



City of Pekin

AGENDA

REGULAR COUNCIL MEETING OF MONDAY, OCTOBER 26, 2009

5:30 P.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

Mayor Rusty Dunn

III. ROLL CALL

Clerk to Call the Roll.

IV. APPROVAL OF AGENDA

ACTION: *Motion to approve the meeting agenda.*

VOTE REQUIRED

V. APPROVAL OF MINUTES

ACTION: *Motion to approve minutes of Regular Council Meeting of Tuesday October 13, 2009.*

VOTE REQUIRED

VI. PUBLIC INPUT ON AGENDA ITEMS

Speakers to state name, address, and spell last name. Questions unrelated to agenda items are accepted during "Public Questions" near the end of the meeting. Speakers will be limited to 3 minutes.

VII. CONSENT AGENDA

- 1. Receive and File Monthly Reports and Minutes:** Mayor's Advisory Committee for Person's with Disabilities Minutes dated August 13, 2009, Building Department Reports
- 2. Proclamations:** "International Alpha Delta Kappa Month" October 2009
- 3. Charitable Solicitation:** Pekin Kiwanis Club Peanut Days Friday, October 30, 2009
- 4. Resolution No. 19-09/10** – Appointment of Norman Bosley to the Mayor's Advisory for Persons with Disabilities to fill a vacancy until the First Monday in May, 2012.
- 5. Receive and File** Sewage Fund Financial Statements April 30, 2009 prepared by Willock Warning & Co. P.C.
- 6. Receive and File** Pekin Planning Commission Minutes Dated October 14, 2009
- 7. Receive and File Pekin Planning Commission Hearings and Recommendations:**
 - a. Hearing #09-1784 – Recommends to approve Annexation and Classification of the Estates at Lakeview Subdivision 131.908 acres east Broadway Road between California Road and Veterans Drive

- b. Hearing #09-1785 - Recommend the approval of the Re-Zoning Assignment of Lots 1-14 to R-1 (Single Family Residential) and Lots 15 & 16 to B-3 (General Business District) for the Estates at Lakeview Subdivision
- c. Hearing #09-1786 – Recommends the approval of the Preliminary Plat for Estates at Lakeview Subdivision

ACTION: Motion to approve all items listed on the Consent Agenda by Omnibus Vote.

VOTE REQUIRED TO APPROVE CONSENT AGENDA

VIII. COMMUNICATIONS, PETITIONS, REPORTS

Public Hearing for the purpose of presenting information and take testimony on the proposed amendments and modifications to the Pekin/Tazewell County Enterprise Zone.

IX. UNFINISHED BUSINESS

1. Resolution No. 14-09/10 – Appointments to the Human Rights Committee

(PA)

DESCRIPTION:

ACTION: Motion to remove from the table.

VOTE REQUIRED

ACTION: Motion to substitute Exhibit A as Resolution No. 14-09/10

VOTE REQUIRED

ACTION: Motion to adopt the resolution as amended.

VOTE REQUIRED

X. NEW BUSINESS

1. Ordinance No. 2599-09/10 – Amending Title 1, Chapter 10 of the Code of the City of Pekin Regarding the Enterprises Zone

(DK)

DESCRIPTION: Amendment to decrease the boundary to include only the Horizon Wind Farm permanent Project

ACTION: Motion to approve

VOTE REQUIRED

2. Ordinance No. 2598-09/10 – Franchise Agreement

(JW)

DESCRIPTION: Authorizing Bitwise Communications, Inc. DBA OmniLEC to operate a cable communications system in the City of Pekin.

ACTION: Motion to approve the Ordinance.

VOTE REQUIRED

ACTION: Motion to amend by substitution Exhibit A as Ordinance No. 2598-09/10

VOTE REQUIRED

ACTION: Motion to adopt the ordinance as amended.

VOTE REQUIRED

X. ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Members
Staff
Public Questions
Press Time

XII. EXECUTIVE SESSION

5 ILCS 120/2 (c) 5. - *The purchase or lease of real property for the use of the public body.
Land acquisition.*

5 ILCS 120/2 (c) 6. - *The setting of a price for sale or lease of property owned by the
public body*

5 ILCS 120/2 (c) 2.- *Collective negotiating matters between the public body and its employees or
their representatives, or deliberations concerning salary schedules for one or more classes of
employees.*

ACTION: *Motion to move to Executive Session.*

VOTE REQUIRED

XIII. ADJOURNMENT

*With no further action to come before the Council the Mayor declares meeting closed in open
session.*

NO VOTE REQUIRED

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON TUESDAY, OCTOBER 13, 2009 AT 5:30 O'CLOCK P.M.
RUSTY L. DUNN, MAYOR PRESIDING**

**PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, BARRA, KORTKAMP,
SCHMIDGALL, AND DUNN**

ABSENT: STRAND

The **Pledge of Allegiance** was led by Mayor Dunn.

Roll was called and all Council Members were present except Council Member Strand.

AGENDA

Motion by Council Member Barra, seconded by Council Member Blanchard, that **the agenda be amended by removing New Business item 3. Franchise Agreement.** On roll call vote, all present voted Aye. Attorney Burt Dancey advised that the agreement was not ready to present for action. Motion by Council Member Barra, seconded by Council Member Blanchard, that the **agenda be approved as amended.** On roll call vote, all present voted Aye.

MINUTES

Motion by Council Member Schmidgall, seconded by Council Member Abel, that the **minutes of the Regular City Council Meeting of September 28th, 2009 be approved as written.** On roll call vote, all present voted Aye.

PUBLIC INPUT ON AGENDA ITEMS

Mark Shepler 1307 N. Capitol Street, spoke to the Consent Agenda item, Resolution Urging Passage of Funding for the Restoration of Pekin Lake. He expressed appreciation for the endorsement in seeking Federal assistance to fund the Pekin Lake restoration project for 2011 fiscal year. He noted the dedication his father who had died in March had for the rehabilitation of both North and South Pekin Lake.

Jim Mangan, 1200 N. Parkway Drive read from a prepared statement his suggestion regarding consideration of the Pekin Economic Development Investment Fund. He proposed before approving the fund, to consider an amendment that businesses receiving money be required to sign a statement obligating the following:

Newly hired employees of the business consist of a minimum of 75% of established Pekin residents and maintain at least that same percentage of future employee staffing.

Chrystal Dagit, President Tazewell County Museum announced 3 events in celebration of the return to Pekin of Astronaut Scott Altman. He would be at the museum on October 23 to dedicate an education room in his honor and dinner presentation of the Hubble Telescope Mission that night.

CONSENT AGENDA

Motion by Council Member Abel, seconded by Council Member Barra, that the Consent Agenda be approved as presented.

Mayor Dunn read and presented the following for consideration of the Consent Agenda items by Omnibus Vote.

- 1. Receive and File Monthly Reports and Minutes:** Police Department September Monthly Report, Liquor Commission Minutes dated August 27, 2009, Traffic Safety Minutes dated October 2, 2009 and Tourism Meeting Minutes dated August 25, 2009.
- 2. Proclamations:** Honor Scott D. Altman Day October 23, 2009

3. **Charitable Solicitation:** AMVETS Post 235 Auxiliary to collect for Christmas Baskets
4. **Ordinance No. 2596-09/10 – Authorizing Execution of the Illinois Public Works Mutual Aid Network Agreement (IPWMAN)**
5. **Receive and File** HVAC System Assessment for Municipal Buildings prepared by PSA Dewberry

6. **Resolution No. 18-09/10 – Urging Passage of Funding for the Restoration of Pekin Lake**

On roll call vote, all present voted Ayes, Kortkamp, Blanchard, Barra, Abel, Dunn; Abstain, Schmidgall. Motion Carried.

COMMUNICATIONS, PETITIONS, REPORTS

Mark Werner, in a Power Point presentation illustrated the success of 10 years conducting the **Annual River Sweep**. He explained the river clean up from trash and debris netted numbers of tires, beds, etc. He praised the voluntary resources that help such as the Federal Correctional Facility Inmates, Scout troops, ROTC, school students, Pekin Boat Club, Pekin Park District, Township. A hearty thank you from the Council was given.

UNFINISHED BUSINESS

City Manager Dennis Kief explained to Council the intention of the action on Policy No. 12 was to remove the language for the proposed investment fund implementation which was felt to be better suited as a stand alone policy not as part of the charter of the committee. He recommended Council reject the document as presented at the last meeting.

Motion by Council Member Blanchard, seconded by Council Member Abel, that the **CITY OF PEKIN POLICY NO. 12 – AMENDMENT TO ECONOMIC DEVELOPMENT ADVISORY COMMITTEE be removed from the table**. On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Barra, that the **CITY OF PEKIN POLICY NO. 12-AMENDMENT TO ECONOMIC DEVELOPMENT ADVISORY COMMITTEE be denied**. On roll call vote, all present voted Aye.

NEW BUSINESS

Motion by Council Member Kortkamp seconded by Council Member Barra, that the **CITY OF PEKIN POLICY NO. 17-PEKIN ECONOMIC DEVELOPMENT INVESTMENT FUND (PEDIF) be adopted**. Council was advised by Economic Development Coordinator Steve Brown that the creation of the PEDIF allowed the City to aggressively market and pursue companies that bring living wage jobs to Pekin which provide boost to the local economy. Council Member Blanchard stated his opposition to putting 2 million dollars into one fund. Other Council Members spoke in support of the proposal recommended by the advisory committee. On roll call vote, Ayes, Schmidgall, Kortkamp, Abel, Barra, and Dunn; Nay, Blanchard. Motion Carried.

ORDINANCE NO. 2597-09/10

ORDINANCE APPROVING SETTLEMENT

Motion by Council Member Abel, seconded by Council Member Blanchard, that **Ordinance No. 2597-09/10 be adopted**. Council was advised by the Manager, City Attorney, and the Public Works Director of the details of the settlement as a result of the City being named respondent in an Illinois Environmental Protection Agency complaint filed with the Illinois Pollution Control Board in 2006. Over the past 3 years the City addressed the issues respecting the complaint through negotiations and compliance of the Wastewater Treatment Plant Facilities. The Stipulation and Proposal for Settlement was in the amount of \$14,483.00 for which the contract operator at the time of the discharges would be held accountable. On roll call vote, all present voted Aye.

Motion by Council Member Barra, seconded by Council Member Kortkamp, that **LICENSE AGREEMENT WITH CANADIAN NATIONAL RAILROAD** be approved. Public Works Director Joe Wuellner requested the \$3,450.00 from the Hanna Drive construction budget, billed for the fee associated with Illinois Central Railroad Company Agreement for the casing to get utilities under the tracks. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Barra informed the Council and staff that she was told by Illinois American Water Company that the water discharging from the hydrants over Broadway Road was the result of their improvement work on the local the water tower.

Council Member Blanchard indicated there needed to be serious discussion between Council and staff as the deadline for the Levy requirements was in 6 weeks.

Mayor Dunn repeated his appeal to the community to be observant of the pedestrians' right of way in crossing Parkway Drive at Coal Miners Park.

Jim Mangan, 1200 Parkway Drive read from a prepared statement requesting that Council put on the February ballot the Towing Ordinance for citizens to be able to vote on the matter. He reminder them the deadline for submitting the question for referendum was November 30.

Bill Fleming, Executive Director of the Pekin Area Chamber of Commerce praised the community for their efforts in cleaning up the City during the Annual Spruce-Up Pekin event.

Everett Lewis, 1208 Hamilton Street addressed Council regarding his opinion that inmates were being sexually assaulted in the Pekin jail.

EXECUTIVE SESSION

Motion by Council Member Kortkamp, seconded by Council Member Blanchard, that **Council move to Executive Session** at 6:20 P.M. to discuss 5 ILCS 120/2 (c.) 5. The purchase or lease of real property for the use of the public body. 5 ILCS 120/2 (c) 6. The setting of a price for sale or lease of property owned by the public body. 5 ILCS 120/2 (c) 2. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. On roll call vote, all present voted Aye.

No further business to come before the Council, in open session, Mayor Dunn called the meeting closed.

COUNCIL ADJOURNED AT 7:00 P.M.

Sue E. McMillan
City Clerk

City of Pekin
Mayor's Advisory Committee for Persons with
Disabilities
Agenda
August 13, 2009; 4:00 pm

Present: Libby Holbrook, Christopher Meskiman, Dick Berger, Jim Deford, Tammy Helm, Pamela Anderson, Greg Ranney, Barb Meskiman, Rev. Kristie Peterson

Not present: Leia Stewart, Roy Davis and Vicki Bass

- I. Welcome and introductions
- II. Approval of the July minutes – C. Meskiman 1st, L. Holbrook 2nd, approved unanimously
- III. Old business –
 - A. City of Peoria Committee update – C. Meskiman will call and speak with Peoria contact
 - B. City-link / Public Transportation Committee update – P. Anderson rode CityLink in Pekin and handed out Committee applications and spoke with the riders and bus driver; requested that applications be returned
 - C. Braille brochure update – C. Meskiman reported that nothing was new
- IV. New Businesses
 - A. Resignation of Norma Bosley
 - B. Designated Priorities – please review attached spreadsheet with notes
 - C. No September meeting (training in Springfield); next meeting on October 8, 2009 at 4:00 pm

Next meeting: October 8, 2009 at 4:00 pm

City of Pekin
Mayor's Advisory Committee for Persons with
Disabilities
Agenda
August 13, 2009; 4:00 pm

- V. Around the table
- A. C. Meskiman – will bring information on bars before stairs
 - B. L. Holbrook – 95 people with disabilities are working thanks to the IL Bureau of Tourism
 - C. D. Berger – there are 2 new drive up boxes at the Pekin Post Office
 - D. T. Helm – informed the meeting attendees that Advocates for Access is coordinating a wheel-a-thon fundraiser
 - E. G. Ranney – informed the meeting attendees that there is a new bus shelter at the Court house; there is a wheelchair available for use at City Hall and he is still working on the Wal-mart issue
 - F. C. Peterson – remarked that she is excited to be in this Community
 - G. P. Anderson reminded those in attendance about the 2010 Census
- VI. Motion to adjourn – C. Meskiman 1st, T. Helm 2nd

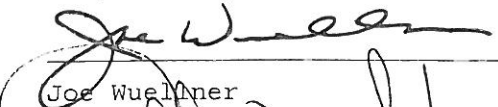
Next meeting: October 8, 2009 at 4:00 pm

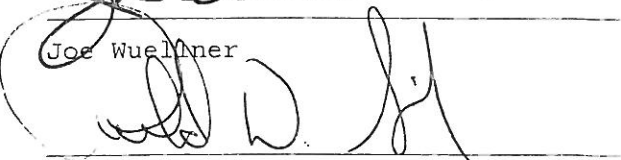
BUILDING DEPARTMENT REPORTS
INSPECTIONS & ZONING
JUNE/JULY '2009

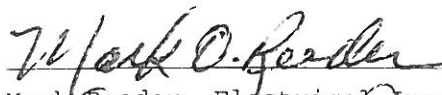
	PERMITS	VALUE	FEEs
BUILDING DEPT	134	\$3,237,479.00	\$ 12,368.00
ELECTRIC DEPT	79	\$ 164,867.00	\$ 3,951.00
HVAC DEPT	93	\$ 163,562 .00	\$ 2,100.00
PLUMBING DEPT	68		\$ 2,889.00
STORM SEWER PERMITS	0		\$.00
STORM WATER PERMITS	7		\$ 370.00
SEWER PERMITS	13		\$ 760.00
SEWER TAP RES	6		\$ 9,600.00
SEWER TAP COMM	0		\$.00
DEPARTMENT TOTAL	400	\$3,565,908.00	\$ 32,038.00

TOTAL CODE ENFORCEMENT COMPLAINTS - 364

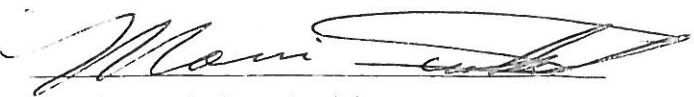
Respectfully submitted,


Joe Wuellner


Ronald Sieh, Building Inspector


Mark Reeder, Electrical Inspector


Dave VanDyke, HVAC Inspector


Morris Sunkel, Plumbing & Sewer Inspector

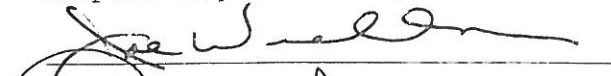

Dave Shallenberger, Deputy Code Enforcement Officer

BUILDING DEPARTMENT REPORTS
INSPECTIONS & ZONING
AUGUST '2009

	PERMITS	VALUE	FEEES
BUILDING DEPT	55	\$1,793,807.00	\$ 6,516.00
ELECTRIC DEPT	27	\$ 49,000.00	\$ 2,033.00
HVAC DEPT	29	\$ 64,600 .00	\$ 1,774.00
PLUMBING DEPT	38		\$ 1,007.00
STORM SEWER PERMITS	0		\$.00
STORM WATER PERMITS	5		\$ 330.00
SEWER PERMITS	14		\$ 770.00
SEWER TAP RES	2		\$ 3,200.00
SEWER TAP COMM	0		\$.00
DEPARTMENT TOTAL	170	\$1,907,407.00	\$ 15,630.00

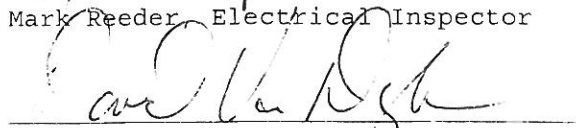
TOTAL CODE ENFORCEMENT COMPLAINTS - 160

Respectfully submitted,



Joe Wuellner

Ronald Sieh, Building Inspector

Mark Reeder, Electrical Inspector

Dave VanDyke, HVAC Inspector

Morris Sunkel, Plumbing & Sewer Inspector

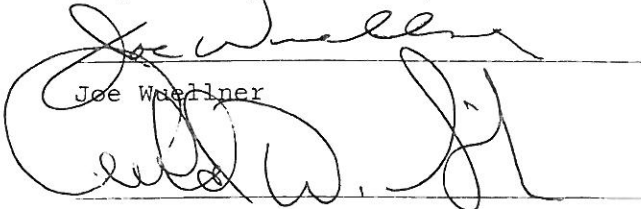
Dave Shallenberger, Deputy Code Enforcement Officer

BUILDING DEPARTMENT REPORTS
INSPECTIONS & ZONING
SEPTEMBER '2009

	PERMITS	VALUE	FEEES
BUILDING DEPT	59	\$932,120.00	\$ 4,375.00
ELECTRIC DEPT	27	\$ 5,495.00	\$ 1,070.00
HVAC DEPT	28	\$ 76,040.00	\$ 1,555.00
PLUMBING DEPT	61		\$ 1,790.00
STORM SEWER PERMITS	0		\$.00
STORM WATER PERMITS	3		\$ 60.00
SEWER PERMITS	8		\$ 485.00
SEWER TAP RES	3		\$ 4,800.00
SEWER TAP COMM	1		\$ 4,800.00
DEPARTMENT TOTAL	190	\$1,013,655.00	\$ 18,935.00

TOTAL CODE ENFORCEMENT COMPLAINTS - 112

Respectfully submitted,



Joe Wiedner



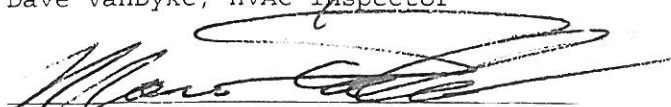
Ronald Sieh, Building Inspector



Mark Reeder, Electrical Inspector



Dave VanDyke, HVAC Inspector



Morris Sunkel, Plumbing & Sewer Inspector



Dave Shallenberger, Deputy Code Enforcement Officer

BUILDING REPORT 2009

MONTH	DWELLINGS 1	GARAGES 2	MULTI-FAMILY 3	COMMERCIAL 4	COMMERCIAL REMODELING 5	RESIDENTIAL REMODELING 6	MISC. 7	RESIDENTIAL DEMOLITIONS 8	COMMERCIAL DEMOLITIONS 9	BUILDING DOLLARS	BUDG PERMITS								
JANUARY			1.00	\$1,299,701	6.00	\$428,977	12.00	\$417,603		\$0	\$0	\$2,146,281	19.00						
FEBRUARY					5.00	\$26,480	8.00	\$70,600		\$0	\$0	\$103,407	13.00						
MARCH	1.00	\$73,500	1.00	\$22,000		\$66,880	6.00	\$708,100	11.00	\$144,199	\$12,036	\$1,047,615	38.00						
APRIL	5.00	\$1,105,184	3.00	\$41,960		\$14,500	9.00	\$630,301	21.00	\$104,435	23.00	\$1,936,050	73.00						
MAY	2.00	\$224,595	3.00	\$155,470		\$155,470	9.00	\$32,162	13.00	\$67,256	38.00	\$545,746	65.00						
JUNE	4.00	\$732,400	3.00	\$23,000		\$23,000	10.00	\$991,485	22.00	\$229,958	40.00	\$2,099,808	70.00						
TOTAL 6 MO.	12.00	2,135,679	10.00	242,430	1.00	1,299,701	2.00	101,380	45.00	2,817,505	87.00	1,034,081	125.00	247,640	11.00	\$0	\$0	\$7,878,416	222.00
JULY	3.00	\$548,105	5.00	\$50,540		\$50,540	5.00	\$303,866	12.00	\$89,434	27.00	\$45,636		\$1,127,671	\$2.00				
AUGUST	3.00	\$523,020	2.00	\$19,900		\$19,900	1.00	\$550,000	6.00	\$56,550	22.00	\$41,311	2.00	\$1,742,807	\$6.00				
SEPTEMBER	3.00	\$547,180	1.00	\$14,000		\$14,000	8.00	\$100,050	18.00	\$234,210	25.00	\$36,680	1.00	\$332,120	\$0	\$0	\$7.00		
OCTOBER														\$0	\$0	\$0.00			
NOVEMBER														\$0	\$0	\$0.00			
DECEMBER														\$0	\$0	\$0.00			
TOTAL 6 MO.	9.00	\$1,618,395	8.00	\$84,440	0.00	\$0	1.00	\$850,000	19.00	\$590,466	50.00	\$535,670	74.00	\$123,627	3.00	\$0	\$0	\$3,802,598	165.00
YEAR	21	\$3,754,074	18.00	\$326,870	1.00	\$1,299,701	3.00	\$951,380	64.00	\$3,407,971	137.00	\$1,569,751	199.00	\$371,267	14.00	0.00	0.00	\$11,681,014	458.00

WHEREAS, Alpha Delta Kappa is celebrating International ADK Month, in October;
and

WHEREAS, the International Honorary Sorority for Women Educators recognizes women who have proven themselves to be strong, efficient professional teachers; and

WHEREAS, it builds a fraternal fellowship, promotes high standards of education, sponsors educational and altruistic projects, and contributes to world understanding through an international fellowship of women educators; and

WHEREAS, scholarships and grants are available to ADK members for study and travel. An International Teacher Education Scholarship is granted to a foreign student who agrees to return to her own country and teach for a year; and

WHEREAS, the Alpha Theta Chapter of Alpha Delta Kappa at Pekin is comprised of 25 active members. Meetings are held monthly during the school year and on special occasions during the Summer; and

WHEREAS, in addition to fellowship and business, the Alpha Theta Chapter has been active in community and charity work. Throughout its 40 years, the Chapter has had many projects, including granting yearly scholarships to students in education, contributing to an area ADK Scholarship Fund, contributing to Christian Civic Outreach, Reading is Fundamental, and Toys for Tots; and

NOW, THEREFORE, BE IT RESOLVED that I, Rusty L. Dunn, Mayor of the City of Pekin, Illinois, do hereby proclaim the month of October, 2009, to be

"INTERNATIONAL ALPHA DELTA KAPPA MONTH"

in the City of Pekin, Tazewell County, Illinois

ADOPTED, this 26th day of October, in the Year of Our Lord, Two Thousand and Nine,

RUSTY L. DUNN

Mayor

ATTEST:

SUE E. McMILLAN

City Clerk



September 11, 2008

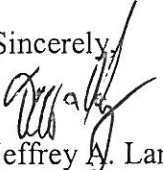
Mayor
City of Pekin
111 S. Capitol
Pekin, IL 61554

Dear Mayor Tebben,

I am writing on behalf of the Pekin Kiwanis Club to request permission to conduct our annual Peanut Day solicitation on Friday, October 31, 2008.

