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Paul Palezzoio
SANGAMON COUNTY AUDITOR

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Joe Aiello
Sangamon County Clerk

COUNTY OF SANGAMON
ORDINANCE 7-1

ORDINANCE ADDING TERRITORY TO THE LINCOLN-
LOGAN COUNTY ENTERPRISE ZONE

WHEREAS, Lincoln, Logan, Elkhart, Sangamon and DeWitt ("Units of Government") each adopted respective ordinances, as amended, establishing and designating an Enterprise Zone encompassing contiguous portions of Lincoln, Logan, Elkhart, Sangamon and DeWitt (such zone, as amended, being the "Enterprise Zone"); and

WHEREAS, the Units of Government each entered into an intergovernmental agreement, as amended, which identifies the responsibilities of each party; and

WHEREAS, the Units of Government have received a request to add additional territory in unincorporated Logan County and Sangamon County to the zone in order to assist ICG Illinois, Inc. with their proposed development;

WHEREAS, The County of Sangamon has previously signed an Intergovernmental Agreement the under SECTION FOUR, it states: "This agreement may be amended from time to time only by written agreement of the parties, provided, however, that the City of Lincoln and Logan County may seek to amend the boundaries of the Enterprise Zone within their own boundaries, add additional territory and units of government or delete enterprise zone territory in the Village of Elkhart, County of Sangamon and County of DeWitt providing the receive approval of the State Agency in charge of such approval, without the need to further amend this Agreement; and further, by execution of this agreement the Village of Elkhart, the County of Sangamon and the County of DeWitt consent to such changes by the City of Lincoln and County of Logan. If requested by the City of Lincoln or County of Logan, the Corporate Authorities of the Village of Elkhart, County of Sangamon and County of DeWitt shall enact ordinances acknowledging this limited consent to such boundary change(s)".

BE IT ORDAINED BY THE COUNTY OF SANGAMON, ILLINOIS THAT

Section 1 – The Legal Description of Zone described in adopted respective ordinances the area Enterprise Zone is hereby amended by adding additional property to the Zone as described in Exhibit A attached, hereto and incorporated herein which is further depicted in the map attached hereto as Exhibit B and which is made part hereof by this reference. (the “Amended Territory”); and that the Amended Territory is hereby designated part of the Enterprise Zone pursuant to and in accordance with the Act;

Section 2 – The Intergovernmental Agreement between Units of Government adopted, as amended, is hereby amended to include the additional property to the Zone as described in Exhibit C

Section 3 – Except as amended hereby, the provisions of said Ordinance and the Intergovernmental Agreement shall be, and remain, in full force and effect and shall apply to the premises therein described.

Section 4 – This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law, and from and after the designation by the Illinois Department of Commerce and Economic Opportunity of said additional territory contained herein as part of the Lincoln-Logan County Enterprise Zone.

Adopted this 12th day of Jan 2008
Ayes 25 Nays 0 Absent 3

A. Sam Stebbins
County Board Chairman

ATTEST:
Joe Quillo (SEAL)
County Clerk

CERTIFIED COPY

STATE OF ILLINOIS)
COUNTY OF SANGAMON)

I, Joe Aiello, Clerk of the County of Sangamon, State of Illinois do hereby certify that the foregoing and hereto attached contains a full, true and correct copy of Ordinance No. 7 AN ORDINANCE ADDING TERRITORY TO THE LINCOLN LOGAN COUNTY ENTERPRISE ZONE and the same appears of Record and on the files in my office remaining.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the corporate seal of the said County of Sangamon, State of Illinois this 12th day of January, 2008.

Joe Aiello
County Clerk

CERTIFIED COPY

STATE OF ILLINOIS)

COUNTY OF SANGAMON)

I, Joe Aiello, Clerk of the County of Sangamon, State of Illinois do hereby certify that the foregoing and hereto attached contains a full, true and correct copy of Ordinance No. 7 AN ORDINANCE ADDING TERRITORY TO THE LINCOLN LOGAN COUNTY ENTERPRISE ZONE and the same appears of Record and on the files in my office remaining.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the corporate seal of the said County of Sangamon, State of Illinois this 12th day of January, 2008.

Joe Aiello
County Clerk

CERTIFIED COPY

STATE OF ILLINOIS)
COUNTY OF SANGAMON)

I, Joe Aiello, Clerk of the County of Sangamon, State of Illinois do hereby certify that the foregoing and hereto attached contains a full, true and correct copy of AMENDMENT TO THAT CERTAIN 1986, 1987 ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT BETWEEN LOGAN COUNTRY, THE CITY OF LINCOLN, SANGAMON COUNTY AND THE VILLAGE OF ELKHART and the same appears of Record and on the files in my office remaining.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the corporate seal of the said County of Sangamon, State of Illinois this 12th day of January, 2008.

