

**83-O-13**

**AN ORDINANCE**

**Amending Sections 3-25-1 and 3-25-6 of the City Code regarding Real Estate Transfer Tax**

**NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

**SECTION 1:** Section 3-25-1 "Definitions" of the Real Estate Transfer Tax Section of the Evanston City Code, 2012, as amended, is hereby amended to add the following definition for references to "Mortgagee" and "Secured Creditor":

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| <i>Mortgagee and Secured Creditor.</i> | The terms shall mean a lender, such as a bank, credit union, mortgage company or other person who acquires a mortgage or other instrument of transfer primarily for the purpose of securing a loan, and not primarily for the purpose of acquiring the real property or beneficial interest in real property that is the subject of the mortgage or other instrument of transfer. |
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**SECTION 2:** Section 3-25-6 (G) "Exempt Transactions" of the Real Estate Transfer Tax Code Section of the Evanston City Code, 2012, as amended, is hereby amended to read as follows:

(G) Transactions in which the deeds are releases of property which is security for a debt or other obligation; provided, however, that any transfer must be to a mortgagee or secured creditor;

**SECTION 3:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

**SECTION 4:** All ordinances or parts of ordinances in conflict herewith are

hereby repealed.

**SECTION 5:** This Ordinance 83-O-13 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**SECTION 6:** If any provision of this Ordinance 83-O-13 or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance 83-O-13 that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance 83-O-13 is severable.

Introduced: July 22, 2013

Adopted: August 12, 2013

Approved:

August 15, 2013  
Elizabeth B Tisdahl  
Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene  
Rodney Greene, City Clerk

Approved as to form:

Approved as to form:  
W. Grant Farrar  
Corporation Counsel

By: Michelle Mason  
W. Grant Farrar, Corporation Counsel Deputy City Attorney

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ORDINANCE NUMBER 84-O-13

AN ORDINANCE providing for the issuance of one or more series of not to exceed \$12,700,000 General Obligation Corporate Purpose Bonds, Series 2013, of the City of Evanston, Cook County, Illinois, for capital improvement and refunding purposes, authorizing the execution of one or more bond orders in connection therewith and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds.

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Introduced on the 8th day of July, 2013.

Adopted by the City Council on the  
22nd day of July, 2013.

Published in Pamphlet Form by Authority  
of the Corporate Authorities on the  
\_\_\_\_ day of July, 2013.

TABLE OF CONTENTS

| SECTION        | HEADING  | PAGE |
|----------------|--|------|
| PREAMBLES..... |  | 1    |
| SECTION 1.     | DEFINITIONS .....                                      | 3    |
| SECTION 2.     | INCORPORATION OF PREAMBLES .....                       | 6    |
| SECTION 3.     | DETERMINATION TO ISSUE BONDS .....                     | 6    |
| SECTION 4.     | BOND DETAILS.....                                      | 6    |
| SECTION 5.     | REGISTRATION OF BONDS; PERSONS TREATED AS OWNERS ..... | 8    |
| SECTION 6.     | BOOK ENTRY PROVISIONS.....                             | 9    |
| SECTION 7.     | EXECUTION; AUTHENTICATION .....                        | 11   |
| SECTION 8.     | REDEMPTION.....  | 12   |
| SECTION 9.     | FORM OF BONDS .....                                    | 18   |
| SECTION 10.    | SECURITY FOR THE BONDS.....                            | 24   |
| SECTION 11.    | TAX LEVY; ABATEMENTS .....                             | 24   |
| SECTION 12.    | FILING WITH COUNTY CLERK .....                         | 25   |
| SECTION 13.    | SALE OF BONDS; BOND ORDER(S); OFFICIAL STATEMENT ..... | 25   |
| SECTION 14.    | CONTINUING DISCLOSURE UNDERTAKING .....                | 27   |
| SECTION 15.    | CREATION OF FUNDS AND APPROPRIATIONS.....              | 28   |
| SECTION 16.    | GENERAL TAX COVENANTS .....                            | 30   |
| SECTION 17.    | CERTAIN SPECIFIC TAX COVENANTS.....                    | 30   |

SECTION 18. MUNICIPAL BOND INSURANCE.....33

SECTION 19. RIGHTS AND DUTIES OF BOND REGISTRAR .....34

SECTION 20. DEFEASANCE.....35

SECTION 21. PUBLICATION OF ORDINANCE .....36

SECTION 22. SEVERABILITY .....36

SECTION 23. SUPERSEDER AND EFFECTIVE DATE .....37

LIST OF EXHIBITS

- A—FORM OF BOND ORDER
- B—CONTINUING DISCLOSURE UNDERTAKING