

**ORDINANCE NO. 3801**

**AN ORDINANCE AMENDING  
ORDINANCE NO. 2073, TO ADD  
TERRITORY TO ST. CLAIR COUNTY  
MIDAMERICA ENTERPRISE ZONE**

**WHEREAS**, the following Ordinance is adopted based upon the following premises, to wit;

**WHEREAS**, the State of Illinois has enacted the "Illinois Enterprise Zone Act of 1982," 20 ILCS 655/1 et seq., as amended (hereinafter referred to as "Act"), to alleviate distressed economic conditions in certain depressed areas;

**WHEREAS**, the Southwestern Illinois Development Authority Act, 70 ILCS 520/1 et seq., as amended, authorizes Southwestern Illinois Development Authority (hereinafter referred to as "SWIDA") by ordinance to designate prior to January 1, 2000 a portion of the territorial jurisdiction of SWIDA located in the townships of O'Fallon, Lebanon, Mascoutah, and Shiloh Valley of the County of St. Clair for certification as an Enterprise Zone under the Illinois Enterprise Zone Act in addition to any other Enterprise Zones which may be created under that Act. The area shall have all the privileges and rights of an Enterprise Zone, under the Illinois Enterprise Zone Act, but shall not be counted in determining the number of Enterprise Zones to be created in any year under that Act;

**WHEREAS**, the health, safety and welfare of the residents of St. Clair County, and the Municipalities of Lebanon, Mascoutah, O'Fallon and Shiloh are dependent, in part, upon a healthy private sector in St. Clair County, and the Municipalities of Lebanon, Mascoutah, O'Fallon and Shiloh;

**WHEREAS**, the development, growth and expansion of the private sector requires a cooperative and continuous partnership between government and the private sector;

**WHEREAS**, there are certain areas in the County that need the particular attention of government, business and labor to attract private sector investment and directly aid the entire county and the residents thereof;

**WHEREAS**, a number of residents within the incorporated municipalities of Lebanon, Mascoutah, O'Fallon, Shiloh, and adjacent areas of unincorporated St. Clair County, for several years have suffered pervasive unemployment and economic distress, related to a variety of economic factors negatively affecting the incorporated and unincorporated areas mentioned above;

**WHEREAS**, the duly constituted legislative bodies of St. Clair County, and the Municipalities of Lebanon, Mascoutah, O'Fallon and Shiloh are cognizant of the distressed conditions existing within this area and are desirous of alleviating these distressed conditions;

**WHEREAS**, St. Clair County, and the Municipalities of Lebanon, Mascoutah, O'Fallon and Shiloh have indicated their willingness and desire to cooperate in designating portions of their municipalities and unincorporated area in St. Clair County as an Enterprise Zone;

**WHEREAS**, on December 6, 1999 the O'Fallon City Council has passed an Ordinance entitled "An Ordinance establishing an Enterprise Zone consisting of adjacent area within the County of St. Clair, City of Lebanon, City of Mascoutah, City of O'Fallon and Village of Shiloh, subject to approval by the Southwestern Illinois Development Authority and by Illinois Department of Commerce and Economic Opportunity, and approving and authorizing the execution of an Intergovernmental Agreement" being Ordinance No. 2073;

**WHEREAS**, on October 3, 2011 the O'Fallon City Council passed an Amending Ordinance to the foregoing Ordinance No. 2073, altering the zone termination date, revising sales tax exemption on building material and adding and deleting territory to St. Clair County MidAmerica Enterprise Zone and approving and authorizing the execution of an Amended Intergovernmental Agreement being Ordinance No. 3728;

**WHEREAS**, the O'Fallon City Council has found it appropriate to amend Ordinance No. 2073 to expand the boundaries of the St. Clair County MidAmerica Enterprise Zone for the development of Eddies Gas and Convenience Station/Huddle House Restaurant in Mascoutah, the expansion project of the Lebanon True Value, Inc. and the Hawk Development Company's construction of entertainment and hospitality oriented facilities in Lebanon, endorsed by the government units with St. Clair County MidAmerica Enterprise Zone; and

**WHEREAS**, with the further expansion of the enterprise zone, the new additions will receive all the state and local amenities provided by the present enterprise zone.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:**

Section 1. Description:

The area precisely described in *Exhibit "A"*, attached hereto and hereby made a part hereof as if fully set out herein, is hereby designated an Enterprise Zone pursuant to and in accordance with the "Illinois Enterprise Zone Act of 1982," (hereinafter referred to as "Act") and the Southwestern Illinois Development Authority Act;

Section 2. Qualifications:

The City of O'Fallon hereby declares and affirms that the zone area is qualified for designation as an Enterprise Zone in accordance with the provisions of the Act and the Southwestern Illinois Development Authority Act, and further affirms the following:

- a. That the zone area is a contiguous area;
- b. That the zone area comprises a minimum of one-half of the square mile and not more than fifteen square miles in total area;
- c. That public notice was given in at least one newspaper of general circulation within the zone area, not more than 20 days nor less than 5 days before the public hearing;
- d. That the zone area addresses a reasonable need to encompass portions of more than one municipality and an unincorporated area of a county; and
- e. That the zone area is located within the townships of O'Fallon, Lebanon, Mascoutah, and Shiloh Valley of the County of St. Clair.

Section 3. Enterprise Zone Designation:

The zone was designated as an Enterprise Zone, subject to the approval of IDCEO and the Southwestern Illinois Development Authority, in accordance with state law on January 1, 2000.

Section 4. Term and Effect:

The term of the zone shall terminate at midnight of December 31, 2030.

Section 5. Name of Zone:

The name of said enterprise zone shall be "St. Clair County MidAmerica Enterprise Zone".

Section 6. Sales Tax Exemptions:

Each retailer who makes a qualified sale of building materials to be incorporated into real estate in an enterprise zone established by a county or municipality under the Illinois Enterprise Zone Act by remodeling, rehabilitation or new construction, may deduct receipts from such sales when calculating the tax imposed by this Act. For purposes of this Section, "qualified sale" means a sale of building materials that will be incorporated into real estate as part of a building project for which a Certificate of Eligibility for Sales Tax Exemption has been issued.

To document the exemption allowed under this Section, the retailer must obtain from the purchaser a copy of the Certificate of Eligibility for Sales Tax Exemption issued for the St. Clair County MidAmerica Enterprise Zone into which the building materials will be incorporated. The Certificate of Eligibility for Sales Tax Exemption must contain:

- (a) A statement that the building project identified in the Certificate meets all the requirements for the building material exemption contained in the enterprise zone ordinance of the jurisdiction in which the building project is located;
- (b) The location or address of the building project; and
- (c) The signature of the administrator of the enterprise zone in which the building project is located.

In addition, the retailer must obtain certification from the purchaser that contains:

- (a) A statement that the building materials are being purchased for incorporation into real estate located in an Illinois enterprise zone;
- (b) The location or address of the real estate into which the building materials will be incorporated;
- (c) The name of the enterprise zone in which that real estate is located;
- (d) A description of the building materials being purchased; and
- (e) The purchaser's signature and date of purchase.

The deduction allowed by this Section for the sale of building materials may be limited, to the extent authorized by ordinance, adopted after the effective date of this amendatory Act of 1992, by the municipality or county that created the enterprise zone into which the building materials will be incorporated. The ordinance, however, may neither require nor prohibit the purchase of building materials from any retailer or class of retailers in order to qualify for the exemption allowed under this Section.

Notwithstanding any other provision hereof, nothing in this Section shall be construed to exempt any such sale from the transit "sales tax" levied by the COUNTY OF ST. CLAIR.