Joe Aiello
County Clerk

Exhibit A

LINCOLN LOGAN ENTERPRISE ZONE

LEGAL DESCRIPTION

Adding and deleting ICG Illinois, Inc. Sites
November 12, 2008

Territory Deleted: From the intersection of 900th Avenue and 600th Street, west on a three-foot wide strip along 600th Street 0.5 miles to a point, hence northerly 0.5 miles to a point, hence westerly 1.50 miles to a point, hence southerly 1.0 miles to a point, hence easterly 1.50 miles to a point, hence northerly 0.5 miles to a point, hence easterly 0.5 miles to the point of origin.

Territory Added: From the intersection of 900th Avenue and 600th Street, west on a three-foot wide strip along 600th Street 1.0 miles to the east line of Section 20; thence west on a three-foot wide strip along 600th Street 0.35 miles to the easternmost entrance of the Viper Mine; thence south 0.26 miles; thence west 0.25 miles; thence north 0.19 miles; thence east 0.11 miles; thence north 0.07 miles to a point 50 feet south of the center line of 600th Street; thence west 0.51 miles along and 50 feet south of the center line of 600th Street to the west line of Section 20; thence continuing west along and 50 feet south of the centerline of 600th Street 1.72 miles; thence left 4° southwesterly 0.19 miles; thence left 36° southwesterly 0.27 miles to a point on the right of way line of the abandoned Interurban railroad track which is 20 feet east of the west edge; thence southwesterly along the abandoned Interurban railroad track and 20 feet east of the west edge a distance of 2.28 miles to the north line of Section 34; thence east 0.04 miles; thence south 0.50 miles to the centerline of Section 34; thence west 0.42 miles to the west edge of the abandoned Interurban railroad track; thence northeasterly along the west edge of the abandoned Interurban railroad track 0.09 miles; thence left 90° and continuing northwesterly 0.15 miles; thence left 72° and continuing southwesterly 0.93 miles to Murdough Road; thence continuing southwesterly along the same line 0.14 miles; thence right 90° and continuing northwesterly 0.34 miles; thence right 90° and continuing northeasterly 0.38 miles to Murdough Road; thence continuing northeasterly along the same line 0.60 miles; thence left 108° and continuing northwesterly .048 miles; thence left 90° and continuing southwesterly 0.23 miles to Logan County Line Road; thence continuing southwesterly along the same line 0.80 miles to Stuttle Road; thence continuing southwesterly along the same line 0.15 miles; thence right 90° and continuing northwesterly 0.37 miles; thence right 90° and continuing northeasterly 0.68 miles to Logan County Line Road; thence continuing northeasterly along the same line 0.52 miles; thence left 90° and continuing northwesterly 0.33 miles; thence right 90° and continuing northeasterly 0.19 miles; thence right 90° and continuing southeasterly 0.29 miles; thence left 90° and continuing northeasterly 0.50 miles to 500th Street; thence continuing northeasterly along the same line 0.50 miles to 300th Avenue; thence continuing northeasterly along the same line 0.04 miles; thence right 90° and continuing southeasterly 0.38 miles; thence right 90° and continuing southwesterly 0.54 miles to 300th Avenue; thence continuing southwesterly along the same line 0.50 miles; thence left 90° and continuing southeasterly 0.27 miles; thence left 90° and continuing northeasterly 0.15 miles to 300th Avenue; thence continuing northeasterly along the same line 0.84 miles to the north line of Section 27; thence continuing northeasterly along the same line 0.81 miles to the east line of Section 22; thence continuing northeasterly along the same line 0.16 miles; thence right 90° and continuing southeasterly 0.38 miles; thence right 90° and continuing southwesterly 0.68 miles to the southeast corner of Section 22; thence continuing southwesterly along the same line 1.26 miles to Logan County Line Road; thence continuing southwesterly along the same line 0.01 miles; thence left 90° and continuing southeasterly 0.38 miles to the west edge of the abandoned Interurban railroad track; thence left 90° northeasterly along the west edge of the abandoned Interurban railroad track 0.30 miles to the north line of Section 34; thence continuing northeasterly along the west edge of the abandoned Interurban railroad track 1.28 miles to Bock Road; thence continuing northeasterly along the west edge of the abandoned Interurban railroad track 1.0 miles; thence right 12° northeasterly 0.27 miles; thence right 36° easterly along and 30 feet south of the centerline of 600th Street 0.19 miles; thence continuing east along and 30 feet south of the centerline of 600th Street 1.72 miles to the west line of Section 20; thence continuing east along and 30 feet south of the centerline of 600th Street 0.51 miles; thence north 0.01 miles; thence west 0.03 miles; thence north 0.14 miles; thence east 0.16 miles; thence south 0.15 miles to 600th Street;

AMENDMENT TO THAT CERTAIN 1986, 1987 ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT BETWEEN LOGAN COUNTY, THE CITY OF LINCOLN, SANGAMON COUNTY, DEWITT COUNTY AND THE VILLAGE OF ELKHART.

