

**RESOLUTION TO INDUCE RENOVATION AND RETROFIT OF AN
EXISTING VACANT RETAIL BUILDING AND RELATED SITE
IMPROVEMENTS LOCATED WITHIN THE CITY OF NEWTON TAX
INCREMENT FINANCING (TIF) REDEVELOPMENT PROJECT AREA NO. 1**

WHEREAS, the City of Newton (the “City”) is authorized under the provisions of the Tax Increment Allocation Redevelopment Act, *65 ILCS 11-74.4-1, et seq.* (the “Act”), to finance redevelopment project costs in connection with redevelopment project areas established in accordance with the conditions and requirements set forth in the Act; and

WHEREAS, on October 21, 2008 the City adopted Ordinances 08-21, 08-22, and 08-23 approving a Tax Increment Finance Redevelopment Plan & Project (the “Plan”) for a redevelopment project area; designating a redevelopment project area identified as “Redevelopment Project Area No. 1” (the “Project Area” or “TIF No. 1”), and adopting tax increment financing for said Project Area respectively; and

WHEREAS, the City has received a proposal from **Legend Realty Services, Inc.** on behalf of **3 Point Properties III, LLC**, or its assignee, **3PP Newton, LLC** of Naperville, Illinois (individually or collectively, the “Developer”) and **Tractor Supply Company** of Brentwood, Tennessee (the “Tenant”) (Developer and Tenant are hereinafter collectively, the “Developer/Tenant”), to redevelop, renovate and retrofit a vacant building and related site improvements on a parcel of commercial real estate located at 1106 S. Van Buren Street, Newton, Illinois (the “Project”) within the City’s TIF No. 1, which Project is conditioned upon receiving certain TIF financial incentives; and

WHEREAS, the Developer/Tenant will be expending certain funds as part of its due diligence efforts and to acquire ownership of property which is depicted on **Exhibit “A”** attached hereto (“Property”), upon which the Project will take place; and

WHEREAS, the City will be expend funds to reimburse Tenant for certain costs in connection with the relocation of a public sanitary sewer line located on the Property as depicted on **Exhibit “B”** attached hereto, along with costs associated with the engineering design and specifications of the new sanitary sewer and properly abandoning the existing sewer, inspection and testing of such new sanitary sewer line after the initial construction thereof (collectively, “Sanitary Sewer Relocation”); and

WHEREAS, the City may expend additional funds in furtherance of the objectives of the Plan and Project and to negotiate a TIF incentive agreement with the Developer/Tenant; and

WHEREAS, it is the intent of the City to recover these expenditures from proceeds of the TIF program; and

WHEREAS, the City wishes to encourage the Developer/Tenant to pursue plans for the redevelopment of the Property and make such expenditures as are reasonably necessary in that regard with assurance that TIF eligible expenditures, including, without limitation, property assembly and acquisition costs, building renovation, repairs and retrofit costs, and utility relocation costs, will be allowable redevelopment project costs, provided that such costs are included in the Plan and meet the definition of “redevelopment project costs” as defined in the Act; and

WHEREAS, the proposed Project will enhance the City’s sales tax revenues, provide new job opportunities for its residents, grow the commercial base of the City, and improve the general welfare and prosperity of the community; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Illinois as follows:

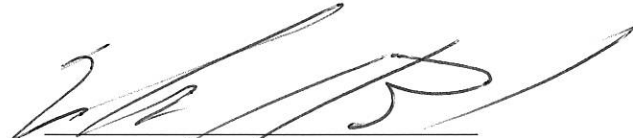
1. The foregoing Recitals are incorporated into this Resolution.
2. That the City Council has examined the proposed Project and at this time believes that tax increment financing incentives are necessary for the Project to move forward and that incurring certain costs in furtherance of the Project shall be allowable project costs under the Plan and Act, provided that such costs are included in the Plan and meet the definition of “redevelopment project costs” as defined in the Act.
3. The City confirms that it has sufficient funds in its Fiscal Year 2017/2018 Budget for the Special Tax Allocation Fund for TIF No. 1 (“Fund”) and commits an amount not to exceed Thirty Thousand Dollars (\$30,000) (“Sanitary Sewer Relocation Costs”) from the Fund for purposes of the Sanitary Sewer Relocation, as depicted on **Exhibit “B”**. The City’s obligation to pay the Sanitary Sewer Relocation Costs is contingent upon Developer closing on the acquisition of the Property, Developer obtaining fee title to the Property and Developer entering into a binding lease with Tenant for the Property. The City shall be responsible for the cost of the Sanitary Sewer Relocation Costs regardless as to whether Developer/Tenant qualifies for reimbursement of any other redevelopment project costs under the Plan or Developer/Tenant enters into a redevelopment agreement with the City for additional tax increment financing incentives. The City shall reimburse Tenant the actual costs incurred by Tenant for completion of the Sanitary Sewer Relocation Costs within thirty (30) days after the date of written notice from Tenant to City of completion and successful testing of the Sanitary Sewer Relocation. The City and Developer/Tenant shall coordinate the timing of the work associated with the Sanitary Sewer Relocation.
4. The Mayor is directed to negotiate a TIF redevelopment agreement between the City and the Developer/Tenant, and if such agreement is suitable to all parties, to bring such agreement before the City Council for its consideration and approval.