Section 7. Urban Shopstead Program:

Pursuant to section 10 of the Illinois Enterprise Zone Act, the City of O'Fallon hereby establishes an urban shopstead program. Under the urban shopstead program, the City may sell to a Designated Zone Organization a structure or portion thereof that the City owns for a sum not to exceed \$100. The Designated Zone Organization shall agree to renovate or remodel the property to meet the standards and level of maintenance stated in the agreement between the Designated Zone Organization and the City. The Designated Zone Organization may sell or lease such structure to commercial and industrial businesses pursuant to the procedures set forth in the sales agreement between it and the City. The Designated Zone Organization may retain the structure in whole or in part for its own use. Any proceeds derived from the use, lease or sale of such property shall accrue to the Designated Zone Organization.

The urban shopstead program shall be subject to rules and guidelines issued by the Zone Administrator, with the approval of the O'Fallon City Council and the other units of local government involved, provided such rules and guidelines are not inconsistent with the Act.

Section 8. Urban Homestead Program:

Pursuant to section 10 of the Illinois Enterprise Zone Act, City of O'Fallon hereby establishes an urban homestead program. Under the urban homestead program, the City may sell to an individual a residence or any portion thereof that the City owns within the zone area for a sum of \$100. The individual must agree to renovate or remodel the property to meet the standards and level of maintenance stated in the sales agreement between the individual and the City, and the individual must live in the residence for seven years. At the end of the seven year period, the City shall assign title to the property over to the individual, provided satisfactory improvements to the property have been made pursuant to the agreement with the City.

The urban homestead program shall be subject to rules and guidelines issued by the Zone Administrator, with the approval of the O'Fallon City Council and the other units of local government involved, provided such rules and guidelines are not inconsistent with the Act.

Section 9. Zone Management:

Upon designation as an Enterprise Zone by the IDCEO and SWIDA, a Zone Management Board will be formed comprised of the Chairman of the County Board of St. Clair County, the Mayor of Lebanon, the Mayor of Mascoutah, the Mayor of O'Fallon, Mayor/President of Shiloh and the Executive Director of SWIDA who will be an "ex-officio" member with no voting rights or comprised of the above named Officers' delegates. This Zone Management Board will be the governing body of the Enterprise

Zone and will be responsible for all decisions within the zone. The Zone Management Board will elect its Chairperson.

Section 10. Zone Administrator:

Pursuant to 20 ILCS 655/8, as amended, the position of "Zone Administrator" is hereby created. The person selected to assume this position shall be an employee of the St. Clair County Economic Development Department, who in his/her capacity is an employee of St. Clair County.

The following duties of the Zone Administrator shall be performed in addition to this person's current job responsibilities:

- (a) Supervise the implementation of the provisions of the Illinois Enterprise Zone Act;
- (b) Act as a liaison between St. Clair County, SWIDA, Lebanon, Mascoutah, O'Fallon, Shiloh, IDCEO designated zone organizations and other state, federal and local agencies or planning groups, whether public or private, in support of the Enterprise Zone program and plan;
- (c) Conduct an on-going evaluation of the Enterprise Zone program and to submit such reports annually to the Zone Management Board, the IDCEO and IDOR;
- (d) Promote the coordination of other relevant programs, including, but not limited to, housing, community and economic development, small businesses, and financial assistance and employment training within the Enterprise Zone;
- (e) Recommend qualified designated zone organizations to the Zone Management Board;
- (f) Perform such other duties as specified by the Zone Management Board.

In addition to the above-described duties, the responsibilities of the Zone Administrator will be to:

- (a) Act as program manager responsible for the Enterprise Zone's day-to-day operations;
- (b) Serve as the primary technical and professional vehicle for triggering the implementation of the Enterprise Zone program objectives;
- (c) Collect and analyze data and submit reports required by the Zone Management Board, SWIDA, the IDCEO or IDOR on a timely basis;

- (d) Coordinate planning activities and program implementation with other county and/or municipal departments;
- (e) Market available sites and buildings available for business and industrial use, and to prepare documentation with specifics on all available sites and buildings;
- (f) Identify areas needing infrastructure improvements within the Enterprise Zone and work with various units of government to assure such facilities are constructed to meet the business needs of the area;
- (g) Work to enhance the Enterprise Zone's existing and future export potential through activities which will expand the foreign trade zone and intermodal product handling services within the zone;
- (h) Encourage modifications in county and municipal zoning and building standards as appropriate to further the purposes of the Enterprise Zone plan;
- (i) Conduct educational forums and programs to market the incentives of the Enterprise Zone to businesses;
- (j) Coordinate with business and industry to identify State regulations or restrictions that adversely effect economic development within the Enterprise Zone, and to relay this information to the Zone Management Board, and the IDCEO to facilitate the easing of said regulations and restrictions;
- (k) Coordinate available and future economic development incentives within the Enterprise Zone by "networking" with economic development professionals, developers and realtors and maintaining contact with previous plant locations as well as prospects;
- (l) Assist Enterprise Zone businesses in obtaining available local, State or Federal economic development incentives and benefits; and
- (m) Perform other duties as specified by the Zone Management Board.

To accomplish the above duties and tasks, the Zone Administrator may receive technical/professional support from a Development Advisory Committee consisting of professionals, whose organizations have active and on going economic development programs within the Enterprise Zone.

Section 11. Designated Zone Organizations:

Pursuant to 20 ILCS 655/8, as amended, the Zone Administrator may recommend to the Zone Management Board one or more organizations that qualify as a Designated Zone

Organization (DZO), under the provisions of the Act. Upon approval by the Zone Management Board, for a term of years set by same, the DZO may do the following:

- (a) Provide or contract for provisions of services including, but not limited to crime watch patrols within zone neighborhoods; volunteer day care centers; or, other types of public services as provided by ordinance or regulation;
- (b) Provide a forum for business, labor and government action on enterprise zone innovations;
- (c) Receive title to publicly-owned land;
- (d) Solicit and receive contributions to improve the quality of life in the zone area;
- (e) Recommend qualified DZO projects to the Zone Management Board; and
- (f) Perform such other functions as specified by either the Zone Management Board.

#### Section 12.

The Mayor of the City of O'Fallon shall have and is hereby authorized to execute and amend an Intergovernmental Agreement between St. Clair County, Southwestern Illinois Development Authority and the municipalities of Lebanon, Mascoutah, Shiloh and O'Fallon indicating the willingness and desire of the City of O'Fallon to participate in the Enterprise Zone Program and setting forth the criteria for cooperation, participation and management of said Enterprise Zone.

#### Section 13.

This Ordinance, and every provision thereof, shall be considered separable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.


#### Section 14.

All Ordinances and/or Resolutions, or parts thereof, in conflict herewith are hereby repealed.

#### Section 15.

This Ordinance shall take effect following its passage, approval, recording, inspection and publication, as may be required, according to law.



