

RESOLUTION NO. 95-4

A RESOLUTION ACCEPTING AND APPROVING A PROJECT DEVELOPMENT PLAN FOR  
THE LEROY FIRST TAX INCREMENT FINANCING DISTRICT IN THE CITY OF LEROY,  
MCLEAN COUNTY, ILLINOIS

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS 19th  
DAY OF June, 1995.

PRESENTED: June 19, 1995

PASSED: June 19, 1995

APPROVED: June 19, 1995

RECORDED: June 19, 1995

PUBLISHED: June 19, 1995

In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

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The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)

X Juanita Hagley  
City Clerk of the City of LeRoy,  
McLean County, Illinois

Dated: June 19, 1995.

RESOLUTION NO. 95-4

A RESOLUTION ACCEPTING AND APPROVING A PROJECT DEVELOPMENT PLAN FOR THE LEROY FIRST TAX INCREMENT FINANCING DISTRICT IN THE CITY OF LEROY, MCLEAN COUNTY, ILLINOIS

WHEREAS, the State of Illinois has provided under the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4, as amended, ( hereinafter referred to as the "Act"), for municipalities to create within their corporate boundaries tax increment financing redevelopment areas and within those redevelopment areas to provide for redevelopment plans and projects; and

WHEREAS, the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, hereinafter referred to as "CITY," has previously determined that the stable economic and physical development of certain areas within CITY are endangered by the presence of blighting factors as described in the Act ; further, CITY is desirous of continued economic growth for the benefit of its citizenry; and

WHEREAS, the Mayor and City Council of the City of LeRoy have determined that it is in the public interest to provide for a residential development in the LeRoy First Tax Increment Financing District, in order to develop affordable housing for the benefit of its citizenry, for the redevelopment of the city, and in order to maintain the commercial and industrial base of the city; and

WHEREAS, there is a developer - Charles Epperson, Donna Epperson, and Mark Haeffele, as a partnership or other association, hereinafter referred to as the "Developers", seeking to erect affordable housing within the city.

WHEREAS, the proposed project is within the aforesaid Tax Increment Financing District, is compatible with the general land use, is consistent with the redevelopment plan and does not alter the external boundaries of the Tax Increment Financing District; and it is desirable to approve the plan of development and the "project," as outlined by the Developer; and

WHEREAS, the Mayor and City Council find that the Developers would not proceed with the development without public financial assistance provided by tax increment financing; and the Mayor and City Council further find that tax increment financing is an appropriate means of providing reimbursement to the Developer, for the construction of certain public improvements and other redevelopment project costs as defined in the Act,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of LeRoy, in lawful meeting assembled, as follows:

Section 1. The City of LeRoy hereby accepts and approves the development plan presented to it by the Developers, and hereby adopts this resolution as an inducement to the Developers to proceed with the development pending drafting and execution of a development agreement between the City and the Developers providing for the following terms:

- a. Developers shall undertake a resubdivision of the property described in the attached Exhibit A, such resubdivision to consist of approximately twenty-nine (29) numbered lots, two of which lots shall remain zoned commercial and the balance of the property to the East of the two commercial lots to be rezoned as residential and to be developed with single-family dwellings on each lot, with each two dwellings having on one side of each dwelling a "zero lot line" permitting the construction of townhouses or duplex-type structures containing two single-family dwelling units; the development to include two streets, with the street to the east known as "Taylor Lane," and the street on the west to be known as "Country Lane", the two said streets joining at the north end of the development and then proceeding as Country Lane on to Bicentennial Drive near the intersection of Bicentennial Drive and South Chestnut Street (also known as the "Route 136 spur"), and the south outlet of Country Lane and Taylor Lane to exit on to Buckles Grove Road along the south boundary of the City near the Buckles Grove Subdivision, McLean County, Illinois.
- b. Tax increment revenue received by the City from the portion of the development located within the LeRoy First Tax Increment Financing District shall be divided annually with fifty percent of the tax increment being kept for use by the CITY and fifty percent being paid to the Developer to the extent Developers have cost eligible expenses as defined under the Tax Increment Allocation Redevelopment Act, such portion of the aforesaid increment to be permitted to reimburse Developers for cost eligible expenses as follows:
  - (i). Water main, sanitary sewer, streets and sidewalks, engineering fees, and relocation of city owned utilities and structures not to exceed \$90,000.00;
  - (ii). Up to ~~\$120,000.00~~ <sup>110,000.00</sup> will be allowed on land acquisition costs, and \$10,000.00 clearing and grading the land;
  - (iii). Thirty percent (30%) per year of Developers' interest expense to obtain a loan in order to purchase the property and carry out the public improvements as provided for herein;
- c. Screening shall be provided between the two lots that will remain zoned commercial, and the rest of the development area, even though such two lots shall be rezoned for residential purposes, unless such rezoning would be for R-1 zoning, as the rest of the development is contemplated to be zoned in which event the screening would not be required. Residential use of a nature requiring zoning other than R-1, or commercial use, will require combination of a berm and landscape plantings, which plantings or berm and plantings shall be so designed, and/or planted, as to be at least fifty percent (50%) opaque when viewed

horizontally between two feet and eight feet above the average ground level on either side of the screen.

