RESOLUTION NO. 2018-07-10-139

A RESOLUTION of the County Board of Kankakee County, Illinois, providing for the discharge of the Indentures relating to the Will County Public Building Commission's Public Building Revenue Refunding Bonds (Will-Kankakee Juvenile Justice Center), Will County Series 2001 and the Public Building Revenue Refunding Bonds (Will-Kankakee Juvenile Justice Center), Kankakee County Series 2001, the termination of the Lease Agreement, the transfer of certain land to Will County and the execution of related documents.

WHEREAS, the Will County Public Building Commission (the "Commission") is a duly organized public building commission under the provisions of the Public Building Commission Act of the State of Illinois, as amended (the "PBC Act"); and

WHEREAS, the PBC Act and other supplemental provisions of Illinois law provided authority for the Commission to issue $9,000,000 Public Building Revenue Bonds (Will-Kankakee Juvenile Justice Center), Will County Series 1996 and $2,760,000 Public Building Revenue Bonds (Will-Kankakee Juvenile Justice Center), Kankakee County Series 1996 (together, the "1996 Bonds") and the related Indentures of Trust, dated as of October 1, 1996 (one for each series) (the "Original Indentures") by and between the Commission and First Midwest Bank (as successor trustee to First Midwest Trust Company, N.A.) (the "Trustee") and approving a Lease Agreement entered into October 15, 1996 (the "Lease Agreement"), by said Commission, as Lessor, and The County of Will, Illinois, and The County of Kankakee, Illinois, as Lessees, for the River Valley Juvenile Justice Center, 3200 McDonough St., Joliet, Illinois (the "Project"); and

WHEREAS, the 1996 Bonds were refunded by the Commission’s issuance of the Public Building Revenue Refunding Bonds (Will-Kankakee Juvenile Justice Center), Will County Series 2001 (the "2001 Will County Bonds") and the Public Building Revenue Refunding Bonds (Will-Kankakee Juvenile Justice Center), Kankakee County Series 2001 (the "2001 Kankakee
County Bonds" and together with the 2001 Will County Bonds, the "Bonds"), pursuant to the First Supplemental Trust Indentures dated as of August 1, 2001 (one for each series) as supplemented by the Second Supplemental Trust Indentures dated as of December 1, 2014 (one for each series) (the "Supplement to the Original Indentures") supplementing the Original Indentures (collectively, the Supplement to the Original Indentures and the Original Indentures are the "Indentures"); and

WHEREAS, (a) the Bonds have been paid off in full and delivered to the Trustee and canceled, (b) all administrative costs of the Commission and all other accrued and unpaid expenses with respect to the Bonds and the Lease Agreement have been paid or provided for, (c) all rent due under the Lease Agreement has been paid or lawfully forgiven and (d) the Lease Agreement has or shall be terminated; and

WHEREAS, the Commission has supplied or will supply a Trustee's Certificate With Respect to Discharge of Indenture requesting the termination of the Indentures; and

WHEREAS, Section 12.01 of the Indentures provides for the discharge of the Indentures and Section 7 of the Lease Agreement provides for the reconveyance of the Site (as defined in the Lease Agreement) from the Commission to Will County after completion of the foregoing and adoption of this resolution; and

WHEREAS, The County of Kankakee, Illinois (the "County") has negotiated with The County of Will, Illinois a new agreement relating to the Project and the Site, including terminating the Lease Agreement, conveying the Site to Will County, and establishing the terms of use and payment regarding the Project in the future (the "Intergovernmental Agreement").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF KANKAKEE COUNTY, ILLINOIS, AS FOLLOWS:
Section 1. Authorization of Discharge. The County Board of Kankakee County, Illinois (the "Board") hereby resolves to discharge and terminate the Indentures, terminate the Lease Agreement, facilitate conveyance of the Project and the Site from the Commission to The County of Will, Illinois, and instruct the disbursement of funds held under the Indentures, and the Chairman and County Clerk and other officials of the County are hereby authorized and directed to take any action to effectuate the foregoing, including executing the Intergovernmental Agreement.

Section 2. Filing with County Clerk. A copy of this Resolution, certified by the County Clerk, shall be filed with the County Clerk of the County of Kankakee, Illinois as soon as this Resolution becomes effective.

Section 3. Effective Date. This Resolution shall be in full force and effect immediately upon its passage and approval as required by law.
This Resolution is hereby ADOPTED, the "ayes" and "nays" being called, by the concurrence of a majority of the Members of the Board then holding office at a meeting duly noticed for such purpose held on the date set forth below upon a roll call vote as follows:

"Ayes"  Mr. Tripp, Mr. Washington, Jr., Mr. LaGesse, Mr. Stauffenberg, Mr. Vickery, Mr. Olthoff
         Mr. Hess, Mrs. Polk, Mr. McConnell, Mr. Mulcahy, Mr. Snipes, Mr. Byrne, Mr. Stroiz,
         Mr. Liehr, Mr. Hildebrand, Mrs. Weber, Mrs. Evans, Mr. Payton, Mrs. Parker, Ms. Dunbar
         Mr. Ritter, Mr. Kinzinger, Mr. Fairfield, Mr. Wheeler

"Nays"  None

Absent  Mr. Tholen, Mr. Statz, Mr. Einfeldt, Mrs. Peters

APPROVED this 10th day of July, 2018.

[Signature]
Chairman

ATTEST:

[Signature]
County Clerk
STATE OF ILLINOIS )
) SS
COUNTY OF KANKAKEE )

CERTIFICATION OF MINUTES AND RESOLUTION

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of the County of Kankakee, Illinois (the "County"), and as such official am the keeper of the official journal of proceedings, books, records, minutes and files of the County and of the Board of the County (the "Board").

I further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the Board held on the 10th day of July, 2018, insofar as the same relates to the adoption of a resolution entitled:

A RESOLUTION of the County Board of Kankakee County, Illinois, providing for the discharge of the Indentures relating to the Will County Public Building Commission's Public Building Revenue Refunding Bonds (Will-Kankakee Juvenile Justice Center), Will County Series 2001 and the Public Building Revenue Refunding Bonds (Will-Kankakee Juvenile Justice Center), Kankakee County Series 2001, of said Commission, the termination of the Lease Agreement, the transfer of certain land to Will County and the execution of related documents.

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 regular public meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted 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 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 the Counties Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Acts and with all of the procedural rules of the Board in the adoption of said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature and seal of said County, this 10th day of July, 2018.

[Signature]
County Clerk
(SEAL)
STATE OF ILLINOIS  )  
COUNTY OF KANKAKEE  )  SS

FILING CERTIFICATE

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

A RESOLUTION of the County Board of Kankakee County, Illinois, providing for the discharge of the Indentures relating to the Will County Public Building Commission's Public Building Revenue Refunding Bonds (Will-Kankakee Juvenile Justice Center), Will County Series 2001 and the Public Building Revenue Refunding Bonds (Will-Kankakee Juvenile Justice Center), Kankakee County Series 2001, of said Commission, the termination of the Lease Agreement, the transfer of certain land to Will County and the execution of related documents.

duly adopted by the Board of Kankakee County, Illinois, on the 10th day of July, 2018, 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 10th day of July, 2018.

County Clerk of Kankakee County, Illinois

(SEAL)