

FY 2018  
ANNUAL TAX INCREMENT FINANCE  
REPORT



STATE OF ILLINOIS  
COMPTROLLER  
SUSANA A. MENDOZA

Name of Municipality: CITY OF BLOOMINGTON Reporting Fiscal Year: **2018**  
 County: MCLEAN Fiscal Year End: **4/30/2018**  
 Unit Code: 064/025/30

**TIF Administrator Contact Information**

First Name: SCOTT Last Name: RATHBUN  
 Address: 109 E OLIVE ST Title: FINANCE DIRECTOR  
 Telephone: 309-434-2336 City: BLOOMINGTON Zip: 61701  
 E-mail-  
 required srathbun@cityblm.org

I attest to the best of my knowledge, that this FY 2018 report of the redevelopment project area(s)  
 in the City/Village of:  
 is complete and accurate pursuant to Tax Increment Allocation Redevelopment Act [65 ILCS 5/11-74.4-3 et. seq.] and or  
 Industrial Jobs Recovery Law [65 ILCS 5/11-74.6-10 et. seq.].

[Signature] 12/21/18  
 Written signature of TIF Administrator Date

**Section 1 (65 ILCS 5/11-74.4-5 (d) (1.5) and 65 ILCS 5/11-74.6-22 (d) (1.5)\***

FILL OUT ONE FOR EACH TIF DISTRICT		
Name of Redevelopment Project Area	Date Designated	Date Terminated
EMPIRE STREET CORRIDOR	2/22/2016	

\*All statutory citations refer to one of two sections of the Illinois Municipal Code: The Tax Increment Allocation Redevelopment Act [65 ILCS 5/11-74.4-3 et. seq.] or the Industrial Jobs Recovery Law [65 ILCS 5/11-74.6-10 et. seq.]

**SECTION 2 [Sections 2 through 5 must be completed for each redevelopment project area listed in Section 1.]  
FY 2018**

<b>Name of Redevelopment Project Area (below):</b>  <p style="text-align: center;"><b>EMPIRE STREET CORRIDOR</b></p>	
COMBINATION / <b>Primary Use of Redevelopment Project Area*: MIXED</b>	
* Types include: Central Business District, Retail, Other Commercial, Industrial, Residential, and Combination/Mixed.	
COMMERCIAL / <b>If "Combination/Mixed" List Component Types: RETAIL</b>	
<b>Under which section of the Illinois Municipal Code was Redevelopment Project Area designated? (check one):</b> Tax Increment Allocation Redevelopment Act <span style="float: right;"><u>  X  </u></span> Industrial Jobs Recovery Law <span style="float: right;"><u>          </u></span>	

**Please utilize the information below to properly label the Attachments.**

	No	Yes
Were there any amendments to the redevelopment plan, the redevelopment project area, or the State Sales Tax Boundary? [65 ILCS 5/11-74.4-5 (d) (1) and 5/11-74.6-22 (d) (1)] <b>If yes, please enclose the amendment (labeled Attachment A)</b>	X	
Certification of the Chief Executive Officer of the municipality that the municipality has complied with all of the requirements of the Act during the preceding fiscal year. [65 ILCS 5/11-74.4-5 (d) (3) and 5/11-74.6-22 (d) (3)] <b>Please enclose the CEO Certification (labeled Attachment B).</b>		X
Opinion of legal counsel that municipality is in compliance with the Act. [65 ILCS 5/11-74.4-5 (d) (4) and 5/11-74.6-22 (d) (4)] <b>Please enclose the Legal Counsel Opinion (labeled Attachment C).</b>		X
Statement setting forth all activities undertaken in furtherance of the objectives of the redevelopment plan, including any project implemented and a description of the redevelopment activities. [65 ILCS 5/11-74.4-5 (d) (7) (A and B) and 5/11-74.6-22 (d) (7) (A and B)] <b>If yes, please enclose the Activities Statement (labeled Attachment D)</b>		X
Were any agreements entered into by the municipality with regard to the disposition or redevelopment of any property within the redevelopment project area or the area within the State Sales Tax Boundary? [65 ILCS 5/11-74.4-5 (d) (7) (C) and 5/11-74.6-22 (d) (7) (C)] <b>If yes, please enclose the Agreement(s) (labeled Attachment E)</b>		X
Is there additional information on the use of all funds received under this Division and steps taken by the municipality to achieve the objectives of the redevelopment plan? [65 ILCS 5/11-74.4-5 (d) (7) (D) and 5/11-74.6-22 (d) (7) (D)] <b>If yes, please enclose the Additional Information (labeled Attachment F)</b>		X
Did the municipality's TIF advisors or consultants enter into contracts with entities or persons that have received or are receiving payments financed by tax increment revenues produced by the same TIF? [65 ILCS 5/11-74.4-5 (d) (7) (E) and 5/11-74.6-22 (d) (7) (E)] <b>If yes, please enclose the contract(s) or description of the contract(s) (labeled Attachment G)</b>	X	
Were there any reports or meeting minutes submitted to the municipality by the joint review board? [65 ILCS 5/11-74.4-5 (d) (7) (F) and 5/11-74.6-22 (d) (7) (F)] <b>If yes, please enclose the Joint Review Board Report (labeled Attachment H)</b>		X
Were any obligations issued by the municipality? [65 ILCS 5/11-74.4-5 (d) (8) (A) and 5/11-74.6-22 (d) (8) (A)] <b>If yes, please enclose any Official Statement (labeled Attachment I). If Attachment I is answered yes, then the Analysis must be attached and (labeled Attachment J).</b>	X	
An analysis prepared by a financial advisor or underwriter setting forth the nature and term of obligation and projected debt service including required reserves and debt coverage. [65 ILCS 5/11-74.4-5 (d) (8) (B) and 5/11-74.6-22 (d) (8) (B)] <b>If attachment I is yes, then Analysis MUST be attached and (labeled Attachment J).</b>	X	
Has a cumulative of \$100,000 of TIF revenue been deposited into the special tax allocation fund? 65 ILCS 5/11-74.4-5 (d) (2) and 5/11-74.6-22 (d) (2) <b>If yes, please enclose Audited financial statements of the special tax allocation fund (labeled Attachment K).</b>	X	
Cumulatively, have deposits of incremental taxes revenue equal to or greater than \$100,000 been made into the special tax allocation fund? [65 ILCS 5/11-74.4-5 (d) (9) and 5/11-74.6-22 (d) (9)] <b>If yes, the audit report shall contain a letter from the independent certified public accountant indicating compliance or noncompliance with the requirements of subsection (q) of Section 11-74.4-3 (labeled Attachment L).</b>	X	
A list of all intergovernmental agreements in effect to which the municipality is a part, and an accounting of any money transferred or received by the municipality during that fiscal year pursuant to those intergovernmental agreements. [65 ILCS 5/11-74.4-5 (d) (10)] <b>If yes, please enclose the list only, not actual agreements (labeled Attachment M)</b>	X	