  
Gary L. Graham  
Mayor

ST: 

[illegible]

EXHIBIT "A"

**2013 ST. CLAIR COUNTY MIDAMERICA ENTERPRISE ZONE**

**Legal Description**

Part of Sections 24, 25, 26, 27, 33, 34 and 35 of Township 2 North, Range 7 West, and Sections 19, 29 and 30 in Township 2 North, Range 6 West, and Sections 1, 2, 3, 4, 9, 10, 12 and 16 in Township 1 North, Range 7 West, and Sections 6, 7, 8, 17, 18, 19, 20, 29 and 30 in Township 1 North, Range 6 West of the Third Principal Meridian described as follows:

Beginning at the Southeast corner of Section 20 in Township 1 North, Range 6 West of the Third Principal Meridian; thence North along the East lines of Section 8, 17 and 20 of Township 1 North, Range 6 West to the South Right of Way (R.O.W) line of I-64; thence West along the South line of I-64 in Sections 7 and 8 of Township 1 North, Range 6 West to the East R.O.W line of Illinois Route 4; thence North along the East R.O.W line of Illinois Route 4 to the South line of the North half of Section 6 of Township 1 North, Range 6 West; thence West along the South line of the North  $\frac{1}{2}$  of Section 6, Township 1 North, Range 6 West and the South line of the North  $\frac{1}{2}$  of Section 1, Township 1 North, Range 7 West to the centerline of Section 1, Township 1 North, Range 7 West; thence South along the East-West centerline of said Section 1 to the North R.O.W line of I-64; thence Westerly along the North R.O.W line of I-64 to the point of intersection with the East line of Section 2 in Township 1 North, Range 7 West; thence North along the East line of Section 2, Township 1 North, Range 7 West and the East line of Sections 26 and 35 in Township 2 North, Range 7 West to the South R.O.W line of Highway 50 in said Section 26; thence Easterly along the South R.O.W of Highway 50 to a point that is 320 feet West of the East-West centerline of Section 25 in Township 2 North, Range 7 West; thence South parallel to the North-South centerline of said Section 25 to the North R.O.W line of the CSX Railroad in said Section 25; thence Northeasterly along the North R.O.W line of said CSX Railroad lying in Section 25 in Township 2 North, Range 7 West and Section 30 in Township 2 North, Range 6 West to the East R.O.W line of Illinois Route 4; thence South along the East R.O.W line of Illinois Route 4 to the Southwest corner of Lot 4 of "Leberts Subdivision", recorded in plat book 50 page 36; thence East along the South line of Lot 4 of "Leberts Subdivision", to the Southeast corner of said lot 4; thence North along the East line of Lot 4 to a point 780 feet South of the Northeast corner of "Leberts Subdivision"; thence Northeast along the South line of property described in book 2465 page 965 and book 2465 page 432 to the West line of Little Silver Creek in the Southeast  $\frac{1}{4}$  of Section 30, Township 2 North, Range 6 West; thence Northerly along the centerline of the Little Silver Creek to a point of intersection with the South line of East McAllister Street in the city of Lebanon if extended Eastwardly; thence West along the South prolongation line of East McAllister to the West line of Strack Lane; thence North along the West line of Strack Lane to the North line of East McAllister Street; thence West along the North line of East McAllister Street to the East R.O.W line of South Madison Street; thence North along the East R.O.W line of South Madison Street to the South line of Lot 2 Block 7 of "J.L Sargents Addition Subdivision of Block 7" in book "C" page 183; thence East along the South

line of said Lot 2 a distance of 165 feet to a point; thence North parallel to the East line of Lot 2 to the North line of Lot 2 Block 7 of "J.L Sargents Addition Subdivision of Block 7"; thence East along the North line of Lot 7 to the West R.O.W line of South Fritz Street; thence North along the West R.O.W line of South Fritz Street to the North line of Lot 1 Block 7 of "J.L Sargents Addition Subdivision of Block 7": thence West along the said North line of Lot 1 and it's Westerly prolongation to the West R.O.W line of South Madison Street; thence South along the West R.O.W line of South Madison Street to point 250 feet North of the North line of Lot 1 "Lebanon Plaza", recorded in Plat Book "86" page 23; thence West parallel to the North line of Lot 44 in "Plat of Lots 1 thru 50 in Section 19, Township 2 North, Range 6 West", to the West line of said Lot 44; thence South along said West line of Lot 44 a distance of 50 feet to a point; thence East parallel to the North line of said Lot 44 a distance of 696.9 feet to a point; thence South parallel to the West line of said Lot 44 a distance of 250 feet to a point; thence East parallel to the North line of said Lot 44 to the West R.O.W line of South Madison Street; thence South along the West R.O.W line of South Madison Street to the North line of Lot 2 "Emerald Plaza"; thence East along the North line of Lot 2 to a point 243.4 feet East of the Southwest corner of Lot 1 of "Emerald Plaza"; thence North parallel to the West line of Lot 1 to the North line of said Lot 1; thence West along the North line of Lot 1 to the North line of said Lot 1; thence West along the North line of Lot 1 to the Northwest corner of said Lot 1; then South along the West line of Lot 1 to the North line of Lot 2; thence West along the West prolongation of the North line of Lot 2, 150 feet to a point; thence South parallel to the West line of Lot 2 "Emerald Plaza" to the North line of McAllister Street; thence West along the North R.O.W line of West McAllister Street to the East R.O.W line of Belleville Street; thence North along the East R.O.W line of Belleville Street to the Southwest corner of Outlot F of "Wakanda Villages"; thence East along the South line of Outlot F and Lot 38A of "Wakanda Village", to the Southeast corner of said Lot 38; thence Northeast along the Easterly line of said Lot 38 to the most Easterly corner of Lot 38; being the South R.O.W line of Perryman Road; thence Northeasterly along the Northerly R.O.W of Perryman Street to the West R.O.W line of Bow Drive; thence North along the West R.O.W line of Bow Drive to a North line of said "Wakanda Village Subdivision"; thence Southwest along a North line of "Wakanda Village Subdivision", to an East line of "Wakanda Village Subdivision"; thence North along said Subdivision and it's prolongation to the Northwest R.O.W line of Belleville Street; thence Southwest along the Northwest line of Belleville Street to the Southeast corner of parcel 04-25.0-100-023; thence North 62 degrees 52 minutes 54 seconds West, a distance of 416.78 feet to a point; thence South 46 degrees 52 minutes 53 seconds West, a distance of 173.65 feet; thence South 48 degrees 00 minutes 04 seconds East, a distance of 534.59 feet to a point; thence in a Southeast direction on a curve to the right, having a radius of 305.87, a cord of South 36 degrees 52 minutes 16 seconds East, a distance of 95.93 feet to the West R.O.W of Belleville Street; thence Southwest along the Northwest line of Belleville Street and it's Western spur to the North line of U.S Highway 50; thence Westerly along the North R.O.W line of U.S Highway 50, traveling through Sections 25, 26 and 27 of Township 2 North, Range 7 West, to the South R.O.W line of the CSX Railroad lying in said Section 27; thence West along the South R.O.W line of the CSX Railroad to the East line of "Woodstream Subdivision 1<sup>st</sup> Addition" in Book 96 page 26; thence South along the East line of "Woodstream Subdivision 1<sup>st</sup>

