

**CITY OF SULLIVAN, ILLINOIS
PROPOSED THIRD AMENDMENT TO SULLIVAN
TAX INCREMENT FINANCING (TIF) DISTRICT IV
LEGACY POST FRAME HOMES, LLC
REDEVELOPMENT PROJECT**

RESOLUTION NO. 225

INDUCEMENT RESOLUTION

WHEREAS, the City of Sullivan, Moultrie County, Illinois, an Illinois Municipality (the “City”), has the authority to promote the health, safety and welfare of the City and its citizens, and to prevent the spread of blight and deterioration by promoting the development of private investment in property, thereby increasing the real estate tax base of the City and providing employment for its citizens; and

WHEREAS, Illinois statute (65 ILCS 5/8-1-2.5) allows a municipality to appropriate and expend funds for economic development purposes, including, without limitation, the making of grants for commercial enterprises that are deemed necessary or desirable for the promotion of economic development within the municipality; and

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4 *et seq.*, as amended (the “Act”), the City has the authority to provide incentives to owners or prospective owners of real property to develop, redevelop, rehabilitate, market and/or upgrade such property by reimbursing the owner for certain costs from resulting increases in real estate tax revenues (“Tax Increment”) or from other City revenues; and

WHEREAS, the City is considering a request for tax increment financing assistance from **Legacy Post Frame Homes, LLC** (the “Developer”), who proposes to develop property located on IL State Route 32, Sullivan, Illinois (PIN 08-08-14-000-201) (the “Property”) for the purpose of undertaking a residential development project located thereon (the “Project”); and

WHEREAS, said proposed Project is to be located on land for which the City has been requested to be added to Sullivan TIF District IV Redevelopment Project Area by the Third Amendment (the “Amended Area”); and

WHEREAS, based on the Developer’s request and information provided to date, the Mayor and City Council for the City of Sullivan find that the above-mentioned development cannot be developed without the assistance of Tax Increment Financing; and

WHEREAS, the City is authorized under the Act to make and enter into all contracts with property owners, developers, tenants, overlapping taxing bodies, and others necessary or incidental to the implementation and furtherance of its redevelopment plans and projects and to finance redevelopment project costs provided such project costs are eligible under the Act; and

WHEREAS, the Project proposed by **Legacy Post Frame Homes, LLC** to be undertaken within the proposed amended Area will:

- Complement the City’s design and implementation of both short-term and long-term municipal plans to achieve desired land use and community and economic development objectives; and

- Address blighted conditions to stimulate redevelopment to effectively eradicate and institute conservation measures that will remove and alleviate adverse conditions and encourage private investment as well as enhance the tax base of taxing districts within the Area; and
- Encourage new commercial and residential development within the City; and
- Provide the citizens of the City with employment opportunities.

WHEREAS, redevelopment of the Property within the Area will require the Developer to incur expenditures of substantial time, effort and money and, but for the assistance of tax increment financing, the proposed Project is not financially feasible; and

WHEREAS, the Project is to be undertaken within the Area to be established by the City to assist in financing of eligible public and private redevelopment project costs per the Act and as incurred after the date of this Resolution; and

WHEREAS, this Resolution is intended to induce **Legacy Post Frame Homes, LLC** or its successor or assignee to proceed with the Project and to seek reimbursement from incremental real estate tax revenue or the proceeds of debt incurred by the City or from other sources as may be agreed to between the City and the Developer which are necessary to accomplish the goals of the proposed TIF District Redevelopment Plan, Area and Projects (collectively the “TIF Plan”), which may be amended by the City; and

WHEREAS, this Resolution is also intended to serve as an “official declaration of intent” on behalf of the City pursuant to Treas. Reg. §1.150.2; and

WHEREAS, the City Council has examined the proposed Amended Area and believes that expenditures of redevelopment costs in furtherance of the amended TIF Plan should be allowable project costs under the amended TIF Plan, provided that this Resolution is not a guarantee of the amount of project costs that will be allowable, if any, but rather is an indication of the intent and sense of the City at this time.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Sullivan, Moultrie County, Illinois, as follows:

1. That the intentions of the City of Sullivan regarding this Project as expressed in the recitals herein are hereby approved; provided however, that neither such intentions, affirmations, authorizations nor such recitals are binding upon the City nor may the same be relied upon to any entity’s or person’s detriment by such entity or person in the event that the aforementioned agreements or plans are not mutually attainable.
2. That the City Council of the City of Sullivan is in favor of the proposed Project.
3. The City shall proceed and use its best efforts to amend the Sullivan TIF District IV Redevelopment Plan, Project and Area to include the Developer’s Property and Projects. Upon the City’s successful approval of the Third Amendment to the TIF District which will include the Developer’s Property, the City and the Developer shall use their best efforts to enter into a Redevelopment Agreement whereby the City will reimburse the Developer from Tax Increment generated by the Project in the amended TIF District for the Developer’s TIF Eligible Project Costs incurred in connection with the Project

from the date of this Resolution.

4. The provisions of this Resolution shall be effective commencing with its adoption as provided by law.

PASSED, APPROVED AND ADOPTED by the Mayor and City Council of the City of Sullivan, Moultrie County, Illinois, on the 12th day of December, 2022, and deposited and filed in the Office of the City Clerk of said City of Sullivan on that date.

MAYOR AND COMMISSIONERS	AYE VOTE	NAY VOTE	ABSTAIN	ABSENT
Chuck Woodworth	✓			
Mike Fowler	✓			
Abbey Sherwood	✓			
Doug Booker				✓
Richard Glazebrook, Mayor	✓			
TOTAL VOTES:	4	0	0	1

APPROVED: Richard R. Glazebrook, Date 28 / DEC / 2022
Mayor

ATTEST: Carrie Green, CMC, Date: 12 / 12 / 2022
City Clerk