

ORDINANCE NO. 2021 - _____

**AN ORDINANCE AMENDING ORDINANCE 2014-111 REGARDING THE DESIGNATION
AND OPERATION CRITERIA IN THE BLOOMINGTON NORMAL ENTERPRISE ZONE
AND AUTHORIZING THE APPROVAL OF AN INTERGOVERNMENTAL
AGREEMENT REGARDING THE ZONE**

WHEREAS, on December 8, 2014, the corporate authorities of the City of Bloomington adopted Ordinance No. 2014-111 (the “Initial Designating Ordinance”), designating an enterprise zone known as the “Bloomington Normal Enterprise Zone” (the “Zone”); and,

WHEREAS, the corporate authorities of the County of Ford, The County of McLean, the Town of Normal and the City of Gibson City (collectively, with the City of Bloomington, the “Designating Units of Government”) each adopted substantially identical Designating Ordinance; and,

WHEREAS, the Designating Units of Government entered into an Intergovernmental Agreement dated as of December 5, 2014 (the “Initial IGA”) setting forth mutually agreed property tax abatements available to certain types of businesses located within the Zone, as set forth in the Initial Designating Ordinances; and,

WHEREAS, the Initial Designating Ordinances and the Bloomington Normal Enterprise Zone were certified by the Illinois Department of Commerce and Economic Opportunity (the “DCEO”) to begin operations on September 30, 2016, in accordance with the Illinois Enterprise Zone Act (20 ILCS 655/1, *et seq.*), hereafter referred to as the “Act”; and,

WHEREAS, subsequent amendments to the Designating Ordinance and IGA have been made for certain boundary amendments to the Bloomington Normal Enterprise Zone, as documented in the current legal description of the Zone in Exhibit “A”, and

WHEREAS, the Designating Units of Government recognize a need to adapt local incentives to meet the needs of existing employers and targeted investors and industry sectors in the region; and,

WHEREAS, the Administrator of the Zone, on behalf of Designating Units of Government, held a duly noticed joint public hearing was held on April 5, 2021, regarding amendments to the Designating Ordinances and the IGA to change the qualifying criteria for, and the terms of the property tax abatements available within, the Zone; and,

WHEREAS, the Designating Units of Government, have determined and concur that it is desirable and necessary to amend the Designating Ordinances and to enter into an amended IGA to change the qualifying criteria for, and the terms of the property tax abatements and related incentives available within, the boundaries of the Zone to meet the needs and improve the competitiveness of the region; and,

WHEREAS, local participating taxing bodies will be requested to implement similar property tax abatement policies in the Zone; and,

WHEREAS, certain operational, oversight and administrative processes and guidelines are being enhanced in the Zone; and,

WHEREAS, certain parts of the Zone lie within the boundaries of the City of Bloomington;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Bloomington, Illinois, as follows:

SECTION 1: Recitals. The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth herein.

SECTION 2: Amendment of Ordinance 2014-111 & Affirmation of Bloomington Normal Enterprise Zone. Sections 1 through 13 of Ordinance 2014-111 are hereby amended by deleting said sections in their entirety and replacing them with Sections 1 through 16 as outlined on Exhibit B to this Ordinance. As the Bloomington Normal Enterprise Zone was already approved and certified by the State of Illinois on January 1, 2017, Section 2 on Designation and Section 3 on Qualifications on Exhibit B are simply a re-affirmations and restatements of Ordinance 2014-111.

SECTION 3. Intergovernmental Agreement. The City Council hereby approves and authorizes the Mayor and City Clerk to execute an Intergovernmental Agreement with the Designating Units of Government, consistent with the amendment to Ordinance 2014-111, regarding the Bloomington Normal Enterprise Zone Designation and Operation Criteria.

SECTION 4. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5. Publication. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 6. Effectiveness. This Ordinance shall be in full force and effect after its passage, approval, and publication as required by law.

PASSED this 26th day of July 2021.

APPROVED this ____ day of July 2021.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

**EXHIBIT A
BLOOMINGTON-NORMAL-MCLEAN COUNTY
ENTERPRISE ZONE
LEGAL DESCRIPTION**

Full Zone Legal Description
Tract 1

Point of Beginning: In the City of Bloomington, County of McLean, State of Illinois, at the intersection of the north right-of-way line of West Market Street and the western right-of-way line of Illinois Central Gulf Railroad tracks; thence south-westerly along said western right-of-way line to the intersection of the north right-of-way line of West Front Street and the east right-of-way line of South Lumber Street; thence southwesterly along said east right-of-way line of South Lumber Street to its intersection with the south right-of-way line of West Oakland Avenue. From this point the boundary runs westerly along the south right-of-way line of Oakland Avenue/Oakland County Road to the west right-of-way line of Interstate 55-74. The boundary follows the western Interstate 55-74 right-of-way line northward to the south right-of-way line of West Washington Street. The boundary follows this right-of-way line westward until it intersects with the west right-of-way line of Bloomington Heights Road; thence Northerly on said west right of way line of Bloomington Heights Road to the north right of way line of said West Washington Street; thence Westerly on the north right of way line of said West Washington Street to the south line of the N1/2 of Section 1, Township 23 North, Range 1 East of the Third Principal Meridian; thence Westerly on the south line of said N1/2 of Section 1 to the west line of said Section 1; thence Northerly on the west line of said Section 1 to the south right of way line of West Market Street; thence Easterly on the south right of way line of said West Market Street to the southwesterly right of way line of the roadway commonly known as Old Peoria Road; thence Northwesterly on the southwesterly right of way line of said Old Peoria Road to the west right of way line of County Road 1100 East. The boundary then follows the west right-of-way line of 1100 East in a northerly direction to its intersection with the centerline of West Raab Road; thence westerly on the centerline of said West Raab Road to the northeasterly right of way line of the Norfolk Southern Railroad; thence Northwesterly on the northeasterly right of way line of said Norfolk Southern Railroad to the centerline of Interstate 74; thence Easterly on the centerline of said Interstate 74 to the centerline of Ropp Road; thence Southerly on the centerline of said Ropp Road to the south right of way line of said Raab Road; thence Easterly on the south right of way line of said Raab Road to the west right of way line of Interstate 55/74; thence Southerly on the west right of way line of said Interstate 55/74 to the north right of way line of College Avenue; thence Westerly on the north right of way line of said College Avenue to the easterly right of way line of White Oak Road; thence Southeasterly on the easterly right of way line of said White Oak Road to the east right of way line of said Interstate 55/74; thence Southerly on the east right of way line of said Interstate 55/74 to the north right of way line of said West Market Street; thence Easterly on the north right of way line of said West Market Street to the west right of way line of Morris Avenue; thence Northerly on the west right of way line of said Morris Avenue to the south right of way line of Empire Street; thence Westerly on the south right of way line of

Empire Street to the west right of way line of Morris Avenue; thence Northerly on the west right of way line of said Morris Avenue to the north right of way line of Seminary Street; thence Easterly on the north right of way line of said Seminary Street and the north right of way line of Emerson Street to the easterly right of way line of the Illinois Central Gulf Railroad; thence Southwesterly on the easterly right of way line of said Illinois Central Gulf Railroad to the east right of way line of Allin Street; thence Southerly on the east right of way line of said Allin Street to the south line of the public alley in Block 9 Western Addition to the City of Bloomington; thence Easterly on the south right of way line of said public alley to the east right of way line of Mason Street; thence Southerly on the east right of way line of said Mason Street to the south right of way line of the public alley in Block 10 in said Western Addition to the City of Bloomington; thence Westerly on the south right of way line of said public alley to the east right of way line of said Allin Street; thence Southerly on the east right of way line of said Allin Street to the north right of way line of Locust Street; thence Easterly on the north right of way line of said Locust Street to the west right of way line of Main Street; thence Northerly on the west right of way line of said Main Street to the south right of way line of Chestnut Street; thence Westerly on the south right of way line of said Chestnut Street to the west right of way line of Center Street; thence Northerly on the west right of way line of said Center Street to the north right of way line of said Empire Street; thence Easterly on the north right of way line of said Empire Street to the east right of way line of said Main Street; thence Southerly on the east right of way line of said Main Street to the north line of the South 8 feet of the N1/2 of Block 5 in Durley Addition to the City of Bloomington, being the south line of the property described in a Quit-Claim Deed recorded as Document No. 2004-29484 in the McLean County Recorder of Deeds Office to the west right of way line of the public alley in said Block 5 Durley Addition; thence Southerly on the west right of way line of said public alley to the north right of way line of Walnut Street; thence Easterly on the north right of way line of said Walnut Street to the east right of way line of Prairie Street; thence Southerly on the east right of way line of said Prairie Street to the south right of way line of said Chestnut Street; thence Westerly on the south right of way line of said Chestnut Street to the east right of way line of East Street; thence Southerly on the east right of way line of said East Street to the north line of Lot 7 in Block 11 in Durley Addition to the City of Bloomington; thence Easterly on the north line of said Lot 7 and the north line of Lot 8 in said Block 11 Durley Addition, being the north line of the property described in a Warranty Deed recorded as Document No. 2012-23170 in the McLean County Recorder of Deeds Office to the west right of way line of Prairie Street; thence Northwesterly to the southwest corner of Lot 12 in Block 10 in said Durley Addition, said corner being at the point of intersection with the east right of way line of said Prairie Street and the north right of way line of a public alley; thence Easterly on the north right of way line of said public alley to the point of intersection with the northerly extension of the east line of the West 33 and 1/3 feet of Lot 15 in said Block 10 in Durley Addition; thence Southerly on said northerly extension and the east line of West 33 and 1/3 feet of said Lot 15, being the east line of the property described in a Warranty Deed recorded as Document No. 2002-12446 in the McLean County Recorder of Deeds Office to the north right of way line of said Locust Street; thence Westerly on the north right of way line of said Locust Street to the east right of way line of said Prairie Street; thence Southerly on the east right of way line of said Prairie Street to the north right of way line of said Market Street; thence

Easterly on the north right of way line of said Market Street to the east right of way line of said Gridley Street; thence Southerly on the east right of way line of said Gridley Street to the north right of way line of Jefferson Street; thence Easterly on the north right of way line of said Jefferson Street to the east right of way line of McLean Street; thence Southerly on the east right of way line of said McLean Street to the south right of way line of Front Street; thence Westerly on the south right of way line of said Front Street to the to the east right of way line of said Gridley Street; thence Southerly on the east right of way line of said Gridley Street to the north right of way line of Oakland Avenue; thence Easterly on the north right of way line of said Oakland Avenue to the east right of way line of Clayton Street; thence Southerly on the east right of way line of said Clayton Street to the point of intersection with the easterly extension of the south line of Lot 2 in Castle Subdivision to the City of Bloomington; thence Westerly on the easterly extension of said south line, the south line and the westerly extension said south line to the southwesterly right of way line of the Norfolk Southern Railroad; thence Northwesterly on the southwesterly right of way line of said Norfolk Southern Railroad to the southeast corner of Lot 7 in Schroeder's Addition to Bloomington also being the southwest corner of the property described in a Warranty Deed recorded as Document No. 2005-24103 in the McLean County Recorder of Deeds Office; thence Westerly on the south line of the tract of land described in said Warranty Deed to the east right of way line of said Gridley Street; thence Southerly on the east right of way line of said Gridley Street to the south right of way line of Wood Street; thence Westerly on the south right of way line of said Wood Street to the west right of way line of Lee Street; thence Northerly on the west right of way line of said Lee Street to the south right of way line of Taylor Street; thence Westerly on the south right of way line of said Taylor Street to the west right of way line of said Allin Street; thence Northerly on the west right of way line of said Allin Street to the north right of way line of said Front Street; thence Easterly on the north right of way line of said Front Street to the west right of way line of said Allin Street; thence Northerly on the west right of way line of said Allin Street to the north right of way line of Monroe Street; thence Westerly on the north right of way line of said Monroe Street to the west right of way line of Morris Avenue; thence Southerly on the west right of way line of said Morris Avenue to the north right of way line of Washington Street; thence Westerly on the north right of way line of said Washington Street to the southeasterly right of way line of said Illinois Central Gulf Railroad; thence Northeasterly on the southeasterly right of way line of said railroad to the north right of way line of said Market Street; thence westerly on the north right of way line of said Market Street to the Point of Beginning containing 5,279.27 acres / 8.25 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 2
Passive Enterprise Zone Connector

A strip of land 3 feet in width lying east of and adjacent to the west right-of-way line of Dr. Martin Luther King Jr. Drive in the City of Bloomington, McLean County, Illinois. Said strip is bounded on the north by the southwesterly right-of-way line of the Norfolk and Southern Railroad and on the south by the north right-of-way line of Market Street in the City of Bloomington, said north right-of-way line being the north line of the existing Enterprise Zone.

Tract 2 contains 13,134 S.F. / 0.13 acres, more or less.

Legal Description Tract 3
Enterprise Zone

Lot 1 and Outlot A in Kalamaya Subdivision Third Addition to the City of Bloomington, McLean County, Illinois, per plat recorded May 29, 1998 as Document No. 98-18176 in the McLean County Recorder's Office, together with:

Part of the North 133.00 feet of Lot 1 of Kalamaya Subdivision First Addition recorded as Document No. 94-24439 in the McLean County Recorder's Office described as follows: Beginning at the northeast corner of said Lot 1 of Kalamaya Subdivision First Addition; thence Southerly along the east line of said Lot 1 and the west right-of-way line of Dr. Martin Luther King Jr. Drive along a curve convex to the west, with an initial tangent bearing S.33° -28' -44"W. and a radius of 693.00 feet, a distance of 149.94 feet; thence West 492.83 feet; thence North 133.00 feet to the north line of said Lot 1 in Kalamaya Subdivision First Addition; thence east along the north line of said Lot 1, 561.42 feet to the Point of Beginning.

