

**CITY OF LeROY
COUNTY OF McLEAN
STATE OF ILLINOIS**

ORDINANCE NO. 456

**AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT
RESOLVING LITIGATION IN CONNECTION WITH
LE ROY AUTO/TRUCK PLAZA ASSOCIATES,
LE ROY TRUCK STOP, INC., AND THE COMMUNITY BANK
OF GREATER PEORIA, AND THE CITY OF LE ROY**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LEROY THIS 17th DAY OF August,
1992.

PRESENTED: August 17, 1992

PASSED: August 17, 1992

APPROVED: August 17, 1992

RECORDED: August 17, 1992

PUBLISHED: August 17, 1992

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)

Jeanita Dagle
City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: August 17, 1992.

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WHEREAS, the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, is involved in litigation in connection with the LeRoy Auto/Truck Plaza Associates and LeRoy Truck Stop, Inc., truck stop project located in the City of LeRoy; and

WHEREAS, the parties to that litigation have agreed to a settlement of the various cases and countersuits involved, all said cases being designated under the McLean County Circuit Court Case No. 89-CH-13, insofar as the City of LeRoy is connected with such litigation; and

WHEREAS, the Mayor and City Council of the City of LeRoy, have reviewed the aforesaid settlement agreement in its entirety, are familiar with the provisions set forth therein, and have determined that it is in the best interests of the City of LeRoy to enter into said settlement agreement resolving all litigation as aforesaid,

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

SECTION 1. The settlement agreement as previously submitted to the Mayor and City Council of the City of LeRoy, prior to the regular meeting held at 7:30 p.m. on August 17, 1992, has been reviewed in its entirety by the Mayor and each member of the City Council, and the City Council hereby finds that each member is familiar with the provisions of said agreement and finds that entering into said agreement is in the best interests of the City and the residents of said City.

SECTION 2. That agreement in the form as previously submitted to the Mayor and City Council under cover of a letter dated August 10, 1992, from Frank Miles, special counsel for the City of LeRoy, herein incorporated by reference, is hereby approved and the Mayor and City Clerk of the City of LeRoy are hereby authorized to sign said settlement agreement, in the original and as many copies as may reasonably be required, and to sign any other related documents necessary to implement said agreement, and to return said settlement agreement and any related documents to the

special counsel for the City of LeRoy to assist in completing said settlement agreement and the matters related thereto in order to make the same binding on all parties to the aforesaid litigation.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by Randy Zimmerman, seconded by William Swindle, by roll call vote on the 17th day of August, **1992**, as follows:

Aldermen elected 6 Alderman present 6

VOTING AYE:

William Swindle, Gary Builta, Randy Zimmerman, Robert D. Johnson
(names) David Spratt, Jerry Davis

VOTING NAY:

None
(names)

ABSENT, ABSTAIN, OTHER:

None
(names)

and deposited and filed in the office of the City Clerk in said municipality on the 17th day of August, **1992**.

Juanita Dagley
Juanita Dagley, City Clerk of the City of LeRoy,
LeRoy, McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 17th day of August, **1992**.

Jerry C. Davis
Jerry C. Davis, Mayor of the City of LeRoy,
McLean County, Illinois

ATTEST: (SEAL)

Juanita Dagley
Juanita Dagley, City Clerk, City of LeRoy,
LeRoy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)

I, **Juanita Dagley**, do hereby certify that I am the duly qualified and acting City Clerk of the **City of LeRoy, 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:

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Said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 17th day of August, **1992**, and a faithful record of said ordinance has been made in the record books.

Dated this 17th day of August, **1992**.



City Clerk

(SEAL)