**SECTION 3.1 - (65 ILCS 5/11-74.4-5 (d)(5)(a)(b)(d)) and (65 ILCS 5/11-74.6-22 (d) (5)(a)(b)(d))**

Provide an analysis of the special tax allocation fund.

**FY 2018**

**TIF NAME:**

**EMPIRE STREET CORRIDOR**

Special Tax Allocation Fund Balance at Beginning of Reporting Period \$ (62,688)

SOURCE of Revenue/Cash Receipts:	Revenue/Cash Receipts for Current Reporting Year	Cumulative Totals of Revenue/Cash Receipts for life of TIF	% of Total
Property Tax Increment	\$ 29,963	\$ 29,963	100%
State Sales Tax Increment	\$ -	\$ -	0%
Local Sales Tax Increment	\$ -	\$ -	0%
State Utility Tax Increment	\$ -	\$ -	0%
Local Utility Tax Increment	\$ -	\$ -	0%
Interest	\$ 41	\$ 41	0%
Land/Building Sale Proceeds	\$ -	\$ -	0%
Bond Proceeds	\$ -	\$ -	0%
Transfers from Municipal Sources	\$ -	\$ -	0%
Private Sources	\$ -	\$ -	0%
Other (identify source _____; if multiple other sources, attach schedule)	\$ -	\$ -	0%

**All Amount Deposited in Special Tax Allocation Fund** \$ 30,004

**Cumulative Total Revenues/Cash Receipts** \$ 30,004 100%

**Total Expenditures/Cash Disbursements (Carried forward from Section 3.2)** \$ 5,380

**Transfers to Municipal Sources**  
**Distribution of Surplus** \$ -

**Total Expenditures/Disbursements** \$ 5,380

**Net/Income/Cash Receipts Over/(Under) Cash Disbursements** \$ 24,624

**FUND BALANCE, END OF REPORTING PERIOD\*** \$ (38,064)

\* If there is a positive fund balance at the end of the reporting period, you must complete Section 3.3

SECTION 3.2 A- (65 ILCS 5/11-74.4-5 (d) (5) (c) and 65 ILCS 5/11-74.6-22 (d) (5)(c))

FY 2018

TIF NAME:

EMPIRE STREET CORRIDOR

ITEMIZED LIST OF ALL EXPENDITURES FROM THE SPECIAL TAX ALLOCATION FUND  
(by category of permissible redevelopment project costs )

PAGE 1

Category of Permissible Redevelopment Cost [65 ILCS 5/11-74.4-3 (q) and 65 ILCS 5/11-74.6-10 (o)]	Amounts	Reporting Fiscal Year
1. Cost of studies, surveys, development of plans, and specifications. Implementation and administration of the redevelopment plan, staff and professional service cost.		
LEGAL	\$5,380	
		\$ 5,380
2. Annual administrative cost.		
NA		
		\$ -
3. Cost of marketing sites.		
NA		
		\$ -
4. Property assembly cost and site preparation costs.		
NA		
		\$ -
5. Costs of renovation, rehabilitation, reconstruction, relocation, repair or remodeling of existing public or private building, leasehold improvements, and fixtures within a redevelopment project area.		
COLONIAL PLAZA / EMPIRE CROSSING - BT BLOOMINGTON LLC	\$ -	
BAYMONT INN / BEST WESTERN PLUS - MAGNUS HOTELS LLC	\$ -	
		\$ -
6. Costs of the construction of public works or improvements.		
IAA DRIVE & FAIRWAY DRIVE IMPROVEMENT PROJECT - CITY	\$ -	
		\$ -



**SECTION 3.2 A**

**PAGE 3**

13. Relocation costs.		
NA		
		\$ -
14. Payments in lieu of taxes.		
NA		
		\$ -
15. Costs of job training, retraining, advanced vocational or career education.		
NA		
		\$ -
16. Interest cost incurred by redeveloper or other nongovernmental persons in connection with a redevelopment project.		
NA		
		\$ -
17. Cost of day care services.		
NA		
		\$ -
18. Other.		
NA		
		\$ -

<b>TOTAL ITEMIZED EXPENDITURES</b>		<b>\$ 5,380</b>
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**SECTION 3.3 - (65 ILCS 5/11-74.4-5 (d) (5d) 65 ILCS 5/11-74.6-22 (d) (5d)**

**Breakdown of the Balance in the Special Tax Allocation Fund At the End of the Reporting Period by source**

FY 2018

TIF NAME:

**EMPIRE STREET CORRIDOR**

FUND BALANCE BY SOURCE

\$ (38,064)

Amount of Original Issuance	Amount Designated
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**1. Description of Debt Obligations**