Tract 3 contains 12.41 acres / 0.02 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 4
Passive Enterprise Zone Connector

A part of the SE ¼ of Section 30 and a part of the NE ¼ of Section 31 all in Township 24 North Range 2 East of the Third Principal Meridian, Town of Normal, McLean County, Illinois, being a strip of land 3 feet in width, lying 3 feet southwest of and adjoining the following described line: Beginning at the intersection of the northeasterly right of way line of White Oak Road and the centerline of Hovey Avenue; thence Southeast along the northeasterly right of way line of said White Oak Road to the Point of Termination at the southernmost corner of Lot 26 in the Second Re-subdivision of Normal Industrial Park Subdivision according to the Plat thereof recorded as Document No. 74-2089 in the McLean County Recorder of Deeds Office.

Tract 4 contains 2,439 S.F. / 0.06 acres, more or less.

Legal Description Tract 5
Enterprise Zone

Lot 26 and Outlots 28 and 29 of the Second Re-subdivision of Normal Industrial Park, according to the Plat thereof recorded March 15, 1974 as Document No. 74-2089 in the McLean County Recorder of Deeds Office.

Tract 5 contains 10.53 acres / 0.02 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 6
Passive Enterprise Zone Connector

A part of Section 9, 16 and 21 in Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, being a strip of land 3 feet in width lying east of and adjoining the following described line: Beginning at the point of intersection of the south right of way line of Wood Street and the west right of way line of Main Street in the City of Bloomington; thence Southerly on the west right of way line of said Main Street / U.S. Route 51 to the Point of Termination on the easterly extension of the south right of way line of Brigham School Road.

Tract 6 contains 32,769 S.F. / 0.75 acres, more or less.

Legal Description Tract 7
Enterprise Zone

A part of Sections 20, 21, 22, 28 and 29 in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Beginning at the point of intersection of the west right of way line of Main Street / U.S. Route 51 and the easterly extension of the south right of way line of Brigham School Road; thence Easterly on said easterly extension to the centerline of Main Street / U.S. Route 51; thence Southerly on the centerline of said Main Street / U.S. Route 51 to the south right of way line of Interstate 74; thence Easterly on the south right of way line of said Interstate 74 to the west right of way line of Township Road 1350 East; thence Southerly on the east right of way line of said Township Road 1350 East to the south line of the SW $\frac{1}{4}$ of Section 22; thence Westerly on the south line of said SW $\frac{1}{4}$ of Section 22 and the south line of the SE $\frac{1}{4}$ of Section 21 to the east right of way line of said U.S. Route 51; thence Southerly on the east right of way line of said U.S. Route 51 to the south line of the NW $\frac{1}{4}$ of Section 28; thence Westerly on the south line of said NW $\frac{1}{4}$ of Section 28 and the south line of the NE $\frac{1}{4}$ of Section 29 to the west line of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 29; thence Northerly on the west line of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 29 to the north line of the NE $\frac{1}{4}$ of said Section 29; thence Easterly on the north line of the NE $\frac{1}{4}$ of said Section 29 to the east right of way line of Morris Avenue; thence Northerly on the east right of way line of Morris Avenue to the south right of way line of said Brigham School Road; thence Easterly on the south right of way line of said Brigham School Road to the Point of Beginning containing 825.12 acres / 1.29 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 8
Passive Enterprise Zone Connector

A part of the SE $\frac{1}{4}$ of Section 4, Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, being a strip of land 3 feet in width lying 1.5 feet on each side of the following described centerline: Beginning at the point of intersection of the east right of way line of McLean Street and the centerline of Front Street; thence Easterly on the centerline of said Front Street to the Point of Termination on the west right of way line of Robinson Street.

Tract 8 contains 4,554 S.F. / 0.10 acres, more or less.

Legal Description Tract 9
Enterprise Zone

A part of Sections 3, 4, 9 and 10 in Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the point of intersection of the centerline of Front Street and the west right of way line of Robinson Street; thence Northerly on the west right of way line of said Robinson Street to the south right of way line of Washington Street; thence Easterly on the south right of way line of said Washington Street to the east right of way line of McClun Street; thence Southerly on the east right of way line of said McClun Street to the north line of Lot 19 in the Subdivision of the S ½ of Section 3; thence Easterly on the north line of said Lot 19 and the north line of Lot 16 in said Subdivision to the northeast corner of said Lot 16; thence Southerly on the east line of said Lot 16 to the north line of the North 45 feet of the South 100 feet of Lot 9 in said Subdivision, being the north line of the property described in a Warranty Deed recorded as Document No. 93-31402 in the McLean County Recorder of Deeds Office; thence Easterly on the north line of the property described in said Warranty Deed and the easterly extension thereof to the east right of way line of Denver Street; thence Southerly on the east right of way line of said Denver Street to the south right of way line of Oakland Avenue; thence Westerly on the south right of way line of said Oakland Avenue to the east right of way line of Hannah Street; thence Southerly on the east right of way line of said Hannah Street to the north right of way line of Bell Street; thence Easterly on the north right of way line of said Bell Street to the easterly right of way line of Maizefield Avenue; thence Southeasterly on the easterly right of way line of Maizefield Avenue to the east right of way line of OConnel Street; thence Southerly on the east right of way line of said OConnel Street to the south right of way line of Croxton Avenue; thence Southwesterly on the south right of way line of said Croxton Avenue to the easterly right of way line of Morrissey Avenue; thence Southeasterly on the easterly right of way line of Morrissey Avenue to the south right of way line of Lincoln Street; thence Westerly on the south right of way line of said Lincoln Street to the west right of way line of Bunn Street; thence Northerly on the west right of way of said Bunn Street to the south right of way line of said Oakland Avenue; thence Westerly on the south right of way line of said Oakland Avenue to the west right of way line of said Robinson Street; thence Northerly on the west right of way line of said Robinson Street to the Point of Beginning containing 133.80 acres / 0.21 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 10
Passive Enterprise Zone Connector

A part of the SE ¼ of Section 28, Township 24 North, Range 2 East of the Third Principal Meridian, Town of Normal, McLean County, Illinois, being a strip of land 3 feet in width lying east of and adjacent to the following described line: Beginning at the intersection of the centerline of Beaufort Street and the west right of way line of Fell Avenue; thence Southerly on the west right of way line of said Fell Avenue to the Point of Termination at the northwesterly right of way line of the Union Pacific Railroad.

Tract 10 contains 432 S.F. / 0.01 acres, more or less.

Legal Description Tract 11
Enterprise Zone

A part of the SE ¼ of Section 28, Township 24 North, Range 2 East of the Third Principal Meridian, Town of Normal, McLean County, Illinois, more particularly described as follows: Beginning at the intersection of the west right of way line of Fell Avenue and the northwesterly right of way line of the Union Pacific Railroad; thence Southwesterly 463 feet on the northwesterly right of way line of said railroad; thence Northwesterly 25 feet on the northwesterly right of way line of said railroad; thence Southwesterly on the northwesterly right of way line of said railroad to the east right of way line of School Street; thence Northerly on the east right of way line of said School Street to the southerly right of way line of said Beaufort Street; thence Northeasterly on the southerly right of way line of said Beaufort Street to the west right of way line of said Fell Avenue; thence Southerly on the west right of way line of said Fell Avenue to the Point of Beginning, EXCEPTING THEREFROM the vacated alley lying between Lots 50 and 52, ALSO EXCEPTING all of Lots 52, 53, 54, 55, 56, 57, 58 and the East 2.9 feet of Lot 59, ALSO EXCEPTING the vacated alley lying between Lots 55 and 56 all in Fifth Addition to the Town of Normal recorded in Plat Book 1 on Page 69 in the McLean County Recorder of Deeds Office.

Tract 11 contains 67,079 S.F. / 1.54 acres, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 12
Passive Enterprise Zone Connector

A strip of land, 3 feet in width, lying 1.5 feet on each side of the following described line and being a part of Sections 28, 29, 30, 31, 32 and 33 in Township 24 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Beginning at the intersection of the centerline of White Oak Road (formerly U.S. Route 150) with the east line of the existing Bloomington and Normal Enterprise Zone, said east line being the east right-of-way line of Interstate 55-74. From said Point of Beginning, thence Southeasterly along the centerline of said White Oak Road to the centerline of Hovey Avenue in the Town of Normal, Illinois; thence Easterly along the centerline of said Hovey Avenue to the centerline of Beaufort Street in the Town of Normal; thence Northeasterly along the centerline of said Beaufort Street to a point lying 1.5 feet east of the east right-of-way line of Fell Avenue in the Town of Normal; thence North parallel with said east right-of-way line to the north right-of-way line of said Beaufort Street. Said 3-foot wide strip is bounded on the west by the east right-of-way line of said Interstate 55-74 and is bounded on the east by the north right-of-way line of said Beaufort Street.

Tract 12 contains 37,413 S.F. / 0.86 acres, more or less.

Legal Description Tract 13
Enterprise Zone

A part of the W½ of Section 27 and a part of the SE¼ of Section 28, all in Township 24 North, Range 2 East of the Third Principal Meridian, in the Town of Normal, McLean County, Illinois, described as follows: Beginning at the intersection of the east right-of-way line of Fell Avenue with the north right-of-way line of Beaufort Street. From said Point of Beginning, thence North along said east right-of-way line to the south right-of-way line of Mulberry Street; thence East along the south right-of-way line of said Mulberry Street to the northeast corner of Lot 6 in Block 38 First Addition to the Town of Normal; thence South on the east line of said Lot 6 and the east line of Lot 13 in said Block 38 and the southerly extension of said east line to the south right-of-way line of College Avenue; thence East on the south right-of-way line of said College Avenue to the point of intersection with the southerly extension of the west line of Lot 5 in Re-subdivision of Lot 3 Bank of Illinois Subdivision recorded as Document No. 2007-21948 in the McLean County Recorder of Deeds Office; thence North on said southerly extension, the west line of said Lot 5 and the west line of Lot 4 in said Re-subdivision to the south right-of-way line of said Mulberry Street; thence West on the south right-of-way line of said Mulberry Street to the point of intersection with the southerly extension of the west line of Lot 16 in Block 37 First Addition to the Town of Normal; thence North on said southerly extension, the west line of said Lot 16 and the west line of Lot 3 in said Block 37 to the south right-of-way line of Cherry Street; thence East on the south right-of-way line of said Cherry Street to the northeast corner of Lot 1 in said Block 37; thence South on the east line of said Lot 1 and the east line of Lot 18 in said Block 37 and the southerly extension thereof to the south right-of-way line of said Mulberry Street; thence East on the south right-of-way line of said Mulberry Street to the west right-of-way line of Constitution Boulevard; thence South on the west right-of-way line of said Constitution Boulevard to the south right-of-way line of said College Avenue;

thence East along said south right-of-way line to a point lying 45 feet east of the northwest corner of Lot 3 in the Subdivision of Block 1 and part of Block 2 in the Original Town of Normal and also of Lots 2, 3 and 4 in Block 43 in the First Addition to Normal; thence South along the west line of property conveyed per deed recorded as Document No. 2003-26653 in the McLean County Recorder's Office and the southerly extension thereof to the Northwesterly Extension of the east line of the West 3 feet of Lots 6, 7 and 13 in said Subdivision; thence Southeast along said northwesterly extension and along said east line and the southeasterly extension thereof to the south right-of-way line of the Beaufort Street; thence Northeasterly along said south right-of-way line to the east right-of-way line of Linden Street; thence North along said east right-of-way line to the south right-of-way line of Mulberry Street; thence East along said south right-of-way line to the southwesterly right-of-way line of the Mulberry/College Avenue Crossover; thence Southeast along said southwesterly right-of-way line to the northwesterly right-of-way line of the Union Pacific Railroad; thence Southwest along said northwesterly right-of-way line to the southeasterly extension of the westerly line of the easterly 2.5 feet of Lot 5 in Block 7 in the Original Town of Normal; thence Northwest along said southeasterly extension, along said westerly line and along the northwesterly extension of said westerly line to the north right-of-way line of Beaufort Street; thence Southwest along said north right-of-way line to the Point of Beginning containing 22.87 acres / 0.04 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 14
Passive Enterprise Zone Connector

A part of the SW $\frac{1}{4}$ of Section 16, Township 24 North, Range 2 East of the Third Principal Meridian, Town of Normal, McLean County, Illinois, being a strip of land 3 feet in width lying north of and adjoining the following described line: Beginning at the point of intersection of the centerline of Main Street / U.S. Route 51 and the easterly extension of the south line of Lot 11 in Northmeadow Subdivision recorded as Document No. 78-15579 in the McLean County Recorder of Deeds Office; thence Westerly on said easterly extension to the Point of Termination on the east line of said Lot 11.

Tract 14 contains 300S.F. / 0.01 acres, more or less.

Legal Description Tract 15
Enterprise Zone

Lot 11 in Northmeadow Subdivision according to the Plat thereof recorded October 25, 1978 as Document No. 78-15579 in the McLean County Recorder of Deeds Office, being a part of the SW $\frac{1}{4}$ of Section 16, Township 24 North, Range 2 East of the Third Principal Meridian, Town of Normal, McLean County, Illinois.

