

AUTHORIZING BOUNDARY MODIFICATIONS TO THE AREA KNOWN AS THE DEKALB COUNTY ENTERPRISE ZONE, VACANT GROUND ADDITION, OPTION 2.

WHEREAS, on December 8, 2014, the corporate authorities of the City of DeKalb adopted Ordinance No. 2014-049 (the "Initial Designating Ordinance"), designating an enterprise zone known as the "DeKalb County Enterprise Zone" (the "Zone"); and

WHEREAS, the corporate authorities of the County of DeKalb, the Town of Cortland, the City of Genoa, the City of Sandwich, the City of Sycamore and the Village of Waterman (collectively, with the City of DeKalb, the "Designating Units of Government") each adopted ordinances substantially identical to the Initial Designating Ordinance (collectively, with the Initial Designating Ordinance, the "Initial Designating Ordinances"); 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 DeKalb County Enterprise Zone were certified by the Illinois Department of Commerce and Economic Opportunity (the "DCEO") to begin operations on January 1, 2016, in accordance with the Illinois Enterprise Zone Act (20 ILCS 655/1, *et seq.*), hereafter referred to as the "Act"; and

WHEREAS, on October 28, 2019, the corporate authorities of the City of DeKalb adopted Resolution No. 2019-146, amending the Initial Designating Ordinance to provide for certain additional incentives for projects located within the Northern Illinois University Research Park (the "First Amending Ordinance" and, together with the Initial Designating Ordinance, the "Designating Ordinance"); and

WHEREAS, the corporate authorities of each of the Designating Municipalities each adopted resolutions or ordinances substantially identical to the First Amending Ordinance (collectively, with the First Amending Ordinance, the "First Amending Ordinances" and, together with the Initial Designating Ordinances, the "Designating Ordinances"), amending the Initial Designating Ordinances; and

WHEREAS, the Designating Units of Government entered into an amended version of the Initial IGA, dated as of October 13, 2019 (together with the Initial IGA), agreeing to the terms of the incentives set forth in the First Amending Ordinances; and

WHEREAS, the Designating Units of Government intend to file an application with the DCEO to approve the First Amending Ordinances and to issue an amended certificate for the Zone and the Designating Ordinances; and

WHEREAS, the DeKalb County Enterprise Zone Board has determined that there is a need to amend the boundary of the DeKalb County Enterprise Zone to include the land

legally described in Exhibit "A" and depicted on Exhibit "B" (the "Additional Area") attached to and hereby made a part of this Ordinance; and

WHEREAS, the Additional Area is contiguous to the existing Zone boundaries; and

WHEREAS, there is adequate available acreage in the Zone to amend the boundaries of the Zone to include the Additional Area (the "Boundary Amendment"); and

WHEREAS, the Designating Units of Government held a duly noticed joint public hearing regarding the Boundary Amendment on January 2, 2020; and

WHEREAS, the Designating Units of Government have determined that it is desirable and necessary to further amend the Designating Ordinances and the MOU to approve the Boundary Amendment and include the Additional Area within the boundaries of the Zone;

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

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

SECTION 2: APPROVAL OF THE BOUNDARY AMENDMENT. The corporate authorities of the City of DeKalb hereby approve and concur with the Boundary Amendment. The corporate authorities of the City of DeKalb hereby amend the Designating Ordinance to amend the boundaries of the DeKalb County Enterprise Zone to include the Additional Area. Specifically, Addendum "A" attached to the Designating Ordinance is hereby amended to include Exhibit "A" and Exhibit "B" attached to this Ordinance. Except as specifically amended by this Ordinance, the provisions of the Designating Ordinance shall remain in full force and effect.

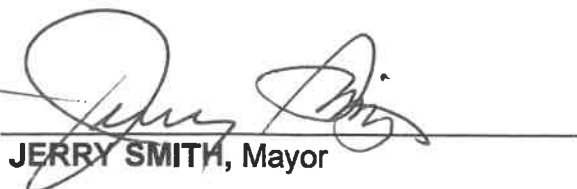
SECTION 3: EFFECTIVE DATE. This Ordinance shall become effective upon the passage and approval of this Ordinance in accordance with law and the issuance by the DCEO of an amended certificate with respect to the Zone and the Designating Ordinances.

ADOPTED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 13th day of January 2020 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None.

ATTEST:



RUTH A. SCOTT
Executive Assistant



JERRY SMITH, Mayor

EXHIBIT "A"

The following parcels are requested to be added to the DeKalb County Enterprise Zone as the 1st Amendment to the Zone boundaries since its inception in 2016:

Parcel 1

Parcel Number: 11-02-100-001 103.701 acres m/l

Legal Description:

THE WEST EIGHTY-FIVE (85) ACRES OF THE NORTH ONE HUNDRED FIVE (105) ACRES OF THE NORTH WEST FRACTIONAL QUARTER (NW FR. 1/4) OF SECTION TWO (2); ALSO, THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: COMMENCING AT THE NORTH EAST CORNER OF THE NORTH WEST QUARTER (NW 1/4) OF SECTION TWO (2), THENCE RUNNING SOUTH ON SURVEY LINE TWENTY-SIX (26) CHAINS AND TWENTY-FIVE (25) LINKS, THENCE WEST SEVEN (7) CHAINS AND SIXTY-TWO (62) LINKS, THENCE NORTH TWENTY-SIX (26) CHAINS AND TWENTY-FIVE (25) LINKS, THENCE EAST ON SURVEY LINE SEVEN (7) CHAINS SIXTY-TWO (62) LINKS, TO THE PLACE OF BEGINNING. ALL SITUATED IN TOWNSHIP THIRTY-NINE (39) NORTH, RANGE FOUR (4), EAST OF THE THIRD (3RD) PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS.