NA		

Total Amount Designated for Obligations

\$	-	\$	-
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**2. Description of Project Costs to be Paid**

COLONIAL PLAZA / EMPIRE CROSSING		\$ 1,809,992
BAYMONT INN / BEST WESTERN PLUS		\$ 675,000
IAA DRIVE & FAIRWAY DRIVE PROJECT		\$ 550,000

Total Amount Designated for Project Costs

\$ 3,034,992

TOTAL AMOUNT DESIGNATED

\$ 3,034,992

SURPLUS/(DEFICIT)

\$ (3,073,056)



SECTION 4 [65 ILCS 5/11-74.4-5 (d) (6) and 65 ILCS 5/11-74.6-22 (d) (6)]

FY 2018

TIF NAME:

EMPIRE STREET CORRIDOR

Provide a description of all property purchased by the municipality during the reporting fiscal year within the redevelopment project area.

X

Check here if no property was acquired by the Municipality within the Redevelopment Project Area.

Property Acquired by the Municipality Within the Redevelopment Project Area.

Property (1):	
Street address:	
Approximate size or description of property:	
Purchase price:	
Seller of property:	

Property (2):	
Street address:	
Approximate size or description of property:	
Purchase price:	
Seller of property:	

Property (3):	
Street address:	
Approximate size or description of property:	
Purchase price:	
Seller of property:	

Property (4):	
Street address:	
Approximate size or description of property:	
Purchase price:	
Seller of property:	

## SECTION 5 - 20 ILCS 620/4.7 (7)(F)

PAGE 1

FY 2018

TIF Name:

EMPIRE STREET CORRIDOR

Page 1 is to be included with TIF report. Pages 2 and 3 are to be included **ONLY** if projects are listed.Select **ONE** of the following by indicating an 'X':

1. <b>NO</b> projects were undertaken by the Municipality Within the Redevelopment Project Area.	
2. The Municipality <b>DID</b> undertake projects within the Redevelopment Project Area. (If selecting this option, complete 2a.)	X
2a. The number of projects undertaken by the municipality within the Redevelopment Project Area:	3

LIST the projects undertaken by the Municipality Within the Redevelopment Project Area:

TOTAL:	11/1/99 to Date	Estimated Investment for Subsequent Fiscal Year	Total Estimated to Complete Project
Private Investment Undertaken (See Instructions)	\$ 11,865,720	\$ -	\$ 5,875,000
Public Investment Undertaken	\$ -	\$ 795,742	\$ 3,034,992
Ratio of Private/Public Investment	0		1 29/31

\*PROJECT NAME TO BE LISTED AFTER PROJECT NUMBER

**Project 1\*: COLONIAL PLAZA / EMPIRE CROSSING, 1608 EAST EMPIRE STREET (ORD 2016-18; MARCH 14, 2016)**

Private Investment Undertaken (See Instructions)	\$ 11,865,720		
Public Investment Undertaken	\$ -	\$ 244,802	\$ 1,809,992
Ratio of Private/Public Investment	0		0

**Project 2\*: BAYMONT INN / BEST WESTERN PLUS, 604 1/2 IAA DRIVE (ORD 2016-117; OCTOBER 24, 2016)**

Private Investment Undertaken (See Instructions)	\$ -	\$ -	\$ 5,875,000
Public Investment Undertaken	\$ -	\$ 940	\$ 675,000
Ratio of Private/Public Investment	0		8 19/27

**Project 3\*: IAA DRIVE & FAIRWAY DRIVE IMPROVEMENT PROJECT (RES 2018-22; APRIL 9, 2018)**

Private Investment Undertaken (See Instructions)	\$ -	\$ -	\$ -
Public Investment Undertaken	\$ -	\$ 550,000	\$ 550,000
Ratio of Private/Public Investment	0		0

**Project 4\*:**

Private Investment Undertaken (See Instructions)			
Public Investment Undertaken			
Ratio of Private/Public Investment	0		0

**Project 5\*:**

Private Investment Undertaken (See Instructions)			
Public Investment Undertaken			
Ratio of Private/Public Investment	0		0

**Project 6\*:**

Private Investment Undertaken (See Instructions)			
Public Investment Undertaken			
Ratio of Private/Public Investment	0		0

Optional: Information in the following sections is not required by law, but would be helpful in evaluating the performance of TIF in Illinois. **\*even though optional MUST be included as part of the complete TIF report**

**SECTION 6  
FY 2018**

**TIF NAME: EMPIRE STREET CORRIDOR**

Provide the base EAV (at the time of designation) and the EAV for the year reported for the redevelopment project area  
**Year redevelopment**

project area was designated	Base EAV	Reporting Fiscal Year EAV
2016	\$ 13,579,877	\$ 13,880,893

List all overlapping tax districts in the redevelopment project area.  
If overlapping taxing district received a surplus, list the surplus.

X Check if the overlapping taxing districts did not receive a surplus.

Overlapping Taxing District	Surplus Distributed from redevelopment project area to overlapping districts
MCLEAN COUNTY	\$ -
CITY OF BLOOMINGTON TOWNSHIP	\$ -
CITY OF BLOOMINGTON & LIBRARY	\$ -
B-N WATER RECLAMATION DISTRICT	\$ -
BLM-NRM AIRPORT AUTHORITY	\$ -
CUUSD 87 BLOOMINGTON	\$ -
HEARTLAND COMM COLLEGE 540	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -

**SECTION 7**

Provide information about job creation and retention:

Number of Jobs Retained	Number of Jobs Created	Description and Type (Temporary or Permanent) of Jobs	Total Salaries Paid
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -

**SECTION 8**

Provide a general description of the redevelopment project area using only major boundaries:

The Project Area generally includes commercial properties along Empire Street between Veterans Parkway and Colton Avenue.