Tract 15 contains 5.84 acres / 0.01 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 16
Passive Enterprise Zone Connector

A part of the SW $\frac{1}{4}$ of Section 9, a part of the W $\frac{1}{2}$ of Section 16, a part of the W $\frac{1}{2}$ of Section 21, a part of the W $\frac{1}{2}$ of Section 28, a part of Section 29, and a part of Section 30, all in Township 24 North, Range 2 East of the Third Principal Meridian, Town of Normal, McLean County, Illinois, being a tract of land 3 feet of even width lying 1.5 feet on each side of the following described centerline: Beginning at a point on the east line of the Bloomington/Normal "Enterprise Zone" as described in Ordinance No. 3618 dated May 19, 1986, filed with the Town Clerk of the Town of Normal, Illinois, said point being the intersection of the east right of way line of White Oak Road (Formerly U. S. Route 150), and the westerly extension of the centerline of West College Avenue; thence Easterly 3613 feet on the westerly extension and the centerline of said West College Avenue to the centerline of Parkside Road; thence Easterly 2715 feet on the centerline of said West College Avenue to the centerline Cottage Avenue; thence Easterly 2709 feet on the centerline of said West College Avenue to the centerline of Adelaide Street; thence Easterly 1833 feet on the centerline of said West College Avenue and Sudduth Road extended easterly to the centerline of northbound North Main Street (U.S. Route 51); thence Northerly 309 feet on the centerline of said North Main Street to the centerline of West College Avenue, as lying east of North Main Street; thence Northerly 1904 feet on the centerline of said North Main Street to the centerline of Gregory Street and Bowles Street; thence Northerly 739 feet on the centerline of said North Main Street to the centerline of Gregory Street, as lying east of North Main Street; thence Northerly 5040 feet on the centerline of said North Main Street to the centerline of Raab Road; thence Northerly 6740 feet on the centerline of said North Main Street to the south line of N $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Section 9; thence continuing Northerly 86.7 feet on the centerline of said

Main Street to a point lying 86.5 feet North of the south line of N $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Section 9; thence Easterly 79.8 feet parallel with the south line of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Section 9 to the Point of Termination on the east right of way line of said North Main Street, containing 77,306 square feet/1.77 acres, more or less.

Legal Description Tract 17
Enterprise Zone

The N $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 9, Township 24 North, Range 2 East of the Third Principal Meridian which lies Westerly of and adjacent to a line that lies parallel and 25 feet Westerly from the centerline of the Illinois Central Gulf's Amboy District North Main track on the East and the highway on the West, being North Main Street of Bloomington, Illinois, as extended North, EXCEPTING THEREFROM that part conveyed to McLean County Service Company in Quit Claim Deed recorded January 5, 1996 as Document No. 96-505, ALSO EXCEPTING the South 85 feet thereof, in McLean County, Illinois. Together with the following described tract: Beginning at the point of intersection of the east right of way line of North Main Street / U.S. Route 51 and the north line of the South 85 feet of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 9, Township 24 North, Range 2 East of the Third Principal Meridian; thence East on said north line of the South 85 feet of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 9 to the west right of way line of the Constitution Trail; thence Southerly on the west right of way line of said Constitution Trail to the south right of way line of Northtown Road; thence Easterly on the north right of way line of said Northtown Road to the west right of way line of Linden Street; thence Southerly on the west right of way line of said Linden Street to the to the southeast corner of Lot 2 Re-subdivision of Lot 1 Northtown Center Subdivision recorded as Document No. 2007-4082 in the McLean County Recorder of Deeds Office; thence Westerly on the south line of said Lot 1 and the south line of Lot 3 in said subdivision to the southwest corner thereof on the east line of Lot 1 Normal Industrial Park; thence Southerly on the east line of said Lot 1 to the southeast corner thereof; thence Westerly on the south line of said Lot 1 to the east right of way line of said Constitution Trail; thence Southerly on the east right of way line of said Constitution Trail to the north right of way line of Interstate 55; thence Westerly on the north right of way line of said Interstate 55 to the west right of way line of said Main Street / U.S. Route 51; thence Southerly on the west right of way line of said Main Street / U.S. Route 51 to the north right of way line of said Interstate 55; thence Westerly on the north right of way line of said Interstate 55 to the east right of way line of Interstate 39; thence Northerly on the east right of way line of Interstate 39 to the north line of the SW $\frac{1}{4}$ of said Section 9; thence East on the north line of the SW $\frac{1}{4}$ of said Section 9 to the west right of way line of said Main Street / U.S. Route 51; thence Southerly on the west right of way line of Main Street / U.S. Route 51 to the westerly extension of said north line of the South 85 feet of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 9; thence Easterly on said westerly extension to the Point of Beginning containing 488.66 acres / 0.76 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 18
Passive Enterprise Zone Connector

A part of the NW $\frac{1}{4}$ of Section 9 and a part of the SW $\frac{1}{4}$ of Section 4, all in Township 24 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, being a tract of land 3 feet of even width lying 1.5 feet on each side of the following described centerline: Beginning

on the east right of way line of North Main Street, also known as U.S. Route 51 in the Town of Normal, at a point 86.5 feet North of the south line of the N½ of the S½ of Section 9; thence Westerly 79.8 feet parallel with the south line of the N½ of the S½ of said Section 9 to the centerline of said North Main Street and U.S. Route 51 according to the Right of Way Plans thereof recorded as Document No. 87-22330 in the McLean County Recorder of Deeds Office; thence North 3579 feet on said centerline of U.S. Route 51, and as according to the Right of Way Plans thereof recorded as Document No. 87-22333 and Document No. 87-22332 in the McLean County recorder of Deeds Office, to the centerline of Township Road (T.R.) 181 East as depicted on said Right of Way Plans; thence Northeasterly 300 feet on the centerline of said Township Road (T.R.) 181 East to the intersection of the centerline of a public road, as depicted on said Right of Way Plans, now commonly known as Former U.S. Route 51; thence Northerly 1904 feet on the centerline of said public road and Former U.S. Route 51 to a point 1.5 feet north of the easterly extension of the south line of Lot 1 of Birkey's Farm Store Subdivision according to the Plat thereof recorded as Document No. 2008-25692 in the McLean County Recorder of Deeds Office; thence Westerly 60 feet parallel with the south line of said Lot 1 to the Point of Termination on the east line of said Lot 1 in Birkey's Farm Store Subdivision, containing 16,896 square feet/0.39 acres, more or less.

Legal Description Tract 19
Enterprise Zone

Lot 1 in Birkey's Farm Store Subdivision according to the Plat thereof recorded as Document No. 2008-25692 in the McLean County Recorder of Deeds Office, Lot 1 in Bates Subdivision according to the Plat thereof recorded as Document No. 88-11868 in the McLean County Recorder of Deeds Office and a part of Lot 8 in Heirs Survey, all in Section 4, Township 24 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Beginning at the southeast corner of Lot 1 in Birkey's Farm Store Subdivision; thence S.87°-56'-26"W. 822.27 feet to the southwest corner of said Lot 1; thence N.00°-38'-14"W. 513.24 feet on the west line of said Lot 1; thence N.07°-53'-37"E. 303.36 feet on the west line of said Lot 1; thence N.00°-38'-14"W. 300.00 feet on the west line of said Lot 1 and the easterly right of way line of F.A.P. 412/Interstate 39; thence N.24°-51'-54"W. 109.66 feet on said easterly right of way line of F.A.P. 412/Interstate 39; thence N.00°-38'-14"W. 837.38 feet on said right of way line; thence N.01°-45'-54"E. 438.03 feet on said right of way line to the north line of Lot 8 in Heirs Survey of Section 4; thence N.89°-19'-03"E. 567.21 feet on said north line of Lot 8 to the northwest corner of a tract conveyed in a Warranty Deed recorded December 15, 1993 as Document No. 93-38725 in the McLean County Recorder of Deeds Office; thence S.02°-03'-34"E. 363.28 feet to the southwest corner of said tract conveyed in Document No. 93-38725; thence S.87°-05'-31"W. 120.83 feet on the westerly extension of the south line of said tract conveyed in Document No. 93-38725 to the northwest corner of a tract of land conveyed to Arin Rader in Warranty Deed recorded as Document No. 2006-13844 in the McLean County Recorder of Deeds Office; thence S.02°-03'-34"E. 431.39 feet to the southwest corner of said tract conveyed to Arin Rader in Document No. 2006-13844; thence N.87°-56'-26"E. 176.00 feet on the southerly line of said tract conveyed to Arin Rader in Document No. 2006-13844; thence S.02°-03'-34"E. 69.00 feet on the southerly line of said tract conveyed to Arin Rader in Document No. 2006-13844; thence N.87°-56'-26"E. 124.00 feet to the southeast corner of said tract conveyed to Arin Rader in Document No. 2006-13844 on the west right of way line of Former U.S. Route 51; thence S.02°-03'-34"E. 509.00 feet on said west right of way line of Former U.S. Route 51 to the southeast

corner of Lot 1 in Bates Subdivision, according to the Plat thereof recorded as Document No. 88-11868 in the McLean County Recorder of Deeds Office, also being the northeast corner of said Lot 1 in Birkey's Farm Store Subdivision; thence S.01° -51' -01"E. 1098.96 feet on said west right of way line of Former U.S. Route 51 to the Point of Beginning containing 1,768,972 square feet/ 40.61 acres, more or less, with assumed bearings given for description purposes only.

Together with the following described tracts of land to wit:

Legal Description Tract 20

Passive Enterprise Zone Connector

A strip of land 3 feet wide in Sections 23, 26 and 35 in Township 24 North, Range 2 East, of the Third Principal Meridian, in McLean County, Illinois, and lying 1.5 feet on each side of the following described centerline: Beginning at the intersection of the centerline of F.A.P. 704 (Veterans Parkway) according to right of way plans recorded May 7, 1996 as Document No. 1996-12491 in the McLean County Recorder's Office, with the centerline of Arrowhead Drive. From said Point of Beginning, thence North along said centerline of Veterans Parkway through said Sections 35, 26 and 23 to Station 355+80.00 as shown on right of way plans recorded January 15, 2002 as Document No. 2002-2123, thence West perpendicular to said centerline 100.00 feet to the west right-of-way line as shown on said right of way plans, said point also being the Point of Terminus.

Tract 20 contains 26,724 S.F. / 0.61 acres, more or less.

Legal Description Tract 21

Enterprise Zone

Lot 5 in Gregory's Subdivision of part of Section 23, Township 24 North, Range 2 East of the Third Principal Meridian, except (Exception No. 1) a piece of the north end thereof described as follows: Beginning at a point 50 feet southeasterly at a right angle from the centerline of the southbound main track and in the southeasterly right-of-way line of the Chicago and Alton Railway at Station 6437+04.6 measured from Chicago; thence Southwesterly along said right-of-way line 2217.7 feet; thence South 128 feet to a point 100 feet southeasterly at a right angle from said right-of-way line; thence Northeasterly parallel with said right-of-way line 2217.7 feet; thence North 128 feet to the Place of Beginning, except (Exception No. 2) also a tract of land conveyed to the State of Illinois for highway purposes by deed recorded June 6, 1939 in Book 428, Page 235 and per Book 638, Page 445; and also except (Exception No. 3) that part of the real estate lying east of the U.S. Highway 66; also except (Exception No. 4) that part conveyed to the State of Illinois by Quit-Claim Deed recorded January 11, 1977 as Document No. 77-473, (Exception No. 5) by Quit-Claim Deed recorded June 1, 1982 as Document No. 82-4778, and (Exception No. 6) by deed recorded as Document No. 98-31415, and (Exception No. 7) that part taken by the State of Illinois, Department of Transportation in Condemnation Case #2001ED10 filed November 21, 2001 and also (Exception No. 8) all that part lying within Veterans Business Park Subdivision Unit 1 according to the plat recorded October 19, 2005 as Document No. 2005-31837, all in McLean County, Illinois, together with the following described tract: A part of Sections 22, 23 and 27 in Township 24 North, Range 2 East of the Third Principal Meridian, Town of Normal, McLean County, Illinois, more particularly described as follows: Beginning at the point of intersection of the centerline of the Union Pacific Railroad and the northerly extension of the east line of Lot 2 in Eureka

Subdivision Extension No. One according to the Plat thereof recorded as Document No. 2002-52025 in the McLean County Recorder of Deeds Office; thence Southerly on the east line of said Lot 2 to the north right of way line of Fort Jesse Road; thence Westerly on the north right of way line of said Fort Jesse Road and Willow Street to the east right of way line of Beech Street; thence Northerly of the east right of way line of said Beech Street to the northwest corner of Lot 1 in Skatium Subdivision according to the Plat thereof recorded as Document No. 82-9787 in the McLean County Recorder of Deeds Office; thence Easterly 382.15 feet on the north line of said Lot 1; thence Northerly 70.10 feet on said north line; thence Easterly 215.65 feet on said north line; thence Southerly 8.6 feet on said north line; thence Easterly 50.0 feet on said north line to the west line of Lot 1 in Darnall Concrete Products Subdivision according to the Plat thereof recorded as Document No. 2001-35500 in the McLean County Recorder of Deeds Office; thence Northerly on the west line of said Lot 1 to the north line of said Lot 1, also being the south right of way line of Pine Street; thence Easterly on the north line of said Lot 1, the north line of Lot 2 in said Darnall Concrete Products Subdivision, the north line of Marguerite Subdivision according to the Plat thereof recorded as Document No. 74-8248 in the McLean County Recorder of Deeds Office and the easterly extension thereof to the centerline of said Union Pacific Railroad; thence Northeasterly on said centerline to the Point of Beginning containing 216.58 acres / 0.34 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 22
Passive Enterprise Zone Connector

A part of the N $\frac{1}{2}$ of Section 35, Township 24 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, being a strip of land 3 feet in width lying 1.5 feet on each side of the following described centerline: Beginning at the point of intersection of the centerline of Veterans Parkway and the centerline of General Electric Road; thence Easterly on the centerline of said General Electric Road to a point lying 1.5 feet east of the point of intersection of the centerline of said General Electric Road and the east right of way line of Keaton Place; thence Southerly parallel with the east right of way line of said Keaton Place to the Point of Termination on the south right of way line of said General Electric Road.

Tract 22 contains 1,779 S.F. / 0.04 acres, more or less.