The city clerk's office has reserved a spot on the city calendar pending your approval. We will be soliciting donations outside of six local businesses for that one day only. Thanks for your consideration, Mayor

Sincerely,



Jeffrey A. Lange
Pekin Kiwanis Club

RESOLUTION NO. 19-09/10

October 26

2009

PEKIN, ILLINOIS, _____

RESOLUTION BY COMMISSIONER _____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PEKIN, ILLINOIS, THAT:
the Mayor's appointment of Norma Bosley to the Mayor's Advisory Committee

for Persons with Disabilities to fill the vacant member position until

the First Monday in May, 2012 is approved.

300 Park Avenue

Pekin, IL 61554

353-9655

mombosley@grics.net



SIGNED BY _____

MAYOR.

CITY OF PEKIN, ILLINOIS

SEWERAGE FUND

FINANCIAL STATEMENTS

APRIL 30, 2009

CITY OF PEKIN, ILLINOIS
SEWERAGE FUND FINANCIAL STATEMENTS
APRIL 30, 2009

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INDEPENDENT AUDITOR'S REPORT

The Honorable Mayor and City Council
City of Pekin, Illinois

We have audited the accompanying financial statements of the Sewerage Fund of the City of Pekin, Illinois as of and for the year ended April 30, 2009 as listed in the table of contents. These financial statements are the responsibility of the City of Pekin management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As discussed in Note 1, the financial statements present only the Sewerage Fund and do not purport to, and do not present fairly the financial position of the City of Pekin, Illinois as of April 30, 2009, and the changes in its financial position and cash flows, where applicable, for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Sewerage Fund of the City of Pekin, Illinois, as of April 30, 2009, and the changes in financial position and cash flows thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Willock Warning & Co., PC

WILLOCK WARNING & CO., P.C.

September 30, 2009

CITY OF PEKIN, ILLINOIS
SEWERAGE FUND
STATEMENT OF NET ASSETS
APRIL 30, 2009

ASSETS:

Current assets:

Cash	\$ 32,090
Investments	4,001,651
Accounts receivable	<u>200,624</u>
Total current assets	<u>4,234,365</u>

Non-current assets:

Capital assets:

Land	73,000
Sewer plants and equipment	21,120,249
Less accumulated depreciation	<u>(9,276,222)</u>

Total capital assets (net of accumulated depreciation)	<u>11,917,027</u>
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Total assets	<u><u>\$ 16,151,392</u></u>
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LIABILITIES

Current liabilities:

Accounts payable	\$ 60,461
Accrued wages	14,679
Contractors' deposits	<u>275</u>

Total current liabilities	<u>75,415</u>
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NET ASSETS

Invested in capital assets, net of related debt	11,917,027
Unrestricted	<u>4,158,950</u>

Total net assets	<u>16,075,977</u>
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Total liabilities and net assets	<u><u>\$ 16,151,392</u></u>
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The notes to the financial statements are an integral part of this statement.

CITY OF PEKIN, ILLINOIS

SEWERAGE FUND

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS

YEAR ENDED APRIL 30, 2009OPERATING REVENUES:

Charges for services:

Wastewater service fees	\$ 2,402,996
Sewer treatment fees	59,095
Sewer connection fees	104,400
Licenses and permits	10,380
Collection fees	1,600
Total operating revenues	<u>2,578,471</u>

OPERATING EXPENSES:

Sewer operation costs	584,407
Wages and payroll taxes	485,065
Employee benefits	111,545
Professional fees	6,260
Insurance	5,805
Maintenance and repairs	423,706
Billing and collection costs	121,930
Postage, office, and administration	3,799
Depreciation	613,186
Total operating expenses	<u>2,355,703</u>
Operating income	222,768

NONOPERATING REVENUE (EXPENSE):

Investment income	<u>57,120</u>
Income before transfers	279,888
Transfers to City's General Fund	<u>(114,648)</u>
Change in net assets	165,240

Total net assets, beginning of year	<u>15,910,737</u>
Total net assets, end of year	<u>\$ 16,075,977</u>

The notes to the financial statements are an integral part of this statement.

CITY OF PEKIN, ILLINOIS
SEWERAGE FUND
STATEMENT OF CASH FLOWS
YEAR ENDED APRIL 30, 2009

Cash flows from operating activities:

Receipts for services and fees	\$ 2,567,415
Payments to vendors and suppliers	(1,308,096)
Payments for employees and benefits	<u>(591,207)</u>
Net cash provided by operating activities	<u>668,112</u>

Cash flows from noncapital financing activities:

Transfer to General Fund	<u>(114,648)</u>
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Cash flows from capital activities:

Purchase of capital assets	<u>(429,967)</u>
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Cash flows from investing activities:

Purchase of investments	(328,164)
Interest income	<u>57,120</u>
Net cash used by investing activities	<u>(271,044)</u>

Net decrease in cash	(147,547)
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Cash balance, beginning of year	<u>179,637</u>
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Cash balance, end of year	<u><u>\$ 32,090</u></u>
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Reconciliation of operating loss to net cash provided by operating activities:

Operating income	\$ 222,768
Adjustments to reconcile operating loss to net cash provided by operating activities:	
Depreciation	613,186
Increase in accounts receivable	(11,331)
Decrease in accounts payable	(162,189)
Increase in accrued wages	5,403
Increase in contractors' deposits	<u>275</u>
Total adjustments	<u>445,344</u>
Net cash provided by operating activities	<u><u>\$ 668,112</u></u>

The notes to the financial statements are an integral part of this statement.

CITY OF PEKIN, ILLINOIS

SEWERAGE FUND

NOTES TO THE FINANCIAL STATEMENTS

APRIL 30, 2009

NOTE 1 - SIGNIFICANT ACCOUNTING POLICIES

In accordance with generally accepted governmental accounting principles, the Sewerage Fund is a separate accounting fund within the City of Pekin's fund accounting system which is designed to account for and report upon specific activities or certain objectives.

The fund is an Enterprise Fund and, accordingly, employs the accrual basis of accounting wherein revenues are recognized in the period in which they are earned and expenses are recognized in the period in which they are incurred.

Fixed assets used in the operations of the sewerage system are stated at cost where historical records are available and at estimated historical cost where no historical records exist. Depreciation expense is recorded as a charge against income and is computed using the straight-line method based upon the estimated useful lives of the fixed assets, generally 5-40 years.

NOTE 2 - TRANSFER TO GENERAL FUND

The City allocates a portion of its administrative expenses to more accurately reflect costs of sewer operations. City officials have estimated General Fund expenses applicable to the Sewerage Fund to be \$9,554 per month.

WILLOCK WARNING & CO., P.C.
CERTIFIED PUBLIC ACCOUNTANTS

23 OLT AVENUE
PEKIN, ILLINOIS 61554

TELEPHONE (309) 347-3152
FAX (309) 347-3153

October 8, 2009

Mayor Rusty Dunn and City Council
City of Pekin
111 South Capitol St.
Pekin, Illinois 61554

Re: Sewer User Rates

Dear Mayor and Council Members:

Section 2.01 of Sewer User Ordinance No. 1611 requires an annual review of the adequacy of the City's sewer user rates at the same time and as a part of the annual audit of the Sewerage Fund financial statements.

COMMENTS ON REVIEW OF RATES

Currently there is one charge to users of the City's sewerage collection and treatment system. The water-based usage charge is \$1.99 per thousand gallons of water used with a minimum \$3.00 per month charge. The usage is based on meter readings furnished by Illinois-American Water Co. The current rate was enacted October 27, 2003. Prior to the revised rate, the City charged users two different rates for the sewerage system's operations and capital improvements. Those rates had not changed in over thirteen years.

The Sewerage Fund Statement of Net Assets at April 30, 2009 reports current assets of \$4,234,365 and current liabilities of \$75,415, resulting in net working capital of \$4,158,950. The Fund's working capital increased \$348,459 from the previous year.

The Fund earned \$165,240 for the year ended April 30, 2009. Included in operating expenses is a depreciation charge of \$613,186 and a nonoperating expense transfer of \$114,648 to the City's General Fund for reimbursement of certain estimated administrative expenses. During the year capitalized additions to fixed assets totaled \$429,967.

Total revenue from all sources decreased \$201,054 from the previous year. Basic user fees decreased \$188,808, treatment and collection fees increased \$5,930, and sewer connection fees and permit income increased \$38,587. Investment income decreased \$56,763.

Actual operating costs for the year (excluding depreciation) increased \$135,986. From 1993 to July 31, 2005 the City contracted the sewer operations to private companies. Since August, 2005 The City has operated and maintained its own wastewater treatment plant, lift stations, and combination sewer overflows.

Page 2

As a result of recent residential developments, additional upgrades of sewer operations have become necessary. The City increased the sewer tap-on fees in 2008 to cover a portion of those upgrade costs. The residential tap-on fee increased from \$400 to \$1,600 and other tap-on fees increased proportionately.

Significant capital improvements to the treatment plant system, as mandated by State and Federal agencies, over the next five years are expected to reach \$30 million, \$10 million of which is anticipated to be expended within two years. Additional costs to comply with combination sewer regulations over the next twenty years are expected to range between \$40 million and \$120 million.

Based on estimated future debt service requirements and continued increases in operating costs, the City should consider adjusting user rates annually or implement a series of rate increases over specified periods of time.

Attached is a summary of selected financial data for the past ten years.

Please contact us if there are questions on these matters.

Yours truly,

WILLOCK WARNING & CO., P.C.

by _____
James Warning CPA

JW/dl

Enclosures, as above

cc: City Manager

City Corporation Counsel

City Clerk

Assistant Finance Director

City Treasurer

CITY OF PEKIN, ILLINOIS
SEWERAGE FUND
SELECTED FINANCIAL DATA
FOR THE TEN YEARS 2000-2009

Year Ended April 30,	Total Operating Revenues	Service Fees	Other Fees	Investment Income	Total Operating Expenses	Sewer Operating Costs	Maintenance and Repairs	Depreciation	Billing and Collection Costs	Other Costs	Transfer to City General Fund	Additions To Capital Assets	Net Income (Loss)
2009	\$2,578,471	\$2,402,996	\$175,475	\$ 57,120	\$2,355,703	\$ 584,407	\$ 423,706	\$ 613,186	\$ 121,930	\$ 612,474	\$ 114,648	\$ 429,967	\$165,240
2008	2,722,762	2,591,804	130,958	113,883	2,191,511	608,924	338,061	584,970	123,689	535,867	143,099	522,300	502,035
2007	2,727,070	2,596,757	130,313	113,765	2,108,386	683,154	212,408	565,073	129,493	518,258	200,000	192,377	532,449
2006	2,464,639	2,338,119	126,520	29,445	1,890,440	572,654	172,360	578,233	124,082	443,111	100,000	19,415	503,644
2005	2,754,059	2,632,061	121,998	5,470	2,276,659	1,102,770	272,793	575,719	132,322	193,055	100,000	162,258	382,870
2004	2,233,265	2,094,460	138,805	22	2,234,001	1,059,101	161,213	577,144	155,563	280,980	120,000	77,324	(120,714)
2003	1,713,051	1,519,552	193,499	283	2,138,826	1,008,171	236,590	567,353	77,072	250,449	175,000	720,829	(600,492)
2002	1,891,403	1,515,449	375,954	32,734	1,924,447	893,071	221,257	521,443	22,850	265,826	155,000	1,577,033	(130,910)
2001	1,696,013	1,583,380	112,633	117,535	1,914,977	918,446	270,749	459,827	19,824	246,131	242,070	1,473,204	(343,499)
2000	1,890,479	1,690,669	199,810	176,086	2,022,613	1,142,718	216,292	438,780	19,721	205,102	193,000	226,250	(225,048)



**City of Pekin
Office Of The
City Manager**

Memo

To: City Council

From: Dennis Kief, City Manager

111 South Capitol Street

Pekin, Illinois 61554 – 4108

309 – 477 – 2300 (Phone) 309 – 346 – 2095 (Fax)

dkief@ci.pekin.il.us

Date: October 22, 2009

Re: FY2009 Wastewater Audit

In the City Council packet for the October 26th City Council meeting is the receipt of the FY2009 Sewerage (Wastewater) Fund Audit. As usual Jim Warning has done an excellent job with not only the audit, but with his Management letter that accompanies the audit.

On item that I really like that Jim includes is a 10 year comparison of the fund. As Jim stated in his correspondence, the City's Wastewater Treatment Plant was contractually operated between August 1, 1993 and July 31, 2005. As you can see from Jim's 10 year history, the City's operational costs declined by nearly \$400,000 from the last fiscal year where the plant was contractually operated to the first year when those services were brought back in-house.

When we recommended to the City Council at that time we projected a savings of \$200,000 annually. A copy of that memo is attached.

This was one of a series of Private versus Public evaluations that the City undertook, all saving our taxpayers significant dollars. Another example was bringing the garbage collection services back in-house.

What is particularly impressive about the Wastewater Treatment operations is the fact that since those operations were brought back in-house, our compliance record with the IEPA has improved dramatically.



**City of Pekin
Office Of The
City Manager**

Memo

To: City Council

From: Dennis Kief, City Manager

111 South Capitol Street

Pekin, Illinois 61554 – 4108

309 – 477 – 2300 (Phone) 309 – 346 – 2095 (Fax)

dkief@ci.pekin.il.us

CC: City Clerk

Date: April 20, 2005

Re: Wastewater Treatment Operations

At the last (April 11th) City Council Meeting I updated you on the process of selecting an operator of the City's Wastewater Treatment facilities for the next 10 years.

Up until 1993 all of these facilities were operated by City personnel. In August of 1993 the operation of the treatment plants, CSO's and lift stations was contracted out. That 10 year contract was extended by 2 years in 2003.

On October 11, 2004, I requested Statements of Qualifications from 4 Contract operators and also received the support from the City Council to evaluate the costs of the City (again) operating those facilities. I received four SOQ's by the November 29, 2004, deadline.

On March 8, 2005, I requested that the four Contract Operators (EarthTech, United Water, American Water and EMC) submit proposals by March 31, 2005, which they all did. The City also submitted proposals to operate the wastewater facilities. The City, EarthTech, United Water and American submitted very thorough proposals to operate the facilities. EMC submitted a letter of interest in providing the oversight of the facilities.

All of the four proposals are voluminous and contain very specific information. Both the American Water and EarthTech proposals suggest that improvements occur at the Treatment Plant in order to improve the operations of the facility. All proposals appear to meet the requirements of the RFP. The EarthTech proposals appears to include an additional (approximately) \$25,000 per year for maintenance that the others don't. Therefore their annual proposal is "artificially" high by approximately \$25,000.

Bids were submitted for operating the Wastewater Treatment Plant facilities (includes CSO's and Pre-treatment facility). An alternate was also received for operating the lifts stations. Attached to this Memo is a spreadsheet tabulating the annual (and ten year accumulative) bids for each contract operator and the City. The EarthTech proposal was only for the base year and tied future year's into the CPI. Just for comparison sake, I added 3% (estimated CPI) per year to their annual cost to get their extended column. Keep in mind from my earlier comment, that the EarthTech proposal is approximately \$25,000 annually higher than the others the result of their anticipated maintenance costs. Therefore their 10 year total could be shown as \$250,000 less.

Not only is the City's first year cost significantly less than those submitted by the Contract Operators, but so is the 10 year cost. With the imminent expansion of the Treatment Plant likely well within this 10 year period, I believe that the City's operation of the facilities provides for actual increases that could resulting from new or added equipment.

Looking at it from a potential savings over the existing contract, our first year base cost is estimated at \$728,213. Our current annual fee to United Water is \$863,879. Their proposed first year cost is \$949,568. Therefore we would be saving \$221,355 over their proposed first year cost. We would even be saving \$135,666 over their last year cost.

In comparing our first year cost with the low bidder's (EarthTech), deducting their \$25,000 (from \$897,391) additional maintenance cost, we would still be saving \$144,178.

I want to thank (Commissioner) Fred Massaglia for his participation in this process. Fred can attest to the thoroughness and complexity of the proposals submitted. I also want to thank all four contract operators for their expert submittals. I am convinced that the City would have been well served by any of these companies.

I am pleased to recommend to you that effective August 1, 2005, that the operation and maintenance of the Wastewater Treatment Facilities return to the City. This will allow for a transition period and allow time to compare the facility and inventory today versus what it was 12 years ago. This will also allow for the applicable bargaining unit negotiations with the affected union.

As always, contact me should you have any questions.

HISTORY OF SEWER USER CHARGES FOR THE CITY OF PEKIN

Ordinance 1572 – Adopted April 27, 1986

Debt Service Charge (to retire bonds) \$4.30/month per user

User Rate \$1.08/1000 gallons usage

*Average monthly user: 6,000 gallons @ \$1.08/1000 gallons + \$4.30 =
\$10.78/month [= \$1.80/1,000 gallons]*

Ordinance 1773 – Adopted May 29, 1990

User Rate Reduced from \$1.08 to \$1.00/1000 gallons

*Average monthly user: 6,000 gallons @ \$1.00/1000 gallons + \$4.30 =
\$10.30/month [= \$1.72/1,000 gallons = -4% 1986 Rate]*

Ordinance 1853 – Adopted July 7, 1992

Debt Service Charge Reduced from \$4.30 to \$3.25/month per user

*Average monthly user: 6,000 gallons @ \$1.00/1000 gallons + \$3.25 =
\$9.25/month [= \$1.54/1,000 gallons = -14% 1986 Rate]*

Ordinance 2049 – Adopted July 22, 1996

*Debt Service Charge (\$3.25) eliminated and Capital Improvement Charge of
\$2.25/10,000 gallons Enacted*

*Average monthly user: 6,000 gallons @ \$1.00/1000 gallons + \$2.25 =
\$8.25/month [= \$1.38/1,000 gallons = -23% 1986 Rate]*

Ordinance Proposed October 27, 2003

Minimum Charge @ \$3.00/month

User Rate \$1.99/1000 gallons usage

BOD Surcharge increased from \$0.23 to \$0.30/pound

Suspended Solids Surcharge increased from \$0.16 to \$0.20/pound

*Average monthly user: 6,000 gallons @ \$1.99/1000 gallons + \$3.00 =
\$14.94/month [= \$2.49/1,000 gallons = +38% 1986 Rate]*

Proposed Rate = +81% over Existing Rate

FYI Cost of Living increased 69% during past 17 years

Pekin Planning Commission Minutes

October 14, 2009

Present:	Absent:
Jim Bradshaw	Kyle Peebles
Steve Huey	Don Hild
Bill Craig, Chairman	Dick Cohenour
Scott Plotner, Vice Chairman	
Ron Knautz	
Jim Jones	

Chairman Bill Craig led the Pledge of Allegiance.

The regular meeting of the Pekin Planning Commission was called to order and a quorum was declared.

Staff Present: Ron Sieh, Joe Wuellner, Steve Brown and City Attorney Burt Dancey.

Chairman Bill Craig asked for approval of the Agenda.

MOTION by Jim Jones, Seconded by Jim Bradshaw to Approve the Agenda as presented. On roll call vote, All present voted AYE. MOTION APPROVED.

Chairman Bill Craig asked for the Approval of the July minutes.

MOTION by Jim Jones, Seconded by Ron Knautz to Approve the July minutes as corrected by removing the second paragraph from the bottom of Page 2. Noting: The statement was never made by Steve Huey. On roll call vote, All present voted AYE. MOTION APPROVED.

Chairman Bill Craig asked for the Approval of the September minutes.

MOTION by Ron Knautz, Seconded by Scott Plotner to Approve the September minutes as presented. On roll call vote, All present voted AYE. MOTION APPROVED.

City Council Action Report:

September 28, 2009 Council Meeting:

Received and Filed the September 9, 2009 minutes.

Approved the following Hearing: 09-1782 / To deny the Special Use Request for a Paint Ball Facility located off Parkway Drive with the Property ID #04-04-25-100-022

Denied the following Hearing: 09-1783 / To Approve the Site Plan for a Paint Ball Facility located off Parkway Drive with the Property ID #04-04-25-100-022

PPC Correspondence: No Correspondence

Application #1: Miller/Glassey Group - Brent Glassey

Hearing #1 (09-1784; 09-1785; 09-1786): Annexation & Classification, Zoning Assignment and Preliminary Plat for Estates at Lakeview Subdivision Located on the former Unland Property on East Broadway between California Road and Veterans Drive with a Legal Description of TRACT A being Part of the Northwest Quarter of Section 5, Township 24

North, Range 5 West, of the Third Principal Meridian, containing 131.908 Acres in Tazewell County, Illinois.

Open Public Hearing: 6:37pm

Attorney Gerald Hall was present for the Applicant. Stated the case by asking that Lots 1-14 are zoned R-1 (Single Family Residential) and Lots 15 & 16 be zoned B-3 (General Business District) on three sides of the property there will be gas, water and electric. No sewers will be required for the Residential Lots. He remained present for questions.

Jim Jones asked if the roads to the properties were private.

Attorney Gerald Hall stated yes and they would be paved Black Top.

Jim Jones stated that would mean they would not be maintained by the City and Garbage service would not be provided to the home. Only at the end of the drive.

Close Public Hearing: 6:40pm

Annexation & Classification Review Committee: Ron Knautz, Chairman

Ron Knautz stated there was no sub-committee held. Turned the item over to the commission.

Steve Huey asked Ron Sieh to quickly review B-3.

Ron Sieh stated B-3 is General Business District and is the least restrictive.

Steve Huey wanted to remind everyone that even though the topography indicates a separation between the B-3 lots and the R-1 lots, an issue has arisen in the past that there is no buffer between the Commercial and Residential. He foresees that this will come back to haunt the Commission if approved as is.

Bill Craig stated the plans for this land meet the Comprehensive plan for this area unlike last month with the Paint Ball Facility.

Ron Sieh stated that if the Commission was concerned with a Buffer, houses can be built in an OS-1 (Office Service District) and they could change the zoning on the lots abutting the B-3 Lots.

Ron Knautz inquired where the closest Fire Hydrant was located.

Ron Sieh stated it is located on the East side of Veterans Drive.

Jim Jones questioned if a developers agreement has been completed.

Attorney Burt Dancey responded that the agreement was in the process.

Jim Jones inquired if the lots could be split. Does the zoning prohibit this from happening?

Ron Sieh stated approval has to come through the City before sub-dividing could take place. They have to meet certain requirements for approval.

Jim Jones stated that due to the size of the lots he found it interesting that horses/animals would be allowed here but not anywhere else in the City.

Ron Sieh stated yes, they are allowed in the City only for lots with ten or more acres. The ratio would be one horse per two acres.

Jim Jones recommended to the Chairman that this Subdivision would be a good addition to the City.

CHAIRMAN, Bill Craig called for a vote on the question to Approve the Annexation and Classification of the Estates at Lakeview Subdivision to the City Council. On roll call vote, All present voted AYE. Note: Steve Huey voted AYE with reluctance.

Rezoning Review Committee: Dick Cohenour, Chairman

Chairman, Bill Craig stated due to the absence of the Sub-Committee Chairman he turned it over to the Commission for discussion. Felt another public hearing is redundant.

Jim Bradshaw stated he still wasn't real comfortable with the B-3. Questioned why a B-3 is needed. Other comments from the tape were inaudible.

Attorney Gerald Hall stated that portion of the property plateaus. Other comments from the tape were inaudible.

Jim Bradshaw addressed the staff on the land use in that area and the entire corridor.

Ron Sieh stated all the corners are B-3.

Bill Craig stated that the homes will be hidden from the B-3 sites.

Ron Sieh stated that viewing the topography behind Lot 15 adjacent to Lot 14 there is a deep ravine with a creek and wooded area.