Optional Documents	Enclosed
Legal description of redevelopment project area	X
Map of District	X

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**CITY OF BLOOMINGTON**  
**Unit Code: 064/025/30**

**CERTIFICATION OF CHIEF EXECUTIVE OFFICER**  
**EMPIRE STREET CORRIDOR TIF DISTRICT**  
**ATTACHMENT B**

I, Tari Renner, Mayor of the City of Bloomington, McLean County, Illinois, certify that the City has complied with all of the requirements of the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1 et seq.) during the fiscal year ending April 30, 2018, in connection with the administration of the Tax Increment Project Area for the City's Empire Street Corridor Tax Increment Financing District.



\_\_\_\_\_  
Tari Renner, Mayor

LAW OFFICE  
**KATHLEEN FIELD ORR & ASSOCIATES**  
53 WEST JACKSON BOULEVARD  
SUITE 964  
CHICAGO, ILLINOIS 60604  
(312) 382-2113  
(312) 382-2127 facsimile

KATHLEEN FIELD ORR  
kfo@kfoassoc.com

December 21, 2018

Susana A. Mendoza, State Comptroller  
State of Illinois Building  
100 West Randolph Street  
Suite 15-500  
Chicago, Illinois 60601

Dear Ms. Mendoza:

We have acted as Special Counsel for the City of Bloomington, McLean County, Illinois, in connection with the administration of the Empire Street Corridor Tax Increment Redevelopment Project Area.

I have reviewed all information provided to me by the City's Finance Director, and to the best of my knowledge and belief find that the City has conformed with all of the applicable provisions of the *Tax Increment Allocation Redevelopment Act*, 65 ILCS 5/11-74.4-1, *et seq.*, for the fiscal year ending April 30, 2018.

Very truly yours,

KATHLEEN FIELD ORR & ASSOCIATES



KATHLEEN FIELD ORR

**ATTACHMENT C**

**City of Bloomington Empire Street Corridor TIF District  
FY 2018 Annual Report  
(May 1, 2017 – April 30, 2018)**

**Attachment D – Activities Statement &  
Attachment F – Additional Information**

The following activities have been undertaken in furtherance of the objectives of the Empire Street Corridor Redevelopment Plan during FY 2018:

1. On March 14, 2016 the City Council adopted Ordinance 2016-18 approving a redevelopment agreement with BT Bloomington LLC to support the renovation of Colonial Plaza (now known as Empire Crossing) to attract Dick’s Sporting Goods and other retailers to the City. At that time, the shopping center was suffering from a high rate of vacancy due to the closure of the 88,000 square foot Kmart store. The first phase of the redevelopment is now complete due to private investment in the property of \$11,865,720.47 by the Developer. This amount is above the minimum required investment by the Developer of \$10 million per the terms of the redevelopment agreement. Therefore, the maximum amount of TIF property tax increment to be rebated to the Developer during the 20 year term of the agreement shall be \$1,809,992. The Developer is to receive an annual rebate of 75% of the TIF property tax increment attributable to the five (5) parcels that comprise the shopping center. The Developer is also to receive up to \$2,190,008 in sales tax rebates (non-TIF funds) over 10 years paid by the City sourced from 33.33% of the City’s local sales taxes bringing the total public investment in the Project to \$4,000,000.

Due to the timing of the opening of the new retailers at the shopping center and deep discount sales offered by other local retailers through going out of business sales, the projected sales of the new retailers at the shopping center during calendar year 2017 were softer than originally projected. The 2017 sales of the “New to the City Retailers” did not achieve the Minimum Annual Gross Sales requirement of \$20 million as set forth in the agreement. This requirement was included in the agreement by City staff to protect the City’s (and the other taxing districts) investment in the project. Therefore, the Note was not issued and no payment of TIF property tax or sales tax was made to the Developer by the City in FY 2018. The City declared 2017 to be the one year Cure Period as provided for in the agreement. In future years, so long as the Minimum Annual Gross Sales requirement is met, the Developer will be paid annually per the terms of the agreement, but without the benefit of interest as provided for under the Note. The 75% of the FY 2018 property tax increment generated by the shopping centers parcels (\$5,138.75) will be retained in the TIF fund for reinvestment into the TIF Area. As the local retail environment improves, City staff believe that the sales of the “New to the City Retailers” are likely to exceed the Minimum Annual Gross Sales requirement in calendar year 2018.

2. The redevelopment of the former Baymont Inn at 604 ½ IAA Drive into a Best Western Plus was underway during FY 2018. On October 24, 2016, the City Council adopted Ordinance 2016-117 approving a redevelopment agreement between the City and Magnus Hotels LLC (Milan Hotels) to support the redevelopment of this distressed hotel property. On March 26, 2018, the City Council amended the redevelopment agreement to allow the developer additional time to complete the project (attached). The City issued a Certificate of Occupancy on August 1, 2018. Final investment details for this project will be included in the FY 2019 annual report. No rebates of TIF Property Tax or City Hotel/Motel tax were paid to the Developer during FY 2018.

**City of Bloomington Empire Street Corridor TIF District  
FY 2018 Annual Report  
(May 1, 2017 – April 30, 2018)**

**Attachment D – Activities Statement &  
Attachment F – Additional Information  
(continued)**

3. On April 9, 2018, the City Council adopted Resolution 2018-22 designating a portion of the IAA Drive and Fairway Drive improvement projects as TIF-Eligible expenses. Both of these projects further the objectives of the TIF Redevelopment Plan to “upgrade public works improvements” and “provide for safe and efficient traffic circulation within the Area” (p. 27-28). Final investment details for both road improvement projects should be included in the FY 2019 annual report. Total TIF eligible costs are estimated to be \$550,000.
4. With the assistance of PGAV Planners and Kathi Field Orr and Associates, City staff consulted with multiple developers pursuing projects within the TIF District.
5. City staff continued to market opportunities available within the TIF District.