Legal Description Tract 23
Enterprise Zone

A part of the NE $\frac{1}{4}$ of Section 35, Township 24 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the point of intersection of the south right of way line of General Electric Road and the east right of way line of Keaton Place; thence Easterly on the north right of way line of said General Electric Road to the east line of the NE $\frac{1}{4}$ of said Section 35; thence South on the east line of the NE $\frac{1}{4}$ of said Section 35 to the north line of Lakewood Estates Subdivision First Addition; thence Westerly on said north line to the northwest corner of Lot 204 in said First Addition; thence Southerly on the west line of said Lot 204 to the northeast corner of Lot 203 in said First Addition; thence Westerly on the north line of said First Addition, the north

line of Lakewood Estates Second Addition and the north line of Lakewood Estates Sixth Addition to the southeast corner of General Electric Company Subdivision according to the Plat thereof recorded as Document No. 96-33517 in the McLean County Recorder of Deeds Office; thence continuing Westerly on the south line of said General Electric Company Subdivision to the southwest corner thereof; thence Northerly on the west line of said General Electric Company Subdivision and the east right of way line of said Keaton Place to the Point of Beginning containing 1.08 acres / 0.09 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 24
Passive Enterprise Zone Connector

A part of the SW $\frac{1}{4}$ of Section 36, Township 24 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the southwest corner of Lot 1 in Empire East Development recorded as Document No. 85-14445 in the McLean County Recorder's Office. From said Point of Beginning, thence south along the southerly extension of the west line of said Lot 1 to the centerline of Illinois Route 9; thence east along said centerline to a point lying 3.00 feet normally distant east of said southerly extension; thence north along a line parallel with said southerly extension to the south line of said Lot 1; thence west along said south line to the Point of Beginning, except the South 1.50 feet thereof.

Tract 24 contains 444 S.F. / 0.01 acres, more or less.

Legal Description Tract 25
Enterprise Zone

Lot 1 in Empire East Development being a part of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 36, Township 24 North, Range 2 East of the Third Principal Meridian, according to the plat thereof recorded November 13, 1985 as Document No. 85-14445, in McLean County, Illinois.

Tract 25 contains 19.96 acres / 0.03 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 26
Passive Enterprise Zone Connector

A part of the SW $\frac{1}{4}$ of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, being a strip of land 3 feet in width, lying 1.50 feet on each side of the following described line: Beginning at the southwest corner of Trinity Lane as dedicated in Empire Business Park Subdivision per plat recorded as Document No. 2007-1452 in the McLean County Recorder's Office. From said Point of Beginning, thence south along a line which is perpendicular to the south line of said Trinity Lane to the centerline of Illinois Route 9. Said strip is bounded on the north by the south line of said Trinity Lane and on the south by the centerline of Illinois Route 9.

Tract 26 contains 483 S.F. / 0.01 acres, more or less.

Legal Description Tract 27
Enterprise Zone

A part of the SW¼ of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, in the City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the southeast corner of Cornelius Road as dedicated per the final plat of Central Catholic/McGraw Park Subdivision in the City of Bloomington, Illinois, per Ordinance No. 2002-90 approved by the Bloomington City Council, said southeast corner being a point lying 70.00 feet southeast of the southeast corner of Lot 2 in said subdivision. From said Point of Beginning, thence southwesterly 328.65 feet along the south right-of-way line of said Cornelius Road being the arc of a curve concave to the northwest with a radius of 530.00 feet and a long chord of 323.41 feet to a point of tangency; thence west 1,245.00 feet along said south right-of-way line which forms an angle to the right of 197°-45'-51" with the last described chord; thence southwest 64.37 feet along the southeasterly right-of-way line of Airport Road in the City of Bloomington which forms an angle to the right of 148°-32'-19" with the last described course to the east right-of-way line of said Airport Road; thence south 843.23 feet along said east right-of-way line which forms an angle to the right of 120°-46'-26" with the last described course; thence south 150.74 feet along said east right-of-way line which forms an angle to the right of 178°-04'-06" with the last described course; thence south 290.00 feet along said east right-of-way line which forms an angle to the right of 182°-49'-06" with the last described course; thence southeast 75.47 feet along said east right-of-way line which forms an angle to the right of 131°-09'-39" with the last described course to the north right-of-way line of F.A.P. 693 (Illinois Route 9) as shown on a plat recorded as Document No. 95-5258 in the McLean County Recorder's Office; thence east 226.27 feet along said north right-of-way line which forms an angle to the right of 140°-29'-01" with the last described course; thence east 280.50 feet along said north right-of-way line which forms an angle to the right of 180°-11'-51" with the last described course; thence east 150.35 feet along said north right-of-way line which forms an angle to the right of 176°-11'-11" with the last described course; thence east 468.55 feet along said north right-of-way line which forms an angle to the right of 185°-02'-28" with the last described course to the intersection of said north right-of-way line with the west right-of-way line of Trinity Lane as dedicated in the Empire Business Park Subdivision per plat recorded as Document No. 2007-1452 in said Recorder's Office; thence continuing east 231.70 feet along said north right-of-way line which is also the south right-of-way line and the easterly extension thereof of said Trinity Lane which forms an angle to the right of 180°-00'-00" with the last described course; thence east 500.34 feet along said north right-of-way line which forms an angle to the right of 176°-28'-54" with the last described course; thence east 199.98 feet along said north right-of-way line which forms an angle to the right of 182°-17'-27" with the last described course; thence east 600.23 feet along said north right-of-way line which forms an angle to the right of 181°-54'-34" with the last described course; thence east 214.07 feet along a line which forms an angle to the right of 178°-05'-26" with the last described course to the east line of the Survey of 355.15 acres off the west side of said Section 31 as shown in Plat Book 12, page 120 in said Recorder's Office; thence north 2389.85 feet along said east line which forms an angle to the right of 88°-01'-36" with the last described course to the southeast corner Golden Eagle South Subdivision in the City of Bloomington, Illinois, per plat recorded March 15, 1999 as Document No. 99-7564 in said Recorder's Office; thence west 561.48 feet along the south line of said

Golden Eagle South Subdivision which forms an angle to the right of $90^{\circ}-00'-00''$ with the last described course; thence southwest 360.00 feet along said south line which forms an angle to the right of $169^{\circ}-06'-43''$ with the last described course; thence west 461.13 feet along said south line, the south line of the First Addition to Golden Eagle Subdivision in the City of Bloomington, Illinois, per plat recorded July 7, 1999 as Document No. 99-21172 in said Recorder's Office and the south line of the Third Addition to Golden Eagle Subdivision in the City of Bloomington, Illinois, per plat recorded February 24, 2000 as Document No. 2000-4395 in said Recorder's Office, which forms an angle to the right of $190^{\circ}-53'-17''$ with the last described course to the northeast corner of Lot 2 in said Central Catholic/McGraw Park Subdivision; thence south 694.15 feet along the easternmost line of said Lot 2 which forms an angle to the right of $90^{\circ}-00'-00''$ with the last described to the southeast corner thereof; thence southeast 70.00 feet along the northeast line of said Cornelius Road which forms an angle to the right of $144^{\circ}-24'-14''$ with the last described course to the Point of Beginning, except therefrom the following described tracts:

Exception No. 1:

Commencing at the southernmost corner of Lot 1 in Empire Business Park Subdivision in the City of Bloomington, Illinois, per plat recorded January 17, 2007 as Document No. 2007-1452 in said Recorder's Office, thence northeast 245.35 feet along the southeast line of said Lot 1 to the Point of Beginning. From said Point of Beginning, thence southeast 158.00 feet along a line which forms an angle to the right of $270^{\circ}-00'-00''$ with the last described course; thence east 127.41 feet along a line which forms an angle to the right of $120^{\circ}-04'-18''$ with the last described course; thence northeast 194.91 feet along a line which forms an angle to the right of $149^{\circ}-55'-42''$ with the last described course; thence northeast 135.59 feet along a line which forms an angle to the right of $202^{\circ}-12'-00''$ with the last described course; thence east 285.69 feet along a line which forms an angle to the right of $187^{\circ}-52'-18''$ with the last described course; thence north 566.33 feet along a line which forms an angle to the right of $90^{\circ}-00'-00''$ with the last described course; thence west 45.63 feet along a line which forms an angle to the right of $90^{\circ}-00'-00''$ with the last described course; thence northeast 639.87 feet along a line which forms an angle to the right of $297^{\circ}-31'-00''$ with the last described course; thence north 72.35 feet along a line which forms an angle to the right of $152^{\circ}-29'-00''$ with the last described course; thence west 18.69 feet along a line which forms an angle to the right of $90^{\circ}-00'-00''$ with the last described course; thence southwest 721.45 feet along a line which forms an angle to the right of $117^{\circ}-31'-00''$ with the last described course; thence west 46.14 feet along a line which forms an angle to the right of $242^{\circ}-29'-00''$ with the last described course; thence southwest 95.50 feet along a line which forms an angle to the right of $149^{\circ}-55'-58''$ with the last described course to the easternmost corner of said Lot 1; thence southwest 209.48 feet along the east line of said Lot 1 which forms an angle to the right of $135^{\circ}-00'-00''$ with the last described course; thence southwest 589.89 feet along the southeast line of said Lot 1 which forms an angle to the right of $224^{\circ}-59'-44''$ with the last described course to the Point of Beginning; and also, except:

Exception No. 2

Beginning at the southeast corner of Outlot 70 in said Golden Eagle South Subdivision. From said Point of Beginning, thence west 525.84 feet along the south line of said Golden Eagle South Subdivision; thence south 405.38 feet along a line which forms an angle to the right of $90^{\circ}-00'-00''$ with the last described course; thence east 525.84 feet along a line which forms

an angle to the right of 90° -00' -00" with the last described course to the southerly extension of the east line of said Subdivision; thence north 405.38 feet along said east line which forms an angle to the right of 90° -00' -00" with the last described course to the Point of Beginning.

Tract 27 contains 111.34 acres / 0.17 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 28
Passive Enterprise Zone Connector

Part of the SW¼ of Section 31 in Township 24 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, being a strip of land 3.00 feet in width and lying 1.50 feet on each side of the following described line: Beginning at the southwest corner of said Section 31; thence S.88° -51' -13"E. along the south line of said Section 31 a distance of 79.66 feet; thence Northerly along the southerly extension of the east right-of-way line of Airport Road to the Point of Termination at the centerline of Illinois Route 9. Said strip is bounded on the north by the centerline of Illinois Route 9 and on the south by the south line of said Section 31.

Tract 28 contains 666.66 S.F. / 0.02 acres, more or less.

Legal Description Tract 29
Enterprise Zone

Part of the SE¼ of Section 31 in Township 24 North, Range 3 East and part of Sections 5, 6, 7 and 18 in Township 23 North, Range 3 East and part of Section 1 in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois. Said part being further described as follows: Beginning at the northwest corner of said Section 6; thence S.88° -51' -13"E. along the north line of said Section 6 a distance of 4490.15 feet to the southwest corner of the E½ of the SE¼ of said Section 31; thence N.00° -21' -56"W. along the west line of the E½ of the SE¼ of said Section 31 a distance of 2638.47 feet to the northwest corner of the said E½; thence S.89° -29' -20"E. along the north line of the said E½ a distance of 1491.97 feet to the northeast corner of the said E½; thence S.00° -10' -47"E. along the east line of the said E½ a distance of 2654.81 feet to the northeast corner of said Section 6; thence S.00° -37' -05"E. along the east line of said Section 6 a distance of 3676.23 feet; thence S.89° -23' -21"E. a distance of 53.49 feet; thence S.72° -18' -04"E. a distance of 1106.16 feet; thence S.18° -16' -41"W. 1632.26 feet to a point on the south line of the SW¼ of said Section 5; thence N.89° -02' -00"W. along the said south line a distance of 578.45 feet to the southeast corner of said Section 6; thence N.00° -31' -08"W. along the east line of the SE¼ of said Section 6 a distance of 83.79 feet; thence N.71° -43' -41"W. a distance of 1189.36 feet; thence S.00° -10' -21"E. a distance of 462.58 feet to a point on the south line of the SE¼ of said Section 6; thence S.89° -42' -03"W. along the said south line a distance of 816.57 feet; thence S.18° -16' -19"W. a distance of 699.56 feet to a point on the east line of Lot 13 Sixth Addition to Towanda-Barnes Business Park recorded as Document No. 2002-12737 in the McLean County Recorder of Deeds Office; thence South on the west line of said Sixth Addition, the west line of Seventh Addition, the west line of Ninth Addition, the west line of Eighteenth Addition and the west line of Nineteenth Addition to the southwest corner of Lot 39 in Nineteenth Addition to Towanda-Barnes Business Park recorded as Document No. 2007-15254 in the McLean County Recorder of