Steve Huey stated he will reluctantly vote yes for this project but, asked that it be noted that some of the members were not in agreement with the zoning layout. Especially since there is no buffer.

CHAIRMAN, Bill Craig called for a vote on the Question to Approve the Rezoning of Lots 1-14 to R-1 (Single Family Residential) and Lots 15 & 16 to B-3 (General Business District) for the Estates at Lakeview Subdivision. On roll call vote, All present voted AYE.

Subdivision Plat Review Committee: Steve Huey, Chairman

Steve Huey turned it over to the Commission due to no sub-committee meeting.

Jim Bradshaw was concerned with the number of curb cuts on Broadway.

Joe Wuellner explained that the access roads have been limited to three on Broadway to keep traffic down.

CHAIRMAN, Bill Craig called for a vote on the Question to Approve the Preliminary Plat for the Estates at Lakeview Subdivision. On roll call vote, All present voted AYE.

Bill Craig stated to the applicant that the Commission is a recommending body and approval of the request will take place at the City Council meeting on October 28, 2009 at 5:30pm.

Informal: Attorney Burt Dancey - Review of Special Use/continuing Education for the Commission Members.

Attorney Burt Dancey presented an overview of different types of Special Uses. Their approval and/or denials and current updates of laws pertaining to Special Use Items.

MOTION by Jim Jones, seconded by Steve Huey to adjourn the meeting. On roll call vote, all present voted AYE. MOTION PASSED.

Meeting adjourned at 7:45pm.

Juanita K VanBuskirk, Secretary
Pekin Planning Commission

Pekin Planning Commission
October 14, 2009

HEARING #09-1784

The Pekin Planning Commission recommends the Approval of Annexation and Classification of the Estates at Lakeview Subdivision located on the former Unland Property on East Broadway Between California Road and Veterans Drive with a Legal Description of TRACT A being Part of the Northwest Quarter of Section 5, Township 24 North Range 5 West, of the Third Principal Meridian, containing 131.908 Acres in Tazewell County, Illinois.

Bill Craig, Chairman

Scott Plotner, Vice-Chairman

Pekin Planning Commission
October 14, 2009

HEARING #09-1785

The Pekin Planning Commission recommends the Approval of Re-Zoning Assignment of Lots 1-14 to R-1(Single Family Residential) and Lots 15 & 16 to B-3(General Business District) for the Estates at Lakeview Subdivision located on the former Unland Property on East Broadway between California Road and Veterans Drive with a Legal Description of TRACT A being Part of the Northwest Quarter of Section 5, Township 24 North Range 5 West, of the Third Principal Meridian, containing 131.908 Acres in Tazewell County, Illinois.

Bill Craig, Chairman

Scott Plotner, Vice-Chairman

Pekin Planning Commission
October 14, 2009

HEARING #09-1786

The Pekin Planning Commission recommends the Approval of the Preliminary Plat for Estates at Lakeview Subdivision located on the former Unland Property on East Broadway between California Road and Veterans Drive with a Legal Description of TRACT A being Part of the Northwest Quarter of Section 5, Township 24 North Range 5 West, of the Third Principal Meridian, containing 131.908 Acres in Tazewell County, Illinois.

Bill Craig, Chairman

Scott Plotner, Vice-Chairman

PRELIMINARY PLAT CHECKLIST

Subdivision (Project) Name Estates at Lakeview Subdivision

Developer/Owner Miller/ Glassey Group

Developer Address 317 Court Street

Developer Phone # 346-8877

Developer Contact Person Brent Glassey

Engineer/Architect Christopher B. Burke Engineering, LTD

Handwritten signatures and date 10/1/09

Required Information – Approval Dates		Public Works Director	City Engineer	Code Enforcement	Fire Chief
A. IDENTIFICATION AND DESCRIPTION 10-4-4					
1.	Legal Description A			OK	
2.	Subdivider (Proprietor Status) & Engineer			OK	
3.	1"=100' Minimum Acceptable Scale			OK	
4.	Date and North Arrow			OK	
B. Existing Conditions 402.4 10-4-4-D					
1.	Location Map (not less than 1"=1,000')			OK	
2.	Boundary Survey, Dimension, Section and Corporation Lines			Not all shown	
3.	Property Lines of Adjacent Tracts & Zoning Classification			Not shown	
4.	Existing Platted Street (location, width and names)			No Streets all private drives that must be hard surfaced completely	
5.	Location of Existing Underground Utilities (i.e. sewers and water mains)			No sewers/ water mains are not shown	
6.	Creeks or Surface Drains with 500' and Statement on Drainage Areas			NEED	
7.	Contour Interval of not more than 2'			OK	
8.	Wetlands			YES	
9.	Floodplain			NO	
10.	Mines			NO	
C. General Planning Considerations 10-4-2 A thru E					

				AG on all lots with exception to Acres due to the annexation agreement/ B-3 for lot 15	
1.	Zoning Classification Request				
2.	Schools, Open Space			NONE	
3.	Relationship to Major Thoroughfares			OK/ limited access	
4.	Master Plan or Other Plan Conformity			Low Density Residential	
5.	Preservation of Natural Features			YES	
D. Proposed Conditions 10-4-4-E					
1.	Street Names, ROW and Connections			No streets/ must provide deceleration lane for Broadway accesses	
2.	Lot Layout, Dimension, Number and Setbacks			See section 10-5-4-A-3 Setbacks must meet schedule of regulations	
3.	Lots for Public or Common Use			Shown lot 16	
4.	"Excepted" Parcels on Plat			NONE	
5.	Sewage Disposal System Indication			PRIVATE	
6.	Water Supply System Indication			No mains or hydrants shown	
7.	Storm Drainage and Retention Indication			Not needed due to area involved and lay of land	
8.	General Layout of Overall Plan				
9.	Certificates			NONE SHOWN	

Code Enforcement Comments:

Public Works Comments:

Good idea to have hydrants located on the same side of the street as the subdivisions.

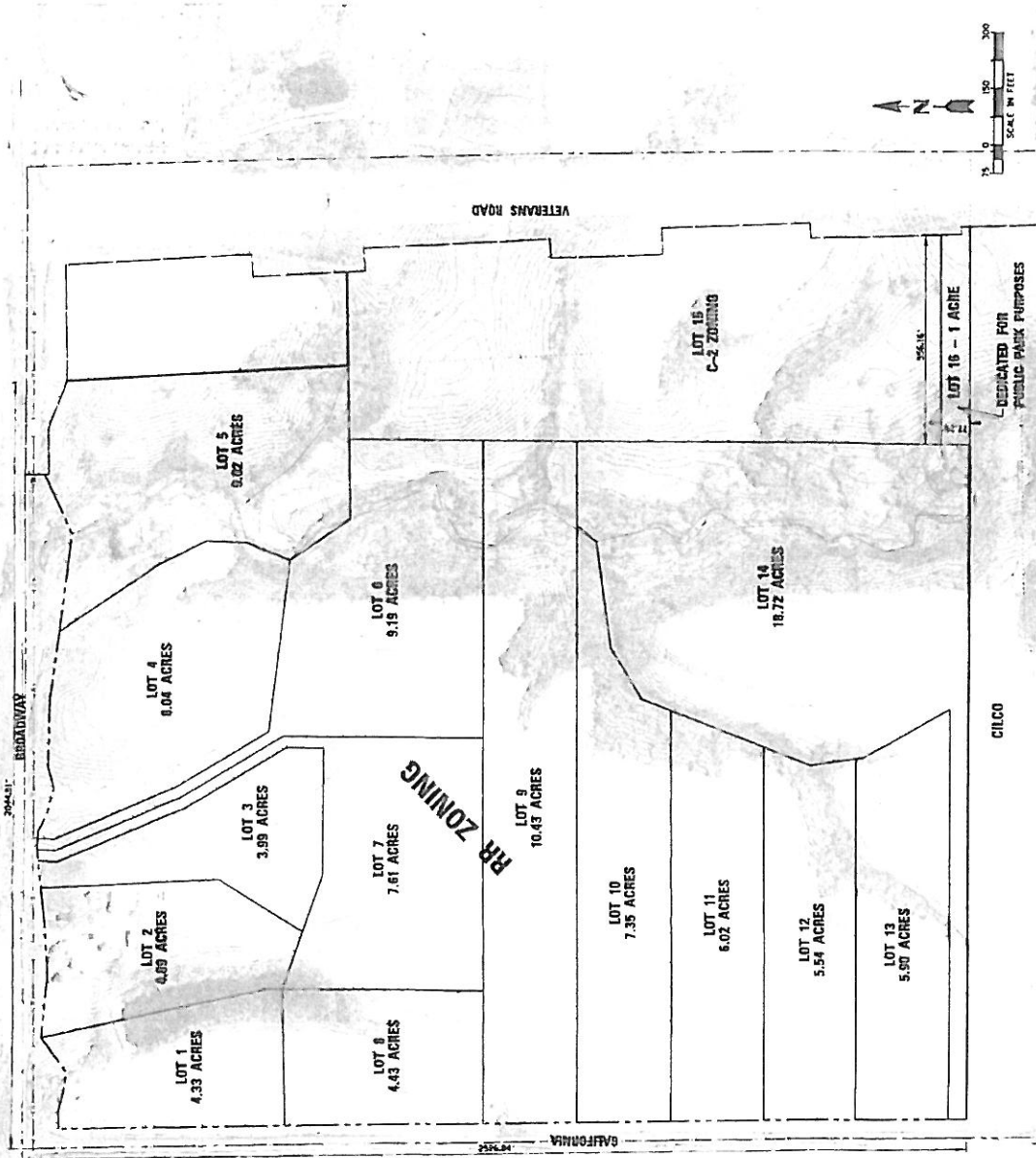
City Engineer Comments:

Fire Chief Comments:

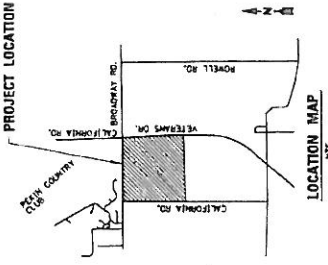
No hydrants on same side of streets as subdivisions. Would be beneficial to have hydrants located on or near subdivision land i.e.: California Road & Broadway or Veterans.

Other Comments:

PRELIMINARY PLAT FOR ESTATES AT LAKEVIEW SUBDIVISION



- LEGEND**
- PROPOSED R.O.W. LINE
 - EXISTING WATER LINE
 - EXISTING R.O.W. LINE
 - R.O.W.
 - RIGHT-OF-WAY
 - UTILITY EASEMENT
 - PROPOSED BUILDING SETBACK LINE
 - BUILDING SETBACK LINE
 - R.S.L.
 - T.C.R.O.
 - TAYLOR COUNTY RECORDS OFFICE



GENERAL NOTES

- OWNER & DEVELOPER: ESTATES AT LAKEVIEW, LTD. 1000 N. 10TH ST. SUITE 200, DENVER, CO 80202
- ENGINEER: CHRISTOPHER D. BURKE ENGINEERING LTD. 202 JEE Madison Avenue, Suite 201, New York, NY 10017
- SURVEYOR: CAROL J. EVANS, P.E. 1000 N. 10TH ST. SUITE 200, DENVER, CO 80202
- PROPERTY IS CURRENTLY ZONED R-1 WEST OF 10TH ST. AND ZONED C-2 EAST OF 10TH ST. LOCATED IN 10TH WIDE TOWNSHIP.
- ALL UTILITY EASEMENTS SHALL BE PROVIDED ON FRONT LOT AND REAR LOT LINES.
- REAR SETBACK LINE SHALL BE 25'.
- DRAINAGE, STORM AND SANITARY EASEMENTS SHALL BE PROVIDED WITH SUFFICIENT WIDTH FOR MAINTENANCE AND STORM DRAINAGE.
- RESIDENTIAL LOTS TO HAVE SEPTIC SYSTEMS IN ACCORDANCE WITH TAYLOR COUNTY HEALTH DEPARTMENT REQUIREMENTS. COMMERCIAL LOTS TO CONNECT TO CITY OF PEER SANITARY SEWER.
- CONTOURS ARE BASED ON CITY OF PEER AERIAL TOPO DEMOS.
- NO. 100 WIDE TOWNSHIP SHALL BE COMPLETED BY 10TH AUGUST 1, 1990.
- ZONE C DEPOSITS AREAS OF GROUND FLOODING.

CLIENT: CHRISTOPHER D. BURKE ENGINEERING LTD. 202 JEE Madison Avenue, Suite 201 New York, NY 10017 Design Firm Registration # 184-001175		CLIENT: MILLERGLASSEY GROUP		TITLE: ESTATES AT LAKEVIEW PRELIMINARY PLAT		PROJECT NO. 07-312	SHEET OF DRAWING NO.
DATE: 8/25/2009	DATE: 8/25/2009	DATE: 8/25/2009	DATE: 8/25/2009	DATE: 8/25/2009	DATE: 8/25/2009	DATE: 8/25/2009	DATE: 8/25/2009
FILE NAME: 07-312-001-001.dwg		FILE NAME: 07-312-001-001.dwg		FILE NAME: 07-312-001-001.dwg		FILE NAME: 07-312-001-001.dwg	

Notice of Public Hearing to Amend the Pekin/Tazewell Enterprise Zone

Public notice is hereby given pursuant to the Illinois Enterprise Zone Act that a public hearing will be held on October 26, 2009 at Pekin City Hall Council Chambers, 111 S. Capitol in Pekin, Illinois at 5:30 p.m. The purpose of the public hearing is to present information and take testimony on proposed amendments and modifications to the Pekin/Tazewell County Enterprise Zone, including, without limitation:

1. An amendment to the Enterprise Zone boundaries.

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting or facilities, are requested to contact the Enterprise Zone Administrator, Steve Brown at 309-477-2300.

RESOLUTION NO. 14-09/10

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PEKIN, ILLINOIS that the following named persons be and they are hereby appointed to Human Rights Committee for the initial term set opposite their names to the first Monday in May.

JAY HENDERSON
KEVIN ANDREWS
MELINDA FIGGE

ONE-YEAR TERM UNTIL MAY 2010

RITA ALI
PEGGY COLLINS
CAROL SHIELDS

TWO-YEAR TERM UNTIL MAY 2011

BILL FLEMING
GREG RATLIF
ED FRITZ

THREE-YEAR TERM UNTIL MAY 2012

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this 24th day of August, 2009.

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 14-09/10

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PEKIN, ILLINOIS that the following named persons be and they are hereby appointed to Human Rights Committee for the initial term set opposite their names to the first Monday in May.

MICHAEL DAVIS
KEVIN ANDREWS
MELINDA FIGGE

ONE-YEAR TERM UNTIL MAY 2010

LYNETTE STEGER
KRISTIE PETERSON
GREG RATLIF

TWO-YEAR TERM UNTIL MAY 2011

BILL FLEMING
SHANNA SHIPMAN
ED FRITZ

THREE-YEAR TERM UNTIL MAY 2012

PASSED AND APPROVED AS AMENDED BY SUBSTITUTION at a regular meeting of the City Council of the City of Pekin, this 26th day of October, 2009.

Mayor

ATTEST:

City Clerk

HUMAN RIGHTS COMMITTEE

SUMMARY

Kristie Peterson

- Resident of Pekin
- Minister at the First United Presbyterian Church
- She has pastoral experience in various size congregations (ranging from 251-+1500 members), varying positions within the church (ranging from interim Associate Pastor to Solo Pastor) and community types (small city, suburban, urban, inner city and college).
- She has listed as some of her primary skills as Children's ministry, communication, community service & leadership, and conflict management / mediation skills.

Bill Fleming

- Area resident for 23 years
- Director of Pekin Area Chamber of Commerce since 2001
- The Pekin Chamber of Commerce shares several of the same goals as this Committee. As an organization that promotes Pekin, they have a vested interest in this Committee's work.
- He is involved in a number of community organizations and events.
- Management experience

Gregg Ratliff

- Resident of Pekin
- Publisher of the Pekin Times newspaper
- His college degree was in Business Administration and he has a background in advertising. He is also actively involved in other Pekin organizations, including currently being on the board of the Chamber of Commerce and president of the board on Pekin Main Street.
- Current position as a leader of a local marketing and communications company who sees the prosperity of Pekin as not only a benefit to the residents of the City but also to the business
- Pekin is a wonderful City. He hopes to be able to help the committee convey that message to not only current residents of the city but those considering making Pekin a place to reside or to start a business and that all are treated equally.

Kevin Andrews

- Resident of Pekin
- President and CEO of Pekin Hospital
- Pekin Hospital deals with Human Rights issues on a daily basis as it involves both employees and the patients that they care for. Pekin Hospital was named 2008 Employer of the Year (large

HUMAN RIGHTS COMMITTEE

SUMMARY

employer) by the Employers Association for achievements to create a great workplace for employees.

- He recognizes the value and need to operate in a diverse environment, one that requires many people with widely different education, culture, racial, ethnic and gender backgrounds, while bringing these individuals' talent to bear on the Organizations' mission.
- During his professional experience, he has worked in Ohio, Indiana, Texas, & New Mexico.

Shanna Shipman

- Resident of Pekin (lifelong)
- Teaches at a senior-level social sciences (Sociology, Psychology, and American Political Systems) at Limestone Community High School in Bartonville
- Education: BA from IL Wesleyan University in Political Science with a minor in History and International Studies; American University (Washington, DC) - conflict resolution program; Oxford University – visiting international student – politics, philosophy and economics program
- She is a human rights advocate, both domestic and international. Previous employers include non-profit organizations as well as the United Nations High Commission for Refugees.
- She has experience in guest speaking regarding multiculturalism and racial stereotyping.
- She also has writing experience with the Pekin Daily Times, Numero Magazine and the Pekin Area Foundation for Educational Excellence.

Lynette Woelfle Steger

- Resident of Pekin
- Team Coach for FIRST Lego league at St. Joseph's Catholic School
- Education: Bradley University; double major – Political Science and History
- It has been her lifelong commitment to serve the community in which she lives through efforts that aid in the elimination of discrimination, reduction of inequality and protection of human rights.
- Various local organization contributions: Save James Field (public art and dedication leader), Pekin Public Library (President, Board of Trustees, & Board member); Pekin Hospital Community Advisory Board (Board member); Pekin Main Street (Board of Directors); Tazewell County Advocacy Center (President, Friends Board); American Association of University Women (Board

HUMAN RIGHTS COMMITTEE

SUMMARY

member and scholarship chair); Pekin Coalition for Equality (Member) & Tooth Fairy Relief Fund (founder and administrator).

Michael Davis

- Resident of Pekin
- Pekin Community High School Principal
- Education: IL State University – MS in Educational Administration; University of Nevada, Reno – BS in Secondary Education (Major: Social Studies; Minor: English)
- He believes it is important for all of our citizens and city entities to be involved in improving the image and opportunities for our community.
- During his professional experience, he has worked in Illinois and Nevada and varying small and middle sized communities. He has experience initiating peer mediation / conflict resolution groups, established a student alliance (designed to provide a platform for students to communicate with each other, the staff and the community), & involved in formulating an anti-gang coalition.

Melinda Figge

- Area resident (lifelong)
- Executive Director for the Pekin Family YWCA
Education: Monmouth College - BA in Business Administration; Bradley University - Masters of Business Administration
- Chair of the Pekin Coalition for Equality
- She is personally committed to the YWCA mission of eliminating racism and empowering women. By serving on this committee, she will be able to work more closely with City staff to have a larger impact on our community. She also brings to the committee a large network of contacts through the 266 YWCAs in the USA.
- Through the YWCA, she has benefited from numerous trainings aimed toward the elimination of racism.

Ed Fritz

- Resident of Pekin
- Retired military (22 years of service)
- Lived in many cities across the nation: from San Diego, Virginia Beach to New Orleans.
- He and his wife have experienced what a diverse community can accomplish for the tax base, the living environment, employment and bringing people together. They have also witnessed the trials and tribulations a community can experience when attempting to cross deeply embedded barriers.

HUMAN RIGHTS COMMITTEE

SUMMARY

- Provided a detailed list of ideas for moving forward with diversification shortly after the Mayor had his radio show (July 2009)



REQUEST FOR COUNCIL ACTION

To: Honorable Mayor and Members of the City Council

CC: Sue McMillan, City Clerk

From: Dennis Kief, City Manager

AGENDA ITEM: Proposed City/County Enterprise Zone Boundary Amendment (Area Deduction)

AGENDA DATE REQUESTED: October 26, 2009

ACTION REQUESTED: Approval of Amendment to decrease the Enterprise Zone Boundary to include only the Horizon Wind Farm permanent Project.

BACKGROUND: The City of Pekin/Tazewell County Enterprise Zone is currently 10.71 square miles in area. The Wind Farm project had requested a temporary 0.7336 square mile extension that would ultimately be 0.1744 square miles. Now that the project is completed the temporary extension is eliminated and the resulting final Enterprise Zone area would be 10.15 square miles after this proposed deduction. The Enterprise Zone has a 12 square mile limit and is set to expire in 2016.

FINANCIAL IMPACT: The City/County shared a \$250,000 Certification Fee for allowing the addition of the project.

NEIGHBORHOOD CONCERNS: None to City residents

IMPACT IF APPROVED: The Enterprise Zone area would decrease to 10.15 square miles

IMPACT IF DENIED: The Enterprise Zone boundaries would remain at 10.71 square miles

ALTERNATIVES: N/A

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Consistent with a Prosperous Community theme

REQUIRED SIGNATURES

Department Director

Finance Department

(Certification of Availability of Funds)

Corporation Counsel

(Certification of Review)

City Manager

Atlanta
Beijing
Brussels
Chicago
Frankfurt
Hong Kong
London
Los Angeles
Milan
New York
Orange County
Palo Alto
Paris
San Diego
San Francisco
Shanghai
Tokyo
Washington, DC

(404) 815-2286
seanhoneywill@paulhastings.com

October 15, 2009

74116.00002

VIA UPS

Denny Kief
City of Pekin City Manager
111 South Capitol Street
Pekin, Illinois 61554

Re: Rail Splitter Enterprise Zone Reduction: Enterprise Zone Materials

Dear Denny:

Enclosed herein are (i) one original copy of the City of Pekin ordinance; (ii) one original copy of the amendment to the intergovernmental agreement between the City of Pekin and Tazewell County (Exhibit C of the ordinance); and the Application to Delete Territory from the Pekin/Tazewell County Enterprise Zone.

After approval at the upcoming City Council meetings, the following original documents will need to be signed and dated by the Mayor of the City at the places indicated with the yellow "Sign Here" flags:

- (1) One original copy of the City of Pekin ordinance;
- (2) One original copy of the amendment to the intergovernmental agreement; and
- (3) The Enterprise Zone Application.

In addition to the above listed original documents, I will also need to have:

- (1) Four certified copies of the City of Pekin ordinance; and
- (2) Four certified copies of the amendment to the intergovernmental agreement.

Given the size of these documents, I am happy to make the copies once you have returned the originals to me, but I will need four original certifications for the ordinance and four original certifications for the amendment to the intergovernmental agreement. For your convenience, I have enclosed sample copies of the certification pages that I will need for the ordinance and the amendment to the intergovernmental agreement. If you could create your own versions of these two certifications and then send me four originals of each, I will attach them to the appropriate copies. Please note that the amendment to

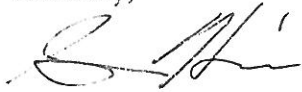
Denny Kief
October 15, 2009
Page 2

the intergovernmental agreement only needs to be signed by the Mayor, as I have sent a duplicate original to Tazewell County for signature.

Once all of the original documents and certifications have been executed, please return them to me in the enclosed UPS package.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sean C. Honeywill', written over a horizontal line.

