

**AMEND BOARD REPORT 09-0826-RS5
RESOLUTION PROVIDING FOR THE ISSUE OF UNLIMITED TAX
GENERAL OBLIGATION BONDS (DEDICATED REVENUES), SERIES 2009, OF
THE BOARD OF EDUCATION OF THE CITY OF CHICAGO IN AN
AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$801,585,000,
FOR THE PURPOSE OF PAYING PART OF THE COST OF CERTAIN
CAPITAL IMPROVEMENTS IN AND FOR SAID BOARD**

WHEREAS, at the meeting of the Board of Education of the City of Chicago (the "Board") held on August 26, 2009, the Board adopted Resolution 09-0826-RS5 which, among other matters approved (i) the issuance of not to exceed \$801,585,000 aggregate principal amount of Unlimited Tax General Obligation Bonds (Dedicated Revenues), Series 2009 (the "Bonds"); and (ii) a direct annual tax for each of the years while the Bonds are outstanding in an amount sufficient to pay, when due, all principal of, and interest on, the Bonds; and

WHEREAS, on September 24, 2009, the Board issued \$547,335,000 aggregate principal amount of the Bonds, leaving an authorized but unissued amount of Bonds in the amount of \$254,250,000; and

WHEREAS, the Board desires to issue the remaining authorized but unissued Bonds as Qualified School Construction Bonds pursuant to Section 54F of the Internal Revenue Code of 1986, as amended (the "Code") and Internal Revenue Service Notice 2009-35 ("**Notice 2009-35**"); and

WHEREAS, due to changes in market conditions, the Board has determined that the amount of the levy set forth in Section 3(a) of Resolution 09-0826-RS5 may be insufficient to pay, when due, all principal of, and interest on, the authorized but unissued Bonds; and

WHEREAS, to provide for a sale of such authorized but unissued Bonds, the Board wishes to amend Section 3(a) of Resolution 09-0826-RS5 to increase the amount of the direct annual tax for each of the years while the Bonds are outstanding as set forth below;

NOW, THEREFORE, Be It Hereby Resolved by the Chicago Board of Education of the Board of Education of the City of Chicago, as follows:

1. Amendment of Section 3(a) of Resolution 09-0826-RS5. Section 3(a) of Resolution 09-0826-RS5 is hereby deleted in its entirety and in lieu thereof, the following language will be inserted therein:

3. *Tax Levy; Pledged Taxes.* (a) For the purpose of providing funds in addition to the Pledged Revenues to pay the principal of and interest on the Bonds, there is hereby levied upon all of the taxable property within the School District, in the years for which any of the Bonds are outstanding, a direct annual tax for each of the years while the Bonds are outstanding, in amounts sufficient for that purpose, and there be and there hereby is levied upon all of the taxable property in the School District the following direct annual taxes:

FOR THE LEVY YEAR A TAX SUFFICIENT TO PRODUCE THE SUM OF

2009	\$79,000,000
2010	73,000,000
2011	78,000,000
2012	78,000,000
2013	78,000,000
2014	78,000,000
2015	78,000,000
2016	78,000,000
2017	78,000,000
2018	78,000,000
2019	78,000,000
2020	78,000,000
2021	78,000,000
2022	98,000,000
2023	97,000,000
2024	111,000,000
2025	111,000,000
2026	81,000,000
2027	60,000,000
2028	60,000,000
2029	59,000,000
2030	58,000,000
2031	57,000,000
2032	57,000,000

2033	56,000,000
2034	56,000,000
2035	56,000,000
2036	56,000,000
2037	56,000,000
2038	56,000,000

provided, that in connection with the issuance of any Variable Rate Bonds, in furtherance of the general obligation, full faith and credit promise of the Board to pay the principal and redemption price of and interest on the Bonds, the Board will take all actions necessary to levy upon all of the taxable property within the School District, in the years for which any of the Bonds are outstanding, a direct annual tax, including any direct annual tax required to be levied in excess of that levied in this Resolution, for collection on a timely basis to make such payments (the taxes levied or to be levied pursuant to this **Section 3(a)**, being referred to herein as the “**Pledged Taxes**”).

2. Remainder of Resolution Affirmed. Except as amended by Section 1 of this Resolution, all other terms and provisions of Resolution 09-0826-RS5 shall remain in full force and effect.

3. Severability. The provisions of this Resolution are hereby declared to be severable; and if any section, phrase, or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, or provisions.

4. Repealer and Effective Date. All resolutions or parts of resolutions in conflict herewith are, to the extent of such conflict, hereby repealed. This Resolution is effective immediately upon its adoption.