

RESOLUTION NO. 9596-R14

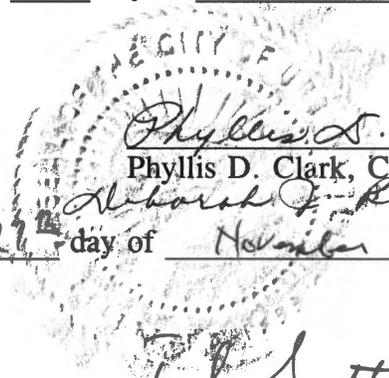
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF CHAMPAIGN
AND CITY OF URBANA CONCERNING CONDITIONS FOR THE VACATION OF
BENNETT STREET

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA,
ILLINOIS, as follows:

Section 1. That An Intergovernmental Agreement Between the County of Champaign and the City of Urbana, Illinois Concerning Conditions for the Vacation of Bennett Street, in the form of the copy of said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED by the City Council this 20th day of November, 1995.


Phyllis D. Clark by
Phyllis D. Clark, City Clerk
Richard J. Roberts, Deputy Clerk
Tod Satterthwaite
Tod Satterthwaite, Mayor

APPROVED by the Mayor this 21 day of November, 1995.

**AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE COUNTY OF CHAMPAIGN AND THE CITY OF URBANA
CONCERNING CONDITIONS FOR THE VACATION OF BENNETT STREET**

WHEREAS, the Champaign County Board approved Resolution No. 3566 on May 2, 1995, affirming the Champaign County Board's commitment to continue to operate the Champaign County Courts System in downtown Urbana; and

WHEREAS, the City of Urbana adopted Resolution No. 9495-R25 on April 18, 1995, resolving "that Bennett Street, between Main Street and Elm Street, shall be vacated if no good and substantial reason not to vacate the right-of-way arises, and, if the County of Champaign, as owner of most of the frontage thereon, submits a petition to the City requesting the vacation of Bennett Street so that the County may utilize such property for the erection of a substantial building to house County offices and Courtroom facilities."

NOW THEREFORE, FOR ALL AND IN CONSIDERATION OF THE MUTUAL PROMISES AND INTENTIONS HEREIN CONTAINED, the Champaign County Board accepts the spirit and intent of the City of Urbana's Resolution No. 9495-R25, as adopted on April 18, 1995. The County will commence the architectural programming necessary to cost effectively address the County's needs for Courtroom and court support offices and facilities at the present location in downtown Urbana within six (6) months from the date of the acceptance of this agreement. If, at the completion of the architectural programming phase of design, the Champaign County Board determines that the most proper, efficient, and cost-effective operation of courtrooms and court support offices necessitates additional construction to which a logical alternative for expansion would be to utilize the property now occupied by Bennett Street right-of-way, Champaign County will, as stated in the City of Urbana's Resolution No. 9495-R25, immediately submit a petition to the City of Urbana requesting the vacation of Bennett Street so the County may utilize such property in the final design, remodeling and additional construction necessary to operate courtrooms and court support offices at the County's present location in downtown Urbana.

IN WITNESS WHEREOF, the County of Champaign and the City have caused this Agreement to be executed by their duly authorized officers as of the date set forth above.

COUNTY OF CHAMPAIGN, ILLINOIS

By: *John E. Smith* Date: 11/29/95
Chairman



ATTEST:

Dennis R. Bing
County Clerk

CITY OF URBANA, ILLINOIS

By: *Paul Sattelmater* Date: 12/1/95
Mayor



ATTEST:

Phyllis D. Clark by
City Clerk *Deborah J. Roberts*, Deputy Clerk

Approved for Form: *Susan Piette*
Susan Piette, Assistant State's Attorney

MEMO OF EXPLANATION OF 3.5/CARLE DEVELOPMENT AGREEMENT

Assume that Carle acquires a house in May of 1998. The house at that time has an assessed valuation of \$15,000.00. The house is razed almost immediately and construction of a new tax exempt facility is started. The tax exempt facility is open for business on August 1, 1999.

What are the consequences with regard to this parcel under Section 3.5 of the Agreement?

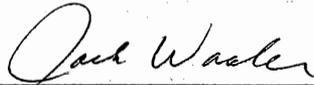
- June, 1998 -- Carle pays the regular 1997/payable 1998 real estate tax bill. There is no "side payment" under this agreement due to the City.
- June, 1999 -- The assessed valuation is probably dropped because of the razing of the old building. This will kick in the application of Section 3.5. Carle would pay under this agreement an amount calculated by dividing \$15,000.00 by 100 and multiplying that times the 1998/payable 1999 tax levy for the recipient governments.
- June, 2000 -- Now the new building is up and running but it is tax exempt. Thus, under this agreement, we use the \$15,000.00 assessed valuation that the property had on January 1, 1998 (the year of the change in use). The results are as follows:
\$15,000.00 divided by 100 X the 1999/payable 2000 current tax levies for the recipient governments.
- 2001 and there-
after -- Payment is the same as for the year 2000 for the term of the agreement.

If the new facility is only partially tax exempt, then use the \$15,000.00 equalized assessed valuation figure for calculations unless the non-tax exempt portion of the parcel exceeds \$15,000.00 equalized assessed valuation. In that event, no amount is due under this agreement, and the parcel just pays via the normal, general tax process the amount due for the parcel.

Note if the property is not tax exempt, either partially or wholly, Section 3.5 has no application.



Lott Thomas, Attorney for
Carle



Jack Waaler, City Attorney for
Urbana, Illinois