Sean C. Honeywill
for PAUL, HASTINGS, JANOFSKY & WALKER LLP

Enclosures

LEGAL_US_E # 85403449.1

CITY OF PEKIN
ORDINANCE NO. 2599-09/10

**AN ORDINANCE AMENDING TITLE 1, CHAPTER 10 OF THE CITY CODE
OF THE CITY OF PEKIN, ILLINOIS REGARDING THE ENTERPRISE ZONE**

WHEREAS, the City of Pekin adopted Ordinance No. 1567 on December 23, 1985 establishing and designating an Enterprise Zone in conjunction with Tazewell County, Illinois (the “Enterprise Zone”) pursuant to the Illinois Enterprise Zone Act (the “Act”), Chapter 20, Sec. 655/1 et. seq., Ill. Compiled Statutes, (20 ILCS 655/1 et. seq.). Such Enterprise Zone was thereafter certified as an “enterprise zone” by the State of Illinois;

WHEREAS, the City of Pekin and Tazewell County entered into that certain Enterprise Zone Intergovernmental Agreement between the City of Pekin and Tazewell County dated December 31, 1985, as amended (the “Intergovernmental Agreement”);

WHEREAS, the City of Pekin has subsequently adopted various amendatory ordinances relative to the Enterprise Zone;

WHEREAS, the Enterprise Zone now encompasses approximately 10.71 square miles and the Act allows the Enterprise Zone to encompass up to 12 square miles;

WHEREAS, it has been determined that certain territory within the existing Enterprise Zone and totaling up to 0.5814 square miles should be removed from within the boundaries of said Enterprise Zone, and it would be in the best interests of the citizens of the City of Pekin, Illinois and the adjacent unincorporated areas of Tazewell County, Illinois that said territory be removed from the Enterprise Zone; and

WHEREAS, a public hearing regarding such amendments has been held as provided by the Act.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF PEKIN, ILLINOIS AS FOLLOWS:**

SECTION ONE: That “Exhibit A”, which is referenced in Title 1, Chapter 10, Section 2-A, shall be and the same is hereby amended with respect to the territory added by Ordinance No. 2551-07/08, by deleting in its entirety the portion of Exhibit A that consists of the legal description of such territory and replacing it with the legal description set forth on the Exhibit A attached hereto and made a part hereof by reference (and which is further depicted in the map attached hereto as Exhibit B and which is made a part hereof by reference) (the “Amended Territory”); and that the Amended Territory is hereby designated part of the Enterprise Zone pursuant to and in accordance with the Act;

SECTION TWO: That the Mayor of the City of Pekin, Illinois shall have, and is hereby granted, the authority to execute that certain “Amendment to Enterprise Zone Intergovernmental Agreement Between the City of Pekin and Tazewell County”, a copy of which is attached hereto as Exhibit C.

SECTION THREE: That, except to the extent amended hereby, all provisions, agreements, stipulations, rights, obligations and duties set forth in Title 1, Chapter 10, as previously amended and known as “Enterprise Zone of the City Code of the City of Pekin”, shall remain in full force and effect. Any ordinance or parts of any ordinance in conflict herewith are hereby repealed.

SECTION FOUR: That this Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law, and from and after its approval by the Illinois Department of Commerce and Economic Opportunity.

SECTION FIVE: That this Ordinance, and every provision hereof, shall be considered separable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION SIX: That the City Clerk is hereby directed and authorized to publish this Ordinance in pamphlet form as required by law and forward a certified copy of this Ordinance to the Illinois Department of Commerce and Economic Opportunity for its approval and to file a certified copy of this Ordinance with the County Clerk for Tazewell County.

SECTION SEVEN: That the Zone Administrator is hereby authorized and directed to cause an application to be submitted to the State of Illinois pursuant to the Act in relation to the amendments contained in this Ordinance.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, Illinois, this ____ of _____, 2009; and upon roll call the vote was as follows:

AYES: _____

NAYES: _____

ABSENT: _____

ABSTAINING: _____

APPROVED this ____ day of _____, 2009.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A
Legal Description of the Amended Territory

Three Foot Strip of Land Connecting Existing Enterprise Zone (Pekin, Tazewell County, Illinois) to Rail Splitter Wind Farm

A strip of land 3 feet wide in Township 25 North, Ranges 5, 4 and 3 West of the Third Principal Meridian, and Townships 24 North, 23 North and 22 North, all in Range 3 West of the Third Principal Meridian, all in Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline: Beginning at a point 3.0 feet west of the Centerline of 8th Street, Pekin, Illinois, lying 1.5 foot south of the North Right of Way Line of Broadway Road, Pekin, Illinois. From said Point of Beginning, thence easterly along a line 1.5 feet south of and parallel with said North Right of Way Line through Sections 35 and 36 in said Township 25 North, Range 5 West; thence easterly on said parallel line through Sections 31 through 35, all inclusive, all in said Township 25 North, Range 4 West to the Centerline of Springfield Road; thence southerly along the Centerline of Springfield Road through Sections 2, 3, 10, 11, 14, 15, 22, 23, 26 and 27, all in Township 24 North, Range 4 West to its intersection with the Centerline of Red Shale Hill Road; thence easterly along the Centerline of Red Shale Hill Road through Sections 27, 26, 25, 34, 35 and 36, all in Township 24 North, Range 4 West to its intersection with the Centerline of Locust Road; thence southerly along the Centerline of Locust Road through Sections 25 and 36, Township 24 North, Range 4 West and through Sections 30 and 31, Township 24 North, Range 3 West to its intersection with the Centerline of Townline Road; thence easterly along the Centerline of Townline Road through Sections 31 and 32, Township 24 North, Range 3 West and Sections 6 and 5, Township 23 North, Range 3 West to its intersection with the Centerline of Interstate 155 in Tazewell County, Illinois; thence southerly along the Centerline of said Interstate 155 in said Section 32, Township 24 North, Range 3 West; thence southerly along the Centerline of said Interstate 155 through Sections 5, 8, 17, 20, 29 and 32, all in said Township 23 North, Range 3 West; thence southerly along the Centerline of said Interstate 155 through Sections 5, 8 and 17, all in said Township 22 North, Range 3 West to its intersection with the South Line of said Section 8, Township 22 North, Range 3 West; thence easterly along said South Line to the Southeast Corner of said Section 8, Township 22 North, Range 3 West and the Point of Terminus.

Three Foot Connector Strips for Enterprise Zone (Boynton Township, Tazewell County, Illinois) at Rail Splitter Wind Farm

A strip of land 3 feet wide in Sections 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27 and 28, all in Township 22 North, Range 3 West of the Third Principal Meridian, in Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerlines:

Centerline No. 1

Beginning at the Southeast Corner of said Section 8. From said Point of Beginning, thence easterly along the South Line of said Sections 9 and 10 to the Southeast Corner of said Section 10; thence southerly along the East Line of said Section 15 to the Southeast Corner thereof; thence easterly along the South Line of said Section 14 to the Northeast Corner of said Section 23; thence southerly along the East Line of said Sections 23 and 26 to a point 1.5 feet north of the Southeast Corner of said Section 26; thence westerly along a line 1.5 feet north of and parallel with the South Line of said Section 26 to the West Line of said Section 26 and the Point of Terminus.

Centerline No. 2

Beginning at the Southwest Corner of said Section 10. From said Point of Beginning, thence northerly along the West Line of said Section 10 to the Northwest Corner thereof; thence easterly along the North Line of said Section 10 to the Northeast Corner thereof and the Point of Terminus.

Centerline No. 3

Beginning at the Southeast Corner of said Section 15. From said Point of Beginning, thence westerly along the South Line of said Sections 15 and 16 to the Southwest Corner of the Southeast Quarter of the Southeast Quarter of said Section 16; thence northerly along the West Line of the Southeast Quarter of the Southeast Quarter of said Section 16 to the Northwest Corner thereof and the North Line of the South Half of the South Half of said Section 16; thence westerly along said North Line to the West Line of said Section 16 and the Point of Terminus.

Centerline No. 4

Beginning at the Northwest Corner of said Section 15, From said Point of Beginning, thence southerly along the West Line of said Sections 15 and 22 to the Southwest Corner of said Section 22; thence easterly along the South Line of said Sections 22, 23 and 24 to the Southeast Corner of said Section 24 and the Point of Terminus.

Centerline No. 5

Beginning at the intersection of the centerline of Interstate 155 and the South Line of said Section 8. From said Point of Beginning, thence westerly along the South Line of said Section 8 to the Southwest Corner of said Section 8; thence northerly along the West Line of said Sections 8 and 5 to the Northwest corner of said Section 5 and the Point of Terminus.

Rail Splitter Wind Farm North Substation Description, San Jose Rail Substation Description and Fifty Foot Transmission Line Connector Strip for Enterprise Zone (Boynton, Delavan and Malone Townships, Tazewell County, Illinois)

North Sub Station Legal

Part of the East Half of the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, more particularly described as follows:

Beginning at the Southeast corner of said Northwest Quarter; thence south $88^{\circ}-02'-34''$ west, along the South Line of said Northwest Quarter, a distance of 466.70 feet; thence north $01^{\circ}-33'-55''$ west, parallel with the East Line of said Northwest Quarter, a distance of 466.69 feet; thence north $88^{\circ}-02'-34''$ east, parallel with the South Line of said Northwest Quarter, a distance of 441.70 feet to a point on a line 25.00 feet west of and parallel with the East Line of said Northwest Quarter; thence north $01^{\circ}-33'-55''$ west, along said parallel line, a distance of 2188.78 feet to the North Line of said Northwest Quarter; thence north $88^{\circ}-08'-10''$ east, along said North Line, a distance of 25.00 feet to the Northeast corner of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east, along said East Line, a distance of 2655.43 feet to the Point of Beginning and containing 6.2562 acres, more or less.

Transmission Line Legal

A strip of land 50 feet wide lying 25 feet on each side of the following described Centerline in Sections 19, 20, 21, 22, 23 and 30, all in Township 22 North, Range 3 West of the Third Principal Meridian, and Sections 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 all in Township 22 North, Range 4 West of the Third Principal Meridian, in Tazewell County, Illinois, more particularly described as follows:

Commencing at the Southeast Corner of the Northwest Quarter of said Section 23, Township 22 North, Range 3 West of the Third Principal Meridian; thence south $88^{\circ}-02'-34''$ west, along the South Line of said Northwest Quarter, a distance of 466.70 feet; thence north $01^{\circ}-33'-55''$ west, parallel with the East Line of said Northwest Quarter, a distance of 27.29 feet to the Point of Beginning. From said Point of Beginning, thence south $87^{\circ}-55'-46''$ west 1631.76 feet; thence south $85^{\circ}-48'-16''$ west 553.34 feet to a point on the West Line of the Northwest Quarter of said Section 23, Township 22 North, Range 3 West of the Third Principal Meridian lying 2.46 feet north of the Southwest Corner thereof; thence south $88^{\circ}-06'-48''$ west 2417.05 feet; thence north $80^{\circ}-56'-14''$ west 244.66 feet to a point on the West Line of the Northeast Quarter of said Section 22, Township 22 North, Range 3 West of the Third Principal Meridian lying 48.84 feet north of the Southwest Corner thereof; thence north $80^{\circ}-56'-14''$ west 137.77 feet; thence south $88^{\circ}-06'-55''$ west 1558.45 feet; thence north $88^{\circ}-21'-16''$ west 402.19 feet; thence south $87^{\circ}-45'-52''$ west 566.61 feet to a point on the West Line of the Northwest

Quarter of said Section 22, Township 22 North, Range 3 West of the Third Principal Meridian lying 96.30 feet north of the Southwest Corner thereof; thence south $87^{\circ}-45'-52''$ west 1707.12 feet; thence south $82^{\circ}-07'-21''$ west 945.15 feet to the Northwest Corner of the Southeast Quarter of said Section 21, Township 22 North, Range 3 West of the Third Principal Meridian; thence south $87^{\circ}-33'-56''$ west 1904.98 feet; thence south $87^{\circ}-00'-41''$ west 736.90 feet to a point on the West Line of the Southwest Quarter of said Section 21, Township 22 North, Range 3 West of the Third Principal Meridian lying 19.67 feet south of the Northwest Corner thereof; thence south $87^{\circ}-00'-41''$ west 719.72 feet; thence south $87^{\circ}-56'-32''$ west 1910.04 feet; thence north $78^{\circ}-35'-55''$ west 29.58 feet to a point on the East Line of the Southwest Quarter of said Section 20, Township 22 North, Range 3 West of the Third Principal Meridian lying 28.37 feet south of the Northwest Corner thereof; thence north $78^{\circ}-35'-55''$ west 122.66 feet to a point on the North Line of the Southwest Quarter of said Section 20, Township 22 North, Range 3 West of the Third Principal Meridian lying 119.50 feet west of the Northeast Corner thereof; thence north $78^{\circ}-35'-57''$ west 305.67 feet; thence south $88^{\circ}-04'-50''$ west 2219.78 feet; thence south $86^{\circ}-28'-47''$ west 27.00 feet to a point on the West Line of the Northwest Quarter of said Section 20, Township 22 North, Range 3 West of the Third Principal Meridian lying 72.08 feet north of the Southwest Corner thereof; thence south $86^{\circ}-28'-47''$ west 1674.04 feet to a point on the North Line of the Southeast Quarter of said Section 19, Township 22 North, Range 3 West of the Third Principal Meridian lying 967.88 feet east of the Northwest Corner thereof; thence south $86^{\circ}-28'-47''$ west 21.04 feet; thence south $88^{\circ}-53'-35''$ west 944.79 feet to a point on the West Line of the Southeast Quarter of said Section 19, Township 22 North, Range 3 West of the Third Principal Meridian lying 2.75 feet south of the Northwest Corner thereof; thence south $88^{\circ}-53'-35''$ west 1999.76 feet; thence south $01^{\circ}-28'-36''$ east 2600.71 feet; thence south $82^{\circ}-18'-19''$ west 29.05 feet to a point on the East Line of the Southeast Quarter of said Section 24, Township 22 North, Range 4 West of the Third Principal Meridian lying 99.47 feet north of the Southeast Corner thereof; thence south $82^{\circ}-18'-19''$ west 743.11 feet; thence south $87^{\circ}-56'-43''$ west 1889.00 feet to a point on the East Line of the Southwest Quarter of said Section 24, Township 22 North, Range 4 West of the Third Principal Meridian lying 37.81 feet north of the Southeast Corner thereof; thence south $87^{\circ}-56'-43''$ west 2627.80 feet to a point on the East Line of the Southeast Quarter of said Section 23, Township 22 North, Range 4 West of the Third Principal Meridian lying 30.98 feet north of the Southeast Corner thereof; thence south $88^{\circ}-08'-25''$ west 2648.99 feet to a point on the East Line of the Southwest Quarter of said Section 23, Township 22 North, Range 4 West of the Third Principal Meridian lying 34.12 feet north of the Southeast Corner thereof; thence south $88^{\circ}-08'-25''$ west 2644.23 feet to a point on the East Line of the Southeast Quarter of said Section 22, Township 22 North, Range 4 West of the Third Principal Meridian lying 28.58 feet north of the Southeast Corner thereof; thence south $88^{\circ}-08'-25''$ west 63.70 feet; thence south $88^{\circ}-24'-17''$ west 2600.63 feet to a point on the East Line of the Southwest Quarter of said Section 22, Township 22 North, Range 4 West of the Third Principal Meridian lying 28.39 feet north of the Southeast Corner thereof; thence south $88^{\circ}-24'-17''$ west 2155.38 feet; thence south $88^{\circ}-43'-57''$ west 508.94 feet to a point on the East Line of the Southeast Quarter of said Section 21, Township 22 North, Range 4 West of the Third Principal Meridian lying 31.40 feet north of the Southeast Corner thereof; thence

south 88°-43'-57" west 2202.75 feet; thence south 78°-28'-52" west 161.76 feet to a point on the North Line of the Northeast Quarter of said Section 28, Township 22 North, Range 4 West of the Third Principal Meridian lying 274.48 feet east of the Northwest Corner thereof; thence south 78°-28'-52" west 148.01 feet; thence south 88°-36'-44" west 128.75 feet to a point on the East Line of the Northwest Quarter of said Section 28, Township 22 North, Range 4 West of the Third Principal Meridian lying 26.91 feet south of the Northeast Corner thereof; thence south 88°-36'-44" west 1320.00 feet; thence south 01°-24'-45" east 2622.63 feet; thence south 88°-33'-56" west 1313.94 feet to a point on the East Line of the Northeast Quarter of said Section 29, Township 22 North, Range 4 West of the Third Principal Meridian lying 2.28 feet north of the Southeast Corner thereof; thence south 88°-33'-56" west 769.52 feet to a point on the North Line of the Southeast Quarter of said Section 29, Township 22 North, Range 4 West of the Third Principal Meridian lying 769.52 feet west of the Northeast Corner thereof; thence south 88°-33'-56" west 1874.52 feet to a point on the East Line of the Southwest Quarter of said Section 29, Township 22 North, Range 4 West of the Third Principal Meridian lying 5.54 feet south of the Northeast Corner thereof; thence south 88°-33'-56" west 2421.08 feet; thence south 89°-00'-12" west 226.49 feet to a point on the East Line of the Southeast Quarter of said Section 30, Township 22 North, Range 4 West of the Third Principal Meridian lying 11.64 feet south of the Northeast Corner thereof; thence south 88°-59'-29" west 2655.68 feet to the Northeast Corner of the Southwest Quarter of said Section 30, Township 22 North, Range 4 West of the Third Principal Meridian; thence south 88°-44'-25" west 2563.72 feet to the Northwest Corner of the Southwest Quarter of said Section 30, Township 22 North, Range 4 West of the Third Principal Meridian and the Point of Terminus.

Description of San Jose Rail Substation

A part of the Northeast Quarter of Section 25, Township 22 North, Range 5 West of the Third Principal Meridian, Malone Township, Tazewell County, Illinois, more particularly described as follows: Commencing at the Southeast Corner of said Northeast Quarter; thence north 01°-19'-22" west 16.50 feet along the East Line of said Northeast Quarter to the North Line of the South One Rod of said Northeast Quarter and the Point of Beginning. From said Point of Beginning, thence south 88°-26'-05" west 2610.62 feet along said North Line to the West Line of said Northeast Quarter; thence north 01°-29'-14" west 1015.64 feet along said West Line; thence north 88°-30'-46" east 353.70 feet; thence south 01°-29'-14" east 633.78 feet; thence south 88°-30'-46" west 303.70 feet to a point 50 feet normally distant east of said West Line; thence south 01°-29'-14" east 296.73 feet along a line parallel with said West Line to a point of curvature; thence southeast 70.75 feet along the arc of a curve concave to the northeast with a radius of 45.00 feet and the 63.68 foot chord of said arc bears south 46°-31'-35" east to a point of tangency being 40 feet normally distant north of said North Line; thence north 88°-26'-05" east 2515.67 feet along a line parallel with said North line to said East Line; thence south 01°-19'-22" east 40.00 feet along said East Line to the Point of Beginning and containing 7.95 acres, more or less.

Wind Turbine No. B-06-4-1

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 6, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of said Southeast Quarter, thence south 1014.51 feet along the East Line of said Southeast Quarter; thence south $88^{\circ}-36'-12''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 550.08 feet to the Point of Beginning; From said Point of Beginning, thence south $01^{\circ}-23'-48''$ east 29.99 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 6, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of said Southeast Quarter, thence south 1014.51 feet along the East Line of said Southeast Quarter; thence south $88^{\circ}-36'-12''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 550.08 feet; thence south $01^{\circ}-23'-48''$ east 29.99 feet to the center of said circle.

22-22-06-400-008, 22-22-06-400-009

Wind Turbine No. B-06-4-2

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 6, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of said Southeast Quarter, thence south 1014.51 feet along the East Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence south $88^{\circ}-36'-12''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1542.64 feet; thence north $00^{\circ}-00'-00''$ east 487.21 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 6, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of said Southeast Quarter, thence south 1014.51 feet along the East Line of said Southeast Quarter; thence south $88^{\circ}-36'-12''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1542.64 feet; thence north $00^{\circ}-00'-00''$ east 487.21 feet to the center of said circle.

22-22-06-400-006, 22-22-06-400-007

Wind Turbine No. B-07-2-1

A strip of land 3 feet wide being a part of the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter to the Point of Beginning; From said Point of Beginning, thence south $88^{\circ}-45'-49''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2012.06 feet; thence north $00^{\circ}-58'-28''$ west 170.50 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter; thence south $88^{\circ}-45'-49''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2012.06 feet; thence north $00^{\circ}-58'-28''$ west 170.50 feet to the center of said circle.

22-22-07-200-002, 22-22-07-200-003

Wind Turbine No. B-07-2-2

A strip of land 3 feet wide being a part of the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter; thence south 88°-45'-49" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 984.50 feet to the Point of Beginning; From said Point of Beginning, thence north 00°-58'-28" west 953.44 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter; thence south 88°-45'-49" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 984.50; thence north 00°-58'-28" west 953.44 feet to the center of said circle.

22-22-07-200-002, 22-22-07-200-003

Wind Turbine No. B-07-4-1

A strip of land 3 feet wide being a part of the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter; thence south 88°-45'-49" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 712.91 feet to the Point of Beginning; From said Point of Beginning, thence south 00°-58'-28" east 191.58 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter; thence south 88°-45'-49" west (Bearings derived from Global Positioning – Illinois State Plane

Coordinates – West Zone) 712.91; thence south $00^{\circ}-58'-28''$ east 191.58 feet to the center of said circle.

22-22-07-400-003, 22-22-07-400-004

Wind Turbine No. B-08-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 8, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 8, thence northerly 672.07 feet along the West Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence north $87^{\circ}-37'-02''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1907.78 feet; thence south $02^{\circ}-22'-58''$ east 133.87 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 8, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 8, thence northerly 672.07 feet along the West Line of said Northwest Quarter; thence north $87^{\circ}-37'-02''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1907.78 feet; thence south $02^{\circ}-22'-58''$ east 133.87 feet to the center of said circle.

22-22-08-100-004, 22-22-08-100-005

Wind Turbine No. B-08-1-2

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 8, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 8, thence northerly 672.07 feet along the West Line of said Northwest Quarter; thence

north 87°-37'-02" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 787.11 feet to the Point of Beginning; From said Point of Beginning, thence north 02°-22'-58" west 186.00 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 8, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 8, thence northerly 672.07 feet along the West Line of said Northwest Quarter; thence north 87°-37'-02" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 787.11; thence north 02°-22'-58" west 186.00 feet to the center of said circle.

22-22-08-100-004, 22-22-08-100-005

Wind Turbine No. B-09-4-1

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 9, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 9, thence easterly 10.00 feet along the South Line of said Southeast Quarter; thence north 01°-41'-53" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1134.59 feet to the Point of Beginning; From said Point of Beginning, thence north 87°-52'-34" east 500.34 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 9, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 9, thence easterly 10.00 feet along the South Line of said Southeast Quarter; thence north 01°-41'-53" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1134.59 feet; thence north 87°-52'-34" east 500.34 feet to the center of said circle.

22-22-09-400-007, 22-22-09-400-008

Wind Turbine No. B-09-4-2

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 9, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 9, thence easterly 10.00 feet along the South Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence north $01^{\circ}-41'-53''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2122.12 feet; thence north $87^{\circ}-43'-19''$ east 799.43 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 9, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 9, thence easterly 10.00 feet along the South Line of said Southeast Quarter; thence north $01^{\circ}-41'-53''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2122.12 feet; thence north $87^{\circ}-43'-19''$ east 799.43 feet to the center of said circle.

22-22-09-400-007, 22-22-09-400-008

Wind Turbine No. B-10-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 615.47 feet to the Point of Beginning; From said Point of Beginning, thence north $01^{\circ}-16'-14''$ west 527.61 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 615.47 feet; thence north $01^{\circ}-16'-14''$ west 527.61 feet to the center of said circle.

22-22-10-100-006, 22-22-10-100-007

Wind Turbine No. B-10-1-2

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1593.26 feet to the Point of Beginning; From said Point of Beginning, thence north $01^{\circ}-22'-30''$ west 1746.60 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1593.26 feet; thence north $01^{\circ}-22'-30''$ west 1746.60 feet to the center of said circle.

