# AMENDMENT 1 TO AMENDMENT 2 TO ADDENDUM "B"

TO THE INTERGOVERNMENTAL AGREEMENT MADE DECEMBER 15, 2015, BY AND BETWEEN THE CITY OF DIXON, THE COUNTY OF LEE, THE CITY OF ROCHELLE AND THE COUNTY OF OGLE REGARDING THE ADMINISTRATION OF THE LEE OGLE ENTERPRISE ZONE.

**WHEREAS,** the Designating Units of Government adopted Ordinances and an Intergovernmental Agreement establishing an Enterprise Zone, certified by the Department of Commerce and Economic Opportunity on January 1, 2017, including incorporated portions of the City of Dixon, unincorporated portions of the County of Lee, incorporated portions of the City of Rochelle and unincorporated portions of the County of Ogle; and

**WHEREAS**, the parties have added the City of Amboy as a Designating Unit of Government, and added certain industrial and commercial property in the City of Amboy; and

**WHEREAS**, the parties desire to further expand the Enterprise Zone to include certain industrial and commercial property in the Village of Mount Morris; and

**WHEREAS,** a public hearing was held on December 12, 2017, in a location to be added to Enterprise Zone, on the question of expanding the Enterprise Zone to include industrial and commercial properties in the Village of Mount Morris; and

**WHEREAS**, the said areas to be added to the Lee Ogle Enterprise Zone meet the statutory requirements of contiguity to the existing zone, not exceeding available space for the zone, and meeting at least 3 of the criteria ("the ten tests").

**NOW, THEREFORE,** in consideration of the foregoing premises, the Designating Units of Government agree that the intergovernmental agreement shall be amended in the following respects:

**A.** The Village of Mount Morris, Illinois, adopts the terms of the Intergovernmental Agreement made on December 15, 2015, and is hereby added as a "Designating Unit of Government" of the Lee Ogle Enterprise Zone.

**B.** CHANGE TO SECTION I. OF THE INTERGOVERNMENTAL AGREEMENT– GENERAL PROVISIONS

**Subsection A) is hereby amended to read as follows**:

A) Legal Description. The area as described in the original Lee Ogle Enterprise Zone "ADDENDUM "A" LEE OGLE ENTERPRISE ZONE DESCRIPTION FOR RECORDING", along with those areas described in subsequent amendments which are incorporated in amending ordinances that are certified by the State of Illinois Department of Commerce and Economic Opportunity.

**Subsection D) is hereby amended to read as follows:**

D) **Administration Fees.**

2) **Designating Units of Government** – The Designating Units of Government agree to provide financial assistance to the organization employing the Zone Administrator. Said assistance shall be calculated using a per capita rate of $0.75 (seventy-five cents) based on the population of the respective Designating Units of Government according to the most recent decennial census as well as allocation of Enterprise Zone Acreage as described below:

**Lee Ogle Enterprise Zone Area & Funding Formula for Administration Operating Expense**

2010 US Census Population Lee & Ogle Counties

| | | | |
|---|---|---|---|
| Dixon | 15,692 | Rochelle | 9,574 |
| Amboy | 2,404 | Mount Morris | 2,998 |
| Lee | 36,031 | Ogle | 53,497 |
| Total population both counties | | | 89,528 |
| Budget of $.75 Per Capita for EZ Admin | | | $67,146.00 |

| **LEE COUNTY PORTION** | **% of Zone** | | **OGLE COUNTY PORTION** | **% of Zone** | |
|---|---|---|---|---|---|
| to Uninc. Lee | 3206.40 acres | 36.22% | to Uninc. Ogle | 1066.92 acres | 12.05% |
| to Dixon | 1161.48 acres | 13.07% | to Rochelle | 3150.03 acres | 35.36% |
| to Amboy | 78.52 acres | 0.84% | to Mount Morris | 193.43 acres | 2.18% |
| 50% of Strips | 12.13 acres | 0.14% | 50% Strips | 12.13 acres | 0.14% |
| **Area to Lee County:** | **4458.53 acres, 50.27%** | | **Area to Ogle County:** | **4422.51 acres, 49.73%** | |

