

**VILLAGE OF MT. ZION
MACON COUNTY, ILLINOIS**

Ordinance No.
2021-4

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THE
TIF REDEVELOPMENT AGREEMENT BY AND BETWEEN THE VILLAGE OF MT. ZION
AND LEWIS PROPERTY DEVELOPMENT, LLC

CERTIFICATE

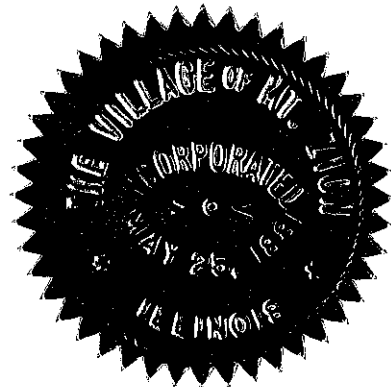
State of Illinois)
)
)
County of Macon)

I, Dawn Reynolds, duly appointed Village Clerk of the Village of Mt. Zion, Macon County, State of Illinois, and as such, custodian of all Village records, do hereby certify that the attached Ordinance No. 2021-4, is a true and correct copy of AN APPROVED ORDINANCE OF THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS that was adopted by the Mt. Zion Village Board on January 19, 2021.

In witness whereof, I hereby set my hand and affix the seal of the Village of Mt. Zion on this 19th day of January, 2021.



Dawn Reynolds, Village Clerk



VILLAGE OF MT. ZION, ILLINOIS

ORDINANCE NO. 2021-4

**AN ORDINANCE APPROVING AND AUTHORIZING
THE EXECUTION OF THE SECOND AMENDMENT TO THE
TIF REDEVELOPMENT AGREEMENT**

BY AND BETWEEN

THE VILLAGE OF MT. ZION

AND

LEWIS PROPERTY DEVELOPMENT, LLC

**MT. ZION GUSTIN & NELSON
TAX INCREMENT FINANCING DISTRICT**

**ADOPTED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MT. ZION, ILLINOIS,
ON THE 19TH DAY OF JANUARY, 2021.**

**VILLAGE OF MT. ZION, ILLINOIS: ORDINANCE NO. 2021-4
AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF
THE SECOND AMENDMENT TO THE
TIF REDEVELOPMENT AGREEMENT BY AND BETWEEN:
THE VILLAGE OF MT. ZION & LEWIS PROPERTY DEVELOPMENT, LLC
MT. ZION GUSTIN & NELSON TAX INCREMENT FINANCING DISTRICT**

The Village Board of Trustees has determined that this Second Amendment to the TIF Redevelopment Agreement is in the best interest of the citizens of the Village of Mt. Zion; therefore, be it ordained by the President and Village Board of Trustees of the Village of Mt. Zion, Macon County, Illinois as follows:

SECTION ONE: The Second Amendment to the TIF Redevelopment Agreement with Lewis Property Development, LLC, Developer (*Exhibit A*) attached hereto is hereby approved.

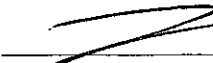
SECTION TWO: The Village President is hereby authorized and directed to enter into and execute on behalf of the Village said Second Amendment to the TIF Redevelopment Agreement and the Village Clerk of the Village of Mt. Zion is hereby authorized and directed to attest such execution.

SECTION THREE: The Second Amendment to the TIF Redevelopment Agreement shall be effective the date of its approval on the 19th day of January, 2021.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED, APPROVED and ADOPTED by the Corporate Authorities of the Village of Mt. Zion this 19th day of January, 2021 and filed in the office of the Village Clerk of said Village on that date.

| PRESIDENT AND TRUSTEES | AYE VOTE | NAY VOTE | ABSTAIN / ABSENT |
|---------------------------|----------|----------|------------------|
| Ellen Ritchie | X | | |
| Mike Mose | | | X |
| Chris Siudyla | X | | |
| Donna Scales | X | | |
| Wendy Kernan | | | X |
| Kevin Fritzsche | X | | |
| Lucas Williams, President | | | |
| TOTAL VOTES: | 4 | | 2 |

APPROVED:  _____, Date 1 / 19 / 2021
President, Village of Mt. Zion

ATTEST:  _____, Date: 1 / 19 / 2021
Village Clerk, Village of Mt. Zion

EXHIBIT A: SECOND AMENDMENT TO THE TIF REDEVELOPMENT AGREEMENT BY AND BETWEEN THE VILLAGE OF MT. ZION & LEWIS PROPERTY DEVELOPMENT, LLC.