22-22-10-100-004, 22-22-10-100-005

Wind Turbine No. B-10-1-3

A strip of land 3 feet wide being a part of the North Half of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2734.03 feet; thence north $01^{\circ}-28'-46''$ west 811.64 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the North Half of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2734.03 feet; thence north $01^{\circ}-28'-46''$ west 811.64 feet to the center of said circle.

22-22-10-200-005, 22-22-10-200-006

Wind Turbine No. B-10-3-1

A strip of land 3 feet wide being a part of the West Half of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2148.63 feet to the Point of Beginning; From said Point of Beginning, thence south $01^{\circ}-53'-19''$ east 160.64 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the West Half of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north 88°-06'-41" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2148.63 feet; thence south 01°-53'-19" east 160.64 feet to the center of said circle.

22-22-10-300-006, 22-22-10-300-007

Wind Turbine No. B-14-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 14, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 14, thence northerly 12.12 feet along the West Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence north 88°-02'-43" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2049.50 feet; thence north 01°-57'-17" west 543.61 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 14, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 14, thence northerly 12.12 feet along the West Line of said Northwest Quarter; thence north 88°-02'-43" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2049.50 feet; thence north 01°-57'-17" west 543.61 feet to the center of said circle.

22-22-14-100-003, 22-22-14-100-004

Wind Turbine No. B-14-4-1

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 14, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 14, thence easterly 10.00 feet along the South Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence north 01°-40'-08" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 819.82 feet; thence north 88°-19'-52" east 140.06 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 14, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 14, thence easterly 10.00 feet along the South Line of said Southeast Quarter; thence north 01°-40'-08" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 819.82 feet; thence north 88°-19'-52" east 140.06 feet to the center of said circle.

22-22-14-400-005, 22-22-14-400-006

Wind Turbine No. B-15-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 15, thence westerly 17.00 feet along the North Line of said Northwest Quarter; thence south 01°-39'-16" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 698.53 feet; thence south 23°-31'-59" west 144.29 feet; thence south 20°-55'-18" east 186.10 feet; thence south 01°-39'-16" east 472.94 feet to the Point of Beginning; From said Point of Beginning, thence south 88°-22'-16" west 769.72 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 15, thence westerly 17.00 feet along the North Line of said Northwest Quarter; thence south 01°-39'-16" east (Bearings derived from Global Positioning – Illinois State Plane

Coordinates – West Zone) 698.53 feet; thence south 23°-31'-59" west 144.29 feet; thence south 20°-55'-18" east 186.10 feet; thence south 01°-39'-16" east 472.94 feet; thence south 88°-22'-16" west 769.72 feet to the center of said circle.

22-22-15-100-007, 22-22-15-100-008

Wind Turbine No. B-15-2-1

A strip of land 3 feet wide being a part of the North Half of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 15, thence westerly 17.00 feet along the North Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence south 01°-39'-16" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 698.53 feet; thence south 23°-31'-59" west 144.29 feet; thence south 20°-55'-18" east 186.10 feet; thence south 01°-39'-16" east 598.42 feet; thence north 87°-53'-35" east 444.83 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the North Half of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 15, thence westerly 17.00 feet along the North Line of said Northwest Quarter; thence south 01°-39'-16" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 698.53 feet; thence south 23°-31'-59" west 144.29 feet; thence south 20°-55'-18" east 186.10 feet; thence south 01°-39'-16" east 598.42 feet; thence north 87°-53'-35" east 444.83 feet to the center of said circle.

22-22-15-200-009, 22-22-15-200-010

Wind Turbine No. B-15-3-1

A strip of land 3 feet wide being a part of the Southwest Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southwest Quarter of said Section 15, thence easterly 1323.31 feet along the South Line of said Southwest Quarter to the

Point of Beginning; From said Point of Beginning, thence north 01°-50'-30" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2140.20 feet; thence south 88°-06'-43" west 787.09 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southwest Quarter of said Section 15, thence easterly 1323.31 feet along the South Line of said Southwest Quarter; thence north 01°-50'-30" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2140.20 feet; thence south 88°-06'-43" west 787.09 feet to the center of said circle.

22-22-15-300-003, 22-22-15-300-004

Wind Turbine No. B-15-4-1

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 15, thence easterly 10.00 feet along the South Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence north 01°-39'-16" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 718.40 feet; thence north 34°-30'-33" east 358.84 feet; thence north 21°-45'-14" east 335.15 feet; thence north 88°-08'-53" east 304.88 feet; thence north 01°-39'-16" west 526.33 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 15, thence easterly 10.00 feet along the South Line of said Southeast Quarter; thence north 01°-39'-16" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 718.40 feet; thence north 34°-30'-33" east 358.84 feet;

thence north 21°-45'-14" east 335.15 feet; thence north 88°-08'-53" east 304.88 feet; thence north 01°-39'-16" west 526.33 feet to the center of said circle.

22-22-15-400-007, 22-22-15-400-008

Wind Turbine No. B-15-4-2

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 15, thence westerly 1052.62 feet along the South Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence north 01°-48'-57" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 529.48 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 15, thence westerly 1052.62 feet along the South Line of said Southeast Quarter; thence north 01°-48'-57" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 529.48 feet to the center of said circle.

22-22-15-400-009, 22-22-15-400-011, 22-22-15-400-010

Wind Turbine No. B-16-4-1

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 16, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northwest Quarter of the Southeast Quarter of said Section 16, thence westerly 527.11 feet along the South Line of the Northwest Quarter of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence north 01°-32'-11" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 553.52 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 16, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northwest Quarter of the Southeast Quarter of said Section 16, thence westerly 527.11 feet along the South Line of the Northwest Quarter of said Southeast Quarter; thence north 01°-32'-11" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 553.52 feet to the center of said circle.

22-22-16-400-008, 22-22-16-400-009

Wind Turbine No. B-21-2-1

A strip of land 3 feet wide being a part of the Northeast Quarter of Section 21, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the West Half of the Northeast Quarter of said Section 21, thence easterly 62.45 feet along the North Line of said Northeast Quarter to the Point of Beginning; From said Point of Beginning, thence south 78°-51'-44" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 63.25 feet; thence south 87°-57'-34" west 778.95 feet; thence south 02°-02'-26" east 367.22 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northeast Quarter of Section 21, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the West Half of the Northeast Quarter of said Section 21, thence easterly 62.45 feet along the North Line of said Northeast Quarter; thence south 78°-51'-44" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 63.25 feet; thence south 87°-57'-34" west 778.95 feet; thence south 02°-02'-26" east 367.22 feet to the center of said circle.

22-22-21-200-004, 22-22-21-200-005

Wind Turbine No. B-22-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 22, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 22, thence westerly 10.00 feet along the North Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence south $01^{\circ}-32'-06''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2121.56 feet; thence south $87^{\circ}-34'-13''$ west 1558.05 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 22, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 22, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-32'-06''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2121.56 feet; thence south $87^{\circ}-34'-13''$ west 1558.05 feet to the center of said circle.

22-22-22-100-003, 22-22-22-100-004

Wind Turbine No. B-22-1-2

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 22, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 21, thence westerly 10.00 feet along the North Line of said Northwest; thence south $01^{\circ}-32'-06''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2121.56 feet; thence south $87^{\circ}-34'-13''$ west 136.87 feet Quarter to the Point of Beginning; From said Point of Beginning, thence south $02^{\circ}-25'-47''$ east 29.97 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 22, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle

having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 21, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-32'-06" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2121.56 feet; thence south 87°-34'-13" west 136.87 feet; thence south 02°-25'-47" east 29.97 feet to the center of said circle.

22-22-22-100-003, 22-22-22-100-004

Wind Turbine No. B-23-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence south 88°-02'-34" west 1733.99 feet to the Point of Beginning; From said Point of Beginning, thence north 01°-57'-26" west 510.22 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence south 88°-02'-34" west 1733.99 feet; thence north 01°-57'-26" west 510.22 feet to the center of said circle.

22-22-23-100-007, 22-22-23-100-008

Wind Turbine No. B-23-1-2

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1676.01 feet to the Point of Beginning; From said Point of Beginning, thence south $88^{\circ}-26'-05''$ west 553.99 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1676.01 feet; thence south $88^{\circ}-26'-05''$ east 553.99 feet to the center of said circle.

22-22-23-100-005, 22-22-23-100-006, 22-22-23-100-009

Wind Turbine No. B-23-2-2

A strip of land 3 feet wide being a part of the North Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 609.20 feet to the Point of Beginning; From said Point of Beginning, thence north $88^{\circ}-26'-05''$ east 157.09 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the North Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 609.20 feet; thence north 88°-26'-05" east 157.09 feet to the center of said circle.

22-22-23-200-005, 22-22-23-200-006

Wind Turbine No. B-23-3-1

A strip of land 3 feet wide being a part of the West Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet to the Point of Beginning; From said Point of Beginning, thence south 88°-02'-34" west 2057.49 feet; thence south 01°-57'-26" east 1008.64 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the West Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence south 88°-02'-34" west 2057.49 feet; thence south 01°-57'-26" east 1008.64 feet to the center of said circle.

22-22-23-300-005, 22-22-23-300-006

Wind Turbine No. B-23-3-2

A strip of land 3 feet wide being a part of the West Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence south 88°-02'-34" west 503.99 feet to the Point of Beginning; From said Point of Beginning, thence south 01°-57'-26" east 464.38 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the West Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence south 88°-02'-34" west 503.99 feet; thence south 01°-57'-26" east 464.38 feet to the center of said circle.

22-22-23-300-005, 22-22-23-300-007

Wind Turbine No. B-23-4-2

A strip of land 3 feet wide being a part of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence north 88°-02'-34" east 1097.11 feet; thence south 01°-57'-26" east 518.10 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane

Coordinates – West Zone) 2655.50 feet; thence north $88^{\circ}-02'-34''$ east 1097.11 feet; thence south $01^{\circ}-57'-26''$ east 518.10 feet to the center of said circle.

22-22-23-400-007, 22-22-23-400-008

Wind Turbine No. B-25-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 25, thence westerly 11.11 feet along the North Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence south $01^{\circ}-38'-35''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1336.71 feet; thence south $88^{\circ}-35'-58''$ west 492.13 feet; thence south $01^{\circ}-24'-02''$ east 261.77 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 25, thence westerly 11.11 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-38'-35''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1336.71 feet; thence south $88^{\circ}-35'-58''$ west 492.13 feet; thence south $01^{\circ}-24'-02''$ east 261.77 feet to the center of said circle.

22-22-25-100-006, 22-22-25-100-007

Wind Turbine No. B-25-1-2

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 25, thence westerly 11.11 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-38'-35''$ east (Bearings derived from Global Positioning – Illinois State Plane

Coordinates – West Zone) 544.90 feet to the Point of Beginning; From said Point of Beginning, thence south $88^{\circ}-36'-46''$ west 500.80 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 25, thence westerly 11.11 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-38'-35''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 544.90 feet; thence south $88^{\circ}-36'-46''$ west 500.80 feet to the center of said circle.

22-22-25-100-008, 22-22-25-100-009

Wind Turbine No. B-25-3-1

A strip of land 3 feet wide being a part of the Southwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southwest Quarter of said Section 25, thence northerly 709.62 feet along the West Line of said Southwest Quarter to the Point of Beginning; From said Point of Beginning, thence north $88^{\circ}-14'-34''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 807.52 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southwest Quarter of said Section 25, thence northerly 709.62 feet along the West Line of said Southwest Quarter; thence north $88^{\circ}-14'-34''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 807.52 feet to the center of said circle.

22-22-25-300-005, 22-22-25-300-006

Wind Turbine No. B-26-2-1

A strip of land 3 feet wide being a part of the Northeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 26, thence northerly 1337.52 feet along the East Line of said Northeast Quarter to the Point of Beginning; From said Point of Beginning, thence south 88°-01'-58" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2151.85 feet; thence south 01°-41'-39" east 737.47 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 26, thence northerly 1337.52 feet along the East Line of said Northeast Quarter; thence south 88°-01'-58" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2151.85 feet; thence south 01°-41'-39" east 737.47 feet to the center of said circle.

22-22-26-200-006, 22-22-26-200-007

Wind Turbine No. B-26-2-2

A strip of land 3 feet wide being a part of the Northeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 26, thence northerly 1337.52 feet along the East Line of said Northeast Quarter thence south 88°-01'-58" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2111.21 feet to the Point of Beginning; From said Point of Beginning, thence north 01°-35'-04" west 785.87 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle

having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 26, thence northerly 1337.52 feet along the East Line of said Northeast Quarter thence south 88°-01'-58" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2111.21 feet; thence north 01°-35'-04" west 785.87 feet to the center of said circle.

22-22-26-200-004, 22-22-26-200-005

Wind Turbine No. B-26-3-1

A strip of land 3 feet wide being a part of the South Half of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence south 88°-26'-09" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2669.45 feet; thence north 01°-41'-39" west 1535.84 feet; thence south 88°-04'-04" west 793.96 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the South Half of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter; thence south 88°-26'-09" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2669.45 feet; thence north 01°-41'-39" west 1535.84 feet; thence south 88°-04'-04" west 793.96 feet to the center of said circle.

22-22-26-300-004, 22-22-26-300-005

Wind Turbine No. B-26-4-2

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter; thence south 88°-26'-09" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1079.24 feet to the Point of Beginning; From said Point of Beginning, thence south 01°-33'-51" east 30.00 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter; thence south 88°-26'-09" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1079.24 feet; thence south 01°-33'-51" east 30.00 feet to the center of said circle.

22-22-26-400-004, 22-22-26-400-005

Wind Turbine No. B-26-4-4

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter; thence south 88°-26'-09" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2289.04 feet to the Point of Beginning; From said Point of Beginning, thence south 01°-33'-51" east 30.00 feet to the Point of Terminus.

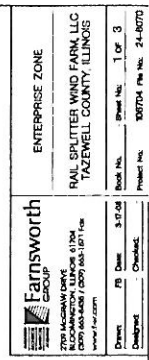
ALSO:

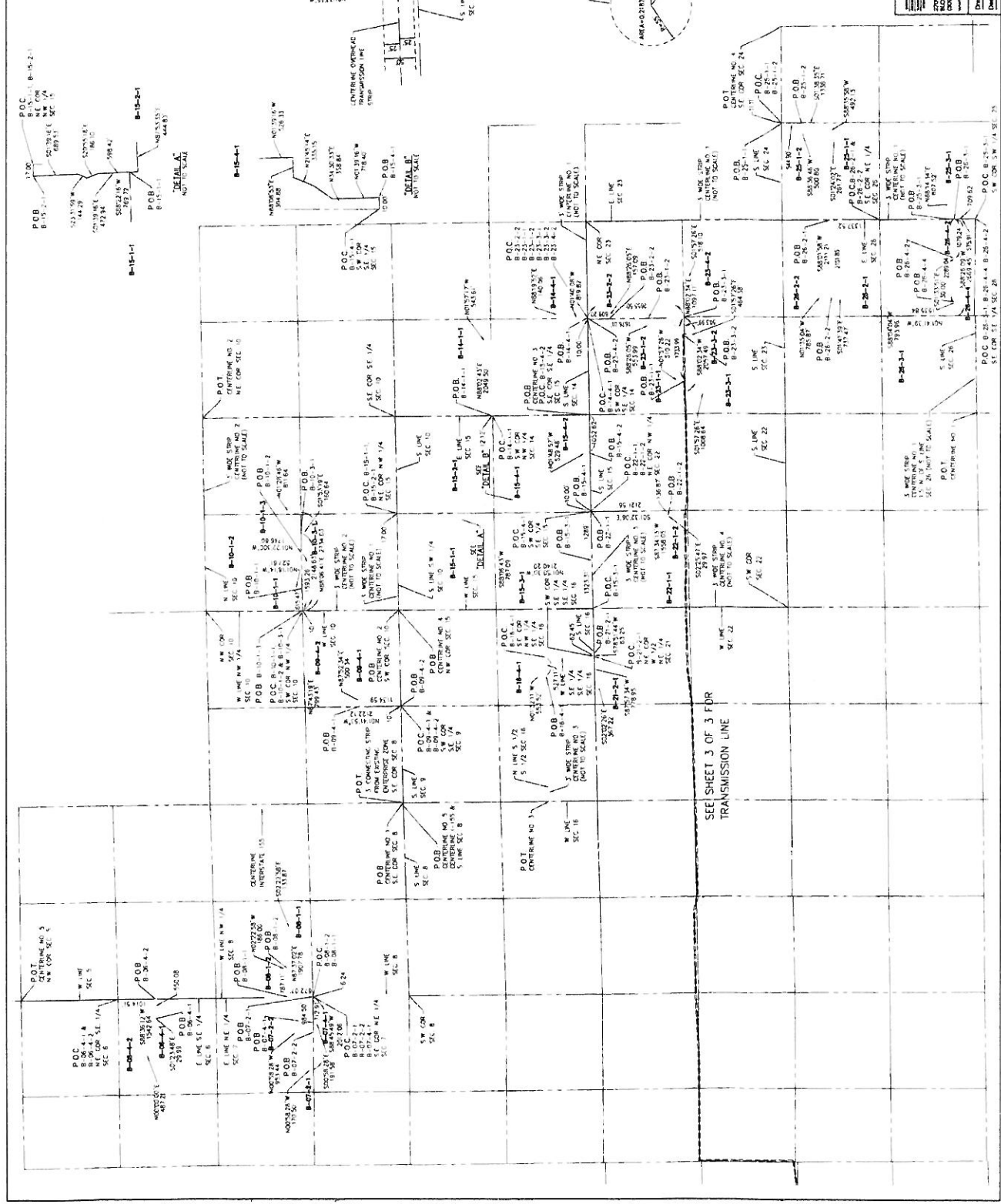
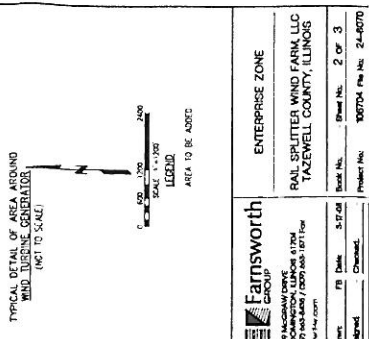
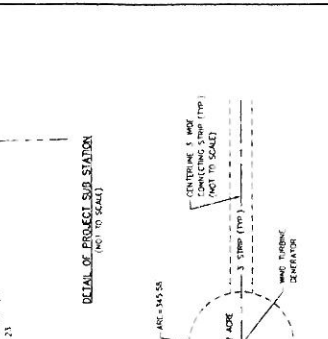
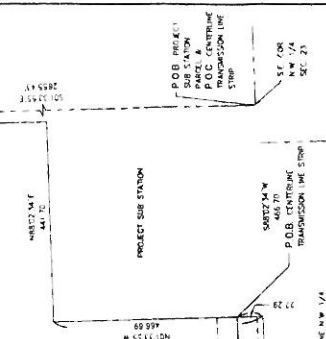
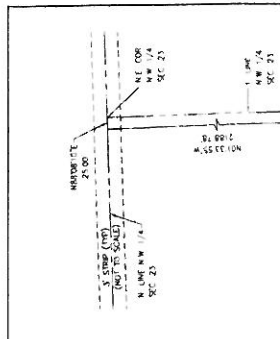
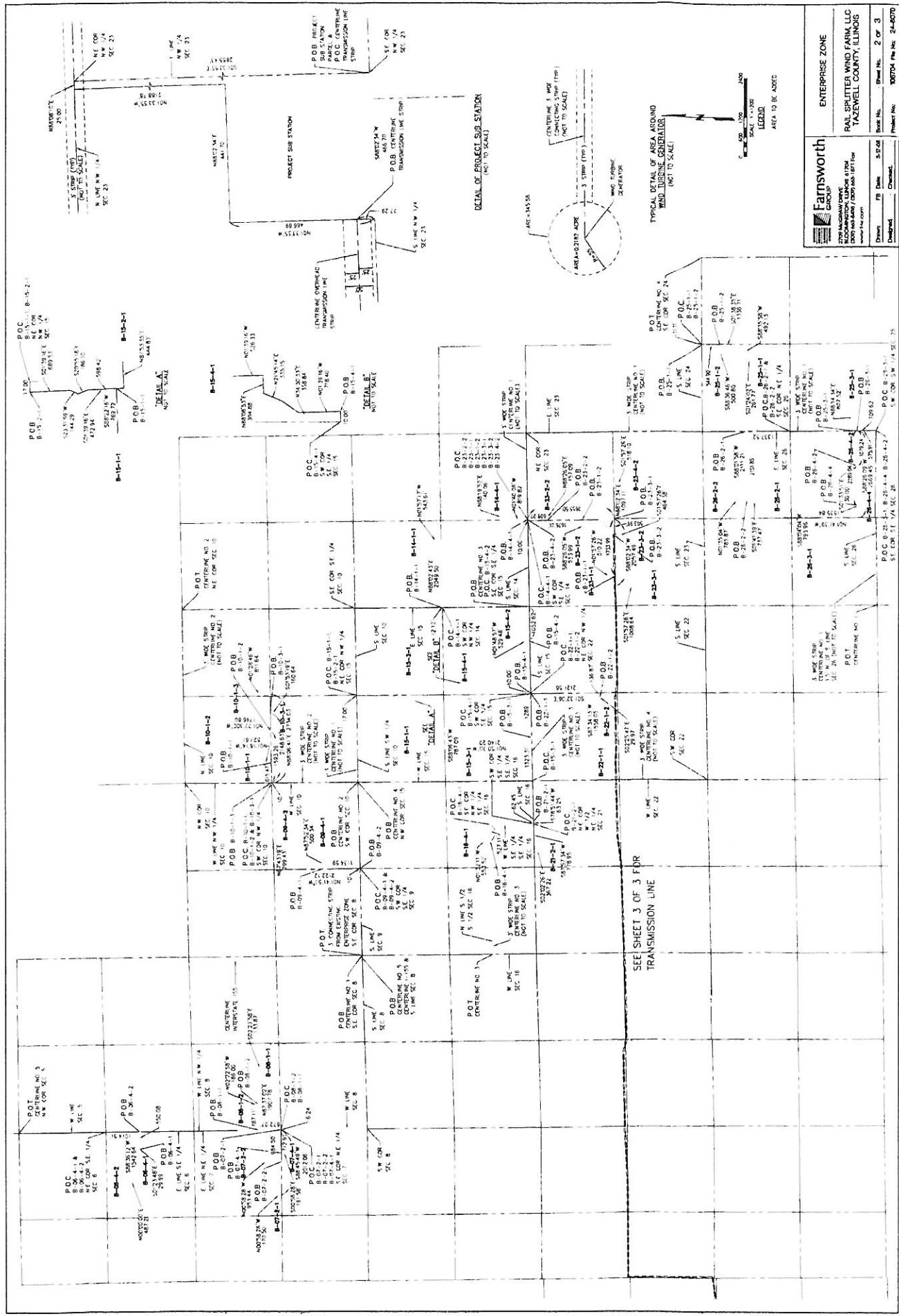
All that part of a circle lying in the Southeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

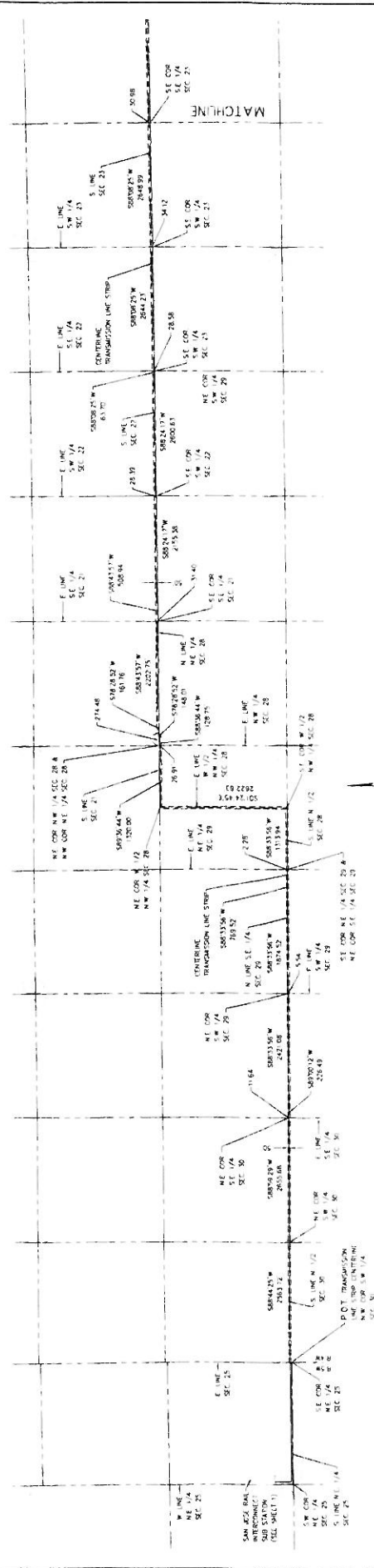
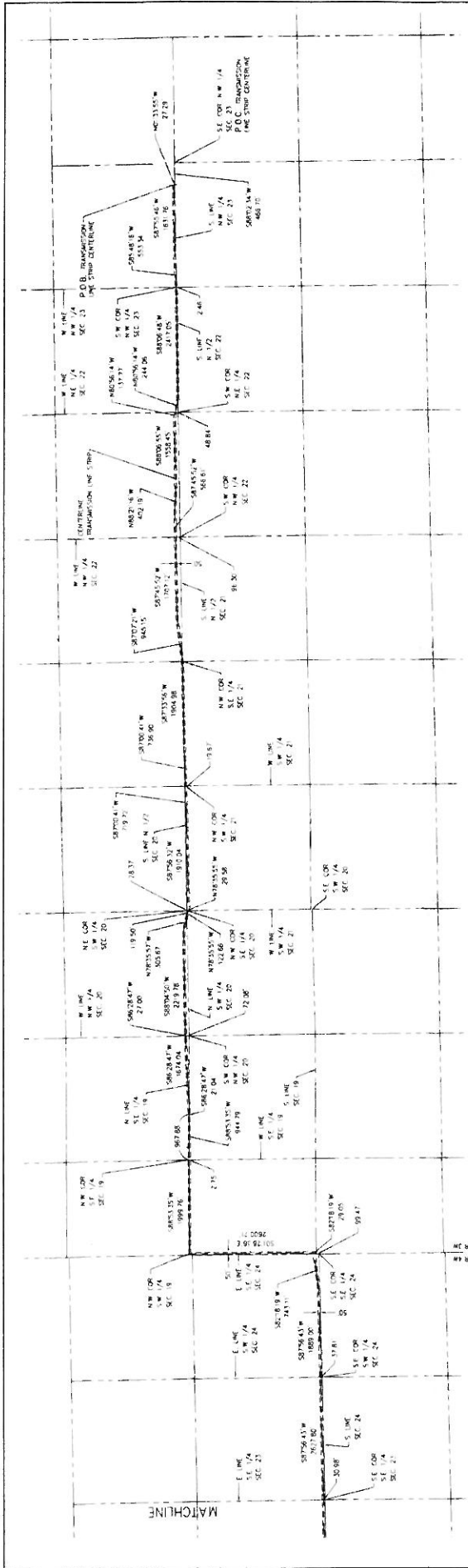
Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter; thence south $88^{\circ}-26'-09''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2289.04 feet; thence south $01^{\circ}-33'-51''$ east 30.00 feet to the center of said circle.

