

VILLAGE OF MT. ZION  
MACON COUNTY, ILLINOIS

Ordinance No.  
2021-22

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

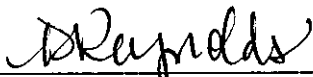
**CERTIFICATE**

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. 2021-22, 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 November 15, 2021.

In witness whereof, I hereby set my hand and affix the seal of the Village of Mt. Zion on this 15<sup>th</sup> day of November 2021.

Seal



\_\_\_\_\_  
Dawn Reynolds, Village Clerk

**VILLAGE OF MT. ZION, ILLINOIS**

**ORDINANCE NO. 2021- 22**

**AN ORDINANCE APPROVING AND AUTHORIZING  
THE EXECUTION OF THE THIRD 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 15<sup>TH</sup> DAY OF NOVEMBER, 2021.**

**VILLAGE OF MT. ZION, ILLINOIS: ORDINANCE NO. 2021- 22**  
**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF**  
**THE THIRD 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 Third 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 Third 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 Third 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.

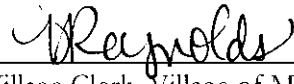
**SECTION THREE:** The Third Amendment to the TIF Redevelopment Agreement shall be effective the date of its approval on the 15<sup>th</sup> day of November, 2021.

**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 15<sup>th</sup> day of November, 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			
<b>TOTAL VOTES:</b>	5	0	1

APPROVED:  \_\_\_\_\_, Date 11 / 15 / 2021  
 President, Village of Mt. Zion

ATTEST:  \_\_\_\_\_, Date: 11 / 15 / 2021  
 Village Clerk, Village of Mt. Zion

**EXHIBIT A: THIRD 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**

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**THIRD AMENDMENT TO THE  
TIF REDEVELOPMENT AGREEMENT**

by and between

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

and

**LEWIS PROPERTY DEVELOPMENT, LLC**

**NOVEMBER 15, 2021**

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

**THIS THIRD AMENDMENT TO THE TIF REDEVELOPMENT AGREEMENT** is entered into this 15<sup>th</sup> day of November, 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 Mt. Zion Gustin and Nelson TIF District Redevelopment Plan and Projects; and

**WHEREAS**, on January 19, 2021 the Village approved the Second Amendment to the Mt. Zion 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**, on January 19, 2021 the Village approved the Second Amendment to the Original Agreement to amend the definition of the “Property” and the “Additional Property” that is included in the amended Agreement; and

**WHEREAS**, the Village now wishes to amend **Exhibit B** of the Second Amendment to the Original Agreement defining the “Property” and “Additional Property”; 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 the **Amended 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, the First Amendment executed in September 2012, and the Second Amendment executed on January 19, 2021 as set forth below.

### **THIRD 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 the **Amended Exhibit B** attached hereto.

#### **B. PRIOR AGREEMENT TERMS APPLY**

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

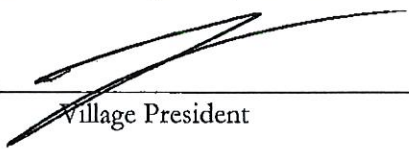
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IN WITNESS WHEREOF the Parties hereto have caused this Third Amendment to the Redevelopment Agreement to be executed by their duly authorized officers on the above date at Mt. Zion, Illinois.

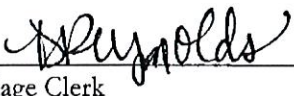
Village

VILLAGE OF MT. ZION,  
an Illinois Municipal Corporation:

BY: \_\_\_\_\_

  
Village President

ATTEST: \_\_\_\_\_

  
Village Clerk

DEVELOPER

LEWIS PROPERTY DEVELOPMENT,  
LLC, a Limited Liability Company

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

**AMENDED EXHIBIT B**

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

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

- |                      |                      |
|----------------------|----------------------|
| 1. 12-17-03-101-021  | 33. 12-17-03-103-032 |
| 2. 12-17-03-101-022  | 34. 12-17-03-103-033 |
| 3. 12-17-03-101-023  | 35. 12-17-03-103-034 |
| 4. 12-17-03-101-024  | 36. 12-17-03-103-035 |
| 5. 12-17-03-101-025  | 37. 12-17-03-103-036 |
| 6. 12-17-03-101-026  | 38. 12-17-03-103-037 |
| 7. 12-17-03-102-021  | 39. 12-17-03-103-038 |
| 8. 12-17-03-102-024  | 40. 12-17-03-103-039 |
| 9. 12-17-03-102-025  | 41. 12-17-03-103-040 |
| 10. 12-17-03-102-026 | 42. 12-17-03-103-041 |
| 11. 12-17-03-102-027 | 43. 12-17-03-103-042 |
| 12. 12-17-03-102-028 | 44. 12-17-03-103-043 |
| 13. 12-17-03-102-029 | 45. 12-17-03-103-044 |
| 14. 12-17-03-102-030 | 46. 12-17-03-103-045 |
| 15. 12-17-03-102-031 | 47. 12-17-03-103-046 |
| 16. 12-17-03-102-032 | 48. 12-17-03-103-047 |
| 17. 12-17-03-102-033 | 49. 12-17-03-103-048 |
| 18. 12-17-03-102-044 | 50. 12-17-03-103-049 |
| 19. 12-17-03-102-045 | 51. 12-17-03-103-050 |
| 20. 12-17-03-102-046 | 52. 12-17-03-103-051 |
| 21. 12-17-03-102-047 | 53. 12-17-03-103-052 |
| 22. 12-17-03-102-069 | 54. 12-17-03-103-053 |
| 23. 12-17-03-102-071 | 55. 12-17-03-103-054 |
| 24. 12-17-03-102-072 | 56. 12-17-03-103-055 |
| 25. 12-17-03-102-073 | 57. 12-17-03-103-056 |
| 26. 12-17-03-102-074 | 58. 12-17-03-103-057 |
| 27. 12-17-03-102-075 | 59. 12-17-03-103-058 |
| 28. 12-17-03-102-076 | 60. 12-17-03-103-059 |
| 29. 12-17-03-103-025 | 61. 12-17-03-103-060 |
| 30. 12-17-03-103-028 | 62. 12-17-03-103-061 |
| 31. 12-17-03-103-030 | 63. 12-17-03-103-062 |
| 32. 12-17-03-103-031 |                      |