**VILLAGE OF MT. ZION
GUSTIN & NELSON TAX INCREMENT
FINANCING DISTRICT**

**SECOND AMENDMENT TO THE
TIF REDEVELOPMENT AGREEMENT**

by and between

THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS

and

LEWIS PROPERTY DEVELOPMENT, LLC

JANUARY 19, 2021

**VILLAGE OF MT. ZION
GUSTIN & NELSON TAX INCREMENT FINANCING (TIF) DISTRICT
SECOND AMENDMENT TO THE
TIF REDEVELOPMENT AGREEMENT
by and between
VILLAGE OF MT. ZION
and
LEWIS PROPERTY DEVELOPMENT, LLC**

THIS SECOND AMENDMENT TO THE TIF REDEVELOPMENT AGREEMENT is entered into this 19th day of January, 2021, by and between the **VILLAGE OF MT. ZION** (the “Village”), an Illinois Municipal Corporation, Macon County, Illinois; and **LEWIS PROPERTY DEVELOPMENT, LLC** (the “Developer”).

PREAMBLE

WHEREAS, the Village has the authority to promote the health, safety, and welfare of the Village and its citizens, and to prevent the spread of blight and deterioration and inadequate public facilities, by promoting the development of private investment property thereby increasing the tax base of the Village and providing employment for its citizens; and

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4 *et seq.*, as amended (the “Act”), the Village has the authority to provide incentives to owners or prospective owners of real property to develop, redevelop, and rehabilitate such property by reimbursing the owner for certain costs from resulting increases in real estate tax revenues and enter into contracts with developers necessary or incidental to the implementation of its redevelopment plan pursuant to 65 ILCS 5/11-74.4-4(b) and (j); and

WHEREAS, pursuant to 65 ILCS 5/8-1-2.5 the Village is authorized to appropriate and expend funds for economic development purposes, including, without limitation, the making of grants to any other governmental entity or commercial enterprise that are deemed necessary or desirable for the promotion of economic development within the municipality; and

WHEREAS, on December 30, 1986, recognizing the need to foster the development, expansion and revitalization of certain properties which are vacant, underutilized or obsolete or a combination thereof, the Village approved a Redevelopment Plan and Projects, designated a Redevelopment Project Area and adopted Tax Increment Financing under the Act for the **Mt. Zion Gustin and Nelson TIF District** (the “TIF District”); and

WHEREAS, on May 19, 2008 the Village approved the First Amendment to the Gustin and Nelson TIF District Redevelopment Plan and Projects; and

WHEREAS, on December 15, 2008, the Village and the Developer entered into a Redevelopment Agreement (the “Original Agreement”), wherein the Village agreed to extend incentives to provide reimbursement of certain TIF eligible project costs for the Developer’s Project on the real property located on 44 acres as described in Exhibit A of the Original Agreement (the “Property”); and

WHEREAS, in September, 2012, the Village approved the First Amendment to the Original Agreement to include real estate PIN 12-17-03-102-001 (formerly 12-17-03-102-001, 12-17-03-102-019

and 12-17-03-102-015), located at 1460 N State Highway 121, Mt. Zion, Illinois (the “Additional Property”); and

WHEREAS, the Developer has requested that some of the Property and Additional Property shown in **Exhibit A** be included in the proposed Mt. Zion Route 121 TIF District II and removed from the definition of “Property” and “Additional Property” contained in the Original Agreement and First Amendment; and

WHEREAS, commencing with tax year 2020 payable 2021, the list of parcels to be included in this Agreement as amended by the Second Amendment are shown in **Exhibit B** attached hereto; and

WHEREAS, it is the intent of the Village to encourage economic development which will increase the real estate and municipal tax bases of the Village and the tax bases of other taxing bodies, which increased incremental taxes will be used, in part, to finance incentives to assist redevelopment projects undertaken within the TIF District; and

WHEREAS, the Village has the authority under the Act to incur Redevelopment Project Costs (“Eligible Project Costs”) and to reimburse Developer for such costs pursuant to 65 ILCS 11-74.4-4(j); and

WHEREAS, the Parties agree to Amend the terms of the Original Agreement executed on December 15, 2008 and the First Amendment executed in September 2012, as set forth below.