Addition" and it's Southerly prolongation to the North R.O.W line of U.S Highway 50; thence Southwest along the North R.O.W line of U.S Highway 50 to the East R.O.W line of Air Mobility Drive ( Hwy 158 ); thence Southerly along the East R.O.W of Air Mobility Drive ( Hwy 158 ) traveling through Sections 33 and 34, Township 2 North, Range 7 West and Sections 4, 9 and 16 in Township 1 North, Range 7 West to the Northerly R.O.W line of the Metrolink Light Rail System; thence Easterly and Northerly along the R.O.W line of the Metrolink Light Rail line and it's prolongation to the North line of Section 16 in Township 1 North, Range 7 West; thence East along the South line of Section 9 to a point on the East line of property owned by Bi-State Development Agency for the Metrolink Light Rail System lying in the Southeast  $\frac{1}{4}$  of Section 9, Township 1 North, Range 7 West; thence North parallel to the East line of Air Mobility Drive to the South line of Seibert Road; thence Easterly along the Southerly R.O.W line of Seibert Road to the Southerly prolongation of the West line of Lot 1 in the Northeast  $\frac{1}{4}$  of Section 10, Township 1 North, Range 7 West; thence North along said prolongation and the West line of Lot 1 to the Northwest corner of Lot 1; thence East along the North line of said Lot 1 to the East line of the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 10, Township 1 North, Range 7 West; thence North along the East line of the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 10 to the Northwest corner of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 10; thence Northwest parallel to the centerline of Golf Course Road, lying in Section 10, Township 1 North, Range 7 West, a distance of 1623.19 feet to a point; thence Northeast at a right angle to the last described point a distance of 3,000 feet to a point; thence Southeast at a right angle a distance of 365.28 feet to a point on the North-South centerline of Section 3, Township 1 North, Range 7 West; thence continuing along the last described coarse to a point of intersection with the South line of Section 3; thence East along the South line to a point 898.9 feet West of the Southeast corner of said Section 3; thence North 6 degrees 54 minutes West 898.9 feet to a point; thence South 87 degrees 46.5 minutes East 985.4 feet to a point; thence South 00 degrees 21.5 minutes East 354 feet to a point; thence East parallel to the South line of Section 2, Township 1 North, Range 7 West, a distance of 1206.5 to a point; thence South parallel to the West line of said Section 2 to the South line of Section 2, township 1 North, Range 7 West; thence East along the South line of Section 2 to the East line of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 2; thence North along the East line of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 2 to the South R.O.W line of Interstate 64 ( I-64 ); thence Southeast along the South R.O.W line of I-64 to the Northerly prolongation of the East line of Lot 10 in the Southwest  $\frac{1}{4}$  of Section 1, township 1 North, Range 7 West; thence South along said prolongation of Lot 10 and the East line of Lot 10 to the South line of Lot 1; thence in a Southeast direction through Section 12 in Township 1 North, Range 7 West and Sections 7 and 18 in Township 1 North, Range 6 West to the intersection of the North-South centerline of Section 18 with the North R.O.W line of the Norfolk and Southern Railroad; thence South along the North-South centerlines of Section 18 and 19 in Township 1 North Range 6 West to the South line of Section 19; thence East along the South line of said Section 19 to the Southeast corner of Section 19; thence South along the East line of Section 30, Township 1 north, Range 6 West to the South line of "Townsend Square" recorded in A01981794; thence Westerly along said South line of "Townsend Square" and it's Westerly prolongation to the East R.O.W line of North 6<sup>th</sup> Street lying in Section 30, Township 1 North, Range 10 West; thence South along the

East R.O.W line of North 6<sup>th</sup> Street to the North line of the Southwest ¼ of the Southeast ¼ of Section 30; thence East along the North line of the South ¼ of the Southeast ¼ of Section 30 to the East line of Section 30; thence North along the East line of Section 30 to the Northwest corner of "Prairie View Estates Phase 2", recorded in A02023219; thence Easterly and Southerly along the North and Easterly line of "Prairie View Estates Phase 2" and "Prairie View Estates Phase 1" to the West R.O.W line of Illinois Route 4; thence South along the West R.O.W line of Illinois Route 4 to the Northeast corner of the Southwest ¼ of the Southwest corner of the Section 29; thence West along the North line of the Southwest ¼ of the Southwest ¼ of Section 29 to the Northerly prolongation at the East line of Fountain View Drive; thence South along the East R.O.W line of Fountain View Drive and it's prolongation to the Easterly prolongation of the South line of "St. Christopher Lake" recorded in A01754006; thence Westerly along the Southerly line of "St. Christopher Lake" and it's prolongation to the West line of Section 29 in Township 1 North, Range 6 West; thence South along the West line of Section 29 to the Southwest corner of Section 29; thence East along the South line of Section 29 to the East R.O.W line of Illinois Route 4; thence North along the East R.O.W line of Illinois Route 4 to the Westerly prolongation of the South line of "Crown Pointe-Phase 1A" lying in the Northeast ¼ of the Southwest ¼ of Section 29, Township 1 North, Range 6 West' thence East along the South line of "Crown Pointe-Phase 1A" and it's prolongation to the Southeast corner of "Crown Pointe Phase 1A"; thence North along the East line of "Crown Pointe-Phase 1A" to the Northeast corner of said subdivision' thence West along the North line of "Crown Pointe -Phase 1A" to the East R.O.W line of Illinois Route 4; thence North along the East R.O.W line of Illinois Route 4; thence North along the East R.O.W line of Illinois Route 4 to the South line of Section 20 in Township 1 North, Range 6 West; thence East along the South line of Section 20 to the point of beginning.

**2013 St. Clair County MidAmerica Enterprise Zone Map identifying additions**

**Parcel Numbers:** 10-06.0-400-008; 10-06.0-400-020; 04-25.0-200-008; 04-24.0-407-002;  
04-25.0-201-001; 04-25.0-201-002; 04-25.0-201-003; 04-25.0-201-004; 04-25.0-201-005;  
05-30.0-101-010; 05-30.0-101-004; 05-30.0-101-005; 05-30.0-101-011

ST CLAIR COUNTY  
MAPPING & PLATTING



ST CLAIR COUNTY  
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1980

2013 ST. CLAIR COUNTY MIDAMERICA ENTERPRISE ZONE  
Legal Description

Part of Sections 24, 25, 26, 27, 33, 34 and 35 of Township 2 North, Range 7 West, and Sections 19, 29 and 30 in Township 2 North, Range 6 West, and Sections 1, 2, 3, 4, 9, 10, 12 and 16 in Township 1 North, Range 7 West, and Sections 6, 7, 8, 17, 18, 19, 20, 29 and 30 in Township 1 North, Range 6 West of the Third Principal Meridian described as follows:

Beginning at the Southeast corner of Section 20 in Township 1 North, Range 6 West of the Third Principal Meridian; thence North along the East lines of Section 8, 17 and 20 of Township 1 North, Range 6 West to the South Right of Way (R.O.W) line of I-64; thence West along the South line of I-64 in Sections 7 and 8 of Township 1 North, Range 6 West to the East R.O.W line of Illinois Route 4; thence North along the East R.O.W line of Illinois Route 4 to the South line of the North half of Section 6 of Township 1 North, Range 6 West; thence West along the South line of the North ½ of Section 6, Township 1 North, Range 6 West and the South line of the North ½ of Section 1, Township 1 North, Range 7 West to the centerline of Section 1, Township 1 North, Range 7 West; thence South along the East-West centerline of said Section 1 to the North R.O.W line of I-64; thence Westerly along the North R.O.W line of I-64 to the point of intersection with the East line of Section 2 in Township 1 North, Range 7 West; thence North along the East line of Section 2, Township 1 North, Range 7 West and the East line of Sections 26 and 35 in Township 2 North, Range 7 West to the South R.O.W line of Highway 50 in said Section 26; thence Easterly along the South R.O.W of Highway 50 to a point that is 320 feet West of the East-West centerline of Section 25 in Township 2 North, Range 7 West; thence South parallel to the North-South centerline of said Section 25 to the North R.O.W line of the CSX Railroad in said Section 25; thence Northeasterly along the North R.O.W line of said CSX Railroad lying in Section 25 in Township 2 North, Range 7 West and Section 30 in Township 2 North, Range 6 West to the East R.O.W line of Illinois Route 4; thence South along the East R.O.W line of Illinois Route 4 to the Southwest corner of Lot 4 of "Leberts Subdivision", recorded in plat book 50 page 36; thence East along the South line of Lot 4 of "Leberts Subdivision", to the Southeast corner of said lot 4; thence North along the East line of Lot 4 to a point 780 feet South of the Northeast corner of "Leberts Subdivision"; thence Northeast along the South line of property described in book 2465 page 965 and book 2465 page 432 to the West line of Little Silver Creek in the Southeast ¼ of Section 30, Township 2 North, Range 6 West; thence Northerly along the centerline of the Little Silver Creek to a point of intersection with the South line of East McAllister Street in the city of Lebanon if extended Eastwardly; thence West along the South prolongation line of East McAllister to the West line of Strack Lane; thence North along the West line of Strack Lane to the North line of East McAllister Street; thence West along the North line of East McAllister Street to the East R.O.W line of South Madison Street; thence North along the East R.O.W line of South Madison Street to the South line of Lot 2 Block 7 of "J.L Sargents Addition Subdivision of Block 7" in book "C" page 183; thence East along the South line of said Lot 2 a distance of 165 feet to a point; thence North parallel to the East line of Lot 2 to the North line of Lot 2 Block 7 of "J.L Sargents Addition Subdivision of Block 7"; thence East along the North line of Lot 7 to the West R.O.W line of South Fritz Street; thence North along the West R.O.W line of South Fritz Street to the North line of Lot 1 Block 7 of "J.L Sargents Addition Subdivision of Block 7"; thence West along the said North line of Lot 1 and it's Westerly prolongation to the West R.O.W line

