**STATE OF ILLINOIS ) RESOLUTION [\_\_\_\_\_]**

**)**

**COUNTY OF KANKAKEE )**

**)**

**VILLAGE OF UNION HILL )**

**APPROVAL OF A WIND ENERGY CONVERSION SYSTEM WITHIN ONE AND A HALF MILES OF THE VILLAGE CORPORATE LIMITS AND STATEMENT OF SUPPORT FOR THE DEVELOPMENT OF A WIND ENERGY CONVERSION SYSTEM IN THE TOWNSHIP OF NORTON AND KANKAKEE COUNTY, ILLINOIS**

RESOLUTION NUMBER [\_\_\_\_\_]

A RESOLUTION approving development, construction and operation of a wind energy conversion system (“WECS”) project, or any part thereof, within one and a half (1½) miles of the corporate limits of the Village of Union Hill (“Village”) by Illinois Generation LLC a Delaware limited liability company, and its affiliates and assignees (collectively “Developer”) to be located within the area identified on either Exhibit B-1 “Project Map & WECS Tower Coordinates – Option 1” or Exhibit B-2 “Project Map & WECS Tower Coordinates – Option 2” as such Project Map & WECS Tower Coordinates Option may be selected by the Developer, in its sole discretion (collectively, “Exhibit B” the “Project Maps & WEC Tower Coordinates”), proclaiming support for the development of a WECS project by Developer within Norton Township and in Kankakee County, Illinois, including without limitation, construction of up to six (6) WECS towers within the one-and-a-half (1½)-mile radius of the Village corporate limits (the “Project”), and authorizing the President of the Village of Union Hill to execute a letter to the Kankakee County Board and Kankakee County Zoning Board of Appeals advising of this Resolution and the Village’s approval of and support for the development of the Project, including without limitation that portion within one and a half (1½) miles of the Village corporate limits.

WHEREAS, the Village is a duly organized and existing body politic and corporate governed by the provisions of the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq., and its own duly adopted Municipal Code, located in the Township of Norton and the County of Kankakee;

WHEREAS, the Kankakee County, Illinois, Code Part II, Chapter 121 § 121-295 states, “Siting a wind energy conversion system (WECS) as defined in subsection 121-3(b) of the County Code shall be regulated by this section and all applicable state and federal regulations.” and 55 ILCS 5/5-12020 states, “A county may also regulate the siting of wind farms and electric-generating wind devices in unincorporated areas of the county outside of the zoning jurisdiction of a municipality and the 1.5 mile radius surrounding the zoning jurisdiction of a municipality.”

WHEREAS, the Village has determined that the development, construction and operation of the Project by Developer, including the portion within one and a half miles of the corporate limits of the Village, and including but not limited to WECS towers, access roads, overhead transmission lines and underground collection lines, will improve the general welfare of the residents of the Village;

WHEREAS, the Village is authorized and empowered under the Illinois Municipal Code, the Kankakee County, Illinois, Code and the Village Code of Ordinances to approve the development, construction and operation of a WECS project or any part thereof, including but not limited to WECS towers, access roads, overhead transmission lines and underground collection lines, within one and a half miles of the Village corporate limits;

WHEREAS, to the extent the Village exercises its zoning authority, including under 65 ILCS 5/11-13-1 et seq., either currently or in the future, the Village wishes to waive any authority it has now or may have in the future to regulate construction of WECS towers and other related improvements in the Project pursuant to State statutes or local ordinances including without limitation pursuant to 65 ILCS 5/11-13-26 and 55 ILCS 5/5-12020;

WHEREAS, the Village wishes to communicate its support for the development, construction and operation of the Project to the Kankakee County Board and the Kankakee County Zoning Board of Appeals;

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF UNION HILL AS FOLLOWS:**

Section 1: The Village of Union Hill hereby proclaims its support for the development, construction and operation of the Project by Developer in Kankakee County, Norton Township, and within the one and a half (1½) mile radius from the Village limits, including but not limited to the development, construction and operation of WECS towers, access roads, overhead transmission lines and underground collection lines.

Section 2: The Village of Union Hill hereby approves the development, construction and operation of the Project, or any part thereof, including but not limited to WECS towers, access roads, overhead transmission lines and underground collection lines, by Developer within one and a half (1½) miles of the Village’s corporate limits pursuant to the Kankakee County, Illinois, Code Part II, Chapter 121 § 121-295, as set forth on the Project Maps & WECS Tower Coordinates, so long as the Project otherwise satisfies County setback requirements pursuant to the Kankakee County, Illinois, Code. The Village acknowledges that the final locations of the WECS towers, access roads, overhead transmission lines and underground collection lines are subject to final engineering. The Village approves the Developer’s right to relocate the WECS towers, access roads, overhead transmission lines and underground collection lines identified on the Project Maps & WECS Tower Coordinates to any other portion of the Project, provided that WECS towers sited within one and a half (1½) miles of Village corporate limits may shift by one second or more of latitude and longitude only with additional approval by the Village.

Section 3: To the extent the Village of Union Hill exercises its zoning authority including under 65 ILCS 5/11-13-1 et seq. either currently or in the future, the Village hereby waives any authority that it has now or will have in the future to regulate the Project or any part or portion thereof, including but not limited to WECS towers, access roads, overhead transmission lines and underground collection lines constructed within the one and a half (1½) mile radius of the Village limits, pursuant to State statute or local ordinance, including without limitation pursuant to 65 ILCS 5/11-13-16 and 55 ILCS 5/5-12020.