5. Except for the City's commitment to expend TIF Funds pursuant to paragraph 2 above, this resolution does not constitute a financial obligation of the City with respect to the Developer/Tenant or the Project, but rather an expression of intent of the City at this time.

PASSED this 18th day of April 2017.

YEAS: 6
NEAS: 0
ABSENT: 0
ABSTAIN: 0




Mark Bolander, Mayor

ATTEST:


Rosetta York, City Clerk

Attachments: Exhibit A – Property Location Map
Exhibit B – Sanitary Sewer Relocation

Exhibit "A"
(Property Location Map)

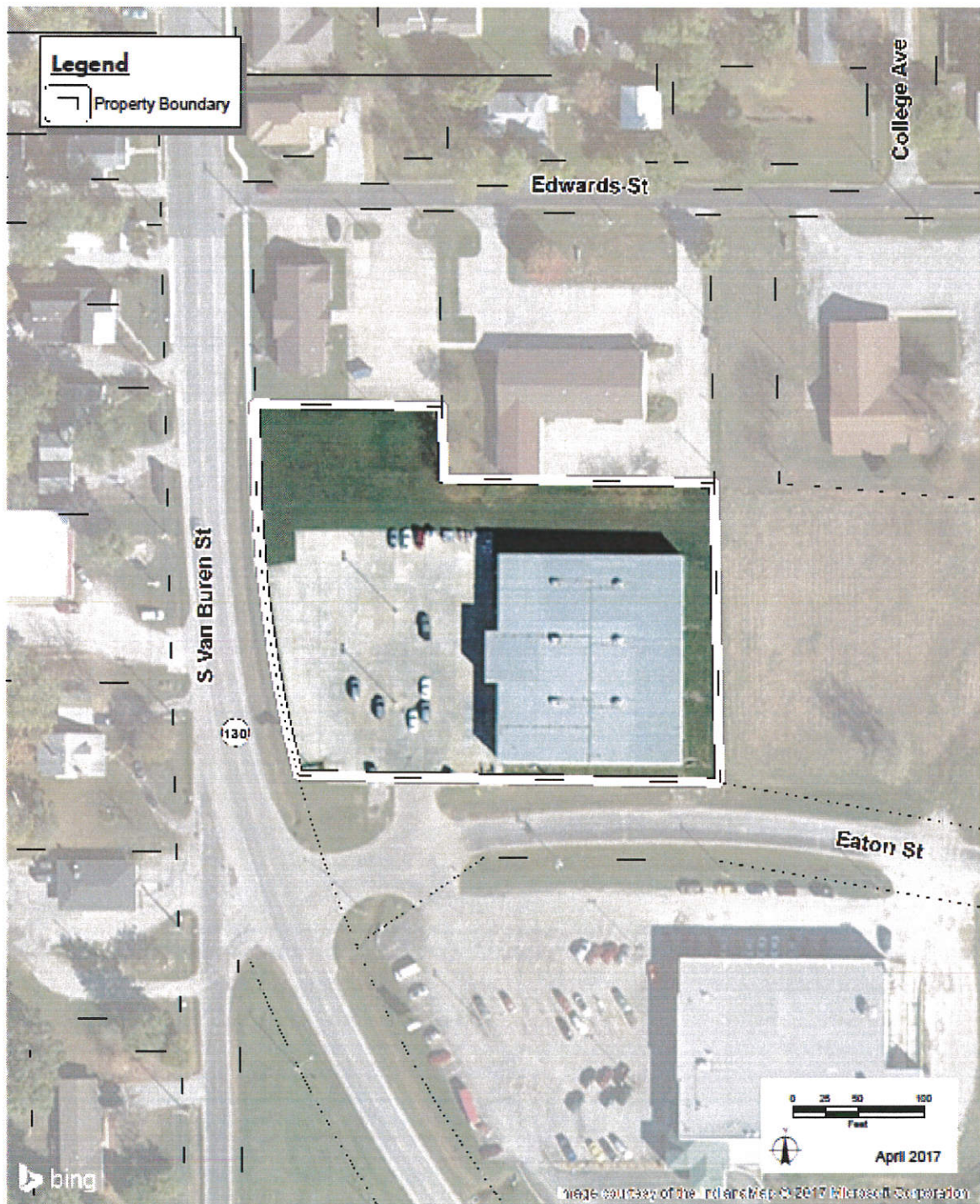


Exhibit A
Property Location Map
City of Newton, Illinois

The site plan illustrates the proposed sanitary sewer system surrounding an existing building. The building, measuring 138'-8" by 159'-6" with a total area of ±22,374 SQ. FT., is the central feature. To its north and east are new "PROPOSED 8\"