Deeds Office; thence East on the south line of said Nineteenth Addition, the south line of Sixteenth Addition, the south line of Fourteenth Addition and the south line of Third Addition to the southeast corner of Lot 43 in the Re-subdivision of Lot 7 and Outlot 8 in the Third Addition to Towanda-Barnes Business Park recorded as Document No. 2008-14030 in the McLean County Recorder of Deeds Office, said corner being on the west right of way line of Towanda-Barnes Road; thence South on the west right of way line of said Towanda-Barnes Road to the north right of way line of Ireland Grove Road; thence West on the north right of way line of said Ireland Grove Road to the west line of the East 2,166.80 feet of Section 7, being a tract of Land described in a Trustee's Deed recorded as Document No. 2010-4479 in the McLean County Recorder of Deeds Office; thence South on said west line to the south line of said Section 7; thence S.89°-36'-59"W. along the said south line a distance of 1822.85 feet to the northeast corner of Government Lot 2 in Section 18; thence S.00°-26'-02"E. along the east line of said Government Lot 2 a distance of 1330.84 feet; thence N.89°-30'-25"E. along the north line of the S½ of Government Lot 1 of said Section 18 a distance of 1325.80 feet to a point on the east line of said Government Lot 1; thence S.00°-26'-02"E. along the said east line a distance of 1333.78 feet to the center of said Section 18; thence S.89°-38'-34"W. along the south line of the NW¼ of said Section 18 a distance of 1649.59 feet; thence S.00°-21'-26"E. a distance of 2673.60 feet to a point on the south line of the SW¼ of said Section 18; thence S.89°-29'-24"W. along the said south line a distance of 1640.67 feet to the southwest corner of said Section 18; thence N.00°-33'-26"W. along the west line of said Section 18 a distance of 5338.58 feet to the northwest corner of said Section 18; thence N.89°-36'-59"E. along the south line of the SW¼ of said Section 7 a distance of 747.71 feet to a point on the extension of the east right-of-way line of Streid Drive; thence N.40°-17'-08"W. along the said east right-of-way line a distance of 180.30 feet; thence N.00°-35'-25"W. along the said east right-of-way line a distance of 4465.78 feet to a point at the beginning of a curve to the left, said curve having a radius of 1266.23 feet and an arc length of 783.71 feet; thence on a chord bearing of N.23°-57'-22"W. and a chord distance of 771.26 feet to a point on the south line of the SW¼ of said Section 6; thence S.89°-42'-03"W. along the said south line a distance of 320.94 feet to the southwest corner of said Section 6; thence N.00°-30'-07"W. along the west line of the SW¼ of said Section 6 a distance of 388.83 feet to the southeast corner of said Section 1; thence N.00°-31'-25"W. along the east line of Colonial Meadows Addition "I" a distance of 1782.74 feet to the northeast corner of the said Colonial Meadows Addition "I"; thence S.89°-26'-16"W. along the north line of the said Colonial Meadows Addition "I" a distance of 836.92 feet to the northwest corner of the said Colonial Meadows Addition "I"; thence S.00°-12'-58"W. along the west line of the said Colonial Meadows Addition "I" a distance of 667.70 feet to the northeast corner of Waterford Estates Subdivision Second Addition; thence S.88°-14'-37"W. along the north line of Waterford Estates Subdivision Second Addition and north line of Waterford Estates Subdivision Fourth Addition a distance of 1024.36 feet to a point at the northwest corner of Waterford Estates Subdivision Fourth Addition; thence S.33°-10'-22"W. along the northwesterly line of Waterford Estates Subdivision Fourth Addition a distance of 112.30 feet to a point on the west line of Waterford Estates Subdivision Fourth Addition; thence S.01°-44'-13"E. along said west line a distance of 187.91 feet to the southwest corner of Waterford Estates Subdivision Fourth Addition said point being on the north line of Waterford Estates Subdivision First Addition; thence S.88°-15'-33"W. along the said north line and the north line of Waterford Estates Subdivision Third Addition and the north line of Waterford Estates Subdivision Fifth Addition a distance of 1288.64 feet; thence S.42°-11'-11"W. along the northwesterly line of Waterford Estates Subdivision Fifth Addition a distance of 134.74 feet; thence S.00°-43'-01"E. along the west line of Waterford Estates

Subdivision Fifth Addition a distance of 232.22 feet; thence S.88° -12'-33"W. along the north line of Waterford Estates Subdivision Fifth Addition a distance of 261.35 feet to a point on the southeasterly line of Washington East Subdivision Tenth Addition; thence N.32° -26'-16"E. along said southeasterly line and along the southeasterly line of Lot 1 of the Evergreen Racquet Club Final Plat a distance of 1019.71 feet; thence N.36° -47'-34"E. along said southeasterly line of Lot 1 of the Evergreen Racquet Club Final Plat a distance of 510.39 feet to a point on the west line of the SE¼ of Section 1; thence N.00° -03'-13"E. along said west line and the east line of Washington East Subdivision Fifth Addition a distance of 888.03 feet to the center of said Section 1; thence S.89° -17'-11"W. along the south line of the NW¼ of said Section 1 and the north line of Washington East Subdivision Fifth Addition a distance of 1371.43 feet to the southeast corner of Lot 5 of Hershey Center Final Plat; thence N.00° -56''-19"E. along the east line of said Lot 5 a distance of 473.51 feet to the northeast corner of said Lot 5; thence N.71° -29'-43"W. along the northerly line of Hershey Center Final Plat a distance of 1128.64 feet to the southeast corner of Hershey Plaza Subdivision; thence N.18° -16'-27"E. along the easterly line of Hershey Plaza Subdivision and the easterly line of Hershey Plaza Subdivision Second Addition and the easterly line of Hershey Plaza Subdivision Fourth Addition a distance of 1433.71 feet to the northeast corner of Hershey Plaza Subdivision Fourth Addition; thence N.89° -44'-09"W. along the north line of Hershey Plaza Subdivision Fourth Addition a distance of 252.46 feet to the southeast corner of Burwell Subdivision; thence N.00° -15'-51"E. along the east line of Burwell Subdivision a distance of 522.00 feet to a point on the south right-of-way line of Illinois Route 9 (East Empire Street); thence S.87° -45'-53"E. along the south right-of-way line of Illinois Route 9 (East Empire Street) a distance of 223.53 to a point at the northwest corner of Route 9 Commercial Park Subdivision First Addition; thence S.00° -23'-23"W. along the west line of said Route 9 Commercial Park Subdivision First Addition a distance of 237.40 feet to a point at the southwest corner of said Route 9 Commercial Park Subdivision First Addition; thence S.89° -47'-34"E. along the south line of said Route 9 Commercial Park Subdivision First Addition a distance of 126.77 feet to a point at the southeast corner of Lot 9 of said Route 9 Commercial Park Subdivision First Addition; thence southeasterly on the curved existing south right-of-way line of Airline Drive with a radius of 509.76 feet and an arc length of 202.25 feet; thence on a chord bearing of S.77° -33'-39"E. a chord distance of 200.93 feet; thence S.64° -38'-32"E. along the said existing south right-of-way line of Airline Drive and the southerly line of said Route 9 Commercial Park Subdivision First Addition and the extension thereof a distance of 1319.87 feet to a point at the beginning of a curve to the right, said curve having a radius of 993.00 feet and an arc length of 80.33 feet; thence on a chord bearing of S.67° -02'-46"E. and a chord distance of 80.31 feet; thence N.00° -06'-43"W. a distance of 945.58 feet to a point on the north line of the NW¼ of said Section 1; thence S.89° -43'-24"E. along the north line of said Section 1 a distance of 3092.18 feet to the Point of Beginning.

Excepting the Following Described Tract:

Commencing at the center of said Section 1; thence N.00° -03'-13"E. along the west line of the NE¼ of said Section 1 a distance of 135.33 feet to a point, said point being 745.00 feet southwesterly when measured at right angles from the existing centerline or extension thereof of runway 11/29 at the Central Illinois Regional Airport and said point being the Point of Beginning; thence N.71° -43'-48"W. parallel with the said existing centerline or extension thereof of runway 11/29 a distance of 126.61 feet; thence N.67° -06'-22"W. a distance of 802.61 feet; thence N.18° -16'-12"E. a distance of 1360.59 feet; thence S.76° -21'-15"E. a distance of 802.61 feet to a point, said point being 745.00 feet northeasterly when measured

at right angles from the said existing centerline or extension thereof of runway 11/29; thence S.71°-43'-48"E. parallel with the said existing centerline or extension thereof of runway 11/29 a distance of 5141.17 feet; thence N.84°-48'-14"E. a distance of 832.69 feet to a point, said point being 745.00 feet northwesterly when measured at right angles from the existing centerline or extension thereof of runway 2/20 at the Central Illinois Regional Airport; thence N.18°-16'-12"E. parallel with the said existing centerline or extension thereof of runway 2/20 a distance of 1923.40 feet; thence N.17°-41'-49"E. a distance of 707.99 feet to the existing south right-of-way line of Illinois Route 9; thence S.88°-25'-01"E. along the said south right-of-way line a distance of 1575.01 feet; thence S.18°-50'-34"W. a distance of 1160.26 feet to a point, said point being 745.00 feet southeasterly when measured at right angles from the said existing centerline or extension thereof of runway 2/20; thence S.18°-16'-12"W. parallel with the said existing centerline or extension thereof of runway 2/20 a distance of 2254.98 feet to a point, said point being 745.00 feet northeasterly when measured at right angles from the said existing centerline or extension thereof of runway 11/29; thence S.72°-30'-48"E. a distance of 330.03 feet; thence S.18°-16'-12"W. a distance of 1499.02 feet; thence N.70°-56'-48"W. a distance of 330.03 feet to a point, said point being 745.00 feet southwesterly when measured at right angles from the said existing centerline or extension thereof of runway 11/29 and said point being 745.00 feet southeasterly when measured at right angles from the said existing centerline or extension thereof of runway 2/20; thence S.18°-16'-12"W. parallel with the said existing centerline or extension thereof of runway 2/20 a distance of 4655.02 feet; thence S.17°-41'-49"W. a distance of 807.57 feet; thence N.71°-09'-26"W. a distance of 1506.08 feet; thence N.18°-50'-34"E. a distance of 792.51 feet to a point, said point being 745.00 feet northwesterly when measured at right angles from the said existing centerline or extension thereof of runway 2/20; thence N.18°-16'-12"E. parallel with the said existing centerline or extension thereof of runway 2/20 a distance of 3400.63 feet; thence N.32°-51'-15"W. a distance of 1998.59 feet to a point, said point being 745.00 feet southwesterly when measured at right angles from the said existing centerline or extension thereof of runway 11/29; thence N.71°-43'-48"W. parallel with the said existing centerline or extension thereof of runway 11/29 a distance of 4222.48 feet to the Point of Beginning, containing 612 acres, more or less.

Tract 29 contains 1461.67 acres / 2.28 square miles, more or less.

Together with the following described tracts of land to wit:

Legal Description Tract 31
Passive Connector and Enterprise Zone

Site A: - One Earth Energy Site - from the intersection of West Emerson Street and the east right of way line of the Illinois Central Railroad, in the corporate limits of the City of Bloomington, Illinois hence Easterly along West Emerson Street on a three foot wide strip to North Towanda Avenue; hence Northerly along North Towanda Avenue to Rowe Drive; hence Easterly along Rowe Drive to North Veterans Parkway; hence North along North Veterans Parkway to Arrowhead Drive; hence Easterly along Arrowhead Drive to Gettysburg Drive; hence Southerly along Gettysburg Drive to the centerline of Illinois Route 9; hence Easterly on the centerline of Illinois Route 9 to the border of McLean County, Illinois; hence easterly along the centerline of Illinois Route 9 in Ford County, Illinois to the city limits of the City of Gibson City, Illinois; hence Easterly along the centerline of Illinois Route 9 in the City of Gibson City,

Illinois to N 300E Road for the Starting Point; then from the Starting Point at the intersection of Illinois Route 9 and N 300E Road; hence Northerly on N 300E Road to E 550N Road; hence Easterly along E 550N Road 3004 feet to a point; hence directly South to Illinois Route 9; thence Westerly along Illinois Route 9 to the Starting Point at the intersection of Illinois Route 9 and N 300E Road containing 372.09 acres / 0.58 square miles, more or less.

Said Enterprise Zone contains 9,008.14 acres / 14.08 square miles, more or less.

Bloomington - Normal - McLean County

Enterprise Zone

Legal Description

Amendment 1: Destihl

Lot 12 in the ninth addition to north-land commercial subdivision and a portion of lot 2 in Gregory's subdivision of part of section 23, township 24 north, range 2 east of the third principal meridian according to the plat recorded in book 2 of plats, page 558 in the office of recorder of deeds McLean County, Illinois described as follows:

Commencing from a brass disk marking the southeast corner of the northeast quarter of said section 23;

Thence north 00 degrees 26 minutes 44 seconds west along the east line of said northeast quarter of section 23 a distance of 1299.65 feet;

Thence south 89 degrees 33 minutes 16 seconds west a distance of 48.00 feet to the point of beginning;

Thence south 89 degrees 33 minutes 16 seconds west a distance of 263.69 feet;

Thence north 85 degrees 10 minutes 14 seconds west a distance of 917.00 feet to a point on the easterly right-of-way line of Greenbriar Drive;

Thence northeasterly along said easterly right-of-way line along a 1545.00 foot radius curve concave to the northwest whose chord bears north 10 degrees 05 minutes 46 seconds east a distance of 23.75 feet;

Thence north 09 degrees 39 minutes 21 seconds east along said easterly right-of-way line a distance of 43.11 feet;

Thence northeasterly along said easterly right-of-way line along a 455.00 foot radius curve concave to the southeast whose chord bears north 37 degrees 32 minutes 24 seconds east a distance of 425.60 feet;

Thence northeasterly along said easterly right-of-way line along a 445.00 foot radius curve concave to the northwest whose chord bears north 55 degrees 39 minutes 48 seconds east a distance of 150.88 feet;

Thence south 85 degrees 10 minutes 14 seconds east a distance of 564.22 feet;

Thence north 89 degrees 33 minutes 16 seconds east 215.88 feet;

Thence south 00 degrees 26 minutes 44 seconds east a distance of 517.80 feet to the point of beginning.

Said described tract contains 544,022.81 square feet (12.489 acres) more or less.

Pin #14-23-200-018 and part of pin #14-23-200-016 shown as lots 12 and 13 on the attached map.