Additional information about the Empire Street Corridor TIF District can be found at [www.cityblm.org/TIF](http://www.cityblm.org/TIF)

The above information was compiled by Austin Grammer, City of Bloomington Economic Development Coordinator.

**CITY OF BLOOMINGTON**

**2018 - 19**

**AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE  
REDEVELOPMENT AGREEMENT**

**by and between**

**THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS**

**and**

**MAGNUS HOTELS, LLC**

**(IAA Drive Former Baymont Inn Redevelopment)**

**Adopted by the City Council  
of the City of Bloomington  
on March 26, 2018**

Published in pamphlet form by authority of the City Council of the  
City of Bloomington, McLean County, Illinois, on March 29, 2018.



STATE OF ILLINOIS        )  
  ) ss.  
COUNTY OF MCLEAN        )

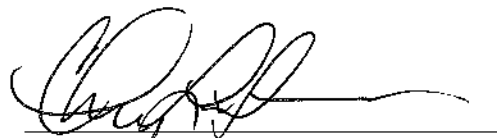
CERTIFICATE

I, Cherry L. Lawson, certify that I am the duly appointed and qualified municipal clerk of the City of Bloomington, County of McLean, Illinois.

I further certify that on the Corporate Authorities of the above municipality passed and approved Ordinance No. 2018-19, entitled, An Ordinance approving the First Amendment to the Redevelopment Agreement by and between the City Of Bloomington, Mclean County, Illinois and Magnus Hotels, LLC (IAA Drive former Baymont Inn Redevelopment), which provided by its terms that it should be published in pamphlet form.

The pamphlet form of this Ordinance, including the Ordinance and cover sheet thereof, was prepared, and a copy of the Ordinance was posted in the municipal building, commencing on March 26, 2018 and continuing for at least ten days thereafter. Copies of the Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Bloomington, Illinois, on 03/29/2018

  
\_\_\_\_\_  
Cherry L. Lawson, C.M.C.  
City Clerk

**ORDINANCE NO. 2018 - 19**

**AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE  
REDEVELOPMENT AGREEMENT**

*by and between*

**THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS**

*and*

**MAGNUS HOTELS, LLC**

*(IAA Drive Former Baymont Inn Redevelopment)*

**WHEREAS**, the City of Bloomington, McLean County, Illinois (the “*City*”) is a duly organized and validly existing home-rule municipality pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois 1970 and as such, may exercise and perform any function pertaining to its government and affairs; and,

**WHEREAS**, pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1, *et seq.*, as from time to time amended (the “*TIF Act*”) and the City’s authority and powers as a home rule unit, the Mayor and City Council (the “*Corporate Authorities*”) and Magnus Hotels, LLC (the “*Developer*”), entered into a certain Redevelopment Agreement dated October 24, 2016, wherein the Developer agreed to acquire and redevelop real property commonly known as 604½ IAA Drive, Bloomington, Illinois (the “*Real Estate*”) located within an area designated by the City as a “redevelopment project area” under the TIF Act and committed to transform the existing hotel into a Best Western Plus Hotel (the “*Project*”) and complete the Project on or before March 31, 2018; and,

**WHEREAS**, the Developer has advised the City that, due to unforeseen weather conditions, the Developer has encountered a delay in the completion of the exterior work for the Project and has requested an extension to commence operation of a Best Western Plus hotel to July 31, 2018; and,

**WHEREAS**, the Developer has further advised the City that Morton Community Bank and Best Western Hotels & Resorts have agreed to an extension to July 31, 2018; and,

**WHEREAS**, the Corporate Authorities have determined that it is in the best interests of the City and the health, safety and welfare of its residents, for the City to agree to the Developer's request for the extensions as set forth in a First Amendment to said Redevelopment Agreement attached hereto.

**NOW, THEREFORE**, the parties hereto, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, agree as follows:

*Section 1.* That the First Amendment to the Redevelopment Agreement by and between the City of Bloomington, McLean County, Illinois and Magnus Hotels, LLC, attached hereto and made a part hereof, is hereby approved and the Mayor and City Clerk are hereby authorized to execute and deliver said Agreement on behalf of the City.

*Section 2.* The City Manager is hereby authorized and directed to undertake any and all actions as may be required to implement the terms of said Agreement.

*Section 3.* This Ordinance shall be in full force and effect immediately upon its passage by the Mayor and City Council and approval as provided by law.


**PASSED** this 26<sup>th</sup> day of March, 2018.

**AYES: Alderman Mathy, Mwilambwe, Burgas, Painter, Schmidt, Black, Hauman, and Bray.**

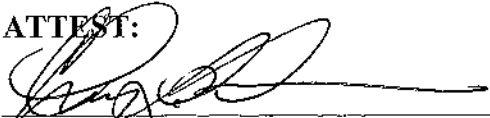
**NAYS: None.**

**ABSENT: Alderman Sage.**

**APPROVED:**

  
\_\_\_\_\_  
Tari Renner, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Cherry L. Lawson, City Clerk

**FIRST AMENDMENT TO THE REDEVELOPMENT AGREEMENT**  
*by and between*  
**THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS**  
*and*  
**MAGNUS HOTELS, LLC**  
*(IAA Drive Former Baymont Inn Redevelopment)*

**THIS FIRST AMENDMENT** (the “*First Amendment*”) **TO THAT CERTAIN REDEVELOPMENT AGREEMENT** dated October 24, 2016 (the “*Original Agreement*”), by and between the City of Bloomington, McLean County, Illinois, an Illinois municipal corporation (the “*City*”), and Magnus Hotels, LLC, an Illinois limited liability company (the “*Developer*”) is entered into this 27<sup>th</sup> day of March, 2018.

