

STATE OF ILLINOIS        )  
                                      ) SS  
COUNTY OF KANE         )

**POST-ISSUANCE TAX COMPLIANCE REPORT**

To: City Council of the City of Batavia, Kane and DuPage Counties, Illinois

Pursuant to my responsibilities as the Compliance Officer as set forth in a Bond Record-Keeping Policy (the “*Policy*”) adopted by the City Council (the “*Corporate Authorities*”) of the City of Batavia, Kane and DuPage Counties, Illinois (the “*City*”), on the 10th day of May, 2023, I have completed review of the City’s contracts and records to determine whether the Tax Advantaged Obligations (as defined in the Policy), comply with the applicable federal tax requirements. In accordance with the proceedings and agreements under which the Tax Advantaged Obligations were issued, the City has covenanted generally to take all action necessary to comply with the applicable federal tax rules and regulations relating to the Tax Advantaged Obligations, including covenants necessary to preserve the excludability of interest on the Tax Advantaged Obligations from gross income for federal income taxation purposes. The following sets forth a summary demonstrating the City’s compliance with such covenants and expectations.

(a) *Records.* I have in my possession all the records required under the Policy.

(b) *Arbitrage Rebate Liability.* I have reviewed the agreements of the City with respect to each issue of the Tax Advantaged Obligations. Currently, the City does not have any rebate liability to the U.S. Treasury.

(c) *Contract Review.* I have reviewed copies of all contracts and agreements of the City, including any leases, with respect to the use of any property owned by the City and acquired, constructed, or otherwise financed or refinanced with the proceeds of the Tax Advantaged Obligations and other records. Currently, each issue of the Tax Advantaged Obligations complies with the federal tax requirements applicable to such issue, including restrictions on private business use, private payments, and private loans.

(d) *IRS Examinations or Inquiries.* The Internal Revenue Service (the “*IRS*”) has not commenced an examination of any issue of the Tax Advantaged Obligations. The IRS has not requested a response to a compliance check, questionnaire, or other inquiry.

Based upon the foregoing, I believe that the City is currently in compliance with the applicable tax law requirements and no further action is necessary at this time.

This report will be entered into the records of the City and made available to all members of the Corporate Authorities at the next regular City Council meeting thereof.

Respectfully submitted this 10th day of May, 2023

By Peggy Colby  
Peggy Colby  
Compliance Officer