| | | |
|---|---|---|
| Zone Parcel Acreage | 8856.78 acres | 99.73% |
| Connector Strips | + 24.26 acres | 0.27% |
| Total Zone Area | 8881.04 acres | 100.00% |

| | | |
|---|---|---|
| Total Zone Area | 8881.04 acres | 92.51% |
| Acres in reserve | +718.96 acres | 7.49% |
| Max. acres per Statute | 9600.00 acres | 100% |

| **LEE FINANCIAL SHARE** | | **OGLE FINANCIAL SHARE** | |
|---|---|---|---|
| Lee County Share | $10,574.00 | Ogle County Share | $ 7,778.00 |
| Dixon Share | $22,508.00 | Rochelle Share | $23,866.00 |
| Amboy Share | $ 670.00 | Mount Morris Share | $ 1,750.00 |
| 50.27% of Budget | $33,752.00 | 49.73% of Budget | $33,394.00 |

Total Administration Budget $67,146.00

Budget shall be adjusted each year for the following year according to the 3-year rolling average of each year's annualized October CPI published by the US-BLS.

**C. CHANGE TO SECTION II OF THE INTERGOVERNMENTAL AGREEMENT– DEFINITIONS**

**Subsection D) is hereby amended to read as follows:**

D) "Eligible Special Uses, Variations" as defined herein are considered Eligible Project Types when the Special Use or Variation is granted pursuant to local ordinance of the applicable Designating Unit of Government where the project is located.

City of Dixon Districts for Eligible Project Types:

- B-1 Limited Neighborhood Business District
- B-2 General Business District
- CBD Central Business District
- BH-1 Interchange Planned Unit Development District
- LM Limited Manufacturing/Business Park District
- GM General Manufacturing District

City of Amboy Districts for Eligible Project Types

- C-1 Neighborhood Commercial District
- C-2 General Commercial District
- I-1 Light Industrial District
- I-2 Heavy Industrial District

Lee County Districts for Eligible Project Types:

- C-1 Neighborhood Office and Business District
- C-2 Planned Office and Business District
- C-3 General Business District
- I-1 Planned Industrial District
- I-2 General Industrial District
- PUD Planned Unit Development
- DPA Detailed Planning Area

Rochelle Districts for Eligible Project Types:

Commercial Districts

B-1 Central Business District (CBD)
B-2 Highway Commercial District
B-3 Neighborhood Commercial District

Industrial Districts

I-1 Light (limited) Industry District
I-2 General Industrial District
I-3 Heavy Industrial District

Overlay Districts

TTO Transportation Overlay District
TOD Technology Overlay District

Mixed Districts

PUD-C Planned Unit Development
PUD-I Planned Unit Development
PUD-R Planned Unit Development

Village of Mount Morris Districts for Eligible Project Types

C-1 General Business District
C-2 Highway Business District
I-1 Light Industrial District
I-2 General Industrial District

Ogle County Districts for Eligible Project Types:

B-1 Business District
B-2 Business Recreational District
B-3 Restricted Interstate Highway Area Business District
I-1 Industrial District
PD Planned Development District

**D. CHANGE TO SECTION III OF THE INTERGOVERNMENTAL AGREEMENT– DESIGNATING UNITS OF GOVERNMENT PROPERTY TAX ABATEMENT POLICIES**

**Subsection B) is hereby amended to read as follows:**

B) **City of Dixon, City of Amboy, County of Lee, City of Rochelle, Village of Mount Morris, and County of Ogle Property Tax Abatement** - In no event shall any abatement of taxes on any property exceed the amount attributable to the construction of the improvements or the renovation or rehabilitation of existing improvements on such property.

1) Commencing on or after January 1, 2017, taxes on real property levied by the City of Dixon, City of Amboy, the County of Lee, the City of Rochelle, the Village of Mount Morris, and the County of Ogle, whichever is applicable, shall be abated

on approved property located within the boundary of the Enterprise Zone, as certified by the Department, and upon which new improvements have been constructed as follows:

| | | |
|---|---|---|
| a) | For taxes levied in the first year of abatement: | 50% |
| b) | For taxes levied in the second year of abatement: | 50% |
| c) | For taxes levied in the third year of abatement: | 50% |
| d) | For taxes levied in the fourth year of abatement: | 50% |
| e) | For taxes levied in the fifth year of abatement: | 50% |
| f) | For taxes levied in the sixth year of abatement: | 50% |

Said abatements shall be for six (6) consecutive years beginning with the real estate taxes payable in the year following the first full year of a project's commercial operation after which said improvements have been made and fully assessed. Abatement for a specific project will cease after the sixth year or upon expiration, termination or decertification of the Zone, whichever is sooner.