of South Madison Street; thence South along the West R.O.W line of South Madison Street to point 250 feet North of the North line of Lot 1 "Lebanon Plaza", recorded in Plat Book "86" page 23; thence West parallel to the North line of Lot 44 in "Plat of Lots 1 thru 50 in Section 19, Township 2 North, Range 6 West", to the West line of said Lot 44; thence South along said West line of Lot 44 a distance of 50 feet to a point; thence East parallel to the North line of said Lot 44 a distance of 696.9 feet to a point; thence South parallel to the West line of said Lot 44 a distance of 250 feet to a point; thence East parallel to the North line of said Lot 44 to the West R.O.W line of South Madison Street; thence South along the West R.O.W line of South Madison Street to the North line of Lot 2 "Emerald Plaza"; thence East along the North line of Lot 2 to a point 243.4 feet East of the Southwest corner of Lot 1 of "Emerald Plaza"; thence North parallel to the West line of Lot 1 to the North line of said Lot 1; thence West along the North line of Lot 1 to the North line of said Lot 1; thence West along the North line of Lot 1 to the Northwest corner of said Lot 1; then South along the West line of Lot 1 to the North line of Lot 2; thence West along the West prolongation of the North line of Lot 2, 150 feet to a point; thence South parallel to the West line of Lot 2 "Emerald Plaza" to the North line of McAllister Street; thence West along the North R.O.W line of West McAllister Street to the East R.O.W line of Belleville Street; thence North along the East R.O.W line of Belleville Street to the Southwest corner of Outlot F of "Wakanda Villages"; thence East along the South line of Outlot F and Lot 38A of "Wakanda Village", to the Southeast corner of said Lot 38; thence Northeast along the Easterly line of said Lot 38 to the most Easterly corner of Lot 38; being the South R.O.W line of Perryman Road; thence Northeasterly along the Northerly R.O.W of Perryman Street to the West R.O.W line of Bow Drive; thence North along the West R.O.W line of Bow Drive to a North line of said "Wakanda Village Subdivision"; thence Southwest along a North line of "Wakanda Village Subdivision", to an East line of "Wakanda Village Subdivision"; thence North along said Subdivision and it's prolongation to the Northwest R.O.W line of Belleville Street; thence Southwest along the Northwest line of Belleville Street to the Southeast corner of parcel 04-25.0-100-023; thence North 62 degrees 52 minutes 54 seconds West, a distance of 416.78 feet to a point; thence South 46 degrees 52 minutes 53 seconds West, a distance of 173.65 feet; thence South 48 degrees 00 minutes 04 seconds East, a distance of 534.59 feet to a point; thence in a Southeast direction on a curve to the right, having a radius of 305.87, a cord of South 36 degrees 52 minutes 16 seconds East, a distance of 95.93 feet to the West R.O.W of Belleville Street; thence Southwest along the Northwest line of Belleville Street and it's Western spur to the North line of U.S Highway 50; thence Westerly along the North R.O.W line of U.S Highway 50, traveling through Sections 25, 26 and 27 of Township 2 North, Range 7 West, to the South R.O.W line of the CSX Railroad lying in said Section 27; thence West along the South R.O.W line of the CSX Railroad to the East line of "Woodstream Subdivision 1<sup>st</sup> Addition" in Book 96 page 26; thence South along the East line of "Woodstream Subdivision 1<sup>st</sup> Addition" and it's Southerly prolongation to the North R.O.W line of U.S Highway 50; thence Southwest along the North R.O.W line of U.S Highway 50 to the East R.O.W line of Air Mobility Drive ( Hwy 158 ); thence Southerly along the East R.O.W of Air Mobility Drive ( Hwy 158 ) traveling through Sections 33 and 34, Township 2 North, Range 7 West and Sections 4, 9 and 16 in Township 1 North, Range 7 West to the Northerly R.O.W line of the Metrolink Light Rail System; thence Easterly and Northerly along the R.O.W line of the Metrolink Light Rail line and it's prolongation to the North line of Section 16 in Township 1 North, Range 7 West; thence East along the South line of Section 9 to a point on the East line of property owned by Bi-State Development Agency for the Metrolink Light Rail System lying in the Southeast ¼ of Section 9, Township 1 North, Range 7 West; thence North parallel to the East line of Air Mobility Drive to the South line of Seibert Road; thence Easterly along the Southerly R.O.W line of Seibert Road to the Southerly prolongation of the West line of Lot 1 in the Northeast ¼ of Section 10, Township 1 North, Range 7 West; thence North along said prolongation and the West line of Lot 1 to the Northwest corner of Lot 1; thence East along the North line of said Lot 1 to the East line of the West ½ of the Northwest ¼ of Section 10, Township 1 North, Range 7 West; thence North along the East line of the West ½ of the Northwest ¼ of Section 10 to the Northwest corner of the Southeast ¼ of the Northwest ¼ of Section 10; thence Northwest parallel to the centerline of Golf Course Road, lying in Section 10, Township 1 North, Range 7 West, a distance of 1623.19 feet to a point; thence Northeast at a right angle to the last described point a distance of 3,000 feet to a point; thence Southeast at a right angle a distance of 365.28 feet to a point on the North-South centerline of Section 3, Township 1 North, Range 7 West; thence continuing along the last described course to a point of intersection with the

