

ORDINANCE NO. 2011-05-036

**AN ORDINANCE APPROVING A SECOND AMENDMENT
TO A DEVELOPMENT AGREEMENT WITH CARLE FOUNDATION**

(Related to the Demolition of 702 and 706 North Lincoln Avenue)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
URBANA, ILLINOIS, as follows:

Section 1. That a Second Amendment to a Development Agreement Between
the City of Urbana and Carle Foundation in substantially the form of the copy
of said Amendment attached hereto, be and the same is hereby 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 authorized to attest to said
execution of said Amendment as so authorized and approved for and on behalf
of the City of Urbana, Illinois.

PASSED by the City Council this 6th day of June,
2011.

AYES: Bowersox, Jakobsson, Lewis, ~~Marlin~~, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



[Signature]
Clark, City Clerk

APPROVED by the Mayor this 13th day of June,
2011.

[Signature]
Laurel Lunt Prussing, Mayor

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

This Second Amendment to the Development Agreement dated the 12th day of January, 1996, hereinafter referred to as "Development Agreement", by and between the City of Urbana, an Illinois home-rule municipality, in Champaign County, Illinois (hereinafter referred to as the "City" or "Corporate Authorities"), and Carle Foundation (hereinafter referred to as the "Carle"), is dated this 24th day of June, 2011.

RECITALS

WHEREAS, the City and Carle entered into a Development Agreement dated the 12th day of January, 1996 and adopted by the City of Urbana through Ordinance 9596-49, pertaining in part to the disposition and entitlements of real property owned by Carle.

WHEREAS, the Development Agreement was amended on October 31, 2001 and adopted by the City of Urbana through Ordinance 2001-10-118.

WHEREAS, the Development Agreement restricts the demolition and development of certain real estate owned by Carle.

WHEREAS, Carle owns the residential structures listed on Amended Exhibit G attached to this Amendment and which have been found to be no longer habitable and are in need of demolition.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the City and Carle hereby agree as follows:

1. The parties agree that Carle shall be permitted to demolish the additional residential structures listed on Amended Exhibit G, subject to the re-use provisions of Section 3.8.1 of the Development Agreement.

2. Carle agrees to complete necessary improvements to the following residential properties so that they may be re-occupied by tenants in 2011: 710 W. Church Street, 804 North Coler Street, 815 West Hill Street, and 810 W. Church Street.
3. The parties agree to add the following new Section 3.20 to the Development Agreement:
Section 3.20. Replacement Housing. Pursuant to the Crystal Lake Neighborhood Plan, adopted by the City of Urbana on November 17, 2008 by Ordinance No. 2008-11-129, Carle agrees to provide replacement of housing lost due to Carle expansion one-to-one with housing opportunities in the larger neighborhood in the event that additional housing demolitions are requested beyond those listed in Exhibit G, as amended herein. Carle shall work with the City to identify appropriate opportunities and means of providing this housing.

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

CITY OF URBANA, ILLINOIS

By: *Jared Priddy*
Mayor

Attest: Date: 6/24/2011

Phyllis M. Clark
City Clerk *by Michael J. McLean*
Deputy Clerk

Date: 6/24/2011

CARLE FOUNDATION

By: *Scott Mackay*

Its: Vice President Facilities

Attest: Date: 6/17/2011

Tim Withers

Date: 6/17/2011

AMENDED EXHIBIT G

Property Subject to Demolition

802 W. Park Street, Urbana

817 Church Street, Urbana

709 Orchard Street, Urbana

811 Church Street, Urbana

PROPERTIES ADDED BY THIS AMENDMENT:

702 N. Lincoln Avenue, Urbana

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