2) The above property tax abatements shall be applicable solely for Eligible Project Types for improvements to real property upon which new construction, improvements, renovation or rehabilitation, for which a building permit is required and one has been obtained, has been completed after January 1, 2017, and before the expiration, termination or decertification of the Zone, whichever is sooner. Abatement shall only apply to the incremental increase in real estate taxes assessed as a result of the project and its related improvements.

In all other respects, the Intergovernmental Agreement dated December 15, 2015 shall remain in full force and effect.

This Amendment may be executed in any number of counterparts and any party hereto may execute any such counterparts, each of which when executed and delivered shall be deemed to be an original and all of which counterparts taken together shall constitute one and the same instrument. This Amendment shall become binding when one or more of the counterparts taken together shall have been executed and delivered by the parties. It shall not be necessary in making proof of this Amendment or any counterpart hereof to produce or account for any other counterparts.

Dated this ____ day of _____, 2018

| City of Dixon | City of Amboy | County of Lee |
|---|---|---|
| By:_____ | By:_____ | By:_____ |
| Mayor | Mayor | County Board Chairman |

| City of Rochelle | Village of Mount Morris | County of Ogle |
|---|---|---|
| By:_____ | By:_____ | By:_____ |
| Mayor | Village President | County Board Chairman |

Dated this 21 day of Aug, 2018

| City of Dixon | City of Amboy | County of Lee |
|---|---|---|
| By:_____ | By:_____ | By:_____ |
| Mayor | Mayor | County Board Chairman |

| City of Rochelle | Village of Mount Morris | County of Ogle |
|---|---|---|
| By:_____ | By:_____ | By: [redacted] |
| Mayor | Village President | County Board Chairman |

Dated this ____ day of _____, 2018

| City of Dixon | City of Amboy | County of Lee |
|---|---|---|
| By:_____ | By:_____ | By:_____ |
| Mayor | Mayor | County Board Chairman |

| City of Rochelle | Village of Mount Morris | County of Ogle |
|---|---|---|
| By:_____ | By: [redacted] | By:_____ |
| Mayor | Village President | County Board Chairman |

Dated this 21st day of August 2018

| City of Dixon | City of Amboy | County of Lee |
|---|---|---|
| By:_____ | By:_____ | [redacted] |
| Mayor | Mayor | County Board Chairman |

| City of Rochelle | Village of Mount Morris | County of Ogle |
|---|---|---|
| By:_____ | By:_____ | By:_____ |
| Mayor | Village President | County Board Chairman |

Dated this ____ day of _____, 2018

City of Dixon

By:_____

Mayor

City of Amboy

By:_____

Mayor

County of Lee

By:_____

County Board Chairman

City of Rochelle

By:_____

Mayor

Village of Mount Morris

By:_____

Village President

County of Ogle

By:_____

County Board Chairman

Dated this ____ day of _____, 2018

| | | |
|---|---|---|
| City of Dixon | City of Amboy | County of Lee |
| By:_____ | [redacted] | By:_____ |
| Mayor | Mayor | County Board Chairman |

| | | |
|---|---|---|
| City of Rochelle | Village of Mount Morris | County of Ogle |
| By:_____ | By:_____ | By:_____ |
| Mayor | Village President | County Board Chairman |

Illinois
Department of Commerce
& Economic Opportunity
JB Pritzker, Governor

# CERTIFICATION

Pursuant to 20 ILCS 655/5.4 of the "Illinois Enterprise Zone Act," as amended, the Department of Commerce and Economic Opportunity hereby certifies the attached Ordinances that expand the boundaries of and adds the Village of Mount Morris as a participating unit of government to the Lee/Ogle 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:

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

2/6/19
Date

**CERT 1987**