ORDINANCE 2010-1201

Ogle County

ORDINANCE AMENDING ORDINANCE DATED: OCTOBER 16, 2001

AN ORDINANCE
AMENDING LEE COUNTY ENTERPRISE ZONE #9

NOW THEREFORE, BE IT ORDAINED by the Ogle County Board and Board Chairman, in Ogle County, Illinois, as follows:

SECTION 1: That an Ordinance dated October 16, 2001 regarding the Lee County Enterprise Zone, as amended, is further amended as follows:

SECTION 2: Section 1, Exhibit A, shall be amended to include the property described in Exhibit 1 attached hereto, containing 146.0 acres, more or less.

SECTION 3: In all other respects the Ordinance Dated October 16, 2001, as amended, shall remain in full force and effect.

SECTION 4: The Ogle County Board, County Clerk and Board Chairman are authorized to execute any and all documents necessary to implement this ordinance, including but not limited to Amendment No. 13 to the original Intergovernmental Agreement Regarding Administration of an Enterprise Zone, Dated December 23, 1986, a copy of which is attached hereto and made a part hereof.

SECTION 5: The provisions and Sections of this Ordinance shall be deemed to be separable, and the validity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION 6: All ordinances and parts of ordinances in conflict herewith are, to the

extent of such conflict, hereby repealed.

SECTION 7: This Ordinance shall take effect upon its passage, approval and publication as required by law.

Passed by the Ogle County Board and the Ogle County Board Chairman, this 21ST day of December, 2010.

The Ogle County Board

By: _____
W. Ed Rice,
Ogle County Board Chairman

Attest:

_____
Rebecca Huntley,
Ogle County Clerk

ORDINANCE 2010-1201

AMENDMENT NO. 13

TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DIXON, CITY OF AMBOY, VILLAGE OF ASHTON, VILLAGE OF FRANKLIN GROVE, VILLAGE OF PAW PAW, CITY OF ROCHELLE AND COUNTIES OF LEE AND OGLE REGARDING ADMINISTRATION OF AN ENTERPRISE ZONE DATED DECEMBER 23, 1986.

WHEREAS, on the 23rd day of December, 1986 the City of Dixon and County of Lee entered into an Intergovernmental Agreement ("Agreement") to provide for the administration of an enterprise zone encompassing contiguous portions of the City of Dixon and County of Lee in the State of Illinois; and

WHEREAS, the Agreement was subsequently amended to include the City of Amboy, Village of Ashton, Village of Franklin Grove, and Village of Paw Paw in said County and the City of Rochelle and County of Ogle; and

WHEREAS, the City of Dixon, County of Lee, City of Amboy, Village of Ashton, Village of Franklin Grove, Village of Paw Paw, City of Rochelle and County of Ogle have indicated their willingness and desire to extend the boundaries of the Lee County Enterprise Zone #9 to include certain property in the City of Rochelle and County of Ogle.

NOW, THEREFORE, it is agreed by the City of Dixon, County of Lee, City of Amboy, Village of Ashton, Village of Franklin Grove, Village of Paw Paw, City of Rochelle and County of Ogle that the Intergovernmental Agreement, as previously amended and agreed to by these parties, shall be further amended in the following respects:

(1) Section 1, Exhibit A, shall be amended to include the property described in Exhibit 1 attached hereto, containing 146.0 acres, more or less.

(2) In all or other respects the Intergovernmental Agreement dated December 23, 1986, and amended on the 13th day of October 1992, and as further amended on the 15th day of December, 1992; the 17th day of January, 1995; the 21st day of September, 1998; the 21st day of February, 2000; the 18th day of December, 2001; the 8th day of September, 2003; the 18th day of April 2006; the 10th day of July, 2006; and the 28th day of November, 2006; and the 15th day of May, 2007, shall remain in full force and effect.

(3) This Amendment No. 13 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 No. 13 shall become binding when one or more counterparts taken together shall have been executed and delivered by the parties. It shall not be necessary in making proof of this Amendment No. 13 or any counterpart hereof to produce or account for any other counterparts.

ORDINANCE 2010-1201

Dated this 21st day of December, 2010.

City/Village/County: Ogle County

BY: _____ Title: County Board Chairman
Mayor/Village Board President/County Board Chairman

ATTEST: Ogle County Clerk
City/Village/County Clerk

EXHIBIT 1

Lee County Enterprise Zone – Interstate Transportation Center (ITC)
Legal Description

Part of the East half of Section 22, part of the Southwest Quarter of Section 23, part of the Northwest Quarter of Section 26, and part of the Northeast Quarter of Section 27 all located in Township 40 North, Range 1 East of the Third Principal Meridian bounded and described as follows to-wit:
Commencing at the Southeast corner of said Section 22: thence South 89°56'29" West, along the South line of said Section 22, a distance of 1.50 feet to the Point of Beginning of this description; thence South 89°56'29" West along the South line of said Section 22, distance of 490.52 feet; thence North 00°07'29" West, a distance of 3600.05 feet, to the centerline of the Burlington Northern and Santa Fe Railroad right-of-way; thence South 56°44'02" East along the centerline of the Burlington Northern and Santa Fe Railroad right-of-way, a distance of 1992.26 feet; thence South 00°10'22" East, a distance of 2502.91 feet to the South line of the Southwest Quarter of said Section 23; thence South 89°48'46" West along South line of the Southwest Quarter of said Section 23, a distance of 290.18 feet; thence North 00°11'14" West, a distance of 160.00 feet; thence South 89°48'46" West parallel with the South line of the Southwest Quarter of said Section 23, a distance of 100.00 feet; thence South 00°11'14" East, a distance of 160.00 feet to the South line of the Southwest Quarter of said Section 23, thence South 89°48'46" West along the South line of the Southwest Quarter of said Section 23, a distance of 781.81 feet; thence Southerly parallel with and 1.50 feet perpendicularly distant West from the East line of the Northeast Quarter of said Section 27 to a line which is 1.50 feet perpendicularly North of and parallel with the center line of the main track of the Union Pacific Railroad, thence Southwesterly parallel with the center line of the main track of the Union Pacific Railroad to a point which is 1.50 perpendicularly distant West from the East line of the Northeast Quarter of said Section 27; thence Northerly parallel with and 1.50 feet perpendicularly distant West from the East line of the Northeast Quarter of said Section 27, to the North line of said Section 27 and the Point of Beginning. Containing 146 acres more or less. Situated in the County of Ogle and the State of Illinois.

TOTAL **146.0 ACRES more or less**