LESS AND EXCEPT:

THAT PART OF THE NORTH 105 ACRES OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 2 AN THENCE SOUTH 89 DEGREES 21 MINUTES EAST ALONG THE NORTH LINE OF SAID SECTION 2 (THE BEARING FOR THE SAID NORTH LINE OF SAID SECTION 2 BEING ESTABLISHED IN RELATION TO THE ASSUMED BEARING ASSIGNED TO THE CENTER LINE OF ILLINOIS ROUTE 23), A DISTANCE OF 34.82 FEET TO AN ANGLE POINT; THENCE CONTINUING SOUTH 89 DEGREES, 32 MINUTES EAST ALONG THE NORTH LINE OF SAID SECTION 2, FOR A DISTANCE OF 60.04 FEET TO A POINT, WHICH POINT IS 60.0 FEET RIGHT AS MEASURED AT RIGHT ANGLES FROM THE CENTER LINE FOR FEDERAL AID ROUTE 24; THENCE SOUTH 2 DEGREES, 34.5 MINUTES WEST PARALLEL TO THE SAID CENTER LINE OF FEDERAL AID ROUTE 24 AND THE TANGENT TO THE CURVE OF THE CENTER LINE OF FEDERAL AID ROUTE 24, FOR A DISTANCE OF 1,045.19 FEET TO AN ANGLE POINT; THENCE CONTINUING SOUTH 0 DEGREES, 51 MINUTES WEST TO THE SAID CENTER LINE OF FEDERAL AID ROUTE 24 AND THE TANGENT TO THE CURVE OF THE CENTER LINE OF FEDERAL AID ROUTE 24 FOR A DISTANCE OF 699.24 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 105 ACRES OF THE NORTHWEST FRACTIONAL QUARTER OF SAID SECTION 2, WHICH POINT IS 60.0 FEET RIGHT AS MEASURED AT RIGHT ANGLES FROM THE SAID CENTER LINE OF FEDERAL AID ROUTE 24; THENCE NORTH 89 DEGREES, 01 MINUTES WEST, FOR A DISTANCE OF 60.94 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 2;

THENCE NORTH 0 DEGREES 46 MINUTES EAST ALONG THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 1,743.18 FEET TO THE PLACE OF BEGINNING.

Parcel 2

Parcel Number: 11-02-200-001 161.104 acres m/l

Legal Description:

THE NORTH EAST FRACTIONAL QUARTER (NE FRL. 1/4) OF SECTION TWO (2) IN TOWNSHIP THIRTY-NINE (39) NORTH, RANGE FOUR (4), EAST OF THE THIRD (3RD) PRINCIPAL MERIDIAN, SITUATED IN THE COUNTY OF DEKALB, IN THE STATE OF ILLINOIS.

Parcel 3

Parcel Number: 11-01-100-001 160.291 acres m/l

Legal Description:

THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 1, THENCE SOUTH 89 DEGREES 42 MINUTES 19 SECONDS EAST, A DISTANCE OF 2639.61 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE SOUTH 0 DEGREES, 26 MINUTES, 33 SECONDS WEST, A DISTANCE OF 2637.31 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE NORTH 89 DEGREES 32 MINUTES 16 SECONDS WEST, A DISTANCE OF 2652.61 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE NORTH 0 DEGREES 31 MINUTES 28 SECONDS EAST, A DISTANCE OF 2629.56 FEET TO THE POINT OF BEGINNING.

Parcel 4

Parcel Number: 11-01-200-002 79.164 acres m/l

Legal Description:

THE WEST ONE-HALF (W ½) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION ONE (1), TOWNSHIP 39 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, DE KALB COUNTY, ILLINOIS EXCEPTING THEREFROM PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE EASTERLY ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 1 A DISTANCE OF 337 FEET FOR THE PLACE OF BEGINNING; THENCE SOUTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 190 FEET; THENCE EASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 245 FEET; THENCE NORTHERLY

AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 190 FEET TO THE NORTH LINE OF SAID SECTION 1; THENCE WESTERLY A DISTANCE OF 245 FEET TO THE PLACE OF BEGINNING, SITUATED IN THE COUNTY OF DE KALB AND STATE OF ILLINOIS.

