

CITY OF LE ROY  
COUNTY OF McLEAN, STATE OF ILLINOIS

RESOLUTION NO. 00-11-01-30

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS  
20th DAY OF November, 2000.

PRESENTED: November 20th, 2000

PASSED: November 20th, 2000

APPROVED: November 20th, 2000

RECORDED: November 20th, 2000

PUBLISHED: November 20th, 2000

In Pamphlet Form

Voting "Aye" Four (4)

Voting "Nay" One (1)

Absent One (1)

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The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned resolution and that such resolution was presented, passed, approved, recorded and published as above stated.

(SEAL)



City Clerk of the City of LeRoy,  
McLean County, Illinois

Dated: 11/20/00

STATE OF ILLINOIS        )  
  ) SS:  
COUNTY OF MCLEAN        )

I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of a resolution entitled:

**AN INDUCEMENT RESOLUTION OF THE CITY OF LEROY, ILLINOIS IN CONNECTION WITH INDUSTRIAL DEVELOPMENT BONDS FOR OMNI-TECH SYSTEMS, INC., D/B/A/ PERMABILT OF ILLINOIS**

I do further certify said *resolution* was adopted by the City Council of the City of Le Roy at a regular meeting on the 20th day of November, 2000, and prior to the making of this certificate the said *resolution* was on file with the permanent records of said City where it now appears and remains as a permanent record of said *resolution* in the record books.

Dated this 20th day of November, 2000.

  
\_\_\_\_\_  
City Clerk

(SEAL)

RESOLUTION NO. 00-11-01-30

**AN INDUCEMENT RESOLUTION OF THE CITY OF LEROY, ILLINOIS IN CONNECTION WITH INDUSTRIAL DEVELOPMENT BONDS FOR OMNI-TECH SYSTEMS, INC., D/B/A/ PERMABILT OF ILLINOIS**

**WHEREAS**, the City of LeRoy, Illinois (the "**Municipality**"), anticipates issuing up to \$2,000,000 aggregate principal amount of industrial development revenue bonds (howsoever actually styled, the "**Bonds**") under The Industrial Project Revenue Bond Act (65 ILCS 11-74-1 et seq.), as supplemented and amended (collectively, the "**Act**"), to finance the acquisition, construction and installation of manufacturing facilities for prefabricated panels and trusses and other construction products, to be owned and operated by Omni-Tech Systems, Inc., an Illinois Corporation, d/b/a "**Permabilt of Illinois**" (including other related parties or any entity formed by it, the prospective "**Borrower**"), to be located at Lots 3-8 and 11-13, inclusive, in Demma Industrial Park, in LeRoy, Illinois (the "**Project**").

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEROY, MCLEAN COUNTY, ILLINOIS**, as follows:

1. As an inducement to the Borrower to undertake the Project, the Municipality hereby declares its intent to issue the Bonds to finance the Project, all at the Borrower's cost and expense and pursuant to documentation acceptable to the Municipality in its sole discretion.
2. In the event the Borrower should advance its own funds for qualifying Project costs the Municipality hereby declares its intent to reimburse such qualifying costs out of Bond proceeds, if, as and when received, and not otherwise. This declaration of intent to reimburse is made in connection with Section 1.150-2 of the Income Tax Regulations.
3. The Municipality will cooperate with the Borrower related to issuance of the Bonds, but only on terms and conditions acceptable to the Municipality, as determined in its sole discretion, and at the Borrower's expense. The Municipality makes no representation as to whether Bonds can be or will in fact be issued or qualify as tax-exempt bonds under Section 141, et seq., of the Internal Revenue Code of 1986, as amended (the "**Code**"), risks of which the Borrower by the Municipality's adoption of this resolution assents. The Bonds may be initially issued in "**taxable**" form, convertible to "**tax-exempt**" form.
4. The Municipality represents that it presently has no cap allocation available under Section 146 of the Code. The Municipality will cooperate with the Borrower in obtaining a cap allocation under Section 146 of the Code, including through the Municipality, home rule units or the State of Illinois, as the case may be. The Municipality makes no representation that a sufficient cap allocation is or will be available, a risk of which the Borrower by the Municipality's adoption of this resolution assents.

5. This resolution is made on the condition that the Bonds shall be issued, if at all, and all costs related to the Bonds, whether or not actually issued, if at all, shall be paid by the Borrower, on or before December 31, 2001 (unless extended). The Bonds under the Act shall be payable solely and only by or on behalf of the Borrower, and as provided in the Act, and shall never constitute a debt or obligation of any kind of the Municipality, the State of Illinois or any other political subdivision of the State of Illinois.

Upon motion by Alderman Dave McClelland, seconded by Alderman Dawn Thompson, adopted and recorded in the Municipality's records this 20th day of November, 2000, as follows:

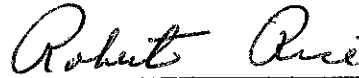
Voting "yes" (names): Dave McClelland, Dawn Thompson, Ron Litherland, Ryan Miles

Voting "no" (names): W.H. Weber

Absent (names): Steve Dean

Approved:

Attest:



Mayor

  
City Clerk

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **November 20th, 2000**, the Corporate Authorities of such municipality passed and approved Resolution No. **00-11-01-30**, entitled:

**AN INDUCEMENT RESOLUTION OF THE CITY OF LEROY, ILLINOIS IN CONNECTION WITH INDUSTRIAL DEVELOPMENT BONDS FOR OMNI-TECH SYSTEMS, INC., D/B/A PERMABILIT OF ILLINOIS**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Resolution No. **00-11-01-30**, including the Resolution and a cover sheet thereof, was prepared, and a copy of such Resolution was posted at the municipal building, commencing on **November 20th, 2000**, and continuing for at least ten days thereafter. Copies of such Resolution were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 20th day of November, 2000.

(SEAL)

  
Municipal Clerk