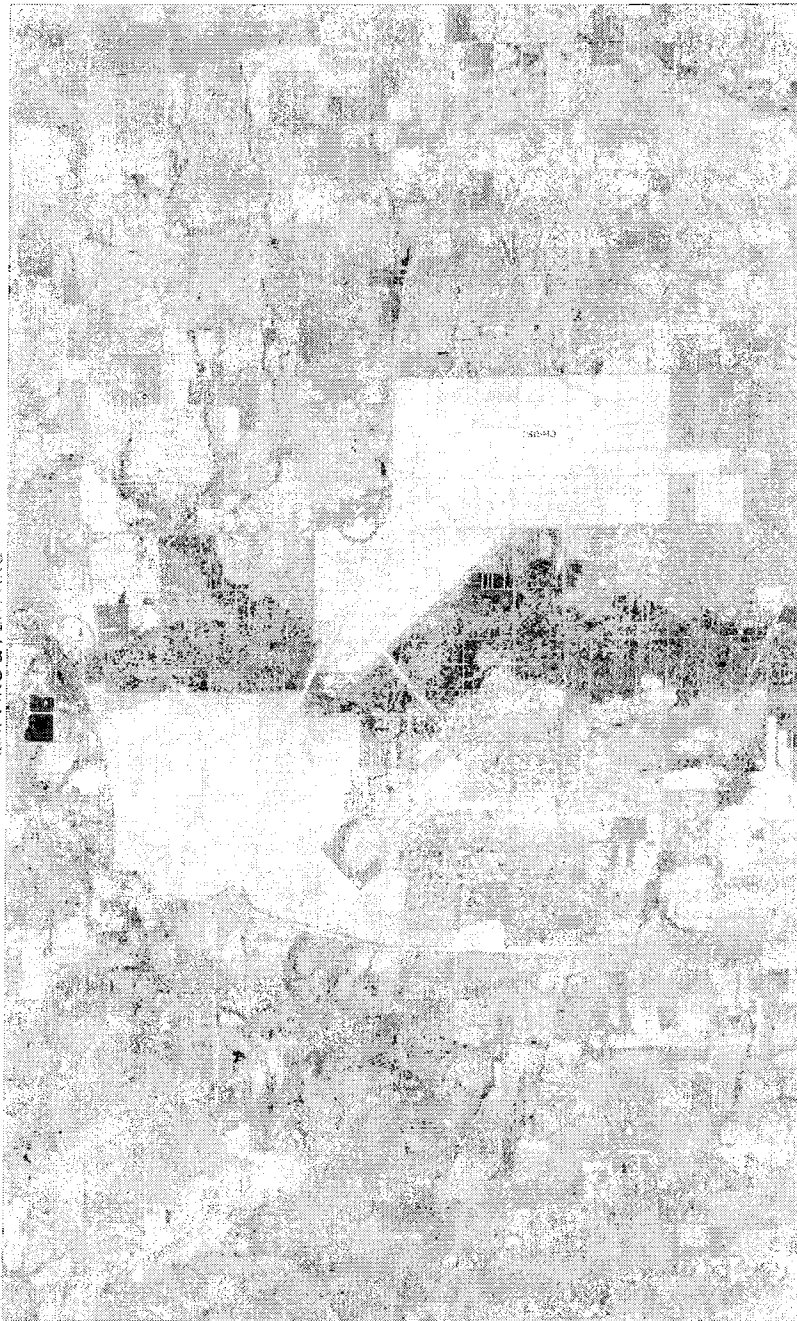


South line of Section 3; thence East along the South line to a point 898.9 feet West of the Southeast corner of said Section 3; thence North 6 degrees 54 minutes West 898.9 feet to a point; thence South 87 degrees 46.5 minutes East 985.4 feet to a point; thence South 00 degrees 21.5 minutes East 354 feet to a point; thence East parallel to the South line of Section 2, Township 1 North, Range 7 West, a distance of 1206.5 to a point; thence South parallel to the West line of said Section 2 to the South line of Section 2, township 1 North, Range 7 West; thence East along the South line of Section 2 to the East line of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 2; thence North along the East line of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 2 to the South R.O.W line of Interstate 64 ( I-64 ); thence Southeast along the South R.O.W line of I-64 to the Northerly prolongation of the East line of Lot 10 in the Southwest  $\frac{1}{4}$  of Section 1, township 1 North, Range 7 West; thence South along said prolongation of Lot 10 and the East line of Lot 10 to the South line of Lot 1; thence in a Southeast direction through Section 12 in Township 1 North, Range 7 West and Sections 7 and 18 in Township 1 North, Range 6 West to the intersection of the North-South centerline of Section 18 with the North R.O.W line of the Norfolk and Southern Railroad; thence South along the North-South centerlines of Section 18 and 19 in Township 1 North Range 6 West to the South line of Section 19; thence East along the South line of said Section 19 to the Southeast corner of Section 19; thence South along the East line of Section 30, Township 1 north, Range 6 West to the South line of "Townsend Square" recorded in A01981794; thence Westerly along said South line of "Townsend Square" and it's Westerly prolongation to the East R.O.W line of North 6<sup>th</sup> Street lying in Section 30, Township 1 North, Range 10 West; thence South along the East R.O.W line of North 6<sup>th</sup> Street to the North line of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 30; thence East along the North line of the South  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 30 to the East line of Section 30; thence North along the East line of Section 30 to the Northwest corner of "Prairie View Estates Phase 2", recorded in A02023219; thence Easterly and Southerly along the North and Easterly line of "Prairie View Estates Phase 2" and "Prairie View Estates Phase 1" to the West R.O.W line of Illinois Route 4; thence South along the West R.O.W line of Illinois Route 4 to the Northeast corner of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 29; thence West along the North line of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 29 to the Northerly prolongation at the East line of Fountain View Drive; thence South along the East R.O.W line of Fountain View Drive and it's prolongation to the Easterly prolongation of the South line of "St. Christopher Lake" recorded in A01754006; thence Westerly along the Southerly line of "St. Christopher Lake" and it's prolongation to the West line of Section 29 in Township 1 North, Range 6 West; thence South along the West line of Section 29 to the Southwest corner of Section 29; thence East along the South line of Section 29 to the East R.O.W line of Illinois Route 4; thence North along the East R.O.W line of Illinois Route 4 to the Westerly prolongation of the South line of "Crown Pointe-Phase 1A" lying in the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 29, Township 1 North, Range 6 West' thence East along the South line of "Crown Pointe-Phase 1A" and it's prolongation to the Southeast corner of "Crown Pointe Phase 1A"; thence North along the East line of "Crown Pointe-Phase 1A" to the Northeast corner of said subdivision' thence West along the North line of "Crown Pointe -Phase 1A" to the East R.O.W line of Illinois Route 4; thence North along the East R.O.W line of Illinois Route 4; thence North along the East R.O.W line of Illinois Route 4 to the South line of Section 20 in Township 1 North, Range 6 West; thence East along the South line of Section 20 to the point of beginning.

2013 St. Clair County MidAmerica Enterprise Zone Map identifying additions

**Parcel Numbers:** 10-06.0-400-008; 10-06.0-400-020; 04-25.0-200-008; 04-24.0-407-002;  
04-25.0-201-001; 04-25.0-201-002; 04-25.0-201-003; 04-25.0-201-004; 04-25.0-201-005;  
05-30.0-101-010; 05-30.0-101-004; 05-30.0-101-005; 05-30.0-101-011

ST CLAIR COUNTY  
MAPPING & PLATTING



**ST. CLAIR COUNTY MIDAMERICA ENTERPRISE ZONE  
AMENDING INTERGOVERNMENTAL AGREEMENT**

An Amending Intergovernmental Agreement by and among the County of St. Clair, Illinois (hereinafter referred to as "St. Clair County"); the City of Lebanon (hereinafter referred to as "Lebanon"); the City of Mascoutah (hereinafter referred to as "Mascoutah"); the City of O'Fallon (hereinafter referred to as "O'Fallon"); the Village of Shiloh (hereinafter referred to as "Shiloh"); and the Southwestern Illinois Development Authority (hereinafter referred to as "SWIDA") in respect to the St. Clair County MidAmerica Enterprise Zone.