**PREAMBLES**

**WHEREAS**, the City is a duly organized and validly existing home-rule municipality pursuant to Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois and as such, may exercise any power and perform any function pertaining to its government and affairs; and,

**WHEREAS**, pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1, *et seq.*, as from time to time amended (the “*TIF Act*”) and the City’s authority and powers as a home rule unit, the Mayor and City Council (the “*Corporate Authorities*”) and the Developer entered into the Original Agreement wherein the Developer agreed to acquire and redevelop real property commonly known as 604 ½ IAA Drive, Bloomington, Illinois (the “*Real Estate*”) located within an area designated by the City as a “redevelopment project area” under the TIF Act and committed to transform the existing hotel into a Best Western Plus Hotel (the “*Project*”); and,

**WHEREAS**, on January 9, 2017, the City approved a certain Assignment of Payments by which the Developer assigned its right to all payments due to it pursuant to the Original

Agreement to Morton Community Bank, an Illinois bank, as additional security for the financing required to proceed with the Project; and,

**WHEREAS**, Section 3, paragraph B of the Original Agreement provides as follows:

“B. On or before June 30, 2017, the Developer shall have commenced construction of the Project in accordance with the plans as approved by the City and on or before December 31, 2017; have completed the Project in accordance with the approved plans, all applicable City Codes and the laws of the State of Illinois; and, have been issued a certificate of occupancy by the City to commence operation of a Best Western Plus Hotel.”

**WHEREAS**, Section 3, paragraph C of the Original Agreement provides as follows:

“C. On or before December 31, 2017, the Developer shall provide the City with its certification and authorization from Best Western International, Inc., to operate a Best Western Plus Hotel at the Subject Property.”

**WHEREAS**, Section 3, paragraph D of the Original Agreement provides as follows:

“D. The Developer agrees to commence operation of a Best Western Plus Hotel on or before March 31, 2018, and to deliver to the City an itemized list of all costs incurred in connection with the Project, accompanied by such receipts, contracts, invoices, lien waivers and such other documents as necessary to evidence the total costs actually expended by the Developer for the acquisition, construction and completion of the Project (the “*Project Costs*”).”

**WHEREAS**, the Developer has advised the City that, due to unforeseen weather conditions, the Developer has encountered a delay in the completion of the exterior work for the Project and has requested an extension to commence operation of a Best Western Plus hotel to July 31, 2018; and,

**WHEREAS**, the Developer has further advised the City that Morton Community Bank and Best Western Hotels & Resorts have agreed to an extension to complete the Project by July 31, 2018; and,

**WHEREAS**, the Corporate Authorities have determined that it is in the best interests of the City and the health, safety and welfare of its residents, for the City to agree to the Developer's request for the extensions and enter into this First Amendment so that the Developer can proceed with the Project.

**NOW, THEREFORE**, the parties hereto, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, agree as follows:

***Section 1. Incorporation of Recitals.***

All of the recitals contained in the Preambles to this First Amendment are hereby incorporated into this First Amendment as if restated in this Section.

***Section 2. Completion and Operation Date.***

Section 3, paragraph B of the Original Agreement is hereby amended by removing December 31, 2017, and inserting July 31, 2018, in its stead.

Section 3, paragraph C of the Original Agreement is hereby amended by removing December 31, 2017, and inserting July 31, 2018, in its stead.

Section 3, paragraph D of the Original Agreement is hereby amended by removing March 31, 2018 and inserting July 31, 2018, in its stead.

***Section 3. Terms.***


All other terms of the Original Agreement are hereby affirmed as if restated in this First Amendment.


***Section 4. First Amendment.***

The First Amendment may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.


IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers on the above date at Bloomington, Illinois.

City of Bloomington, McLean County, an Illinois municipal corporation

By:   
Tari Renner, Mayor

Attest:  
  
Cherry L. Lawson, City Clerk

Magnus Hotels, LLC, an Illinois limited liability company

By:   
President

Attest:  
  
\_\_\_\_\_  
Secretary

*Exhibit A*

*Legal Description of Subject Property*

LOTS 1 AND 2 IN MORAN SUBDIVISION TO THE CITY OF BLOOMINGTON,  
ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 1, 1973 AS NO. 73-  
1955 IN MCLEAN COUNTY, ILLINOIS.

[PIN: 14-35-377-025; ADDRESS: 604 ½ IAA DR., BLOOMINGTON, IL 61701]





**SUMMARY MINUTES OF THE  
JOINT REVIEW BOARD  
FOR THE EMPIRE STREET  
REDEVELOPMENT PROJECT AREA  
CITY HALL CONFERENCE ROOM  
109 E. OLIVE ST., BLOOMINGTON, IL  
THURSDAY, JANUARY 25, 2018 3:15 P.M.**

**1. Call to Order**

The Meeting was called to order by Patti-Lynn Silva, Finance Director, City of Bloomington.

**2. Roll Call**

Public Body Representatives: Dr. Barry Reilly, Superintendent, District 87; Doug Minter, Vice President of Business Services, Heartland Community College; Don Adams, Asst. County Administrator, McLean County and Kathi Field Orr, Partner, Kathi Field Orr & Associates (*attending via telephone*).

Public Body Representative absent: Deb Skillrud, Township Supervisor, City of Bloomington Township.

Staff Present: Patti-Lynn Silva, Finance Director; Bob Mahrt, Interim Community Development Director; Austin Grammer, Economic Development Coordinator; Cherry Lawson, City Clerk; Alyssa Cooper, Graduate Fellow, Office of Economic Development.

**3. Appointment (Or Reappointment) of Joint Review Board (JRB) Public Member and JRB Chairperson**

Recommendation by Patti-Lynn Silva to reappoint the same persons who were previously appointed to Public Member and the Chairperson for the Downtown Southwest JRB meeting (which was held immediately prior to this meeting on January 25, 2018) to retain those roles for the JRB meeting for the Empire Street TIF.