Also,

A strip of land 3 foot wide in the northeast quarter of section 23 township 24 north, range 2 east of the third principal meridian, in mclean county, illinois, and lying 1.5 feet on each side of the following described centerline:

Beginning at a point 100.00 feet westerly at a right angle from the centerline of f.a.p 704 (veterans parkway) at station 382+00 as shown on right-of-way plans recorded as document no. 2002-02124 in the office of recorder of deeds mclean county;

Thence east 100.00 feet to said centerline;

Thence south along the said centerline of f.a.p. 704 (veterans parkway) to station 379+88 point also being the intersection of this line with the centerline of shepard road;

Thence south 85 degrees 10 minutes 14 seconds east along said centerline of shepard road a distance of 655.00 feet to the intersection of this line with the centerline of greenbriar drive;

Thence north 04 degrees 49 minutes 46 seconds east along the said centerline of greenbriar drive a distance of 694.71 feet;

Thence northeasterly along said centerline along a 575.00 foot radius curve concave to the southeast whose chord bears north 17 degrees 26 minutes 40 seconds east a distance of 251.16 feet;

Thence north 30 degrees 03 minutes 33 seconds east along said centerline a distance of 206.92 feet;

Thence northeasterly along said centerline along a 1500.00 foot radius curve concave to the northwest whose chord bears north 20 degrees 16 minutes 12 seconds east a distance of 510.06 feet;

Thence south 79 degrees 31 minutes 09 seconds east a distance of 45.00 feet to the point of terminus, point also being on the easterly right-of-way line of said greenbriar drive. Sidelines may lengthened or shortened to terminate on said right-of-way line.

Said described tract contains .184 acres more or less.

Total of all above described tracts is 12.673 acres or .0198 square miles.

Bloomington - Normal - McLean County
Enterprise Zone
Amendment 2: Brandt

Legal Description Tract 33 - Brandt Industrial USA Ltd. McLean County, IL:
BEGINNING AT A POINT at the intersection of the eastern line of Interstate 39 and the centerline of 1425 East (Business Route 51) and the Bloomington Normal McLean County Gibson City Ford County Enterprise Zone in unincorporated McLean County in Section 4, Township 24 North, Range 2 East of the Third Principal Meridian, Mclean County, Illinois; Thence north along a three foot wide strip along the eastern line of Interstate 39 to the centerline of County Road E 2000 North Road, THE POINT OF BEGINNING; Thence east along the centerline of County Road E 2000 North Road to the centerline of County Road N 1425 East Road; Thence south along the centerline of N 1425 East Road for a distance of 2,311.88 feet more or less to a point of the intersection of the Bloomington Normal McLean County Gibson City Ford County Enterprise Zone; Thence west along the border of the Bloomington Normal McLean County Gibson City Ford County Enterprise Zone to a point; Thence north along the border of the Bloomington Normal McLean County Gibson City Ford County Enterprise Zone to a point; Thence west along the border of the Bloomington Normal McLean County Gibson City Ford County Enterprise Zone to a point, Thence north along the border of the Bloomington Normal McLean County Gibson City Ford County Enterprise Zone to a point; Thence east along the border of the Bloomington Normal McLean County Gibson City Ford County Enterprise Zone to a point; Thence north along the border of the Bloomington Normal McLean County Gibson City Ford County Enterprise Zone to a point; Thence west along the border of the Bloomington Normal McLean County Gibson City Ford County Enterprise Zone to a point to the eastern line of Interstate 39; Thence north along the eastern line of Interstate 39 to the POINT OF BEGINNING, ENCOMPASSING THE AREA ENCLOSED which includes area within the boundaries of Tax Parcels 14-04-300-004, 14-04-300- 006, 14-04-300-007 and 14-04-300-016, 14-04-300-018 and 14-04-300-019 and of approximately 34.3 acres more or less.

Total of all above described tracts is 34.3 acres or .0536 square miles.

Bloomington - Normal - McLean County
Enterprise Zone
Amendment 3: The Ferrero Expansion

CONNECTING STRIP - .716 acres more or less.

Beginning at the center point of the intersection of W Oakland Avenue and Union Pacific Railroad in Bloomington, Illinois, along a 3 foot strip located on the eastern half of the Union Pacific Railroad right-of-way for approximately 1.97 miles southwest to the intersection of the project property identified by PIN 21-18-451-003 and described below:

PIN 21-18-451-003. 54.24 acres, or .085 square miles, more or less.

Tract No. 1:

Lot 1 in Industrial Park Subdivision to the City of Bloomington, in McLean County, Illinois.

Tract No. 2:

Part of Lot 5 in Access Park Subdivision in Section 19, Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the Northwest corner of Lot 5 in Access Park Subdivision; thence South 65 degrees 27 minutes 07 seconds East, 139.92 feet on the North line of said Lot 5; thence South 80 degrees 35 minutes 31 seconds West, 26.85 feet; thence North 65 degrees 27 minutes 07 seconds West, 117.64 feet parallel with said North line of Lot 5 to the West line of said Lot 5; thence North 24 degrees 29 minutes 54 seconds East, 15.00 feet to the point of beginning, in McLean County, Illinois.

Total of all above described tracts is 54.96 acres or .0859 square miles.

EXHIBIT B
BLOOMINGTON NORMAL ENTERPRISE ZONE

SECTION 1. Definitions. As used in this Ordinance:

“Abatement Increment” means the amount of property tax to a Designating Unit that is attributed to the New Improvements in any Assessment Year and that is payable to that Designating Unit in the subsequent Taxable Year.

“Abatement Period” means the period during with the project is entitled to receive an abatement under this Ordinance.

“Act” means the Enterprise Zone Act (20 ILCS 655/).

“Assessment Year” means the year in which property taxes are assessed on the project property.

“Department” means the Department of Commerce and Economic Opportunity.

“EDC” means the Economic Development Council of Bloomington Normal Area.

“Eligible Project” means a commercial project that meets all of the following criteria:

- a. the project is located within the Zone;
- b. the project consists of New Improvements;
- c. the project will result in the creation of 25 or more full-time-equivalent jobs, which will be maintained throughout the Abatement Period; and
- d. the project will result in an investment of \$250,000 or more in New Improvements.

“Grantee” means any entity who owns or operates a project applying for or receiving an abatement or other financial consideration under this Ordinance.

“IGA Parties” means the Town of Normal, the City of Bloomington, the City of Gibson City, the County of McLean, and the County of Ford.

“New Improvement” means an improvement on the project property that has been newly constructed or that has been renovated or rehabilitated.

“Non-Retail Project” means an Eligible Project that is not a Retail Project.

“Retail Project” means an Eligible Project:

- a. that is a restaurant or drinking establishment;
- b. that is a hotel or motel; or
- c. that is any other establishment that derives 50% or more of its revenue from the retail sale of tangible personal property.

“Significant Impact Business” means a Non-Retail Project that meets one or more of the following criteria:

- a. The project will conduct the majority of its operations in one or more of the following industries: agribusiness; logistics and warehousing; information technology; information technology manufacturing; clean technology manufacturing; finance; insurance; or real estate.
- b. The project will create jobs with an average income, across all new positions, that is greater than the per-capita income level of the county in which the project is located, as determined by the most recent American Community Survey 5-Year estimates.
- c. The project will be located in a targeted area designated by the municipality in which the project is located or if the project is located in an unincorporated area by the county in which the project is located. The targeted areas may include officially-designated brownfields; distressed areas, as defined by the federal New Markets Tax Credit program; Opportunity Zones; designated “shovel-ready” sites; or similar areas.
- d. The project will derive more than 65% of its revenue from foreign exports.

“Substantially Complete” means that a certificate of occupancy has been issued for the New Improvements.

“Taxable Year” means the year in which property taxes incurred in the Assessment Year are payable.

“Zone Administrator” means the Administrator as defined in Section 9 below.

“Zone Area” means the area described and depicted in Appendix A, which is incorporated into this ordinance.

SECTION 2. Designation. The Zone Area is designated as an Enterprise Zone, subject to the approval of the Department as set forth under the Act.

SECTION 3. Qualifications. The City Council finds and determines that the Enterprise Zone meets the qualifications set forth under Section 4 of the Act.

SECTION 4. Duration. The duration of the Enterprise Zone is the maximum duration allowed for the Zone under Section 5.3 of the Act, including allowable extensions.

SECTION 5. Incentives.

A. Property Tax Abatement for Retail Projects.

- 1) A Retail Project is eligible to receive a three-year property tax abatement from the applicable Designating Unit of Government in the following amounts:
 - a. for the first Taxable Year: 100% of the Abatement Increment; and
 - b. for the second Taxable Year: 75% of the Abatement Increment; and

c. for the third Taxable Year: 50% of the Abatement Increment.

- 2) The property tax abatement under this section will begin on the first Taxable Year that follows the first Assessment Year in which the Substantially-Complete New Improvements have been assessed.
- 3) In no event shall any abatement of property taxes on any parcel exceed the amount attributable to the construction of the improvements or the renovation or rehabilitation of existing improvements on such parcel.
- 4) The property tax abatement under this section will terminate on the earlier of (i) the completion of the third Taxable Year after the property tax abatement is awarded or (ii) the termination or decertification of the Zone.

B. Property Tax Abatement for Non-Retail Projects:

- 1) A Non-Retail Project is eligible to receive a five-year property tax abatement from the applicable Designating Unit of Government in the following amounts:
 - a. for the first Taxable Year: 100% of the Abatement Increment; and
 - b. for the second Taxable Year: 80% of the Abatement Increment; and
 - c. for the third Taxable Year: 60% of the Abatement Increment; and
 - d. for the fourth Taxable Year: 40% of the Abatement Increment; and
 - e. for the fifth Taxable year: 20% of the Abatement Increment.
- 2) The property tax abatement under this section will begin on the first Taxable Year that follows the first Assessment Year in which the Substantially-Complete New Improvements have been assessed.
- 3) In no event shall any abatement of property taxes on any parcel exceed the amount attributable to the construction of the improvements or the renovation or rehabilitation of existing improvements on such parcel.
- 4) The property tax abatement under this section will terminate on the earlier of (i) the completion of the fifth Taxable Year after the abatement is awarded or (ii) the termination or decertification of the Zone.

C. Additional Non-Retail Project Economic Development Incentive Payment.

- 1) For each year, after the first, that a Non-Retail Project receives a property tax abatement under Section 5(B), that project is also eligible to receive an additional economic-development incentive payment from each Designating Unit in which the project is located if that project meets one or more of the following criteria:
 - a. At least 80% of the workers hired to construct or renovate the New Improvements had their primary residence in McLean County or Ford

County at the time of the construction or renovation and completed a Department of Labor Industry-Recognized Apprenticeship Program.

- b. At least 80% of the new employees hired as full-time employees by the company as a result of the project have their primary residence in McLean County or Ford County.
 - c. Of the new employees hired as full-time employees as a result of the project, the company will hire women and minorities at a rate that is 120% of the average women and minority workers compared to total workers, as defined by the U.S. Census Bureau, for the county in which the project is located.
 - d. The company will create and maintain an apprenticeship program that involves Heartland Community College or one or more of the secondary school districts in either McLean County or Ford County.
- 2) The amount of the incentive payment in any Taxable Year will be the lesser of:
 - a. An amount equal to 20% of the Abatement Increment for that Designating Unit for each of the criteria met under Section 5(C)(1); or
 - b. An amount that, when added to the amount of the property tax abatement for that Taxable Year under Section 5(B), is equal to 100% of the Abatement Increment for that Designating Unit.
 - 3) Each Designating Unit making an incentive payment under this Section 5(C) shall pay the incentive payment from its general revenues or other authorized funds. The incentive payment will be paid in one or more installments during the Taxable Year in which the incentive is due.

D. Property Tax Abatement for Significant Impact Businesses.

- 1) An eligible Significant Impact Business is eligible to receive a five-year property tax abatement from the applicable Designating Unit. The amount of the abatement will be 100% of the Abatement Increment for that Taxing District for each Taxable Year in the Abatement Period.
- 2) The abatement under this section will begin on the first Taxable Year that follows the first Assessment Year in which the Substantially-Complete New Improvements have been assessed.
- 3) The abatement under this Section will terminate on the earlier of (i) the completion of the fifth Taxable Year after the abatement is awarded or (ii) the termination or decertification of the Zone.
- 4) A Significant Impact Business that receives an abatement under this Section may not receive any other abatement under this Ordinance.

E. Restrictions. No abatement may be granted for any Abatement Increment attributed to any of the following:

- 1) Residential development.
- 2) Self-storage facilities or mini warehouse facilities.
- 3) Automotive service stations.
- 4) car wash facilities.
- 5) Commodity scrap processing.
- 6) Convenience food and beverage store.
- 7) Gasoline station.
- 8) Package liquor store.
- 9) Recycling facility.
- 10) Cash advance lender, pay-day lender, title-loan lender, or similar project.
- 11) Any cannabis facility authorized under the Compassionate Use of Medical Cannabis Program Act or under the Cannabis Regulation and Tax Act.
- 12) Any adult-entertainment venue, including adult bookstores.
- 13) Wind or solar energy project.

F. TIF Districts. No project may receive an abatement under this Ordinance if it is located within a project redevelopment area created under the Tax Increment Allocation Redevelopment Act (65 ILCS 5/74.4-1 et seq.)

G. Limits on relocation.

- 1) No project may receive an abatement under this Ordinance if that project terminates operation in one Designating Unit and initiates operations in another Designating Unit unless the Zone Administrator finds that the terminated location contained inadequate space, had become economically obsolete, or was no longer a viable location for the project.
- 2) For the purpose of this section, of this paragraph, termination means a closing of a project that is directly related to the opening of the same operation or like project owned or operated by more than 50% of the original ownership.

H. Library levies. Taxes levied by a municipality for a public library under the Illinois Local Library Act (75 ILCS 5/) will not be abated under this Ordinance unless that public library agrees to abate by separate resolution.

I. Local Labor requirements.

- 1) If the costs for the New Improvements will exceed \$4 million, then to be eligible for an abatement under this Ordinance, the Grantee must submit a Local-Labor plan to the EDC before the construction or renovation of the improvements. The Local-Labor plan must provide for:
 - a. The equitable opportunity for local labor contractors with apprenticeship programs to submit bids for the skilled craft work required for the New Improvements.
 - b. The planned use of at least 80% Local Labor by any non-local contractor who is awarded work related to the New Improvements.