22-22-26-400-004, 22-22-26-400-005

EXHIBIT B
Map of the Amended Territory







Farnsworth GROUP
 2700 MAGNAN DRIVE
 BLOOMINGTON, ILLINOIS 61710
 (312) 398-1111
 www.farnsworthgroup.com

ENTERPRISE ZONE
 RAIL SPLITTER WIND FARM, LLC
 TAZEWELL COUNTY, ILLINOIS

Drawn:	PG:	Date:	Sheet No.:	Project No.:
Checked:	3	5-27-08	3 of 3	000704 File No. 24-0070

LIMITS OF EXISTING ENTERPRISE ZONE
 AREA TO BE ADDED (WITHIN 1/2 MI TO 5/4 MI)

EXHIBIT C
Amendment to Enterprise Zone Intergovernmental Agreement
Between the City of Pekin and Tazewell County

**AMENDMENT TO ENTERPRISE ZONE INTERGOVERNMENTAL
AGREEMENT BETWEEN THE CITY OF PEKIN AND TAZEWELL COUNTY**

THIS AMENDMENT TO ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT (this "Amendment") is entered into as of this ____ day of ____, 2009 by and between the City of Pekin, Illinois and Tazewell County, Illinois.

WITNESSETH:

WHEREAS, the City of Pekin, Illinois, (the "City") and Tazewell County, Illinois, (the "County") adopted respective ordinances establishing and designating an Enterprise Zone encompassing contiguous portions of the City of Pekin and Tazewell County (such zone, as previously amended, being the "Enterprise Zone") and entered into an Enterprise Zone Intergovernmental Agreement dated December 31, 1985 in relation thereto (such agreement, as previously amended, being the "IGA");

WHEREAS, the City and County previously approved a request from Rail Splitter Wind Farm LLC and its affiliates (collectively, "Rail Splitter") for an amendment to the Enterprise Zone in order to include the area of Rail Splitter's proposed development (the "Rail Splitter Project") within the Enterprise Zone; and

WHEREAS, the Rail Splitter Project has now been completed and it would be in the best interests of the citizens of the City of Pekin and Tazewell County for 0.5814 square miles of unused land immediately adjacent to the Rail Splitter Project to be removed from the Enterprise Zone.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein provided, the City of Pekin and Tazewell County hereby agree as follows:

SECTION ONE: The IGA is hereby amended with respect to the territory previously added to the Enterprise Zone to include the Rail Splitter Project by replacing such territory in its entirety with that certain real property (the "Amended Territory") legally described on Exhibit A attached hereto and made a part hereof (which real property is also depicted on that certain map attached hereto and made a part hereof as Exhibit B); and that the Amended Territory is hereby designated part of the Enterprise Zone pursuant to and in accordance with the Illinois Enterprise Zone Act (20 ILCS 655/1 et seq.).

SECTION TWO: Except as otherwise amended or provided in this Amendment, the IGA shall remain in full force and effect.

IN WITNESS WHEREOF, on behalf of the City and County, the Mayor of the City of Pekin and the County Board Chairman of Tazewell County respectively, approve, accept and execute this Amendment as of the date first written above.

CITY OF PEKIN

Mayor
City of Pekin

TAZEWELL COUNTY

Chairman
Tazewell County Board

EXHIBIT A
Legal Description of the Amended Territory

Three Foot Strip of Land Connecting Existing Enterprise Zone (Pekin, Tazewell County, Illinois) to Rail Splitter Wind Farm

A strip of land 3 feet wide in Township 25 North, Ranges 5, 4 and 3 West of the Third Principal Meridian, and Townships 24 North, 23 North and 22 North, all in Range 3 West of the Third Principal Meridian, all in Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline: Beginning at a point 3.0 feet west of the Centerline of 8th Street, Pekin, Illinois, lying 1.5 foot south of the North Right of Way Line of Broadway Road, Pekin, Illinois. From said Point of Beginning, thence easterly along a line 1.5 feet south of and parallel with said North Right of Way Line through Sections 35 and 36 in said Township 25 North, Range 5 West; thence easterly on said parallel line through Sections 31 through 35, all inclusive, all in said Township 25 North, Range 4 West to the Centerline of Springfield Road; thence southerly along the Centerline of Springfield Road through Sections 2, 3, 10, 11, 14, 15, 22, 23, 26 and 27, all in Township 24 North, Range 4 West to its intersection with the Centerline of Red Shale Hill Road; thence easterly along the Centerline of Red Shale Hill Road through Sections 27, 26, 25, 34, 35 and 36, all in Township 24 North, Range 4 West to its intersection with the Centerline of Locust Road; thence southerly along the Centerline of Locust Road through Sections 25 and 36, Township 24 North, Range 4 West and through Sections 30 and 31, Township 24 North, Range 3 West to its intersection with the Centerline of Townline Road; thence easterly along the Centerline of Townline Road through Sections 31 and 32, Township 24 North, Range 3 West and Sections 6 and 5, Township 23 North, Range 3 West to its intersection with the Centerline of Interstate 155 in Tazewell County, Illinois; thence southerly along the Centerline of said Interstate 155 in said Section 32, Township 24 North, Range 3 West; thence southerly along the Centerline of said Interstate 155 through Sections 5, 8, 17, 20, 29 and 32, all in said Township 23 North, Range 3 West; thence southerly along the Centerline of said Interstate 155 through Sections 5, 8 and 17, all in said Township 22 North, Range 3 West to its intersection with the South Line of said Section 8, Township 22 North, Range 3 West; thence easterly along said South Line to the Southeast Corner of said Section 8, Township 22 North, Range 3 West and the Point of Terminus.

Three Foot Connector Strips for Enterprise Zone (Boynton Township, Tazewell County, Illinois) at Rail Splitter Wind Farm

A strip of land 3 feet wide in Sections 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27 and 28, all in Township 22 North, Range 3 West of the Third Principal Meridian, in Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerlines:

Centerline No. 1

Beginning at the Southeast Corner of said Section 8. From said Point of Beginning, thence easterly along the South Line of said Sections 9 and 10 to the Southeast Corner of said Section 10; thence southerly along the East Line of said Section 15 to the Southeast Corner thereof; thence easterly along the South Line of said Section 14 to the Northeast Corner of said Section 23; thence southerly along the East Line of said Sections 23 and 26 to a point 1.5 feet north of the Southeast Corner of said Section 26; thence westerly along a line 1.5 feet north of and parallel with the South Line of said Section 26 to the West Line of said Section 26 and the Point of Terminus.

Centerline No. 2

Beginning at the Southwest Corner of said Section 10. From said Point of Beginning, thence northerly along the West Line of said Section 10 to the Northwest Corner thereof; thence easterly along the North Line of said Section 10 to the Northeast Corner thereof and the Point of Terminus.

Centerline No. 3

Beginning at the Southeast Corner of said Section 15. From said Point of Beginning, thence westerly along the South Line of said Sections 15 and 16 to the Southwest Corner of the Southeast Quarter of the Southeast Quarter of said Section 16; thence northerly along the West Line of the Southeast Quarter of the Southeast Quarter of said Section 16 to the Northwest Corner thereof and the North Line of the South Half of the South Half of said Section 16; thence westerly along said North Line to the West Line of said Section 16 and the Point of Terminus.

Centerline No. 4

Beginning at the Northwest Corner of said Section 15, From said Point of Beginning, thence southerly along the West Line of said Sections 15 and 22 to the Southwest Corner of said Section 22; thence easterly along the South Line of said Sections 22, 23 and 24 to the Southeast Corner of said Section 24 and the Point of Terminus.

Centerline No. 5

Beginning at the intersection of the centerline of Interstate 155 and the South Line of said Section 8. From said Point of Beginning, thence westerly along the South Line of said Section 8 to the Southwest Corner of said Section 8; thence northerly along the West Line of said Sections 8 and 5 to the Northwest corner of said Section 5 and the Point of Terminus.

Rail Splitter Wind Farm North Substation Description, San Jose Rail Substation Description and Fifty Foot Transmission Line Connector Strip for Enterprise Zone (Boynton, Delavan and Malone Townships, Tazewell County, Illinois)

North Sub Station Legal

Part of the East Half of the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, more particularly described as follows:

Beginning at the Southeast corner of said Northwest Quarter; thence south $88^{\circ}-02'-34''$ west, along the South Line of said Northwest Quarter, a distance of 466.70 feet; thence north $01^{\circ}-33'-55''$ west, parallel with the East Line of said Northwest Quarter, a distance of 466.69 feet; thence north $88^{\circ}-02'-34''$ east, parallel with the South Line of said Northwest Quarter, a distance of 441.70 feet to a point on a line 25.00 feet west of and parallel with the East Line of said Northwest Quarter; thence north $01^{\circ}-33'-55''$ west, along said parallel line, a distance of 2188.78 feet to the North Line of said Northwest Quarter; thence north $88^{\circ}-08'-10''$ east, along said North Line, a distance of 25.00 feet to the Northeast corner of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east, along said East Line, a distance of 2655.43 feet to the Point of Beginning and containing 6.2562 acres, more or less.

Transmission Line Legal

A strip of land 50 feet wide lying 25 feet on each side of the following described Centerline in Sections 19, 20, 21, 22, 23 and 30, all in Township 22 North, Range 3 West of the Third Principal Meridian, and Sections 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 all in Township 22 North, Range 4 West of the Third Principal Meridian, in Tazewell County, Illinois, more particularly described as follows:

Commencing at the Southeast Corner of the Northwest Quarter of said Section 23, Township 22 North, Range 3 West of the Third Principal Meridian; thence south $88^{\circ}-02'-34''$ west, along the South Line of said Northwest Quarter, a distance of 466.70 feet; thence north $01^{\circ}-33'-55''$ west, parallel with the East Line of said Northwest Quarter, a distance of 27.29 feet to the Point of Beginning. From said Point of Beginning, thence south $87^{\circ}-55'-46''$ west 1631.76 feet; thence south $85^{\circ}-48'-16''$ west 553.34 feet to a point on the West Line of the Northwest Quarter of said Section 23, Township 22 North, Range 3 West of the Third Principal Meridian lying 2.46 feet north of the Southwest Corner thereof; thence south $88^{\circ}-06'-48''$ west 2417.05 feet; thence north $80^{\circ}-56'-14''$ west 244.66 feet to a point on the West Line of the Northeast Quarter of said Section 22, Township 22 North, Range 3 West of the Third Principal Meridian lying 48.84 feet north of the Southwest Corner thereof; thence north $80^{\circ}-56'-14''$ west 137.77 feet; thence south $88^{\circ}-06'-55''$ west 1558.45 feet; thence north $88^{\circ}-21'-16''$ west 402.19 feet; thence south $87^{\circ}-45'-52''$ west 566.61 feet to a point on the West Line of the Northwest

Quarter of said Section 22, Township 22 North, Range 3 West of the Third Principal Meridian lying 96.30 feet north of the Southwest Corner thereof; thence south $87^{\circ}-45'-52''$ west 1707.12 feet; thence south $82^{\circ}-07'-21''$ west 945.15 feet to the Northwest Corner of the Southeast Quarter of said Section 21, Township 22 North, Range 3 West of the Third Principal Meridian; thence south $87^{\circ}-33'-56''$ west 1904.98 feet; thence south $87^{\circ}-00'-41''$ west 736.90 feet to a point on the West Line of the Southwest Quarter of said Section 21, Township 22 North, Range 3 West of the Third Principal Meridian lying 19.67 feet south of the Northwest Corner thereof; thence south $87^{\circ}-00'-41''$ west 719.72 feet; thence south $87^{\circ}-56'-32''$ west 1910.04 feet; thence north $78^{\circ}-35'-55''$ west 29.58 feet to a point on the East Line of the Southwest Quarter of said Section 20, Township 22 North, Range 3 West of the Third Principal Meridian lying 28.37 feet south of the Northwest Corner thereof; thence north $78^{\circ}-35'-55''$ west 122.66 feet to a point on the North Line of the Southwest Quarter of said Section 20, Township 22 North, Range 3 West of the Third Principal Meridian lying 119.50 feet west of the Northeast Corner thereof; thence north $78^{\circ}-35'-57''$ west 305.67 feet; thence south $88^{\circ}-04'-50''$ west 2219.78 feet; thence south $86^{\circ}-28'-47''$ west 27.00 feet to a point on the West Line of the Northwest Quarter of said Section 20, Township 22 North, Range 3 West of the Third Principal Meridian lying 72.08 feet north of the Southwest Corner thereof; thence south $86^{\circ}-28'-47''$ west 1674.04 feet to a point on the North Line of the Southeast Quarter of said Section 19, Township 22 North, Range 3 West of the Third Principal Meridian lying 967.88 feet east of the Northwest Corner thereof; thence south $86^{\circ}-28'-47''$ west 21.04 feet; thence south $88^{\circ}-53'-35''$ west 944.79 feet to a point on the West Line of the Southeast Quarter of said Section 19, Township 22 North, Range 3 West of the Third Principal Meridian lying 2.75 feet south of the Northwest Corner thereof; thence south $88^{\circ}-53'-35''$ west 1999.76 feet; thence south $01^{\circ}-28'-36''$ east 2600.71 feet; thence south $82^{\circ}-18'-19''$ west 29.05 feet to a point on the East Line of the Southeast Quarter of said Section 24, Township 22 North, Range 4 West of the Third Principal Meridian lying 99.47 feet north of the Southeast Corner thereof; thence south $82^{\circ}-18'-19''$ west 743.11 feet; thence south $87^{\circ}-56'-43''$ west 1889.00 feet to a point on the East Line of the Southwest Quarter of said Section 24, Township 22 North, Range 4 West of the Third Principal Meridian lying 37.81 feet north of the Southeast Corner thereof; thence south $87^{\circ}-56'-43''$ west 2627.80 feet to a point on the East Line of the Southeast Quarter of said Section 23, Township 22 North, Range 4 West of the Third Principal Meridian lying 30.98 feet north of the Southeast Corner thereof; thence south $88^{\circ}-08'-25''$ west 2648.99 feet to a point on the East Line of the Southwest Quarter of said Section 23, Township 22 North, Range 4 West of the Third Principal Meridian lying 34.12 feet north of the Southeast Corner thereof; thence south $88^{\circ}-08'-25''$ west 2644.23 feet to a point on the East Line of the Southeast Quarter of said Section 22, Township 22 North, Range 4 West of the Third Principal Meridian lying 28.58 feet north of the Southeast Corner thereof; thence south $88^{\circ}-08'-25''$ west 63.70 feet; thence south $88^{\circ}-24'-17''$ west 2600.63 feet to a point on the East Line of the Southwest Quarter of said Section 22, Township 22 North, Range 4 West of the Third Principal Meridian lying 28.39 feet north of the Southeast Corner thereof; thence south $88^{\circ}-24'-17''$ west 2155.38 feet; thence south $88^{\circ}-43'-57''$ west 508.94 feet to a point on the East Line of the Southeast Quarter of said Section 21, Township 22 North, Range 4 West of the Third Principal Meridian lying 31.40 feet north of the Southeast Corner thereof; thence

south 88°-43'-57" west 2202.75 feet; thence south 78°-28'-52" west 161.76 feet to a point on the North Line of the Northeast Quarter of said Section 28, Township 22 North, Range 4 West of the Third Principal Meridian lying 274.48 feet east of the Northwest Corner thereof; thence south 78°-28'-52" west 148.01 feet; thence south 88°-36'-44" west 128.75 feet to a point on the East Line of the Northwest Quarter of said Section 28, Township 22 North, Range 4 West of the Third Principal Meridian lying 26.91 feet south of the Northeast Corner thereof; thence south 88°-36'-44" west 1320.00 feet; thence south 01°-24'-45" east 2622.63 feet; thence south 88°-33'-56" west 1313.94 feet to a point on the East Line of the Northeast Quarter of said Section 29, Township 22 North, Range 4 West of the Third Principal Meridian lying 2.28 feet north of the Southeast Corner thereof; thence south 88°-33'-56" west 769.52 feet to a point on the North Line of the Southeast Quarter of said Section 29, Township 22 North, Range 4 West of the Third Principal Meridian lying 769.52 feet west of the Northeast Corner thereof; thence south 88°-33'-56" west 1874.52 feet to a point on the East Line of the Southwest Quarter of said Section 29, Township 22 North, Range 4 West of the Third Principal Meridian lying 5.54 feet south of the Northeast Corner thereof; thence south 88°-33'-56" west 2421.08 feet; thence south 89°-00'-12" west 226.49 feet to a point on the East Line of the Southeast Quarter of said Section 30, Township 22 North, Range 4 West of the Third Principal Meridian lying 11.64 feet south of the Northeast Corner thereof; thence south 88°-59'-29" west 2655.68 feet to the Northeast Corner of the Southwest Quarter of said Section 30, Township 22 North, Range 4 West of the Third Principal Meridian; thence south 88°-44'-25" west 2563.72 feet to the Northwest Corner of the Southwest Quarter of said Section 30, Township 22 North, Range 4 West of the Third Principal Meridian and the Point of Terminus.

Description of San Jose Rail Substation

A part of the Northeast Quarter of Section 25, Township 22 North, Range 5 West of the Third Principal Meridian, Malone Township, Tazewell County, Illinois, more particularly described as follows: Commencing at the Southeast Corner of said Northeast Quarter; thence north 01°-19'-22" west 16.50 feet along the East Line of said Northeast Quarter to the North Line of the South One Rod of said Northeast Quarter and the Point of Beginning. From said Point of Beginning, thence south 88°-26'-05" west 2610.62 feet along said North Line to the West Line of said Northeast Quarter; thence north 01°-29'-14" west 1015.64 feet along said West Line; thence north 88°-30'-46" east 353.70 feet; thence south 01°-29'-14" east 633.78 feet; thence south 88°-30'-46" west 303.70 feet to a point 50 feet normally distant east of said West Line; thence south 01°-29'-14" east 296.73 feet along a line parallel with said West Line to a point of curvature; thence southeast 70.75 feet along the arc of a curve concave to the northeast with a radius of 45.00 feet and the 63.68 foot chord of said arc bears south 46°-31'-35" east to a point of tangency being 40 feet normally distant north of said North Line; thence north 88°-26'-05" east 2515.67 feet along a line parallel with said North line to said East Line; thence south 01°-19'-22" east 40.00 feet along said East Line to the Point of Beginning and containing 7.95 acres, more or less.

Wind Turbine No. B-06-4-1

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 6, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of said Southeast Quarter, thence south 1014.51 feet along the East Line of said Southeast Quarter; thence south $88^{\circ}-36'-12''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 550.08 feet to the Point of Beginning; From said Point of Beginning, thence south $01^{\circ}-23'-48''$ east 29.99 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 6, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of said Southeast Quarter, thence south 1014.51 feet along the East Line of said Southeast Quarter; thence south $88^{\circ}-36'-12''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 550.08 feet; thence south $01^{\circ}-23'-48''$ east 29.99 feet to the center of said circle.

22-22-06-400-008, 22-22-06-400-009

Wind Turbine No. B-06-4-2

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 6, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of said Southeast Quarter, thence south 1014.51 feet along the East Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence south $88^{\circ}-36'-12''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1542.64 feet; thence north $00^{\circ}-00'-00''$ east 487.21 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 6, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of said Southeast Quarter, thence south 1014.51 feet along the East Line of said Southeast Quarter; thence south 88°-36'-12" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1542.64 feet; thence north 00°-00'-00" east 487.21 feet to the center of said circle.

22-22-06-400-006, 22-22-06-400-007

Wind Turbine No. B-07-2-1

A strip of land 3 feet wide being a part of the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter to the Point of Beginning; From said Point of Beginning, thence south 88°-45'-49" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2012.06 feet; thence north 00°-58'-28" west 170.50 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter; thence south 88°-45'-49" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2012.06 feet; thence north 00°-58'-28" west 170.50 feet to the center of said circle.

22-22-07-200-002, 22-22-07-200-003

Wind Turbine No. B-07-2-2

A strip of land 3 feet wide being a part of the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter; thence south 88°-45'-49" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 984.50 feet to the Point of Beginning; From said Point of Beginning, thence north 00°-58'-28" west 953.44 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter; thence south 88°-45'-49" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 984.50; thence north 00°-58'-28" west 953.44 feet to the center of said circle.

22-22-07-200-002, 22-22-07-200-003

Wind Turbine No. B-07-4-1

A strip of land 3 feet wide being a part of the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter; thence south 88°-45'-49" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 712.91 feet to the Point of Beginning; From said Point of Beginning, thence south 00°-58'-28" east 191.58 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the East Half of Section 7, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 7, thence north 6.24 feet along the East Line of said Northeast Quarter; thence south 88°-45'-49" west (Bearings derived from Global Positioning – Illinois State Plane

Coordinates – West Zone) 712.91; thence south $00^{\circ}-58'-28''$ east 191.58 feet to the center of said circle.