No objections. Austin Grammer served as Public Member. Patti-Lynn Silva served as Chairperson.

**4. Approval of Minutes**

**Motion by Doug Minter and seconded by Dr. Barry Riley that the Minutes of the June 9, 2017 Empire Street Corridor TIF Joint Review Board Meeting be approved.**

**Motion carried, (viva voce).**

**5. Review of Annual Report of the Empire Street TIF**

Austin Grammer addressed the Board. Mr. Grammer reviewed the Annual Report of the Empire Street TIF District, highlighting the activity for that district for FY2017 (May 1, 2016 – April 30, 2017).

**6. Public Comment**

Patti-Lynn Silva opened the meeting for public comment. No one came forward to address the Board.

**7. Adjournment:**

**Motioned by Doug Minter, seconded by Bon Mahrt to adjourn the Empire Street TIF District Joint Review Board Meeting. Time: 3:30 p.m.**

**Motion carried, (viva voce).**

Respectfully submitted,

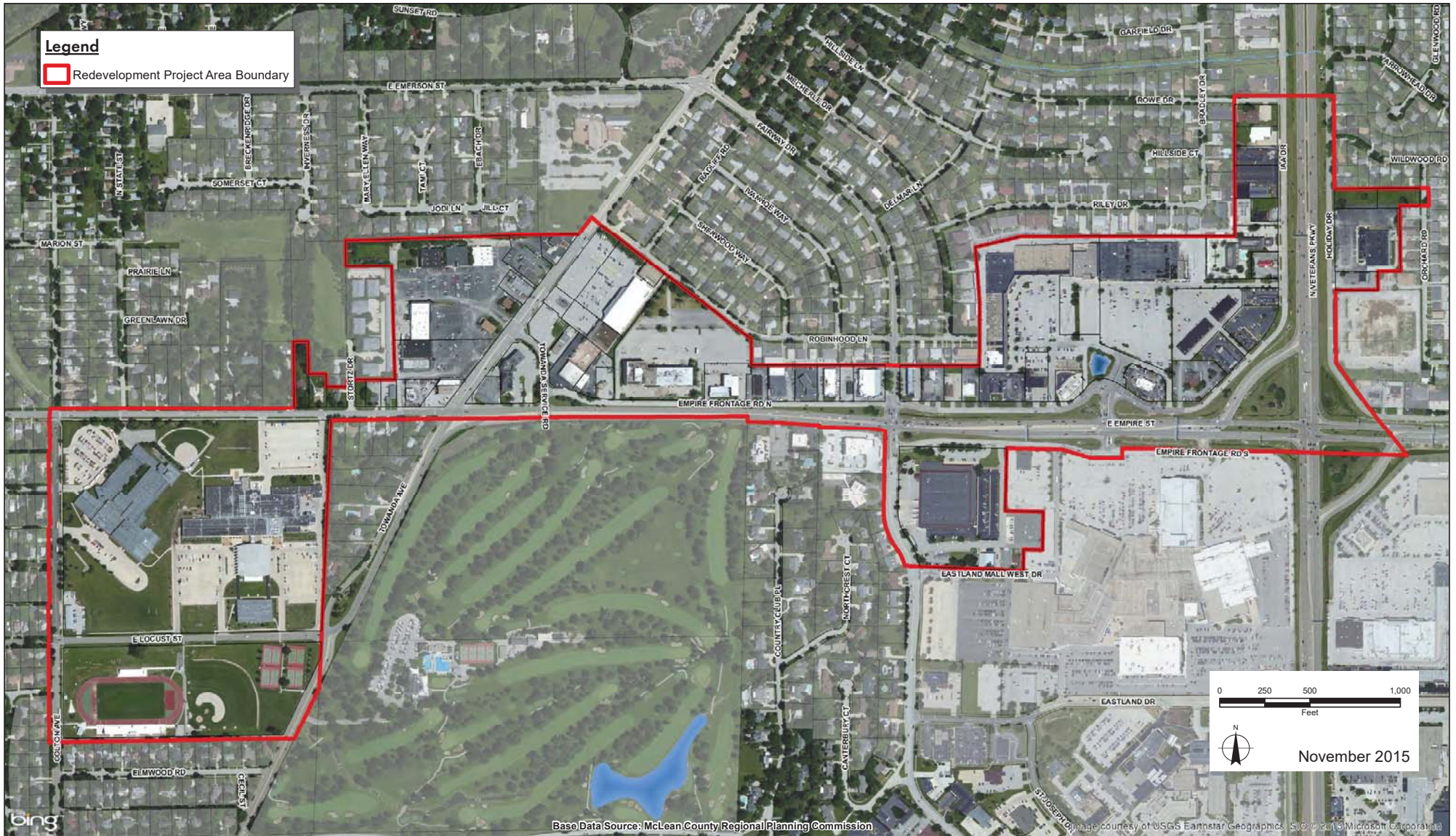
Alyssa Cooper  
ISU Graduate Fellow, Office of Economic Development  
City of Bloomington

