\_\_ day of \_\_\_\_\_, 2011, there was filed in my office a duly certified copy of a resolution entitled:

RESOLUTION abating a portion of the tax heretofore levied for the year 2010 to pay debt service on \$2,850,000 General Obligation Refunding School Bonds, Series 2004, of Community Unit School District Number 200, Boone and Winnebago Counties, Illinois.

duly adopted by the Board of Education of Community Unit School District Number 200, Boone and Winnebago Counties, Illinois, on the 24th day of January, 2011, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this \_\_\_\_ day of \_\_\_\_\_, 2011.

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County Clerk of The County  
of Winnebago, Illinois

(SEAL)