SECOND AMENDMENT

A. AMENDED DEFINITION OF “PROPERTY”

Commencing with tax year 2020 payable in 2021, the terms “**Property**” in *Exhibit A* of the Original Agreement, and “**Additional Property**” in the First Amendment shall mean, collectively, the parcels listed in **Exhibit B** attached hereto.

B. PRIOR AGREEMENT TERMS APPLY

All terms of the Original Agreement, First Amendment and any Exhibits shall apply to this Second Amendment and remain effective unless specifically modified by this Second Amendment to the Redevelopment Agreement.

[The balance of this page is intentionally blank.]

IN WITNESS WHEREOF the Parties hereto have caused this Second Amendment to the Redevelopment Agreement to be executed by their duly authorized officers on the above date at Mt. Zion, Illinois.

Village

VILLAGE OF MT. ZION,
an Illinois Municipal Corporation:

BY: [Signature]
Village President

ATTEST: [Signature]
Village Clerk

DEVELOPER

LEWIS PROPERTY DEVELOPMENT,
LLC, a Limited Liability Company

BY: [Signature]

NAME: Steven A Lewis

TITLE: Owner/member

EXHIBIT A

**MT. ZION GUSTIN & NELSON TIF DISTRICT
LEWIS PROPERTY DEVELOPMENT, LLC**

**“PROPERTY” AND “ADDITIONAL PROPERTY” INCLUDED IN REDEVELOPMENT
AGREEMENT - AS AMENDED BY FIRST AMENDMENT:**

- | | | |
|----------------------|----------------------|----------------------|
| 1. 12-17-03-101-023 | 42. 12-17-03-102-060 | 83. 12-17-03-103-058 |
| 2. 12-17-03-101-024 | 43. 12-17-03-102-061 | 84. 12-17-03-103-059 |
| 3. 12-17-03-101-025 | 44. 12-17-03-102-062 | |
| 4. 12-17-03-101-026 | 45. 12-17-03-102-063 | |
| 5. 12-17-03-102-021 | 46. 12-17-03-102-064 | |
| 6. 12-17-03-102-024 | 47. 12-17-03-102-065 | |
| 7. 12-17-03-102-025 | 48. 12-17-03-102-066 | |
| 8. 12-17-03-102-026 | 49. 12-17-03-102-067 | |
| 9. 12-17-03-102-027 | 50. 12-17-03-102-068 | |
| 10. 12-17-03-102-028 | 51. 12-17-03-102-069 | |
| 11. 12-17-03-102-029 | 52. 12-17-03-102-071 | |
| 12. 12-17-03-102-030 | 53. 12-17-03-102-072 | |
| 13. 12-17-03-102-031 | 54. 12-17-03-103-028 | |
| 14. 12-17-03-102-032 | 55. 12-17-03-103-030 | |
| 15. 12-17-03-102-033 | 56. 12-17-03-103-031 | |
| 16. 12-17-03-102-034 | 57. 12-17-03-103-032 | |
| 17. 12-17-03-102-035 | 58. 12-17-03-103-033 | |
| 18. 12-17-03-102-036 | 59. 12-17-03-103-034 | |
| 19. 12-17-03-102-037 | 60. 12-17-03-103-035 | |
| 20. 12-17-03-102-038 | 61. 12-17-03-103-036 | |
| 21. 12-17-03-102-039 | 62. 12-17-03-103-037 | |
| 22. 12-17-03-102-040 | 63. 12-17-03-103-038 | |
| 23. 12-17-03-102-041 | 64. 12-17-03-103-039 | |
| 24. 12-17-03-102-042 | 65. 12-17-03-103-040 | |
| 25. 12-17-03-102-043 | 66. 12-17-03-103-041 | |
| 26. 12-17-03-102-044 | 67. 12-17-03-103-042 | |
| 27. 12-17-03-102-045 | 68. 12-17-03-103-043 | |
| 28. 12-17-03-102-046 | 69. 12-17-03-103-044 | |
| 29. 12-17-03-102-047 | 70. 12-17-03-103-045 | |
| 30. 12-17-03-102-048 | 71. 12-17-03-103-046 | |
| 31. 12-17-03-102-049 | 72. 12-17-03-103-047 | |
| 32. 12-17-03-102-050 | 73. 12-17-03-103-048 | |
| 33. 12-17-03-102-051 | 74. 12-17-03-103-049 | |
| 34. 12-17-03-102-052 | 75. 12-17-03-103-050 | |
| 35. 12-17-03-102-053 | 76. 12-17-03-103-051 | |
| 36. 12-17-03-102-054 | 77. 12-17-03-103-052 | |
| 37. 12-17-03-102-055 | 78. 12-17-03-103-053 | |
| 38. 12-17-03-102-056 | 79. 12-17-03-103-054 | |
| 39. 12-17-03-102-057 | 80. 12-17-03-103-055 | |
| 40. 12-17-03-102-058 | 81. 12-17-03-103-056 | |
| 41. 12-17-03-102-059 | 82. 12-17-03-103-057 | |