**WHEREAS**, the Southwestern Illinois Development Authority Act, 70 ILCS 520/1 et seq., as amended, authorizes SWIDA by ordinance to designate prior to January 1, 2000 a portion of the territorial jurisdiction of SWIDA located in the townships of O'Fallon, Lebanon, Mascoutah, and Shiloh Valley of the County of St. Clair for certification as an Enterprise Zone under the Illinois Enterprise Zone Act in addition to any other Enterprise Zones which may be created under that Act. The area shall have all the privileges and rights of an Enterprise Zone under the Illinois Enterprise Zone Act, but shall not be counted in determining the number of Enterprise Zones to be created in any year under that Act;

**WHEREAS**, the Illinois Enterprise Zone Act, 20 ILCS 655/1 et seq., as amended, requires a county or municipality, or any combination thereof, to designate by ordinance and/or resolution an area within its jurisdiction as an enterprise zone;

**WHEREAS**, St. Clair County, Lebanon, Mascoutah, O'Fallon and Shiloh have by separate ordinances and/or resolution designated an enterprise zone for establishment by SWIDA and have obtained approval of such zone;

**WHEREAS**, the Illinois Enterprise Zone Act 20 ILCS 655/8.2 new Sec. 8.2 c further requires that the administration of an enterprise zone shall be under the jurisdiction of the designating municipality or county and further provides that a Zone Administrator shall be appointed;

**WHEREAS**, the parties entered into an Intergovernmental Agreement on December 16, 1999 for the management and operation of the Enterprise Zone;

**WHEREAS**, a First Amendment to the Intergovernmental Agreement was approved and certified by the IDCEO on January 31, 2012 for a technical correction to the termination date, amend the building materials sales tax exemption, and to add and delete territory from the St. Clair County MidAmerica Enterprise Zone; and

**WHEREAS**, the parties have determined that it is in the best interest of the parties and the public that the St. Clair County MidAmerica Enterprise Zone expand the current enterprise zone boundaries for projects that will provide an immediate benefit to the zone area and to implement an enterprise zone application fee that has been reviewed and approved by the IDCEO.

**NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:**

1. SWIDA agrees to delegate for the entire term of the enterprise zone the administrative functions of the enterprise zone to a Zone Management Board comprised of the Chairman of the St. Clair County Board, the Mayor of Lebanon, the Mayor of Mascoutah, the Mayor of O'Fallon, the Mayor of Shiloh and SWIDA's Executive Director, who will be an "ex officio" member with no voting rights. The Zone Management Board will be the

governing body of the enterprise zone and will be responsible for all decisions within the zone.

2. **Description:** The area precisely described in *Exhibit "A"*, attached hereto and hereby made a part hereof as if fully set out herein, is hereby designated an Enterprise Zone pursuant to and in accordance with the "Illinois Enterprise Zone Act of 1982," (hereinafter referred to as "Act") and the Southwestern Illinois Development Authority Act;
3. **Qualifications:** The County and the Municipalities hereby declares and affirms that the zone area is qualified for designation as an Enterprise Zone in accordance with the provisions of the Act and the Southwestern Illinois Development Authority Act, and further affirms the following:
  - a. is a contiguous area, that may exclude wholly surrounded territory within its boundaries;
  - b. comprises a minimum of one-half of the square mile and not more than fifteen square miles in total area, exclusive of lakes and waterways;
  - c. public notice was given in at least one newspaper of general circulation within the zone area, not more than 20 days nor less than 5 days before the public hearing;
  - d. area addresses a reasonable need to encompass portions of more than one municipality and an unincorporated area of a county;
  - e. area is located within the townships of O'Fallon, Lebanon, Mascoutah, and Shiloh Valley of the County of St. Clair;
4. **Enterprise Zone Designation:** The area described was designated as an Enterprise Zone, subject to the approval of IDCEO and SWIDA, in accordance with state law.
5. **Term and Effect:** The term of the zone shall commence with the date the Enterprise Zone as approved and certified by the IDCEO and shall be in effect for no more than 30 calendar years and shall terminate at midnight of December 31 of the final calendar year of the certified term.
6. **Sales Tax Credits:** Each retailer who makes a qualified sale of building materials to be incorporated into real estate in an enterprise zone established by a county or municipality under the Illinois Enterprise Zone Act by remodeling, rehabilitation or new construction, may deduct receipts from such sales when calculating the tax imposed by this Act. For purposes of this Section, "qualified sale" means a sale of building materials that will be incorporated into real estate as part of a building project for which a Certificate of Eligibility for Sales Tax Exemption has been issued.

In order to receive this Certification, building materials must be used for remodeling, rehabilitation or permanent new construction. Construction must be of the nature that a building permit would be required. A completed exemption form with original signatures must be submitted to the Zone Administrator prior to the start of the project. If an applicant requests certification for a project that does not require a building permit

according to the rules, regulations, ordinances and resolutions in force, the Zone Administrator may still approve an exemption certificate in certain circumstances. Documentation from the City of Lebanon, City of Mascoutah, City of O'Fallon, Village of Shiloh or St. Clair County that a permit is not required must be submitted to the Zone Administrator for review and consideration by the contractor or business seeking the exemption. In addition to the completed exemption form, the applicant must submit a copy of the approved building permit issued by St. Clair County or applicable local unit of government. The Administrator will verify the project is eligible and located within the Zone boundary.

An approved Enterprise Zone project requesting a sales tax exemption, will be subject to a fee of one half percent (0.5%) of the total construction material costs included on the sales tax exemption form. The fee will be due upon the issuance of the sales tax exemption certificate by the Zone Administrator and a summary of construction materials costs must be provided to the Zone Administrator at the same time and no fee shall exceed \$50,000.

To document the exemption allowed under this Section, the retailer must obtain from the purchaser a copy of the Certificate of Eligibility for Sales Tax Exemption issued for the St. Clair County MidAmerica Enterprise Zone into which the building materials will be incorporated. The Certificate of Eligibility for Sales Tax Exemption must contain:

- (a) A statement that the building project identified in the Certificate meets all the requirements for the building material exemption contained in the enterprise zone ordinance of the jurisdiction in which the building project is located
- (b) The location or address of the building project; and
- (c) The signature of the administrator of the enterprise zone in which the building project is located.

In addition, the retailer must obtain certification from the purchaser that contains:

- (a) A statement that the building materials are being purchased for incorporation into real estate located in an Illinois enterprise zone;
- (b) The location or address of the real estate into which the building materials will be incorporated;
- (c) The name of the enterprise zone in which that real estate is located;
- (d) A description of the building materials being purchased; and
- (e) The purchaser's signature and date of purchase.

The deduction allowed by this Section for the sale of building materials may be limited, to the extent authorized by ordinance, adopted after the effective date of this amendatory Act of 1992, by the municipality or county that created the enterprise zone into which the building materials will be incorporated. The ordinance, however, may neither require nor prohibit the purchase of building materials from any retailer or class of retailers in order to qualify for the exemption allowed under this Section.

Notwithstanding any other provision hereof, nothing in this Section shall be construed to exempt any such sale from the transit "sales tax" levied by the COUNTY OF ST. CLAIR.

7. **Urban Shopstead Program:** Pursuant to section 10 of the Illinois Enterprise Zone Act, the County and the Municipalities hereby establishes an urban shopstead program. Under the urban shopstead program, the County or the Municipalities may sell to a Designated Zone Organization a structure or portion thereof that the appropriate unit of government owns for a sum not to exceed \$100. The Designated Zone Organization shall agree to renovate or remodel the property to meet the standards and level of maintenance stated in the agreement between the Designated Zone Organization and the County. The Designated Zone Organization may sell or lease such structure to commercial and industrial businesses pursuant to the procedures set forth in the sales agreement between it and the appropriate unit of government. The Designated Zone Organization may retain the structure in whole or in part for its own use. Any proceeds derived from the use, lease or sale of such property shall accrue to the Designated Zone Organization.

The urban shopstead program shall be subject to rules and guidelines issued by the Zone Administrator, with the approval of the Zone Management Board, provided such rules and guidelines are not inconsistent with the Act.

8. **Urban Homestead Program:** Pursuant to section 10 of the Illinois Enterprise Zone Act, the County and the Municipalities hereby establishes an urban homestead program. Under the urban homestead program, the County or the Municipalities may sell to an individual a residence or any portion thereof that the appropriate unit of government owns within the zone area for a sum of \$100. The individual must agree to renovate or remodel the property to meet the standards and level of maintenance stated in the sales agreement between the individual and the appropriate unit of government, and the individual must live in the residence for seven years. At the end of the seven year period, the appropriate unit of government shall assign title to the property over to the individual, provided satisfactory improvements to the property have been made pursuant to the agreement with the appropriate unit of government.