22-22-07-400-003, 22-22-07-400-004

Wind Turbine No. B-08-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 8, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 8, thence northerly 672.07 feet along the West Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence north $87^{\circ}-37'-02''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1907.78 feet; thence south $02^{\circ}-22'-58''$ east 133.87 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 8, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 8, thence northerly 672.07 feet along the West Line of said Northwest Quarter; thence north $87^{\circ}-37'-02''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1907.78 feet; thence south $02^{\circ}-22'-58''$ east 133.87 feet to the center of said circle.

22-22-08-100-004, 22-22-08-100-005

Wind Turbine No. B-08-1-2

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 8, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 8, thence northerly 672.07 feet along the West Line of said Northwest Quarter; thence

north 87°-37'-02" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 787.11 feet to the Point of Beginning; From said Point of Beginning, thence north 02°-22'-58" west 186.00 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 8, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 8, thence northerly 672.07 feet along the West Line of said Northwest Quarter; thence north 87°-37'-02" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 787.11; thence north 02°-22'-58" west 186.00 feet to the center of said circle.

22-22-08-100-004, 22-22-08-100-005

Wind Turbine No. B-09-4-1

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 9, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 9, thence easterly 10.00 feet along the South Line of said Southeast Quarter; thence north 01°-41'-53" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1134.59 feet to the Point of Beginning; From said Point of Beginning, thence north 87°-52'-34" east 500.34 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 9, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 9, thence easterly 10.00 feet along the South Line of said Southeast Quarter; thence north 01°-41'-53" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1134.59 feet; thence north 87°-52'-34" east 500.34 feet to the center of said circle.

22-22-09-400-007, 22-22-09-400-008

Wind Turbine No. B-09-4-2

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 9, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 9, thence easterly 10.00 feet along the South Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence north $01^{\circ}-41'-53''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2122.12 feet; thence north $87^{\circ}-43'-19''$ east 799.43 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 9, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 9, thence easterly 10.00 feet along the South Line of said Southeast Quarter; thence north $01^{\circ}-41'-53''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2122.12 feet; thence north $87^{\circ}-43'-19''$ east 799.43 feet to the center of said circle.

22-22-09-400-007, 22-22-09-400-008

Wind Turbine No. B-10-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 615.47 feet to the Point of Beginning; From said Point of Beginning, thence north $01^{\circ}-16'-14''$ west 527.61 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 615.47 feet; thence north $01^{\circ}-16'-14''$ west 527.61 feet to the center of said circle.

22-22-10-100-006, 22-22-10-100-007

Wind Turbine No. B-10-1-2

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1593.26 feet to the Point of Beginning; From said Point of Beginning, thence north $01^{\circ}-22'-30''$ west 1746.60 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1593.26 feet; thence north $01^{\circ}-22'-30''$ west 1746.60 feet to the center of said circle.

22-22-10-100-004, 22-22-10-100-005

Wind Turbine No. B-10-1-3

A strip of land 3 feet wide being a part of the North Half of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2734.03 feet; thence north $01^{\circ}-28'-46''$ west 811.64 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the North Half of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2734.03 feet; thence north $01^{\circ}-28'-46''$ west 811.64 feet to the center of said circle.

22-22-10-200-005, 22-22-10-200-006

Wind Turbine No. B-10-3-1

A strip of land 3 feet wide being a part of the West Half of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2148.63 feet to the Point of Beginning; From said Point of Beginning, thence south $01^{\circ}-53'-19''$ east 160.64 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the West Half of Section 10, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 10, thence northerly 10.00 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-06'-41''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2148.63 feet; thence south $01^{\circ}-53'-19''$ east 160.64 feet to the center of said circle.

22-22-10-300-006, 22-22-10-300-007

Wind Turbine No. B-14-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 14, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 14, thence northerly 12.12 feet along the West Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence north $88^{\circ}-02'-43''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2049.50 feet; thence north $01^{\circ}-57'-17''$ west 543.61 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 14, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 14, thence northerly 12.12 feet along the West Line of said Northwest Quarter; thence north $88^{\circ}-02'-43''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2049.50 feet; thence north $01^{\circ}-57'-17''$ west 543.61 feet to the center of said circle.

22-22-14-100-003, 22-22-14-100-004

Wind Turbine No. B-14-4-1

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 14, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 14, thence easterly 10.00 feet along the South Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence north 01°-40'-08" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 819.82 feet; thence north 88°-19'-52" east 140.06 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 14, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 14, thence easterly 10.00 feet along the South Line of said Southeast Quarter; thence north 01°-40'-08" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 819.82 feet; thence north 88°-19'-52" east 140.06 feet to the center of said circle.

22-22-14-400-005, 22-22-14-400-006

Wind Turbine No. B-15-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 15, thence westerly 17.00 feet along the North Line of said Northwest Quarter; thence south 01°-39'-16" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 698.53 feet; thence south 23°-31'-59" west 144.29 feet; thence south 20°-55'-18" east 186.10 feet; thence south 01°-39'-16" east 472.94 feet to the Point of Beginning; From said Point of Beginning, thence south 88°-22'-16" west 769.72 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 15, thence westerly 17.00 feet along the North Line of said Northwest Quarter; thence south 01°-39'-16" east (Bearings derived from Global Positioning – Illinois State Plane

Coordinates – West Zone) 698.53 feet; thence south 23°-31'-59" west 144.29 feet; thence south 20°-55'-18" east 186.10 feet; thence south 01°-39'-16" east 472.94 feet; thence south 88°-22'-16" west 769.72 feet to the center of said circle.

22-22-15-100-007, 22-22-15-100-008

Wind Turbine No. B-15-2-1

A strip of land 3 feet wide being a part of the North Half of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 15, thence westerly 17.00 feet along the North Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence south 01°-39'-16" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 698.53 feet; thence south 23°-31'-59" west 144.29 feet; thence south 20°-55'-18" east 186.10 feet; thence south 01°-39'-16" east 598.42 feet; thence north 87°-53'-35" east 444.83 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the North Half of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 15, thence westerly 17.00 feet along the North Line of said Northwest Quarter; thence south 01°-39'-16" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 698.53 feet; thence south 23°-31'-59" west 144.29 feet; thence south 20°-55'-18" east 186.10 feet; thence south 01°-39'-16" east 598.42 feet; thence north 87°-53'-35" east 444.83 feet to the center of said circle.

22-22-15-200-009, 22-22-15-200-010

Wind Turbine No. B-15-3-1

A strip of land 3 feet wide being a part of the Southwest Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southwest Quarter of said Section 15, thence easterly 1323.31 feet along the South Line of said Southwest Quarter to the

Point of Beginning; From said Point of Beginning, thence north 01°-50'-30" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2140.20 feet; thence south 88°-06'-43" west 787.09 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southwest Quarter of said Section 15, thence easterly 1323.31 feet along the South Line of said Southwest Quarter; thence north 01°-50'-30" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2140.20 feet; thence south 88°-06'-43" west 787.09 feet to the center of said circle.

22-22-15-300-003, 22-22-15-300-004

Wind Turbine No. B-15-4-1

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 15, thence easterly 10.00 feet along the South Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence north 01°-39'-16" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 718.40 feet; thence north 34°-30'-33" east 358.84 feet; thence north 21°-45'-14" east 335.15 feet; thence north 88°-08'-53" east 304.88 feet; thence north 01°-39'-16" west 526.33 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 15, thence easterly 10.00 feet along the South Line of said Southeast Quarter; thence north 01°-39'-16" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 718.40 feet; thence north 34°-30'-33" east 358.84 feet;

thence north 21°-45'-14" east 335.15 feet; thence north 88°-08'-53" east 304.88 feet; thence north 01°-39'-16" west 526.33 feet to the center of said circle.

22-22-15-400-007, 22-22-15-400-008

Wind Turbine No. B-15-4-2

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 15, thence westerly 1052.62 feet along the South Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence north 01°-48'-57" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 529.48 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 15, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 15, thence westerly 1052.62 feet along the South Line of said Southeast Quarter; thence north 01°-48'-57" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 529.48 feet to the center of said circle.

22-22-15-400-009, 22-22-15-400-011, 22-22-15-400-010

Wind Turbine No. B-16-4-1

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 16, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northwest Quarter of the Southeast Quarter of said Section 16, thence westerly 527.11 feet along the South Line of the Northwest Quarter of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence north 01°-32'-11" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 553.52 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 16, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northwest Quarter of the Southeast Quarter of said Section 16, thence westerly 527.11 feet along the South Line of the Northwest Quarter of said Southeast Quarter; thence north $01^{\circ}-32'-11''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 553.52 feet to the center of said circle.

22-22-16-400-008, 22-22-16-400-009

Wind Turbine No. B-21-2-1

A strip of land 3 feet wide being a part of the Northeast Quarter of Section 21, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the West Half of the Northeast Quarter of said Section 21, thence easterly 62.45 feet along the North Line of said Northeast Quarter to the Point of Beginning; From said Point of Beginning, thence south $78^{\circ}-51'-44''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 63.25 feet; thence south $87^{\circ}-57'-34''$ west 778.95 feet; thence south $02^{\circ}-02'-26''$ east 367.22 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northeast Quarter of Section 21, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the West Half of the Northeast Quarter of said Section 21, thence easterly 62.45 feet along the North Line of said Northeast Quarter; thence south $78^{\circ}-51'-44''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 63.25 feet; thence south $87^{\circ}-57'-34''$ west 778.95 feet; thence south $02^{\circ}-02'-26''$ east 367.22 feet to the center of said circle.

22-22-21-200-004, 22-22-21-200-005

Wind Turbine No. B-22-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 22, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 22, thence westerly 10.00 feet along the North Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence south $01^{\circ}-32'-06''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2121.56 feet; thence south $87^{\circ}-34'-13''$ west 1558.05 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 22, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 22, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-32'-06''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2121.56 feet; thence south $87^{\circ}-34'-13''$ west 1558.05 feet to the center of said circle.

22-22-22-100-003, 22-22-22-100-004

Wind Turbine No. B-22-1-2

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 22, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 21, thence westerly 10.00 feet along the North Line of said Northwest; thence south $01^{\circ}-32'-06''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2121.56 feet; thence south $87^{\circ}-34'-13''$ west 136.87 feet Quarter to the Point of Beginning; From said Point of Beginning, thence south $02^{\circ}-25'-47''$ east 29.97 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 22, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle

having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 21, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-32'-06" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2121.56 feet; thence south 87°-34'-13" west 136.87 feet; thence south 02°-25'-47" east 29.97 feet to the center of said circle.

22-22-22-100-003, 22-22-22-100-004

Wind Turbine No. B-23-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence south 88°-02'-34" west 1733.99 feet to the Point of Beginning; From said Point of Beginning, thence north 01°-57'-26" west 510.22 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence south 88°-02'-34" west 1733.99 feet; thence north 01°-57'-26" west 510.22 feet to the center of said circle.

22-22-23-100-007, 22-22-23-100-008

Wind Turbine No. B-23-1-2

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1676.01 feet to the Point of Beginning; From said Point of Beginning, thence south $88^{\circ}-26'-05''$ west 553.99 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1676.01 feet; thence south $88^{\circ}-26'-05''$ east 553.99 feet to the center of said circle.

22-22-23-100-005, 22-22-23-100-006, 22-22-23-100-009

Wind Turbine No. B-23-2-2

A strip of land 3 feet wide being a part of the North Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 609.20 feet to the Point of Beginning; From said Point of Beginning, thence north $88^{\circ}-26'-05''$ east 157.09 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the North Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 609.20 feet; thence north $88^{\circ}-26'-05''$ east 157.09 feet to the center of said circle.

22-22-23-200-005, 22-22-23-200-006

Wind Turbine No. B-23-3-1

A strip of land 3 feet wide being a part of the West Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet to the Point of Beginning; From said Point of Beginning, thence south $88^{\circ}-02'-34''$ west 2057.49 feet; thence south $01^{\circ}-57'-26''$ east 1008.64 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the West Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-33'-55''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence south $88^{\circ}-02'-34''$ west 2057.49 feet; thence south $01^{\circ}-57'-26''$ east 1008.64 feet to the center of said circle.

22-22-23-300-005, 22-22-23-300-006

Wind Turbine No. B-23-3-2

A strip of land 3 feet wide being a part of the West Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence south 88°-02'-34" west 503.99 feet to the Point of Beginning; From said Point of Beginning, thence south 01°-57'-26" east 464.38 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the West Half of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence south 88°-02'-34" west 503.99 feet; thence south 01°-57'-26" east 464.38 feet to the center of said circle.

22-22-23-300-005, 22-22-23-300-007

Wind Turbine No. B-23-4-2

A strip of land 3 feet wide being a part of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2655.50 feet; thence north 88°-02'-34" east 1097.11 feet; thence south 01°-57'-26" east 518.10 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 23, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 23, thence westerly 10.00 feet along the North Line of said Northwest Quarter; thence south 01°-33'-55" east (Bearings derived from Global Positioning – Illinois State Plane

Coordinates – West Zone) 2655.50 feet; thence north $88^{\circ}-02'-34''$ east 1097.11 feet; thence south $01^{\circ}-57'-26''$ east 518.10 feet to the center of said circle.

22-22-23-400-007, 22-22-23-400-008

Wind Turbine No. B-25-1-1

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 25, thence westerly 11.11 feet along the North Line of said Northwest Quarter to the Point of Beginning; From said Point of Beginning, thence south $01^{\circ}-38'-35''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1336.71 feet; thence south $88^{\circ}-35'-58''$ west 492.13 feet; thence south $01^{\circ}-24'-02''$ east 261.77 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 25, thence westerly 11.11 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-38'-35''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1336.71 feet; thence south $88^{\circ}-35'-58''$ west 492.13 feet; thence south $01^{\circ}-24'-02''$ east 261.77 feet to the center of said circle.

22-22-25-100-006, 22-22-25-100-007

Wind Turbine No. B-25-1-2

A strip of land 3 feet wide being a part of the Northwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 25, thence westerly 11.11 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-38'-35''$ east (Bearings derived from Global Positioning – Illinois State Plane

Coordinates – West Zone) 544.90 feet to the Point of Beginning; From said Point of Beginning, thence south $88^{\circ}-36'-46''$ west 500.80 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 25, thence westerly 11.11 feet along the North Line of said Northwest Quarter; thence south $01^{\circ}-38'-35''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 544.90 feet; thence south $88^{\circ}-36'-46''$ west 500.80 feet to the center of said circle.

22-22-25-100-008, 22-22-25-100-009

Wind Turbine No. B-25-3-1

A strip of land 3 feet wide being a part of the Southwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southwest Corner of the Southwest Quarter of said Section 25, thence northerly 709.62 feet along the West Line of said Southwest Quarter to the Point of Beginning; From said Point of Beginning, thence north $88^{\circ}-14'-34''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 807.52 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southwest Quarter of Section 25, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southwest Corner of the Southwest Quarter of said Section 25, thence northerly 709.62 feet along the West Line of said Southwest Quarter; thence north $88^{\circ}-14'-34''$ east (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 807.52 feet to the center of said circle.

22-22-25-300-005, 22-22-25-300-006

Wind Turbine No. B-26-2-1

A strip of land 3 feet wide being a part of the Northeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 26, thence northerly 1337.52 feet along the East Line of said Northeast Quarter to the Point of Beginning; From said Point of Beginning, thence south $88^{\circ}-01'-58''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2151.85 feet; thence south $01^{\circ}-41'-39''$ east 737.47 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 26, thence northerly 1337.52 feet along the East Line of said Northeast Quarter; thence south $88^{\circ}-01'-58''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2151.85 feet; thence south $01^{\circ}-41'-39''$ east 737.47 feet to the center of said circle.

22-22-26-200-006, 22-22-26-200-007

Wind Turbine No. B-26-2-2

A strip of land 3 feet wide being a part of the Northeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 26, thence northerly 1337.52 feet along the East Line of said Northeast Quarter thence south $88^{\circ}-01'-58''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2111.21 feet to the Point of Beginning; From said Point of Beginning, thence north $01^{\circ}-35'-04''$ west 785.87 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Northeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle

having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 26, thence northerly 1337.52 feet along the East Line of said Northeast Quarter thence south 88°-01'-58" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2111.21 feet; thence north 01°-35'-04" west 785.87 feet to the center of said circle.

22-22-26-200-004, 22-22-26-200-005

Wind Turbine No. B-26-3-1

A strip of land 3 feet wide being a part of the South Half of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter to the Point of Beginning; From said Point of Beginning, thence south 88°-26'-09" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2669.45 feet; thence north 01°-41'-39" west 1535.84 feet; thence south 88°-04'-04" west 793.96 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the South Half of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter; thence south 88°-26'-09" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2669.45 feet; thence north 01°-41'-39" west 1535.84 feet; thence south 88°-04'-04" west 793.96 feet to the center of said circle.

22-22-26-300-004, 22-22-26-300-005

Wind Turbine No. B-26-4-2

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter; thence south 88°-26'-09" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1079.24 feet to the Point of Beginning; From said Point of Beginning, thence south 01°-33'-51" east 30.00 feet to the Point of Terminus.

ALSO:

All that part of a circle lying in the Southeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, said circle having a radius of 55.00 feet and a circumference of 345.58 feet with the center of said circle being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter; thence south 88°-26'-09" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 1079.24 feet; thence south 01°-33'-51" east 30.00 feet to the center of said circle.

22-22-26-400-004, 22-22-26-400-005

Wind Turbine No. B-26-4-4

A strip of land 3 feet wide being a part of the Southeast Quarter of Section 26, Township 22 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, and lying 1.5 feet on each side of the following described Centerline:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter; thence south 88°-26'-09" west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2289.04 feet to the Point of Beginning; From said Point of Beginning, thence south 01°-33'-51" east 30.00 feet to the Point of Terminus.

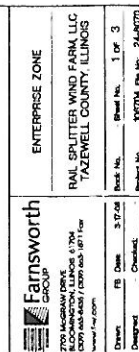
ALSO:

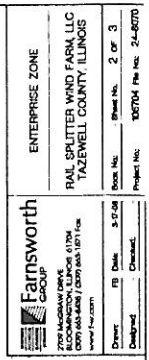
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Commencing at the Southeast Corner of the Southeast Quarter of said Section 26, thence northerly 575.91 feet along the East Line of said Southeast Quarter; thence south $88^{\circ}-26'-09''$ west (Bearings derived from Global Positioning – Illinois State Plane Coordinates – West Zone) 2289.04 feet; thence south $01^{\circ}-33'-51''$ east 30.00 feet to the center of said circle.

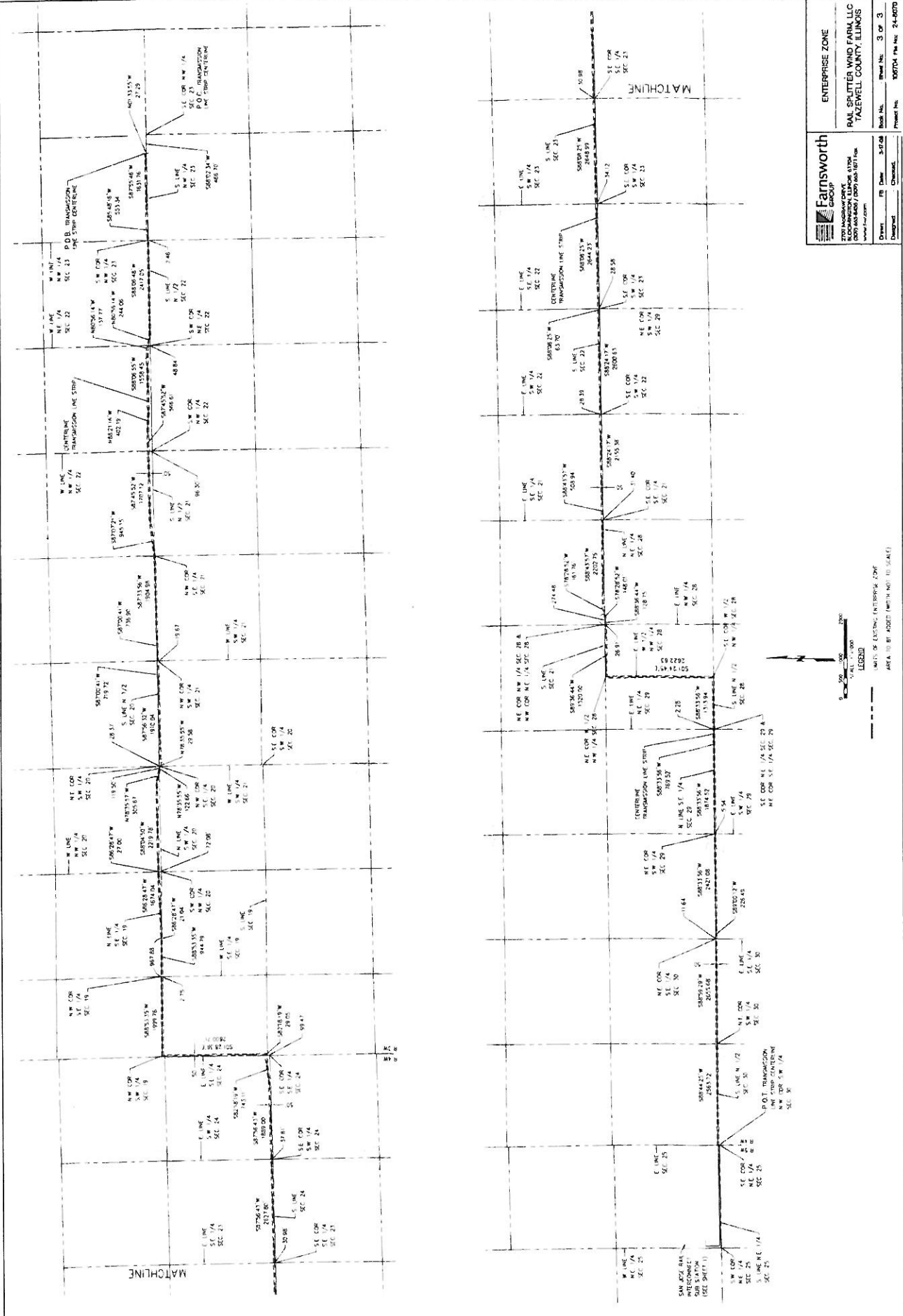
22-22-26-400-004, 22-22-26-400-005

EXHIBIT B
Map of the Amended Territory





SEE SHEET 3 OF 3 FOR
TRANSMISSION LINE



Farnsworth	
3700 N. W. 10th Ave. Suite 100 Ocala, FL 34476-1000 352.233.1000 www.farnsworth.com	
Drawn	ITB
Checked	ITB
Designated	ITB
Sheet No.	3 of 3
Project No.	100704, File No. 24-0070

ENTERPRISE ZONE
RAIL SPLITTER WHOLE FARM, LLC
TAYLOR COUNTY, ILLINOIS
100704, File No. 24-0070

LEGEND
--- EXISTING ENTERPRISE ZONE
--- RAIL

Scale: 1" = 200'

Illinois Enterprise Zone Program

Application to Delete Territory from the Pekin/Tazewell County Enterprise Zone

Submitted by:

City of Pekin
County of Tazewell

OPTION 1

PART A: APPLICANT

PART B. ELIGIBILITY CRITERION

- 1. State the economic development objectives that were identified for the area at the time of zone certification. Include a description of the problems or conditions that were addressed by the objectives. Provide statistics and documentation showing the extent of the problem.**

Information responding to this question as it relates to the Rail Splitter Wind Energy Project (the "Rail Splitter Project") developed by Rail Splitter Wind Farm, LLC ("Rail Splitter") in conjunction with its parent, Horizon Wind Energy LLC ("Horizon"), was included under Parts C, D, and E of the "Application to Add Territory to the Pekin/Tazewell County Enterprise Zone," which application was approved and certified by the Illinois Department of Commerce and Economic Opportunity ("DCEO") on October 15, 2008 (and which is incorporated herein by reference and attached hereto at Tab 2). At the time of zone certification, the City of Pekin and Tazewell County noted that the economy in the City of Pekin and Tazewell County "is severely depressed" and such "economic conditions adversely impact upon the individual citizens, businesses and taxing authorities within" the City of Pekin and Tazewell County. The Pekin/Tazewell County Enterprise Zone has sought to promote private sector development in order to promote economic benefits for the residents of the Pekin/Tazewell County area. The Rail Splitter Project has furthered these objectives by creating construction, operation, and maintenance jobs; the production of renewable energy; improved transportation infrastructure; lease payments to local farmers; and indirect tourism revenue.