EXHIBIT B

**MT. ZION GUSTIN & NELSON TIF DISTRICT
LEWIS PROPERTY DEVELOPMENT, LLC**

**“PROPERTY” INCLUDED IN REDEVELOPMENT AGREEMENT - AS AMENDED
BY SECOND AMENDMENT:**

- | | |
|----------------------|----------------------|
| 1. 12-17-03-101-023 | 42. 12-17-03-103-048 |
| 2. 12-17-03-101-024 | 43. 12-17-03-103-049 |
| 3. 12-17-03-101-025 | 44. 12-17-03-103-050 |
| 4. 12-17-03-101-026 | 45. 12-17-03-103-051 |
| 5. 12-17-03-102-021 | 46. 12-17-03-103-052 |
| 6. 12-17-03-102-024 | 47. 12-17-03-103-053 |
| 7. 12-17-03-102-025 | 48. 12-17-03-103-054 |
| 8. 12-17-03-102-026 | 49. 12-17-03-103-055 |
| 9. 12-17-03-102-027 | 50. 12-17-03-103-056 |
| 10. 12-17-03-102-028 | 51. 12-17-03-103-057 |
| 11. 12-17-03-102-029 | 52. 12-17-03-103-058 |
| 12. 12-17-03-102-030 | 53. 12-17-03-103-059 |
| 13. 12-17-03-102-031 | |
| 14. 12-17-03-102-032 | |
| 15. 12-17-03-102-033 | |
| 16. 12-17-03-102-044 | |
| 17. 12-17-03-102-045 | |
| 18. 12-17-03-102-046 | |
| 19. 12-17-03-102-047 | |
| 20. 12-17-03-102-069 | |
| 21. 12-17-03-102-071 | |
| 22. 12-17-03-102-072 | |
| 23. 12-17-03-103-028 | |
| 24. 12-17-03-103-030 | |
| 25. 12-17-03-103-031 | |
| 26. 12-17-03-103-032 | |
| 27. 12-17-03-103-033 | |
| 28. 12-17-03-103-034 | |
| 29. 12-17-03-103-035 | |
| 30. 12-17-03-103-036 | |
| 31. 12-17-03-103-037 | |
| 32. 12-17-03-103-038 | |
| 33. 12-17-03-103-039 | |
| 34. 12-17-03-103-040 | |
| 35. 12-17-03-103-041 | |
| 36. 12-17-03-103-042 | |
| 37. 12-17-03-103-043 | |
| 38. 12-17-03-103-044 | |
| 39. 12-17-03-103-045 | |
| 40. 12-17-03-103-046 | |
| 41. 12-17-03-103-047 | |