## **Empire Street Corridor Redevelopment Project Area**

### **Legal Description**

A part of Section 34 and 35 in Township 24 North, Range 2 East and a part of Section 2 and 3 in Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the point of intersection of the west right of way line of Colton Avenue and the north right of way line of Empire Street; thence Easterly on said north right of way line of Empire Street to the southwest corner of a tract of land described in Executor's Deed recorded as Document No. 2015-18668 in the McLean County Recorder of Deeds Office; thence Northerly to the northwest corner of said tract described in Document No. 2015-18668; thence Easterly to the northeast corner of said tract described in Document No. 2015-18668; thence Southerly on the east line of said tract described in Document No. 2015-18668 to the northwest corner of a tract described in a Quit Claim Deed recorded as Document No. 2013-25879 in said Recorder Office; thence Easterly to the northeast corner of said tract described in Document No. 2013-25879; thence Southerly on the east line of said tract described in Document No. 2013-25879 to the northwest corner of the West 115 feet of the East 145 feet of the South 115 feet of Lot 1 in County Clerk's Subdivision of the south end of the SW $\frac{1}{4}$  of Section 34, Township 24 North, Range 2 East of the Third Principal Meridian; thence Easterly on the north line of said West 115 feet of the East 145 feet of the South 115 feet of said Lot 1 to the west right of way line of Stortz Drive; thence Northerly on said west right of way line of Stortz Drive to the point of intersection with the westerly extension of the north line of Greenbriar Subdivision; thence Easterly 253.64 feet on said westerly extension and the north line of said Greenbriar Subdivision; thence Northerly 623.81 feet to a point lying 253.64 feet east of the west line of the SE $\frac{1}{4}$  of said Section 34; thence Westerly 253.64 feet to said west line of the SE $\frac{1}{4}$  of Section 34, said point lying 397.69 feet north of the north right of way line of said Stortz Drive; thence Northerly on said west line of the SE $\frac{1}{4}$  of Section 34 to the south line of Pinebach Subdivision; thence Easterly on said south line of Pinebach Subdivision and the easterly extension thereof to the northwesterly right of way line of Towanda Avenue; thence Northeasterly on said northwesterly right of way line of Towanda Avenue to the point of intersection with the southwest right of way line of Robinhood Lane; thence Southeasterly on said southwest right of way line of Robinhood Lane to the east line of Lot 1 Verizon Empire Street Subdivision; thence Southerly on said east line of said Lot 1 Verizon Empire Street Subdivision to the northwest corner of Lot 148 in Fairway Knolls 2<sup>nd</sup> Addition; thence Easterly on the north line of Lots 148, 149, 150, 151, 152, 135 and the easterly extension thereof and 134 in said Fairway Knolls 2<sup>nd</sup> Addition and Lots 500, 501, 502 and 503 in Fairway Knolls 9<sup>th</sup> Addition to the southeast corner of Fairway Knolls 6<sup>th</sup> Addition; thence Northerly on the east line of said Fairway Knolls 6<sup>th</sup> Addition to the point of intersection with the south line of Fairway Knolls 7<sup>th</sup> Addition; thence Easterly on said south line of Fairway Knolls 7<sup>th</sup> Addition and Fairway Knolls 10<sup>th</sup> Addition to the southeast corner of said Fairway Knolls 10<sup>th</sup> Addition; thence Northerly on the east line of said Fairway Knolls 10<sup>th</sup> Addition and the east line of Lots 245 and 246 in Fairway Knolls 5<sup>th</sup> Addition and the northerly extension thereof

to the north right of way line of Rowe Drive; thence Easterly on said north right of way line of Rowe Drive and the easterly extension thereof to the east right of way line of Veterans Parkway / Holiday Drive; thence Southerly on said east right of way line of Veterans Parkway / Holiday Drive to the northwest corner of Lot 9 in Resubdivision of Lot 2 Circle Lanes Subdivision; thence Easterly on the north line of said resubdivision to the northeast corner of Lot 10 in said Resubdivision of Lot 2 Circle Lanes Subdivision; thence Southerly to the southeast corner of said Lot 10; thence Westerly on the south line of said Lot 10 to the northerly extension of the east line of Lot 11 in said Resubdivision of Lot 2 Circle Lanes Subdivision; thence Southerly to the southeast corner of said Lot 11; thence Westerly on the south line of said Lot 11 to the northeast corner of Lot 1 in Makewi Subdivision; thence Southerly to the southwest corner of said Lot 1 Makewi Subdivision; thence Westerly on the south line of said Lot 1 Makewi Subdivision to said east right of way line of Veterans Parkway / Holiday Drive; thence Southerly on the easterly right of way line of Veterans Parkway / Holiday Drive to the south right of way line of Empire Street; thence Westerly on said south right of way line of Empire Street to the northwest corner of Lot 1 in Eastland Mall Subdivision; thence Southerly 345.00 feet on the westerly line of said Lot 1 Eastland Mall Subdivision; thence Easterly 204.87 feet on said westerly line of Lot 1; thence Southerly 228.58 feet on said westerly line; thence Westerly 105.00 feet on said westerly line; thence Southerly 112.00 feet on said westerly line to a line lying 525.04 feet north of and parallel with the south line of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 2, Township 23 North, Range 2 East of the Third Principal Meridian; thence Westerly on said line lying 525.04 feet north of and parallel with the south line of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 2 and the westerly extension thereof to the westerly right of way line of Fairway Drive; thence Northerly on said westerly right of way line of Fairway Drive to the south right of way line of Empire Street; thence Westerly on said south right of way line of Empire Street to the northwest corner of Lot 7 in Country Club View Subdivision; thence Southerly on the west line of said County Club View Subdivision, Maxine Lartz Subdivision, Pershall Subdivision, part of Lot 2 Davis Subdivision, Shepard's Subdivision and the southerly extension thereof to the southeast right of way line of Towanda Avenue; thence Southwesterly on said southeast right of way line of Towanda Avenue to the easterly extension of the south right of way line of a public alley lying north of and adjoining Blocks 4, 5 and 6 in Davis 4<sup>th</sup> Addition to Bloomington; thence Westerly on said easterly extension and the south right of way line of said alley and the westerly extension thereof to the west right of way line of Colton Avenue; thence Northerly on said west right of way line of Colton Avenue to the Point of Beginning.



## Exhibit A - Redevelopment Project Area Boundary

Empire Street Redevelopment Project Area