

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 05-12-01-30

**AN ORDINANCE APPROVING ASSIGNMENT OF A PARTY'S INTEREST IN A
REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LE ROY,
ILLINOIS AND EVERGREEN FS, FOR THE CITY OF LE ROY FIRST TAX
INCREMENT FINANCING DISTRICT**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
5th DAY OF DECEMBER 2005

PRESENTED: **December 5, 2005**

PASSED: **December 5, 2005**

APPROVED: **December 5, 2005**

RECORDED: **December 5, 2005**

PUBLISHED: **December 5, 2005**


In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



City Clerk of City Of LeRoy

Dated: December 5, 2005

ORDINANCE NO. 05-12-01-30

AN ORDINANCE APPROVING ASSIGNMENT OF A PARTY'S INTEREST IN A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LE ROY, ILLINOIS, AND EVERGREEN FS, FOR THE CITY OF LE ROY FIRST TAX INCREMENT FINANCING DISTRICT

WHEREAS, the Mayor and City Council of the City of Le Roy, Illinois, an Illinois municipal corporation, have determined that it is in the best interests of the City of Le Roy and of its residents to approve the assignment of all the right, title and interest of **LE ROY TRAVEL MART**, under a Redevelopment Agreement with the City of Le Roy, for the City of Le Roy First Tax Increment Financing District; and

WHEREAS, **EVERGREEN FS**, has already made an assignment to **PACIFIC.**, conditioned upon approval of the assignment by the City of Le Roy, and conditioned upon the City of Le Roy and **EVERGREEN FS**, agreeing upon certain cost eligible improvements made to the **LE ROY TRAVEL MART** of that business known as "**LE ROY TRAVEL MART**".

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Le Roy, McLean County, Illinois, in lawful meeting assembled, as follows:

Section 1. By "acceptance" of this ordinance and the agreement set forth herein, **EVERGREEN FS**, (hereinafter referred to as "**LE ROY TRAVEL MART**"), authorizes an acceptance document included as part of this ordinance, and the acceptance form signed by the appropriate officer(s) or agent(s) on behalf of **EVERGREEN FS** shall be proof of the acceptance of this obligation by **EVERGREEN FS**.

Section 2. Approval is hereby given on behalf of the City of Le Roy for that assignment (a copy of said assignment being attached hereto as Exhibit A and incorporated herein by reference) of interest in the contract dated March 20, 2000, and entered into between the City of Le Roy and **EVERGREEN FS**, a copy of which is attached hereto as Exhibit B, which exhibit is incorporated herein by reference. By acceptance of this ordinance, **PACIFIC** agrees that as a successor in interest to and assignee of **LE ROY TRAVEL MART**, Expressly assumes all the obligations of **EVERGREEN FS**, for the improvements under the agreement dated March 20, 2000, (Exhibit C) and agrees to be subject to all the conditions and restrictions to which Developer (Evergreen FS) was subject under the aforesaid contract.

Section 3. If **PACIFIC** agrees to the terms as previously set forth in this ordinance, it shall so indicate by having its appropriate officer(s) and/or agent(s) execute a copy of the "acceptance" as set forth in Exhibit C of this ordinance and shall submit the same not later than December 31, 2005, to the City Clerk of the City of Le Roy at which time the assignment shall be deemed approved and accepted by the City of Le Roy and the provisions of this ordinance shall be deemed binding upon **PACIFIC**.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Jerry Henson, and seconded by John Haney by roll call vote on the 5th day of December 2005 as follows:

Aldermen elected 8

Aldermen Present 6

Voting Aye:

George Cook Jr., Shirley Chancellor, John Haney, Jerry Henson, Gary Koerner, T. A. Whitsitt

Voting Nay:

None

Absent:

Dave McClelland and Dawn Thompson

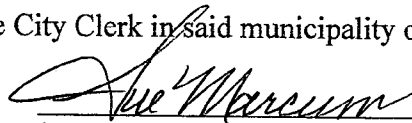
Abstain:

None

Other:

None

and deposited and filed in the office of the City Clerk in said municipality on the 5th day of December 2005.



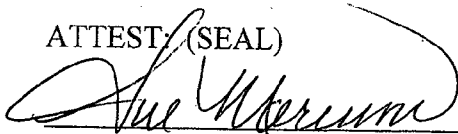
Sue Marcum, City Clerk of the City of Le Roy
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 5th day of December, 2005.



Dave McClelland, Acting Mayor of the City of
Le Roy, Mc Lean County, Illinois

ATTEST (SEAL)



Sue Marcum, City Clerk of the City of Le Roy
Mc Lean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.


I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE APPROVING ASSIGNMENT OF A PARTY'S INTEREST IN A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LE ROY, ILLINOIS AND EVERGREEN FS, FOR THE CITY OF LE ROY FIRST TAX INCREMENT FINANCING DISTRICT

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 5th Day of December 2005, and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this *5th* day of December 2005

(SEAL)


City Clerk

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **December 5, 2005** the Corporate Authorities of such municipality passed and approved Ordinance No. **05-12-01-30** entitled:

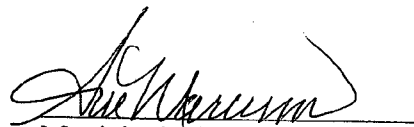
AN ORDINANCE APPROVING ASSIGNMENT OF A PARTY'S INTEREST IN A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LE ROY, ILLINOIS, AND EVERGREEN FS, FOR THE CITY OF LE ROY FIRST TAX INCREMENT FINANCING DISTRICT

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **05-12-01-30**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **December 5, 2005** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 5th day of December, 2005.

(SEAL)


Municipal Clerk