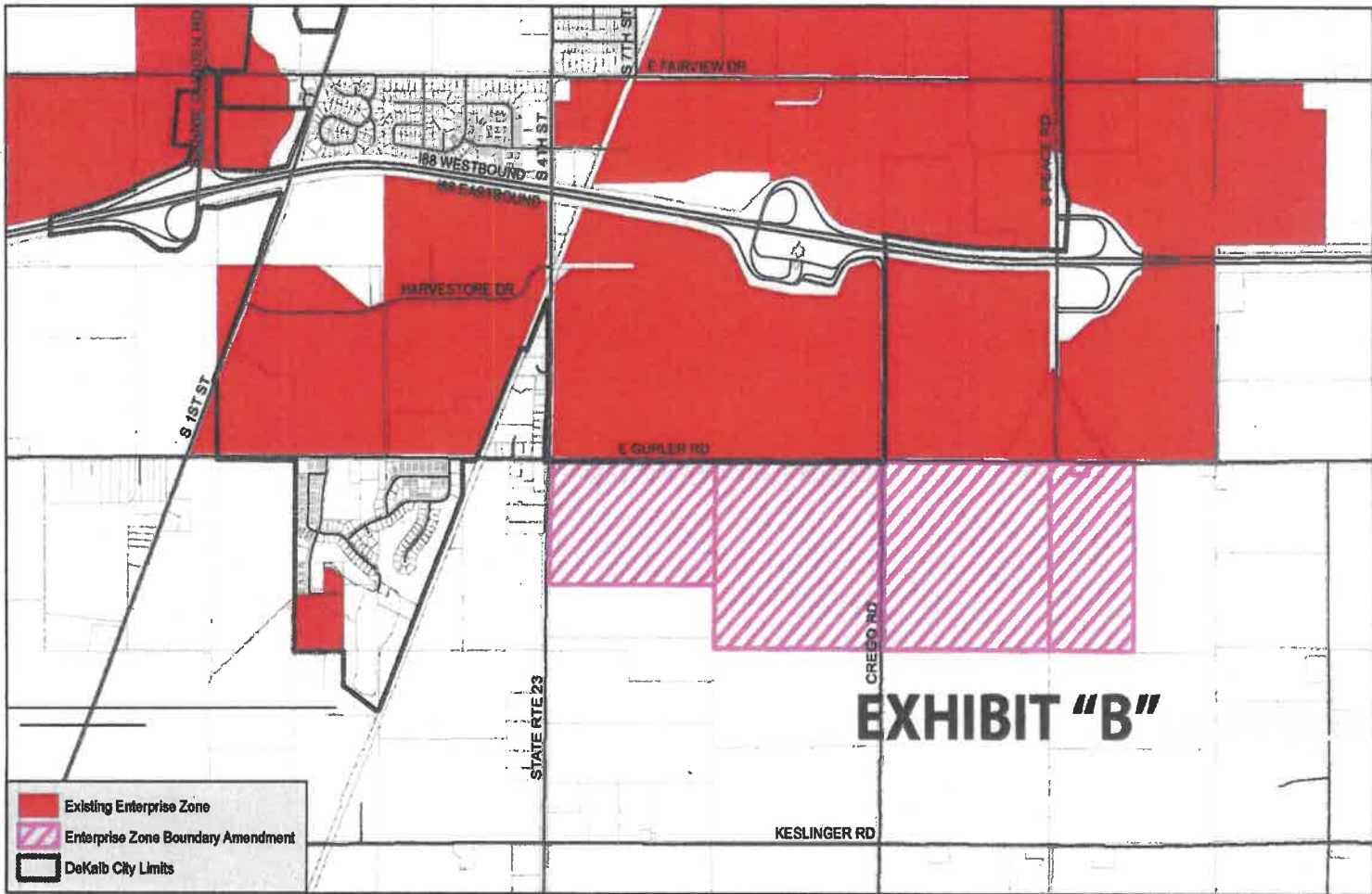
Parcel 5

Parcel Number: 11-01-200-001 1.069 acres m/l

Legal Description

PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE EASTERLY ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 1 A DISTANCE OF 337 FEET FOR THE PLACE OF BEGINNING; THENCE SOUTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 190 FEET; THENCE EASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 245 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 190 FEET TO THE NORTH LINE OF SAID SECTION 1; THENCE WESTERLY A DISTANCE OF 245 FEET TO THE PLACE OF BEGINNING, SITUATED IN THE COUNTY OF DE KALB AND STATE OF ILLINOIS.

Enterprise Zone Boundary Amendment



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**Illinois
Department of Commerce
& Economic Opportunity**
JB Pritzker, Governor

CERTIFICATION

Pursuant to 20 ILCS 655/5.4 of the "Enterprise Zone Act", as amended, the Department of Commerce and Economic Opportunity hereby certifies the attached Ordinances that adds territory and provides modification and revision to the Property Tax Incentives of the Dekalb County Enterprise Zone.

This certification is effective on and after execution of this certification by the Director of the Department of Commerce and Economic Opportunity or designee.

ATTEST:

A handwritten signature in black ink, appearing to read "Erin B. Guthrie", written over a horizontal line.

Erin B. Guthrie
Director
Illinois Department of Commerce
and Economic Opportunity

3/16/2020
Date

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