- 2) The Zone Administrator may waive the requirement for a Local-Labor plan if the Grantee can show that any or all of the following conditions apply:
 - a. Certain required skilled resources are not sufficiently available in the Local Labor Market Area.
 - b. An awarded bid to a lower cost resource provider requires the use of non-Local Labor in order to meet bid requirements.
 - c. The requirement for the use of Local Labor would be prohibited by any applicable government-funding requirements or would otherwise be unlawful.
- 3) For the purpose of this section “Local Labor” means any worker whose primary residence is located within the Local Labor Market Area as established for the Bloomington Normal Enterprise Zone application.

J. Application.

- 1) All Grantees requesting an abatement under this Ordinance must apply to the Zone Administrator. The applications must be in the form and manner determined by the Zone Administrator.
- 2) The Zone Administrator will evaluate all applications and determine whether the project meets the requirements for the abatement.
- 3) The Zone Administrator shall notify each party whether an application is approved or denied.

SECTION 6. Additional incentives allowed. This Ordinance does not prohibit the City from extending additional tax incentives of reimbursement for business enterprises in this Enterprise Zone or its corporate limits by separate Ordinance.

SECTION 7. Conformance to codes, ordinances, and regulations. No incentive is available to any project that is not constructed, used, or occupied in conformance with all City codes, ordinances, and regulations. Except as expressly and specifically provided in this Ordinance, nothing contained in this Ordinance may be construed to waive, abrogate, lessen or weaken the full force, effect, and application of all laws, resolutions, codes, regulations, and ordinances of the City to any project or any person or property.

SECTION 8. Application and administration. That the City Manager is authorized and directed to (i) make an application to the Department under Section 5.1 of the Act, and (ii) as he deems proper, to cause to be promulgated any program, directive, rule, or regulations, to make any recommendation, and to furnish any information for the purpose of securing certification of Zone Area as an Enterprise Zone.

SECTION 9. Administrator. The Designating Units hereby appoint the President/CEO of the Economic Development Council of Bloomington Normal Area (“BNEDC”) to serve, ex officio, as the Administrator of the Enterprise Zone (“Zone Administrator”). Each Designating Unit agrees to take any necessary action to ensure that the Zone Administrator has the authority

to perform his or her duties as set forth in this Ordinance. In selecting an Administrator, each Designating Unit has one vote, which shall be cast by the chief executive officer of each Designating Unit (mayor or county board chairman, as applicable). Each Administrator continues to hold the position until he or she resigns or dies or until the chief executive officers of at least 3 of the Designating Units vote to discharge him or her. The duties and responsibilities of the Bloomington Normal Enterprise Zone Administrator are as follows:

- A. Administration. The Zone Administrator shall administer the IGA and related ordinances and operate and manage the Zone. All appeals from any decisions or determination of the Zone Administrator will be taken to the Zone Advisory Board for final resolution.
- B. Records. The Zone Administrator shall maintain records associated with Zone activities and projects and necessary to the preparation of reports required by the State of Illinois.
- C. Report Preparation. The Zone Administrator shall prepare all reports required by law.
- D. Advisor and Staff to the Enterprise Zone Advisory Board. The Zone Administrator shall serve as advisor and staff to the Zone Advisory Board. The Administrator shall prepare agendas, minutes, handle correspondence, and maintain the records of the Enterprise Zone Advisory Board.

SECTION 10. Creation of Enterprise Zone Advisory Board. The Enterprise Zone Advisory Board is hereby created as set forth in this section.

- A. Duties. The Enterprise Zone Advisory Board shall perform the following duties with respect to the Enterprise Zone:
 - 1) Implement, monitor, and update established goals and objectives.
 - 2) Establish procedures for the operation and management of the incentives under Section 5, including appeals processes and to recommend and advise on policies for the administration, operation and management of the Zone.
- B. Membership. The Enterprise Zone Advisory Board will be composed of each Director of the BNEDC, the County Board Chair of Ford County, and the Mayor of Gibson City, each serving in an ex officio capacity.
- C. Terms of Membership. The terms of membership for Zone Advisory Board members shall be as follows:
 - 1) Bloomington Normal Enterprise Zone Advisory Board members shall serve during their respective terms on the BNEDC Board of Directors.
 - 2) In the case of elected officials, their term on the Advisory Board will be the same as their respective term in elected office.
- D. Quorum and voting. A quorum of the Board is a majority of the voting members then holding office. The Board may approve any action by the affirmative vote of a majority of those voting on the question. Each voting member will have one vote for any and all matters upon which the Board must vote. The Chair may vote only in the case of a tie.

- E. Compensation. Enterprise Zone Advisory Board members shall serve without compensation.
- F. Staff. The Zone Administrator shall serve as advisor and staff to the Enterprise Zone Advisory Board in order to assist in carrying out its functions and duties.
- G. Conflict of Interest. Any member of the Enterprise Zone Advisory Board who has a direct or indirect conflict of interest on any action that comes before the Board shall make their conflict known, abstain from participating in any discussion of the action, and abstain from voting on that action. The member's abstention will be recorded in the minutes for the Board.

SECTION 11. Designated zone organizations. In order to facilitate the successful development of the Enterprise Zone and in accordance with the Act, the City may establish one or more designated zone organizations to carry out any or all of the functions provided for in Section 8 of the Act.

SECTION 12. Zone Management Costs & Operation.

- A. The Zone Administrator may charge an application fee. The application fee must be in accordance with Section 8.2 of the Illinois Enterprise Zone Act, as amended. The fee will be payable to the BNEDC. The Zone Administrator shall file a copy of the Zone's fee schedule with the Department by April 1 of each year.
- B. The BNEDC may use the proceeds of the application fee under Section 12(A) to pay for the operating expenses of the Zone and project related activities which benefit the region's economic development strategy and plan, which are directly impacted by the Zone and as authorized by law.

SECTION 13. Performance Monitoring Process.

- A. The Zone Administrator is hereby authorized to execute the incentive agreement on behalf of each Designating Unit and Participating Taxing Body. Before receiving any abatement or incentive under Section 5, each Grantee must execute an incentive agreement with each Designating Unit providing the incentive. This incentive agreement will outline the projected number of jobs to be created or retained by the Project and the capital investment for the Project. The incentive agreement must require the Grantee to maintain a minimum of 80% of the employment levels at that location as described in the incentive agreement for the Abatement Period. At the discretion of the Zone Administrator, with the advice of the Enterprise Zone Advisory Board, failure to maintain the required employment levels may result in the immediate termination of remaining abatement or the repayment of previously received incentives.
- B. The Zone Administrator will annually monitor the performance of the Grantee in order to ensure compliance with the incentive agreement.

- C. The Zone Administrator shall inform the Grantee of required enterprise zone-related, State of Illinois reporting requirements. Failure to report Enterprise Zone benefits as required by the Illinois Department of Revenue or other state agencies may result in termination of all locally designated Bloomington Normal Enterprise Zone benefits.
- D. As set forth in this subsection, the Zone Administrator, with advice of the Enterprise Zone Advisory Board may waive enforcement of any performance measures outlined in the incentive agreement if the Grantee to maintains a minimum of 80% of the employment levels at that location as described in the incentive agreement for the Abatement Period. If the Grantee falls below the 80% employment level the Zone Administrator, with advice of the Enterprise Zone Advisory Board and after the notice required below, may waive enforcement of any performance measures outlined in the incentive agreement based on a finding that the waiver is necessary to avert an imminent, demonstrable and material hardship to the entity that may result in such entity's insolvency or discharge of workers. Before any such waiver, the Zone Administrator must give at least thirty (30) days written notice to the taxing bodies where the Grantee's project is located. The Zone Administrator may proceed with the proposed waiver so long as none of the taxing bodies send notice back objecting to the waiver. The top administrative official of each taxing body is empowered to determine whether an objection should be made on behalf of his or her taxing body and are authorized to provide notice of any objections.
- E. The Zone Administrator shall be responsible for enforcing all executed incentive agreements and taking actions to enforce and/or terminate said incentive agreements for default, upon the advice and consent of the Enterprise Zone Advisory Board.

SECTION 14. Limits on Tax Objections. Grantee may not file a tax objection or protest to reduce the amount of property taxes incurred on the project property receiving an abatement under this Ordinance during the Abatement Period. If any such objection or protest is filed, then the abatement will immediately terminate and the abatement and/or grant claw back procedures under Section 13 will apply.

SECTION 15. Repeal of Conflicting Ordinances. The provisions of any ordinance that conflicts with the provisions of this Ordinance are repealed to the extent of the conflict.

SECTION 16. Term. This Ordinance becomes effective on the date of its execution by the City of Bloomington and upon approval and certification by the Illinois Department of Commerce and Economic Opportunity, according to law. This Ordinance, as amended, will remain in effect until the termination or decertification of the Zone.

**INTERGOVERNMENTAL AGREEMENT
AMENDING ENTERPRISE ZONE DESIGNATION AND OPERATION CRITERIA**

This intergovernmental agreement (“**IGA**”) is dated _____, 2021, and is between the COUNTY OF McLEAN (“**McLean County**”), the COUNTY OF FORD (“**Ford County**”), the CITY OF BLOOMINGTON (“**Bloomington**”), the CITY OF GIBSON CITY (“**Gibson City**”), and the TOWN OF NORMAL (“**Normal**”), collectively referred to as the Designating Units of Government (“**Designating Units**”).

Whereas, the parties are authorized to enter into intergovernmental agreements under Section VII of the Illinois Constitution and the Illinois Intergovernmental Cooperation Act; and

Whereas, the Illinois Intergovernmental Cooperation Act provides any power or powers, privileges, functions, or authority exercised or which may be exercised by a public agency of the State of Illinois may be exercised, combined, transferred, and enjoyed jointly with any other public agency of this State of Illinois and jointly with any public agency (5 ILCS 220/3); and

Whereas, the Illinois Municipal Code provides the corporate authorities of a municipality may 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 (65 ILCS 5/8-1-2.5); and

Whereas, the Designating Units designated the Bloomington Normal Enterprise Zone (“**Zone**”), which was approved under the Illinois Enterprise Zone Act (20 ILCS 655/); and

Whereas, the Property Tax Code allows taxing bodies to grant an abatement for property improvements made within the Zone (35 ILCS 200/18-170); and

Whereas, the parties desire to establish a uniform system of granting abatements for qualifying properties within the Zone and jointly exercise the authority to make grants for economic development purposes.

The parties, therefore, incorporate and agree to the recitals as fully set forth herein and further agree as follows:

Section 1. PURPOSE. The purpose of this agreement is to organize and coordinate the efforts of the Designating Units in supporting the designation and operation of the Zone under the provisions of the Enterprise Zone Act (20 ILCS 655/).

Section 2. DESCRIPTION. The property that is the subject of this agreement is described in Exhibit A ("**Zone Property**"). The Zone Property is located partly in the jurisdiction of each of the Designating Units.

Section 3. DESIGNATING ORDINANCE. Each party to this IGA has adopted a designating ordinance meeting the requirements of the Enterprise Zone Act. Each party agrees to adopt any other ordinances or legislation as may be necessary to carry out the intent of the designating ordinance.

Section 4. APPLICATION. The parties agree to submit to the Department of Commerce and Economic Opportunity (the "**Department**") a joint application as may be required under section 5.4 of the Enterprise Zone Act.

Section 5. ADMINISTRATOR. The Designating Units hereby appoint the President/CEO of the Economic Development Council of Bloomington Normal Area ("**BNEDC**") to serve, ex officio, as the Administrator of the Enterprise Zone ("**Zone Administrator**"). Each Designating Unit agrees to take any necessary action to ensure that the Zone Administrator has the authority to perform his or her duties as set forth in this IGA. In selecting an Administrator, each Designating Unit has one vote, which shall be cast by the chief executive officer of each Designating Unit (mayor or county board chairman, as applicable). Each Administrator continues to hold the position until he or she resigns or dies or until the chief executive officers of at least 3 of the Designating Units vote to discharge him or her.

The duties and responsibilities of the Bloomington Normal Enterprise Zone Administrator are as follows:

- A. Administration. The Zone Administrator shall administer the IGA and related ordinances and operate and manage the Zone. All appeals from any decisions or determination of the Zone Administrator will be taken to the Zone Advisory Board for final resolution.
- B. Records. The Zone Administrator shall maintain records associated with Zone activities and projects and necessary to the preparation of reports required by the State of Illinois.
- C. Report Preparation. The Zone Administrator shall prepare all reports required by law.
- D. Advisor and Staff to the Enterprise Zone Advisory Board. The Zone Administrator shall serve as advisor and staff to the Zone Advisory Board. The Administrator shall prepare agendas, minutes, handle correspondence, and maintain the records of the Enterprise Zone Advisory Board.

Section 6. ENTERPRISE ZONE ADVISORY BOARD

A. Duties. The Enterprise Zone Advisory Board shall perform the following duties with respect to the Enterprise Zone:

- 1) Implement, monitor, and update established goals and objectives.
- 2) Establish procedures for the operation and management of the incentives under section 8, including appeals processes and to recommend and advise on policies for the administration, operation and management of the Zone.

B. Membership. The Enterprise Zone Advisory Board will be composed of each Director of the BNEDC, the County Board Chair of Ford County, and the Mayor of Gibson City, each serving in an ex officio capacity.

C. Terms of Membership. The terms of membership for Zone Advisory Board members shall be as follows.

Bloomington Normal Enterprise Zone Advisory Board members shall serve during their respective terms on the BNEDC Board of Directors. In the case of elected officials, their term on the Advisory Board will be the same as their respective term in elected office.

D. Quorum and voting. A quorum of the Board is a majority of the voting members then holding office. The Board may approve any action by the affirmative vote of a majority of those voting on the question. Each voting member will have one vote for any and all matters upon which the Board must vote. The Chair may vote only in the case of a tie.

E. Compensation. Enterprise Zone Advisory Board members shall serve without compensation.

F. Staff. The Zone Administrator shall serve as advisor and staff to the Enterprise Zone Advisory Board in order to assist in carrying out its functions and duties.