The urban homestead program shall be subject to rules and guidelines issued by the Zone Administrator, with the approval of the Zone Management Board, provided such rules and guidelines are not inconsistent with the Act.

9. **Zone Management:** Upon designation as an Enterprise Zone by the IDCEO and the SWIDA, a Zone Management Board will be formed comprised of the Chairman of the County Board of St. Clair County, the Mayor of Lebanon, the Mayor of Mascoutah, the Mayor of O'Fallon, the Mayor/President of Shiloh and the Executive Director of SWIDA, who will be an "ex-officio" member with no voting rights or comprised of the above named Officers' delegates. This Zone Management Board will be the governing body of the Enterprise Zone and will be responsible for all decisions within the zone. The Zone Management Board will elect its Chairperson.
10. **Zone Administrator:** Pursuant to 20 ILCS 655/8, as amended, the position of "Zone Administrator" is hereby created. The person selected to assume this position shall be an employee of the St. Clair County Economic Development Department, who in his/her capacity is an employee of St. Clair County.

The Zone Administrator shall be accountable to the Zone Management Board. The Zone Administrator will be responsible for the day-to-day operations and implementations of the zone area and will be the liaison between the Zone Management and the IDCEO.

The Zone Administrator shall be empowered, subject to approval by the Zone Management Board, to:

- (a) Supervise the implementation of the provisions of the Illinois Enterprise Zone Act;
- (b) Act as a liaison between St. Clair County, SWIDA, Lebanon, Mascoutah, O'Fallon, Shiloh, IDCEO, designated zone organizations and other state, federal and local agencies or planning groups, whether public or private, in support of the Enterprise Zone program and plan;
- (c) Conduct an on-going evaluation of the Enterprise Zone program and to submit such reports annually to the Zone Management Board, the IDCEO and IDOR;
- (d) Promote the coordination of other relevant programs, including, but not limited to, housing, community and economic development, small businesses, and financial assistance and employment training within the Enterprise Zone;
- (e) Recommend qualified designated zone organizations to the Zone Management Board;
- (f) Perform such other duties as specified by the Zone Management Board.

In addition to the above-described duties, the responsibilities of the Zone Administrator will be to:

- (a) Act as program manager responsible for the Enterprise Zone's day-to-day operations;
- (b) Serve as the primary technical and professional vehicle for triggering the implementation of the Enterprise Zone program objectives;
- (c) Collect and analyze data and submit reports required by the Zone Management Board, SWIDA, the IDCEO or IDOR on a timely basis;
- (d) Coordinate planning activities and program implementation with other county and/or municipal departments;
- (e) Market available sites and buildings available for business and industrial use, and to prepare documentation with specifics on all available sites and buildings;

- (f) Identify areas needing infrastructure improvements within the Enterprise Zone and work with various units of government to assure such facilities are constructed to meet the business needs of the area;
- (g) Work to enhance the Enterprise Zone's existing and future export potential through activities which will expand the foreign trade zone and intermodal product handling services within the zone;
- (h) Encourage modifications in county and municipal zoning and building standards as appropriate to further the purposes of the Enterprise Zone plan;
- (i) Conduct educational forums and programs to market the incentives of the Enterprise Zone to businesses;
- (j) Coordinate with business and industry to identify State regulations or restrictions that adversely effect economic development within the Enterprise Zone, and to relay this information to the Zone Management Board, and the IDCEO to facilitate the easing of said regulations and restrictions;
- (k) Coordinate available and future economic development incentives within the Enterprise Zone by "networking" with economic development professionals, developers and realtors and maintaining contact with previous plant locations as well as prospects;
- (l) Assist Enterprise Zone businesses in obtaining available local, State or Federal economic development incentives and benefits; and
- (m) Perform other duties as specified by the Zone Management Board.

To accomplish the above duties and tasks, the Zone Administrator may receive technical/professional support from a Development Advisory Committee consisting of professionals, whose organizations have active and on going economic development programs within the Enterprise Zone.

- 11. Designated Zone Organizations:** Pursuant to 20 ILCS 655/8, as amended, the Zone Administrator may recommend to the Zone Management Board one or more organizations that qualify as a Designated Zone Organization (DZO), under the provisions of the Act. Upon approval by the Zone Management Board, for a term of years set by same, the DZO may do the following:
- (a) Provide or contract for provisions of services including, but not limited to crime watch patrols within zone neighborhoods; volunteer day care centers; or, other types of public services as provided by ordinance or regulation;
  - (b) Provide a forum for business, labor and government action on enterprise zone innovations;
  - (c) Receive title to publicly-owned land;
  - (d) Solicit and receive contributions to improve the quality of life in the zone area;



- (e) Recommend qualified DZO projects to the Zone management Board; and
  - (f) Perform such other functions as specified by either the Zone Management Board.
12. St. Clair County, Lebanon, Mascoutah, O'Fallon and Shiloh jointly and severally shall indemnify SWIDA, its members, officers, employees and agents for all losses, costs, expenses (including attorneys' fees and expenses and costs of settlement), damages, penalties, actions, judgements, suits or other liabilities, or disbursements of any kind, which SWIDA may incur or which may be imposed upon or asserted against SWIDA in any way relating to or arising out of the administration, management, or operation of the enterprise zone.
13. LOCAL APPROVAL AND AUTHORITY TO EXECUTE: The governing bodies of each of the six (6) participating units of local government have approved this Amended Intergovernmental Agreement and authorized its execution by it undersigned officers as follows:
- (a) COUNTY OF ST. CLAIR  
Resolution No. 1906-13-6  
Adopted and approved on May 20, 2013
  - (b) CITY OF LEBANON  
Ordinance No. 1303  
Adopted and approved on May 28, 2013
  - (c) CITY OF MASCOUTAH  
Ordinance No. 13-07  
Adopted and approved on May 6, 2013
  - (d) CITY OF O'FALLON  
Ordinance No. 3801  
Adopted and approved on August 5, 2013
  - (e) VILLAGE OF SHILOH  
Ordinance No. 2013-06-03 A  
Adopted and approved on June 3, 2013
  - (f) SOUTHWESTERN ILLINOIS DEVELOPMENT AUTHORITY  
Amended Ordinance dated 12/16/1999  
Adopted and approved on June 20, 2013

PASSED, APPROVED AND ADOPTED THE AMENDED ST. CLAIR COUNTY  
MIDAMERICA ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT:

COUNTY OF ST. CLAIR

BY: [Signature]

TITLE: Chairman

DATE: 8/9/13

ATTEST: [Signature]

CITY OF LEBANON

BY: [Signature]

TITLE: Mayor

DATE: June 12, 2013

ATTEST: Camela A. Kosko

CITY OF MASCOUTAH

BY: [Signature]

TITLE: Mayor

DATE: 5/20/13

ATTEST: [Signature]

CITY OF O'FALLON

BY: [Signature]

TITLE: Mayor

DATE: 8/16/13

ATTEST: [Signature]



[Signature]  
Mayor  
[Signature]  
Deputy City Clerk

VILLAGE OF SHILOH

BY: [Signature]

TITLE: Mayor

DATE: 5/20/13

ATTEST: Brenda A. Keen

SOUTHWESTERN ILLINOIS  
DEVELOPMENT AUTHORITY

BY: [Signature]

TITLE: Board Chairman

DATE: 6/20/13

ATTEST: [Signature]