- 2. Describe and document the specific development commitment(s) and revitalization efforts that have occurred since enterprise zone certification.**

Information responding to this question as it relates to the Rail Splitter Project is outlined under Parts C, D, and E of the "Application to Add Territory to the Pekin/Tazewell County Enterprise Zone," which application was approved and certified by the DCEO on October 15, 2008 (and which is incorporated herein by reference and attached hereto at Tab 2). The development commitments and revitalization efforts related to the Rail Splitter Project included the creation of construction, operation, and maintenance jobs; the production of renewable energy; improved transportation infrastructure; lease payments to local farmers; and indirect tourism revenue.

- 3. Describe how, and the extent to which, the commitment(s) and efforts described in #2 above accomplished the economic development objectives for the proposed deleted areas and the enterprise zone program.**

Information responding to this question as it relates to the Rail Splitter Project is outlined under Parts C, D, and E of the "Application to Add Territory to the Pekin/Tazewell County Enterprise Zone," which application was approved and certified by the DCEO on October 15, 2008 (and which is incorporated herein by reference and attached hereto at Tab 2). Among other objectives, the Pekin/Tazewell County Enterprise Zone has sought to promote private sector economic development in order to promote economic benefits for the residents of the Pekin/Tazewell County area. The Rail Splitter Project, as described above, has furthered such objectives by providing new jobs, new renewable energy sources, improved infrastructure, and lease payments to local farmers.

PART C. DESCRIPTIVE INFORMATION

1. Total area of the existing enterprise zone: 10.71 square miles
2. Area of the proposed deletion: Acres 372.1 Square Miles 0.5814
3. Population of the proposed deletion: 0
4. Is the amended enterprise zone contiguous:

Yes: X No:

PART D. PURPOSE OF AMENDMENT

Explain why the amendment is being requested.

The amendment is being requested to delete from the existing Pekin/Tazewell County Enterprise Zone territory that was previously added in connection with the Rail Splitter Project, but which is no longer required as a result of the completion of construction of the Rail Splitter Project and the accomplishment of the local objectives for economic development for this portion of the Enterprise Zone. The amendment of the Enterprise Zone boundaries to delete territory no longer required after construction of the Rail Splitter Project was contemplated by the original "Application to Add Territory to the Pekin/Tazewell County Enterprise Zone" related to the Rail Splitter Project, which application was approved and certified by the DCEO on October 15, 2008 (and which is incorporated herein by reference and attached hereto at Tab 2). The net result of this amendment will be to reduce the Pekin/Tazewell County Enterprise Zone by approximately 372 acres (0.5814 square miles). This reduction in the size of the Pekin/Tazewell Enterprise Zone will enable other projects to benefit from Enterprise Zone incentives in the future.

The general purposes behind the Rail Splitter Project are the same as described in the original application that was approved by the DCEO on October 15, 2008. The Rail Splitter Project presents an economic opportunity that will bring new investments and job opportunities to the area. The Rail Splitter Project contemplates the construction of a wind powered electrical generation facility located partially in unincorporated Tazewell County.

The Rail Splitter Project will inject an important economic stimulus to the surrounding area, including the City of Pekin and Tazewell County. The Rail Splitter Project involves a substantial investment of approximately \$150 million and will result in the creation of approximately 160 full-time and equivalent full-time jobs, consisting of approximately 150 equivalent full-time jobs during construction and up to 10 ongoing full-time operation and maintenance jobs.

PART E. BENEFIT ENTITLEMENT

Describe the administrative mechanism that will be implemented to provide tax incentives and benefits for the original term of the enterprise zone to business enterprises and homestead program participants who qualify for "benefit entitlement" under Sec. 5.4(d)(e) of the Enterprise Zone Act.

Not Applicable: This amendment will not alter incentives and benefits previously offered in the Enterprise Zone, as it is only deleting unused land around the Rail Splitter Project post-construction to enable other projects to benefit from Enterprise Zone incentives in the future. This deletion of territory was contemplated in the original "Application to Add Territory to the Pekin/Tazewell County Enterprise Zone" related to the Rail Splitter Project, which application was approved and certified by the DCEO on October 15, 2008 (and which is incorporated herein by reference and attached hereto at Tab 2).

PART F. APPLICANT CERTIFICATION

THE APPLICANT CERTIFIES THAT:

To the best of my knowledge and belief, data, and other information in this application are true and correct, and this document has been authorized by the governing body of the applicant.

CERTIFYING REPRESENTATIVE:

(To be signed by the Chief Elected Official or Designee)

City of Pekin
Designating Unit of Government

Chief Elected Official or Designee

Date

Mayor
Title

CERTIFYING REPRESENTATIVE:

(To be signed by the Chief Elected Official or Designee)

County of Tazewell
Designating Unit of Government

Chief Elected Official or Designee

Date

County Board Chairman
Title

APPDELE

LIST OF ATTACHMENTS

- Tab 2 Application to Add Territory to the Pekin/Tazewell County Enterprise Zone and DCEO approval, dated October 15, 2008
- Tab 3 Pekin/Tazewell County Enterprise Zone Notice of Public Hearing and Transcript of Pekin/Tazewell County Enterprise Zone Public Hearing
- Tab 4 The original and two certified copies of City of Pekin, Illinois ordinance deleting territory from the Pekin/Tazewell County Enterprise Zone
- Tab 5 The original and two certified copies of County of Tazewell, Illinois ordinance deleting territory from the Pekin/Tazewell County Enterprise Zone
- Tab 6 The original and two certified copies of the amendment to the Intergovernmental Agreement between the City of Pekin and the County of Tazewell
- Tab 7 A legal description of the proposed area for deletion from the Pekin/Tazewell County Enterprise Zone and a map of the proposed deletion and its relation to the boundaries of the current Pekin/Tazewell County Enterprise Zone
- Tab 8 Community Support



REQUEST FOR COUNCIL ACTION

To: Council Members

CC: Dennis Kief, Sue McMillan, Angie Evans, & City Attorney

From: Joe Wuellner

AGENDA ITEM: Franchise Agreement with Bitwise Communications, Inc. (dba – OmniLEC)

AGENDA DATE REQUESTED: October 13, 2009

ACTION REQUESTED: Approve franchise agreement with OmniLEC to allow them to provide home video service.

BACKGROUND: OmniLEC has been doing business in Pekin for the last 4 to 5 years and have now partnered with Family Video to start providing home video service. This franchise agreement is similar to the one currently in effect with Comcast and includes provisions for OmniLEC to provide local area networking between all the City's facilities along with Internet. Agreement has been reviewed by the City Attorney's office and differences have been resolved.

I recommend that this agreement be approved.

FINANCIAL IMPACT: Will become a new revenue source

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: Citizens will be afforded another option for home video services and a new revenue source for the City

IMPACT IF DENIED: None of the above

ALTERNATIVES: N/A

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation and High Quality of Life

REQUIRED SIGNATURES

Department Director

Date

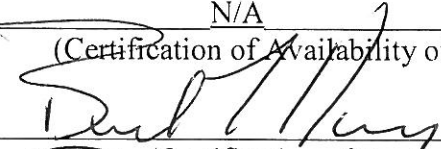
Finance Department

N/A

(Certification of Availability of Funds)

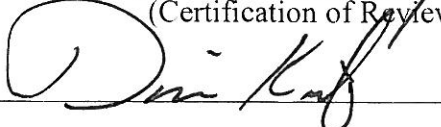
Date

Corporation Counsel


(Certification of Review)

10-7-09
Date

City Manager


10-7-09
Date

ORDINANCE NO. 2598 – 09/10

FRANCHISE AGREEMENT

This Franchise Agreement (this "Agreement") is dated as of _____, 2009 by and between the City of Pekin, Illinois (the "City") and Bitwise Communications, Inc. DBA OmniLEC (the "Company"). The City and the Company are referred to herein individually as a Party and together as the Parties.

WHEREAS, the Company is proposing to operate a cable communications system (the "Business") in the City;

WHEREAS, the City intends, by the adoption of an ordinance to be effective _____ 1, 2009 (the "Ordinance"), to authorize the Company to operate its Business in the City, pursuant to the Ordinance; and

WHEREAS, the State of Illinois has delegated to the City the authority to grant a franchise the "Franchise") for businesses like the Business within the City's territorial boundaries, and pursuant to the Ordinance, the City hereby exercises its authority to grant a non-exclusive franchise permitting the operation of the Business within the City.

NOW, THEREFORE, in consideration of the representations, warranties, premises and covenants contained in this Agreement and for other good and valuable consideration, the Parties agree as follows:

SECTION 1: DEFINITIONS. For the purpose of this Agreement the following terms, phrases, words, abbreviations, and their derivations shall have the meaning herein given. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

(a) "CATV" shall mean a cable communications system as hereinafter defined.

(b) "Cable Communications System" shall mean a system of antennas, cables, wires, lines, fiber optic cables, towers, waveguides or other conductors, converters, equipment or facilities, used for distributing video programming to home subscribers, and/or producing, receiving, amplifying, storing, processing, or distributing audio, video, digital or other forms of electrical signals to, from and between subscribers and other users.

(c) "Cable Service" shall mean linear or video or on demand services and shall specifically exclude services provided over the Internet including data or bandwidth services.

(d) "City Facilities" shall mean the City's main city building, fire, police, pump stations and other municipal buildings owned by the City within City limits for the purposes of delivering such services to the residents of the City; provided, however, that City Facilities shall not include residential or housing facilities that may be owned or operated by the City.

(e) "Confidential Information" shall mean and include all information relating to the business (including the Business), products, services or personnel of Company, including without limitation the following: (i) information relating to planned or existing computer systems and systems architecture, including computer hardware, computer software, source code, object code, documentation, methods of processing and operational methods; and (ii) customer lists, sales, profits, customer data and information, organizational restructuring, new business initiatives and financial information. Notwithstanding the foregoing, Confidential Information shall not include information that: (i) is or becomes generally known

to the public; (ii) is rightfully in the possession of City, or (iii) is received in good faith and without restriction from a third party not under a confidentiality obligation and having the right to make such disclosure

(f) "Council" shall mean the governing body of the City.

(g) "Franchise Area" shall mean that area within the corporate limits of the City.

(h) "FCC" shall mean the Federal Communications Commission.

(i) "Gross Subscriber Revenues" shall mean all revenues paid and received by the Company from Subscribers for Cable Service, excluding: taxes, franchise fees, or other assessments collected for governmental authorities; bad debt expense; subscriber deposits; and, installation and disconnection charges.

(j) "ICC" shall mean the Illinois Commerce Commission.

(k) "Mayor" shall mean the Mayor of the City.

(l) "Person" shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

(m) "Property of Company" shall mean all property owned, installed or used by the Company in the conduct of the Business in the Franchise Area.

(n) "Public Property" shall mean any real property owned by the City other than a Street.

(o) "Street" shall mean the surface of and the space above and below any public street, right-of-way, road, highway, freeway, bridge, lane, path, alley, court, sidewalk, parkway, drive, communication, or utility easement, on or hereafter existing as such within the franchise area.

(p) "Subscriber" shall mean any person or entity who subscribes to a service provided by the Company by means of the Business.

SECTION 2: GRANT OF AUTHORITY.

(a) The City has approved the legal, character, financial, technical and other qualifications of the Company and the adequacy and feasibility of the Company's construction arrangements as part of a full public proceeding affording due process, there is hereby granted by the City to the Company the right and privilege to continue to engage in the Business including, without limitation, operating and providing a CATV system in the City and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain and retain in, on, over, under, upon, across and along any Street and Public Property, now laid out or dedicated and all extensions thereof and additions thereto in the Franchise Area such poles, wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, attachments, and other property as may be necessary and appurtenant to the CATV system; and in addition, so to use, operate, and provide similar facilities or properties rented or leased from other persons, firms or corporations including but not limited to any public utility or other grantee franchised or permitted to do business in the City.

(b) The City, in granting such rights and privileges to the Company to engage in the Business, including without limitation, operating and providing a CATV system in the City, shall grant to the Company all

access to premises privileges, pursuant to all applicable local, state and federal laws.

(c) Neither this Agreement nor any of the Company's rights or obligations hereunder shall be assigned or otherwise transferred without the prior written consent of the City, which shall not be unreasonably withheld. Consent of the City shall not, however, be required for a transfer to a parent, subsidiary, or affiliate of the Company.

SECTION 3: NON-EXCLUSIVE GRANT.

(a) The license granted herein pursuant to the Franchise and the right to use and occupy said Streets and Public Property for the purpose herein set forth, shall not be exclusive, and the City reserves the right to grant the same use in said Streets and Public Property to any other person.

(b) In the event that the City permits another CATV System to operate within the City, City shall provide notice to the Company of such grant, the terms of such grant and any terms more favorable than those extended to the Company, may be applicable to the Company and the Business through an amendment to the existing agreement.

SECTION 4: TERM OF FRANCHISE AND RENEWAL.

(a) This Franchise and rights herein granted shall take effect upon the final passage of the Ordinance, and shall continue in force and effect for a term of twenty-five (25) years (the "Term") beginning August 1, 2009.

(b) The Franchise may be renewed upon the same terms and conditions for additional periods, each period not to exceed twenty five (25) years, following full applicable proceedings under Section 546 of the Cable Communications Policy Act of 1984, as amended.

SECTION 5: INCORPORATION OF FEDERAL AND STATE REGULATIONS.

(a) Notwithstanding anything contained herein to the contrary, the City and the Company acknowledge and agree that the Company's obligations hereunder or with respect to the Business, shall be subject to, and governed by, the FCC and ICC rules and regulations as applicable to Company, including, without limitation, with respect to Company's obligations relating to conditions of street occupancy, safety requirements, system extension, operational standards. The Parties agree that in the event the Company and the State of Illinois enter into a franchise agreement (a "State Agreement") granting Company rights for the state of Illinois, in the event of any conflict between this Agreement and the State Agreement, the terms of the State Agreement shall take precedence; provided however, that in the event of any such conflict, all other terms of this Agreement shall remain in full force and effect.

(b) EXCEPT AS EXPRESSLY SET FORTH HEREIN, THE COMPANY MAKES NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE BUSINESS AND ALL SUCH WARRANTIES ARE HEREBY DISCLAIMED

SECTION 6: CITY OPERATIONS

Upon the request of City, Company agrees to make commercially reasonable efforts to provide Company's basic commercial package of Services including, private data communication, Internet services, data transport services, including without limitation, TLS, to and for the City Facilities. Company acknowledges and agrees that (i) Company shall provide City with notice of any upgrade or improvements to the basic package of services and shall make commercially reasonable efforts to upgrade City's basic services as promptly as possible and (ii) at any time, the City may upgrade such basic services by providing notice to the Company of its desire to upgrade such services and City shall pay

Company the difference between the price of the basic package and the then current price for any such additional services ordered by the City.

SECTION 7: CUSTOMER SERVICE OBLIGATIONS

The Company shall maintain a business office which Subscribers may telephone during regular business hours without incurring added message or toll charges, so that maintenance service shall be promptly available. Should a Subscriber have an unresolved complaint regarding the quality of Cable Service, equipment malfunctions, or similar matters, the Subscriber shall be entitled to file his complaint with the City Clerk and thereafter to meet jointly with a representative designated by the Mayor and a representative of the Company within thirty (30) days to fully discuss and resolve such matter.

SECTION 8: FRANCHISE PAYMENTS.

The Company shall pay to the City, within forty-five (45) days after the last business day of each calendar quarter (beginning the first calendar quarter after the Effective Date), a fee in an amount equal to five percent (5%) ("Franchise Fee") of Gross Subscriber Revenues for the preceding calendar quarter. In consideration of Company's payment of the Franchise Fee and other consideration hereunder, no other fee, charge, or consideration shall be due from the Company to the City, as of the date hereof, the Effective Date, or anytime thereafter, in connection with this Agreement, the Business, the CAT System or otherwise and City hereby forever waives the right to charge Company any such fee, charge or consideration that it may charge Company pursuant to any rule, regulation or ordinance. The Company shall provide a quarterly summary report verified by an officer of the Company showing its Gross Subscriber Revenues received during the preceding calendar quarter.

SECTION 9: INDEMNIFICATION OF THE CITY.

(a) The Company shall at all times protect and hold harmless the City from all third party claims, actions, suits, liability, loss, expense or damages of every kind and description, including investigation costs, court costs, and attorney's fees which may accrue to be suffered or claimed by any person or persons arising out of the gross negligence or willful misconduct of the Company or the violation of the Company of the FCC or ICC regulations. The City shall give the Company prompt notice of any such claims, actions, suits in writing. IN NO EVENT SHALL COMPANY BE LIABLE FOR ANY INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL, PUNITIVE OR EXEMPLARY DAMAGES, WHETHER SUCH DAMAGES OR LOSSES ARE ALLEGED IN TORT (INCLUDING NEGLIGENCE), CONTRACT OR INDEMNITY, EVEN IF COMPANY WAS ADVISED OR AWARE OF THE LIKELIHOOD OF SUCH DAMAGES OR LOSSES OCCURRING. Company's maximum liability for any and all claims arising directly or indirectly from the performance of its obligations under this Agreement, whether resulting from Company's negligence or otherwise, shall not in the aggregate exceed an amount equal to the Gross Subscriber Revenue paid to Company in the twelve (12) month period immediately preceding any such claim.

(b) The Company shall maintain in full force and effect during the life of any franchise, public liability insurance in a solvent insurance company authorized to do business in the State of Illinois, at no less than in the following amounts:

- (1) \$200,000 property damage in any one accident;
- (2) \$500,000 for personal injury in any one person;
- (3) \$1,000,000 for personal injury in any one accident.

Provided that all such insurance may contain reasonable deductible provisions not to exceed two hundred and fifty thousand dollars (\$250,000) for any type of coverage, and provided further, the City may require that any and all investigation of claims made by any person, firm, or corporation against the Village

arising out of any use or misuse of privileges granted to the Company hereunder shall be made by, or at the expense, of the Company or its insurer.

SECTION 10: PROCEDURE UPON TERMINATION.

Upon expiration of the Franchise, and any renewal thereof, the Company may have and it is hereby granted, the right to enter upon the Streets and Public Property of the City for the purposes of removing therefrom any or all of its property and otherwise. In so removing said property, the Company shall refill, at its own expense, any excavation that shall be made by it, and shall leave said streets and Public Property in as nearly as possible as good condition as that prevailing prior to the Company's removal of its property.

SECTION 11: NEW DEVELOPMENTS.

The City shall liberally amend the Franchise upon application of the Company, when necessary to enable the Company to take advantage of any developments in the field of transmission of video, audio, digital, and data signals, which will afford it an opportunity to more effectively, efficiently and/or economically serve its customers

SECTION 12: MODIFICATIONS.

(a) During the Term of a Franchise, the Company may need to request from the Council modifications of the Ordinance. Any required modification request by the Company not related to equipment, facilities and services issues must be submitted to the Council in writing. Upon a written request by the Company for a modification of the franchise ordinance, the City shall have sixty (60) days within which to render a decision approving, or disapproving the modification request.

(b) If a modification request is made by the Company on matters involving issues related to the Company's equipment, facilities, and services, the City shall follow all procedures as set forth under 47 U.S.C. Section 545 of the Cable Communications Policy Act of 1984, as amended.

SECTION 13: COMPLIANCE WITH APPLICABLE LAWS AND ORDINANCES.

(a) The Company shall at all times during the life of this Franchise be subject to all lawful exercise of the police power by the City. The City reserves the right to adopt from time to time, in addition to the provisions herein contained, such ordinances as may be deemed necessary to the exercise of police power. Such regulation shall be reasonable and not destructive to the rights herein granted and not in conflict with the laws of the State or other local laws or regulations

(b) If the Company fails to abide by the terms and conditions of the Ordinance and any other applicable ordinances, the City may issue to the Company a written Notice of Violation, which notice shall specify the details of said violation (the "Violation"). If the Company has not corrected the Violation within sixty (60) days after receipt of the Notice of Violation, the Council may vote to terminate the Company's Franchise except that:

(i) The Company's Violation shall not be grounds for termination of the Franchise if said Violation is directly or indirectly related to factors or circumstances beyond the reasonable control of the Company;

(ii) The Company's Violation shall not be grounds for termination of the Franchise if said violation cannot be reasonably remedied satisfactorily within sixty (60) days. Assuming that the Company has undertaken reasonable steps to comply within sixty (60) days, and has notified the City in writing to that effect, the City shall grant an extension of time sufficient to allow the Company to complete its correction of the Violation.

SECTION 14: COMPANY RULES AND REGULATIONS.

The City acknowledges and agrees that the Company shall have the authority to promulgate such rules, regulations, terms and conditions governing the conduct of the Business as Company deems appropriate; provided, however, that such rules, regulations, terms and conditions shall not be in conflict with the provisions hereof or applicable state and federal law.

SECTION 15: MISCELLANEOUS PROVISIONS.

(a) When not otherwise prescribed herein, all matters herein required to be filed with the City shall be filed with the City Clerk.

(b) The Company shall assume the cost of publication of this Franchise if such publication is required by law. A bill for publication costs shall be presented to the Company by the City Clerk upon the Company's filing of acceptance and shall be paid at that time.

(c) If any section, subsection, sentence, clause or phrase of this Agreement is for any reason held illegal, invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The invalidity of any portion of this Agreement shall not abate, reduce or otherwise affect any consideration, rights or obligations of the Company or the City.

(d) Notwithstanding anything contained herein to the contrary, City acknowledges and agrees that Company may subcontract its obligations hereunder to third party service providers and independent contractors.

(e) All notices required to be provided hereunder shall be in writing and shall be deemed delivered, if (i) sent by facsimile, upon confirmation of faxing; (ii) if sent by overnight courier, by the date after mailing; (iii) if by hand delivery, upon actual receipt; or (iv) if by certified mail, return receipt requested and postage prepaid, on the third business day after deposit in the mails, to the addressee as follows or at such other location as such Party notifies the other pursuant to this provision:

Company: BitWise Communications, Inc.
DBA OmniLEC
331 Fulton Suite 300
Peoria, IL 61602
Fax: (309) 670-0375
Attn. Michael Shuler

With a copy to: John Furton
2500 Lehigh Ave
Glenview, IL 60026
Fax #

City Name
[address]
Fax #

(f) The Parties' failure to act hereunder shall not indicate a waiver of its rights hereto. No waiver of any provision of this Agreement shall be valid unless made in writing and signed by the waiving Party.

(g) In connection with Business, each Party agrees to disclose to the other Party such information regarding the City infrastructure, including, without limitation, street information, water lines, sewer lines, plat lines, man holes, hand holes, etc.. Such information shall, for the purposes of this Agreement be considered Confidential Information, shall be, to the extent possible, transferred electronically, and will be updated from time to time as reasonably requested by either Party. Each Party receiving such Confidential Information shall keep and maintain all such Confidential Information in strict confidence, using such degree of care as is appropriate to avoid unauthorized use or disclosure, but in no case less than reasonable care.

(h) Company reserves sole and exclusive right in, and ownership of, the tools, utilities, processes and standards developed by Company and used in connection with the Business.

IN WITNESS WHEREOF, this Agreement has been duly executed by the Parties as of the date indicated above.

BitWise Communications, Inc.
DBA OmniLEC

By: _____
Name: _____
Its: _____

City of Pekin

By: _____
Name: _____
Its: _____