G. Conflict of Interest. Any member of the Enterprise Zone Advisory Board who has a direct or indirect conflict of interest on any action that comes before the Board shall make their conflict known, abstain from participating in any discussion of the action, and abstain from voting on that action. The member's abstention will be recorded in the minutes for the Board.

Section 7. ZONE MANAGEMENT COSTS AND OPERATION

- A. The Zone Administrator may charge an application fee. The application fee must be in accordance with section 8.2 the Illinois Enterprise Zone Act, as amended. The fee will be payable to the BNEDC. The Zone Administrator shall file a copy of the Zone's fee schedule with the Department by April 1 of each year.
- B. The BNEDC may use the proceeds of the application fee under section 7(A) to pay for the operating expenses of the Zone and project related activities which benefit the region's economic development strategy and plan, which are directly impacted by the Zone and as authorized by law.

Section 8. INCENTIVES

- A. Definitions. In addition to any definitions in the introductory clause or recitals, as used in this IGA:
 - 1) "Abatement Increment" means the amount of property tax to a Designating Unit that is attributed to the New Improvements in any Assessment Year and that is payable to that Designating Unit in the subsequent Taxable Year.
 - 2) "Abatement Period" means the period during with the project is entitled to receive an abatement under this IGA.
 - 3) "Assessment Year" means the year in which property taxes are assessed on the project property.
 - 4) "Eligible Project" means a commercial project that meets all of the following criteria:
 - a. the project is located within the Zone;
 - b. the project consists of New Improvements;
 - c. the project will result in the creation of 25 or more full-time-equivalent jobs, which will be maintained throughout the Abatement Period; and
 - d. the project will result in an investment of \$250,000 or more in New Improvements.
 - 5) "Grantee" means any entity who owns or operates a project applying for or receiving an abatement or other financial consideration under this IGA.
 - 6) "New Improvement" means an improvement on the project property that has been newly constructed or that has been renovated or rehabilitated.
 - 7) "Non-Retail Project" means an Eligible Project that is not a Retail Project.
 - 8) "Retail Project" means an Eligible Project:

- a. that is a restaurant or drinking establishment;
 - b. that is a hotel or motel; or
 - c. that is any other establishment that derives 50% or more of its revenue from the retail sale of tangible personal property.
- 9) “Significant Impact Business” means a Non-Retail Project that meets one or more of the following criteria:
- a. The project will conduct the majority of its operations in one or more of the following industries: agribusiness; logistics and warehousing; information technology; information technology manufacturing; clean technology manufacturing; finance; insurance; or real estate.
 - b. The project will create jobs with an average income, across all new positions, that is greater than the per-capita income level of the county in which the project is located, as determined by the most recent American Community Survey 5-Year estimates.
 - c. The project will be located in a targeted area designated by the municipality in which the project is located or, if the project is located in an unincorporated area by the county in which the project is located. The targeted areas may include: officially-designated brownfields; distressed areas, as defined by the federal New Markets Tax Credit program; Opportunity Zones; designated “shovel-ready” sites; or similar areas.
 - d. The project will derive more than 65% of its revenue from foreign exports.
- 10) “Substantially Complete” means that a certificate of occupancy has been issued for the New Improvements.
- 11) “Taxable Year” means the year in which property taxes incurred in the Assessment Year are payable.
- 12) “Zone Administrator” means the Administrator as defined in section 5 above.

B. Property Tax Abatement for Retail Projects.

- 1) A Retail Project is eligible to receive a three-year property tax abatement from the applicable Designating Unit of Government in the following amounts:
- a. for the first Taxable Year: 100% of the Abatement Increment; and
 - b. for the second Taxable Year: 75% of the Abatement Increment; and
 - c. for the third Taxable Year: 50% of the Abatement Increment.

- 2) The property tax abatement under this section will begin on the first Taxable Year that follows the first Assessment Year in which the Substantially-Complete New Improvements have been assessed.
- 3) In no event shall any abatement of property taxes on any parcel exceed the amount attributable to the construction of the improvements or the renovation or rehabilitation of existing improvements on such parcel.
- 4) The property tax abatement under this section will terminate on the earlier of (i) the completion of the third Taxable Year after the property tax abatement is awarded or (ii) the termination or decertification of the Zone.

C. Property Tax Abatement for Non-Retail Projects:

- 1) A Non-Retail Project is eligible to receive a five-year property tax abatement from the applicable Designating Unit of Government in the following amounts:
 - a. for the first Taxable Year: 100% of the Abatement Increment; and
 - b. for the second Taxable Year: 80% of the Abatement Increment; and
 - c. for the third Taxable Year: 60% of the Abatement Increment; and
 - d. for the fourth Taxable Year: 40% of the Abatement Increment; and
 - e. for the fifth Taxable year: 20% of the Abatement Increment.
- 2) The property tax abatement under this section will begin on the first Taxable Year that follows the first Assessment Year in which the Substantially-Complete New Improvements have been assessed.
- 3) In no event shall any abatement of property taxes on any parcel exceed the amount attributable to the construction of the improvements or the renovation or rehabilitation of existing improvements on such parcel.
- 4) The property tax abatement under this section will terminate on the earlier of (i) the completion of the fifth Taxable Year after the abatement is awarded or (ii) the termination or decertification of the Zone.

D. Additional Non-Retail Project Economic Development Incentive Payment.

- 1) For each year, after the first, that a Non-Retail Project receives a property tax abatement under section 8(C), that project is also eligible to receive an additional economic-development incentive payment from each Designating Unit in which the project is located if that project meets one or more of the following criteria:
 - a. At least 80% of the workers hired to construct or renovate the New Improvements had their primary residence in McLean County or Ford County at the time of the construction or renovation and completed a Department of Labor Industry-Recognized Apprenticeship Program.

- b. At least 80% of the new employees hired as full-time employees by the company as a result of the project have their primary residence in McLean County or Ford County.
 - c. Of the new employees hired as full-time employees as a result of the project, the company will hire women and minorities at a rate that is 120% of the average women and minority workers compared to total workers, as defined by the U.S. Census Bureau, for the county in which the project is located.
 - d. The company will create and maintain an apprenticeship program that involves Heartland Community College or one or more of the secondary school districts in either McLean County or Ford County.
 - 2) The amount of the incentive payment in any Taxable Year will be the lesser of:
 - a. An amount equal to 20% of the Abatement Increment for that Designating Unit for each of the criteria met under section 8(D)(1); or
 - b. An amount that, when added to the amount of the property tax abatement for that Taxable Year under section 8(C), is equal to 100% of the Abatement Increment for that Designating Unit.
 - 3) Each Designating Unit making an incentive payment under this section 8(D) shall pay the incentive payment from its general revenues or other authorized funds. The incentive payment will be paid in one or more installments during the Taxable Year in which the incentive is due.
- E. Property Tax Abatement for Significant Impact Businesses.
 - 1) An eligible Significant Impact Business is eligible to receive a five-year property tax abatement from the applicable Designating Unit. The amount of the abatement will be 100% of the Abatement Increment for that Taxing District for each Taxable Year in the Abatement Period.
 - 2) The abatement under this section will begin on the first Taxable Year that follows the first Assessment Year in which the Substantially-Complete New Improvements have been assessed.
 - 3) The abatement under this Section will terminate on the earlier of (i) the completion of the fifth Taxable Year after the abatement is awarded or (ii) the termination or decertification of the Zone.
 - 4) A Significant Impact Business that receives an abatement under this Section may not receive any other abatement under this IGA.

- F. Restrictions. No abatement may be granted for any Abatement Increment attributed to any of the following:
- 1) Residential development.
 - 2) Self-storage facilities or mini warehouse facilities.
 - 3) Automotive service stations.
 - 4) car wash facilities.
 - 5) Commodity scrap processing.
 - 6) Convenience food and beverage store.
 - 7) Gasoline station.
 - 8) Package liquor store.
 - 9) Recycling facility.
 - 10) Cash advance lender, pay-day lender, title-loan lender, or similar project.
 - 11) Any cannabis facility authorized under the Compassionate Use of Medical Cannabis Program Act or under the Cannabis Regulation and Tax Act.
 - 12) Any adult-entertainment venue, including adult bookstores.
 - 13) Wind or solar energy project.
- G. TIF Districts. No project may receive an abatement under this IGA if it is located within a project redevelopment area created under the Tax Increment Allocation Redevelopment Act (65 ILCS 5/74.4-1 et seq.)
- H. Limits on relocation.
- 1) No project may receive an abatement under this IGA if that project terminates operation in one Designating Unit and initiates operations in another Designating Unit unless the Zone Administrator finds that the terminated location contained inadequate space, had become economically obsolete, or was no longer a viable location for the project.
 - 2) For the purpose of this section, of this paragraph, termination means a closing of a project that is directly related to the opening of the same operation or like project owned or operated by more than 50% of the original ownership.
- I. Library levies. Taxes levied by a municipality for a public library under the Illinois Local Library Act (75 ILCS 5/) will not be abated under this IGA unless that public library agrees to abate by separate resolution.

J. Local Labor requirements.

- 1) If the costs for the New Improvements will exceed \$4 million, then to be eligible for an abatement under this IGA, the Grantee must submit a Local-Labor plan to the EDC before the construction or renovation of the improvements. The Local-Labor plan must provide for:
 - a. The equitable opportunity for local labor contractors with apprenticeship programs to submit bids for the skilled craft work required for the New Improvements.
 - b. The planned use of at least 80% Local Labor by any non-local contractor who is awarded work related to the New Improvements.
- 2) The Zone Administrator may waive the requirement for a Local-Labor plan if the Grantee can show that any or all of the following conditions apply:
 - a. Certain required skilled resources are not sufficiently available in the Local Labor Market Area.
 - b. An awarded bid to a lower cost resource provider requires the use of non-Local Labor in order to meet bid requirements.
 - c. The requirement for the use of Local Labor would be prohibited by any applicable government-funding requirements or would otherwise be unlawful.
- 3) For the purpose of this section "Local Labor" means any worker whose primary residence is located within the Local Labor Market Area as established for the Bloomington Normal Enterprise Zone application.

K. Application.

- 1) All Grantees requesting an abatement under this IGA must apply to the Zone Administrator. The applications must be in the form and manner determined by the Zone Administrator.
- 2) The Zone Administrator will evaluate all applications and determine whether the project meets the requirements for the abatement.
- 3) The Zone Administrator shall notify each party whether an application is approved or denied.

Section 9. PERFORMANCE MONITORING PROCESS

- A. The Zone Administrator is hereby authorized to execute the incentive agreement on behalf of each Designating Unit and Participating Taxing Body. Before receiving any abatement or incentive under section 8, each Grantee must execute a incentive agreement with each Designating Unit providing the incentive. This incentive agreement will outline the projected number of jobs to be created or retained by the Project and the capital investment for the Project. The incentive agreement must require the Grantee to maintain a

minimum of 80% of the employment levels at that location as described in the incentive agreement for the Abatement Period. At the discretion of the Zone Administrator, with the advice of the Enterprise Zone Advisory Board, failure to maintain the required employment levels may result in the immediate termination of remaining abatement or the repayment of previously received incentives.

- B. The Zone Administrator will annually monitor the performance of the Grantee in order to ensure compliance with the incentive agreement.
- C. The Zone Administrator shall inform the Grantee of required enterprise zone-related, State of Illinois reporting requirements. Failure to report Enterprise Zone benefits as required by the Illinois Department of Revenue or other state agencies may result in termination of all locally designated Bloomington Normal Enterprise Zone benefits.
- D. As set forth in this subsection, the Zone Administrator, with advice of the Enterprise Zone Advisory Board may waive enforcement of any performance measures outlined in the incentive agreement if the Grantee to maintains a minimum of 80% of the employment levels at that location as described in the incentive agreement for the Abatement Period. If the Grantee falls below the 80% employment level the Zone Administrator, with advice of the Enterprise Zone Advisory Board and after the notice required below, may waive enforcement of any performance measures outlined in the incentive agreement based on a finding that the waiver is necessary to avert an imminent, demonstrable and material hardship to the entity that may result in such entity's insolvency or discharge of workers. Before any such waiver, the Zone Administrator must give at least thirty (30) days written notice to the taxing bodies where the Grantee's project is located. The Zone Administrator may proceed with the proposed waiver so long as none of the taxing bodies send notice back objecting to the waiver. The top administrative official of each taxing body is empowered to determine whether an objection should be made on behalf of his or her taxing body and are authorized to provide notice of any objections.
- E. The Zone Administrator shall be responsible for enforcing all executed incentive agreements and taking actions to enforce and/or terminate said incentive agreements for default, upon the advice and consent of the Enterprise Zone Advisory Board.

Section 10. LIMITS ON TAX OBJECTIONS. Grantee may not file a tax objection or protest to reduce the amount of property taxes incurred on the project property receiving an abatement under this IGA during the Abatement Period. If any such objection or protest is filed, then the abatement will immediately terminate and the abatement and/or grant claw back procedures under Section 9 will apply.

Section 11. TERM. This IGA, as amended, becomes effective on the date of its execution by all Designating Units of Government and upon approval and certification by the Illinois Department of Commerce and Economic Opportunity, according to law. This IGA, as amended, will remain in effect until the termination or decertification of the Zone.

The parties are signing this agreement as of the date set forth in the Introductory clause.

County of Ford

By: _____
County Board Chairman

ATTEST:

By: _____
County Clerk

County of McLean

By: _____
County Board Chairman

ATTEST:

By: _____
County Clerk

City of Bloomington

By: _____
Mayor

ATTEST:

By: _____
City Clerk

City of Gibson City

By: _____
Mayor

ATTEST:

By: _____
City Clerk

Town of Normal

By: _____
Town President

ATTEST:

By: _____
Town Clerk

**EXHIBIT A
ZONE PROPERTY**

DRAFT