Section 4: The Village of Union Hill hereby authorizes the President of the Village of Union Hill to execute and send the Letters of Support attached as Exhibit A to this Resolution to the Kankakee County Board and the Kankakee County Zoning Board of Appeals.

Section 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution, or any part thereof. The Village Board of Trustees hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

Passed this \_th day of ­\_\_\_\_\_\_\_\_\_\_, 2024.

Ayes:

Nays:

Absent:

Abstain:

Approved this \_th day of \_\_\_\_\_\_\_\_, 2024.

Signed:

Village President

Attest:

Village Clerk

**EXHIBIT A TO RESOLUTION**

**LETTERS OF SUPPORT FOR WECS PROJECT DEVELOPMENT**

\_\_\_\_\_\_\_, 2024

To: Kankakee County Board

Kankakee County Zoning Board of Appeals

Dear Kankakee County Board and Kankakee County Zoning Board of Appeals:

On \_\_\_\_\_\_\_\_\_\_\_\_, 2024, the Village of Union Hill Board of Trustees passed Resolution [\_\_\_\_] proclaiming the Village’s support for the development, construction and operation of a wind energy conversion system (“WECS”) project by Illinois Generation LLC and its affiliates and assigns (collectively, “Developer”) in Kankakee County, Norton Township (the “Project”), and within a one and a half (1½) mile radius from the Village limits, including but not limited to the development, construction and operation of WECS towers, access roads, overhead transmission lines and underground collection lines, pursuant to Kankakee County, Illinois, Code Part II, Chapter 121 § 121-295. Further by Resolution [\_\_\_\_] the Village approves and supports the development, construction and operation of the Project by Developer, including but not limited to WECS towers, access roads, overhead transmission lines and underground collection lines, within the one and a half (1½) mile radius of the corporate limits of the Village of Union Hill pursuant to Kankakee County, Illinois, Code Part II, Chapter 121 § 121-295, as identified on either Exhibit B-1 “Project Map & WECS Tower Coordinates – Option 1” or Exhibit B-2 “Project Map & WECS Tower Coordinates – Option 2” as such Project Map & WECS Tower Coordinates Option may be selected by the Developer, in its sole discretion and attached to Resolution [\_\_\_\_] (collectively, “Exhibit B” the “Project Maps & WECS Tower Coordinates”), so long as the Project otherwise satisfies County setback requirements pursuant to the Kankakee County, Illinois, Code. The Village acknowledges that the final locations of the WECS towers, access roads, overhead transmission lines and underground collection lines are subject to final engineering. The Village approves the Developer’s right to shift the WECS towers, access roads, overhead transmission lines and underground collection lines identified on the Project Maps & WECS Tower Coordinates, provided that WECS towers sited within one and a half (1½) miles of Village corporate limits may shift by one second or more of latitude and longitude only with additional approval by the Village.

Resolution [\_\_\_\_\_] is enclosed herein.

Sincerely,

VILLAGE OF UNION HILL

Village President

**EXHIBIT B TO RESOLUTION**

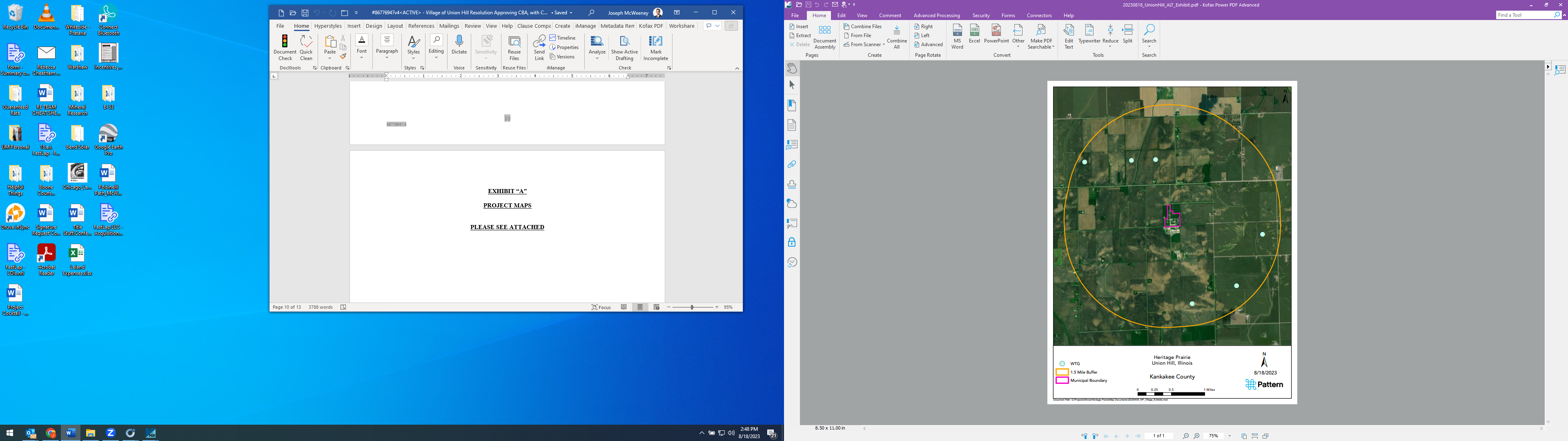
**PROJECT MAPS & WECS TOWER COORDINATES**

**PLEASE SEE ATTACHED**

**EXHIBIT B-1**

**PROJECT MAP & WECS TOWER COORDINATES – OPTION 1**





**EXHIBIT B-2**

**PROJECT MAP & WECS TOWER COORDINATES – OPTION 2**



