

CITY OF SANDWICH

RESOLUTION 25-_____

**A RESOLUTION TO REPEAL AND RESCIND PREVIOUSLY ADOPTED
RESOLUTION 25-07 AND APPROVING DECOMMISSIONING BOND OBTAINED BY
TPE IL KE109, LLC, FROM PENNSYLVANIA INSURANCE COMPANY
CONCERNING THE DECOMMISSIONING OF A SOLAR POWER GENERATION
FACILITY LOCATED AT 599 SANDY BLUFF ROAD, SANDWICH, ILLINOIS 60548**

ADOPTED BY THE CITY COUNCIL
OF THE CITY OF SANDWICH
THIS _____ DAY OF AUGUST, 2025

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WHEREAS, the City of Sandwich (the “City”) is a duly organized and validly existing municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and

WHEREAS, on March 17, 2025, the City passed Resolution 25-07 relating to approving a decommissioning bond obtained by TPE IL KE109, LLC from Pennsylvania Insurance Company concerning the decommissioning of a solar power generation facility located at 599 Sandy Bluff Road, Sandwich, Illinois 60548; and

WHEREAS, said Resolution 25-07, failed to attach all the exhibits as set forth in the bond which impacted the interpretation of the resolution and bond; and

WHEREAS, the City Council hereby finds that it is in the best interest of the City to repeal Resolution 25-07; and

WHEREAS, TPE IL KE109, LLC (hereinafter referred to as “TPE”) submitted an application to the City of Sandwich (hereinafter “the City”) for a Special Use Permit to allow solar power generation in an M-2 Zoning District at 599 Sandy Bluff Road, Sandwich, Illinois 60548 (PIN 01-30-401-003) on April 18, 2023; and

WHEREAS, after public notice was published in the Sandwich Record on April 13, 2023, a public hearing (PC 2023-02) was held before the Plan Commission of the City of Sandwich (hereinafter referred to as the “Commission”) on May 9, 2023, at 6:30 p.m.; and

WHEREAS, based upon the evidence presented at the hearing in PC 2023-02, the Commission recommended, pursuant to a vote of 4 yes, 0 no, and 2 absent, that the City approve the Special Use Permit; and

WHEREAS, the City approved the Special Use Permit by way of Ordinance 2023-11 on May 15, 2023; and

WHEREAS, pursuant to Ordinance 2023-11, TPE was to meet certain conditions of the City staff, including obtaining and providing to the City a Decommissioning Plan and Decommissioning Bond which meets with the approval of City staff; and

WHEREAS, the City has reviewed the Decommissioning Bond obtained by TPE from Pennsylvania Insurance Company, a copy of which is attached hereto as Exhibit “A”, and believes that same is acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Sandwich, DeKalb and Kendall Counties, Illinois, as follows:

SECTION 1. Resolution 25-07 is repealed in its entirety.

SECTION 2. That the Decommissioning Bond between TPE IL KE109, LLC and Pennsylvania Insurance Company is hereby approved and accepted by the City of Sandwich and the Mayor of the City of Sandwich.

SECTION 3. That City staff are authorized to take all actions necessary to effectuate this Council Action.

PASSED BY THE CITY COUNCIL of the City of Sandwich, Illinois, at a regular meeting thereof held on the _____ day of August, 2025, and approved by me as Mayor on the same day.

AYES: _____

NAYS: _____

ABSENT: _____

Todd Latham, Mayor

ATTEST:

Denise Li, City Clerk

CERTIFICATION

I, Denise Ii, do hereby certify that I am the duly elected, qualified and acting City Clerk of the City of Sandwich, Counties of DeKalb and Kendall, and State of Illinois, and that I am keeper of the records, ordinances and other proceedings of said City; and I further certify that the above and foregoing is a true and correct copy of

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As approved and adopted by the City Council at a regular meeting of the City Council of the City of Sandwich, held on the ____ day of August, 2025, which meeting was held in the Council Chambers located in the City Hall Annex at 128 East Railroad Street in the City of Sandwich, Illinois.

Witness my hand and seal this ____ day of _____, 2025.

Denise Ii, City Clerk

EXHIBIT "A"
DECOMMISSING BOND

**DECOMMISSING BOND EXHIBIT “A”
DECOMMISSING PLAN**