THIS AMENDMENT TO ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT (this "Amendment") is entered into as of this _____ day of _____, 2008 by and between the County of Logan, Illinois ("Logan"), the City of Lincoln, Illinois ("Lincoln"), the Village of Elkhart, Illinois ("Elkhart") and the County of Sangamon, Illinois ("Sangamon") and the County of DeWitt ("DeWitt"), the ("Parties").

WITNESSETH:

WHEREAS, Logan, Lincoln, Elkhart, Sangamon and DeWitt each adopted respective ordinances and resolutions, as amended, establishing and designating an Enterprise Zone encompassing contiguous portions of Logan, Lincoln, Elkhart, Sangamon and DeWitt (such zone, as amended, being the "Enterprise Zone");

WHEREAS, Lincoln adopted Ordinance No. 219 on December 23, 1986 and Ordinance No. 222 on February 17, 1987, and Logan adopted Ordinance No. 1986 on December 16, 1986, approving the execution by Lincoln and Logan of the "Enterprise Zone Intergovernmental Agreement" establishing the Enterprise Zone. Such Enterprise Zone Intergovernmental Agreement was amended by that certain "Amendment to the 1986, 1987 Enterprise Zone Intergovernmental Agreement," dated September 21, 2004 in order to, among other things, add the government units of Sangamon and Elkhart to the Enterprise Zone. Such Enterprise Zone Intergovernmental Agreement was amended by that certain "Amendment to the 1986, 1987 Enterprise Zone Intergovernmental Agreement" dated _____, 200_ in order to, among other things, add the governmental unit of DeWitt County to the Enterprise Zone and has been subsequently amended, from time to time to add territory to the Enterprise Zone (such Enterprise Zone Intergovernmental Agreement and all other amendments, modifications or agreements relate thereto, being herein collectively referred to as, the "Intergovernmental Agreement").

WHEREAS, Lincoln and Logan have received a request to add additional territory in unincorporated Logan County and Sangamon County to the zone in order to assist ICG Illinois, Inc. with their proposed development; and

WHEREAS, certain territory previously included in the Enterprise Zone has not been developed as contemplated at the time it was added to the Enterprise Zone and should therefore be deleted, and

WHEREAS, it would be in the best interest of the citizens of Lincoln, Logan, Sangamon, Elkhart and DeWitt for the aforementioned property to be included in the Enterprise Zone and the aforementioned territory to be deleted from the Enterprise Zone.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein provided, the parties hereby agree as follows:

SECTION ONE: The Intergovernmental Agreement is hereby amended such that the real property which comprises the Enterprise Zone shall include that certain real property (the "Amended Territory") legally described on Exhibit A, as "Territory Added" and that certain territory legally described on Exhibit A as "Territory Deleted" be removed from the Enterprise Zone, all as attached hereto and made a part hereof (which real property is also depicted on that certain map attached hereto and made a part hereof as Exhibit B); and that the "Territory Added" is hereby designated part of the Enterprise Zone pursuant to and in accordance with the Illinois Enterprise Zone Act. (20 ILCS 655/1 et seq.)

SECTION TWO: The Intergovernmental Agreement is hereby Further amended to reflect the City of Lincoln Ordinance attached hereto and made a part hereof as Exhibit C, Logan County Ordinance attached hereto and made a part hereof a Exhibit D, Sangamon County Resolution attached hereto and made a part here of as Exhibit E and the Village of Elkhart Ordinance attached hereto and made a part hereof as Exhibit F and the County of DeWitt Ordinance attached hereto and made part hereof as Exhibit G (collectively, the "Ordinances"). In confirmation and furtherance thereof, in the event of any conflict or inconsistency between the term and provisions of the Ordinances and the Intergovernmental Agreement (without giving effect to this Amendment), the terms and provisions of the Ordinances shall govern and

control and the conflicting and inconsistent terms and provisions of the Intergovernmental Agreement (without giving effect to this Amendment) shall no longer have any force or effect.

SECTION THREE: Except as otherwise amended or provided in this Amendment, the Original Intergovernmental Agreement, as amended, attached hereto and made part of hereof as Exhibit H, shall remain in full force and effect. IN WITNESS WHEREOF, on behalf of Lincoln, Logan, Sangamon and Elkhart, the Mayor of the City of Lincoln, the County Board Chairman of Logan, the County Board Chairman of Sangamon County, the President of the Village of Elkhart and the County Board Chairman of DeWitt County, respectively, approve, accept and execute this Amendment this ____ day of ____ 2008.

MAYOR, CITY OF LINCOLN

CHAIRMAN, LOGAN COUNTY

PRESIDENT, VILLAGE OF ELKHART



CHAIRMAN, SANGAMON COUNTY

CHAIRMAN, DEWITT COUNTY