- d. The Developers shall install streets as far north as Bicentennial Drive and as far south as Buckles Grove Road, and, a sidewalk on the west side of Country Lane and on the east side of Taylor Lane as far south as the limits of the subdivision; City of LeRoy to pay for the construction of the sidewalk adjacent to Lots 5 and 13 in the subdivision existing to the South of the proposed resubdivision;
- e. The City agrees to a sewer tap-on fee reimbursement schedule as set forth in Exhibit B in order to reimburse Developer for sewer tap-on for any tap-on made on the sewer line constructed at Developers' expense outside of the Tax Increment Financing District;
- f. Tax increment financing allocations or reimbursements to the Developers to terminate with the last real estate tax increments received prior to October 31, 2007, and the distribution of those funds to the Developers;

Section 2. The Mayor and City Council of LeRoy shall authorize the City Attorney and the City Engineer, as well as the City Clerk and any other city officials, to prepare an appropriate contract for review by both parties and subsequently be finalized and executed based on the terms and provisions set forth in this resolution; further, the City Attorney is hereby directed to assist the Developer in preparing appropriate petitions for zoning relief in order to permit the zero lot line construction as contemplated herein, and based on a minimum lot size per lot not less than 4,400 square feet per lot other than the two lots to remain zoned commercial as contemplated at the outset of the development, which lots shall be the minimum size as required in accordance with the city subdivision zoning ordinances.

Section 3. The City shall proceed as may be appropriate with any amendment to its redevelopment plan for the LeRoy First Tax Increment Financing District, and hereby instructs the City Clerk and City Attorney, and any other city official as may be necessary or appropriate in cooperation with the aforesaid, to prepare all notices and make all publications as may be necessary to carry out the requirements to amend the redevelopment plan as may be appropriate and to make available to the City Council at the earliest opportunity any required or appropriate redevelopment plan amendments.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as required by law.

**PASSED** by the City Council of the City of LeRoy, Illinois, upon the motion by

Ronnie Litherland

, seconded by

Lois Parkin

\_\_\_\_\_, by roll call vote on the 19th day of June, 1995, as follows:

Aldermen elected 6 Aldermen present 6

**VOTING AYE:**

David McClelland, Lois Parkin, Ronnie Litherland, Dawn Thompson, George Cook  
(full names) Fred Dodson

**VOTING NAY:**

None  
(full names)

**ABSENT, ABSTAIN, OTHER:**

None  
(full names)

and deposited and filed in the office of the City Clerk in said municipality on the 19th day of June, 1995.

X Juanita Dagley  
Juanita Dagley, City Clerk of the City of LeRoy,  
McLean County, Illinois

**APPROVED BY** the Mayor of the City of LeRoy, Illinois, this 19th day of June, 1995.

X Jerry C. Davis  
Jerry C. Davis, Mayor of the City of LeRoy,  
McLean County, Illinois

ATTEST: (SEAL)

X Juanita Dagley  
Juanita Dagley, City Clerk, City of LeRoy,  
McLean County, Illinois

All of Lots 1 and 2 in Central Prairie Commercial Park Subdivision of the City of LeRoy, a Resubdivision of Lots 3, 5, 6, and 7 of Buckles Grove Bi-Centennial Addition in the East 1/2 of Section 29, Township 22 North, Range 4 East of the Third Principal meridian as show on the Plat recorded July 18, 1980, as Document No. 80-6996. Said Resubdivision recorded April 6, 1981, as Document No. 81-3119, McLean County, Illinois, as said lots are proposed to be resubdivided and, upon such resubdivision, shall then exist as Lots 1 thru 6 (with only a portion of Lot 6 being located in the TIF District), Lots 10, 11, 12 and 21 (with only a portion of the aforesaid Lots 10, 11, 12 and 21 being located in the TIF District), and Lots 22 thru 29, and all or parts of Lots 17 thru 20, all in the proposed Countryside Estates Subdivision to the City of LeRoy, McLean County, Illinois. (The City and Developer agree a more precise legal description shall be substituted herefore promptly upon being provided with the same by Developer and Developer's engineer and surveyor.)

EXHIBIT A

## CONSIDERATIONS BY THE CITY OF LEROY

Sewer tap on fee reimbursement to Developer.

By June 30, 1997	\$2,800.00
By June 30, 1998	3,800.00
By June 30, 1999	4,000.00
By June 30, 2000	4,200.00
By June 30, 2001	4,400.00

EXHIBIT B

**CERTIFICATE**

I, Juanita Dagley, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, McLean County, Illinois.

I further certify that on June 19, 1995, the Corporate Authorities of such municipality passed and approved Resolution No. 95-4, entitled:

**A RESOLUTION ACCEPTING AND APPROVING A PROJECT DEVELOPMENT PLAN FOR THE LEROY FIRST TAX INCREMENT FINANCING DISTRICT IN THE CITY OF LEROY, MCLEAN COUNTY, ILLINOIS,**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Resolution No. 95-4, including the Resolution and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on June 19, 1995, and continuing for at least ten days thereafter. Copies of such Resolution were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 19th day of June, 1995

(SEAL)

  
Municipal Clerk



STATE OF ILLINOIS        )  
                                  ) SS:  
COUNTY OF McLEAN        )

I, Juanita Dagley, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an resolution entitled:

**A RESOLUTION ACCEPTING AND APPROVING A PROJECT DEVELOPMENT PLAN FOR THE LEROY FIRST TAX INCREMENT FINANCING DISTRICT IN THE CITY OF LEROY, MCLEAN COUNTY, ILLINOIS.**

I do further certify said resolution was adopted by the City Council of the City of LeRoy at a regular meeting on the 19th day of June, 1995, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said resolution in the record books.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

X \_\_\_\_\_  
City Clerk

(SEAL)