

STATE OF ILLINOIS )  
 )  
COUNTY OF LIVINGSTON )  
 )  
VILLAGE OF CULLOM )

**RESOLUTION 2022-A**

**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 SULLIVAN TOWNSHIP, LIVINGSTON COUNTY, ILLINOIS**

**RESOLUTION NUMBER 2022-A**

A RESOLUTION approving development and construction of a wind energy conversion system (“WECS”) project, or any part thereof, within one and a half (1 ½) miles of the corporate limits of the Village of Cullom (“Village”) by Livingston Wind Project, LLC, a Delaware limited liability company, and its affiliates and assignees (collectively “Developer”) to be located within the area identified on the preliminary project map attached as Exhibit B (the “Project Map”), proclaiming support for the development of a WECS project by Developer within Sullivan, Broughton, Round Grove, and Union Townships in Livingston County, Illinois (the “Project”), and authorizing the President of the Village of Cullom to execute a letter to the Livingston County Board and Livingston 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 (1 ½) 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 Sullivan and the County of Livingston;

WHEREAS, Livingston County Code of Ordinances Part II, Chapter 56, Article VIII, § 56-618(h)(4) states, “An incorporated village or municipality must approve the location of any

tower to be located within one mile and a half miles of the corporate limits of such incorporated village or municipality.”;

WHEREAS, the Village has determined that the development 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, cables, and substations, will improve the general welfare of the residents of the Village;

WHEREAS, the Village is authorized and empowered under the Illinois Municipal Code, the Livingston County Code of Ordinances, and the Village Code of Ordinances to approve the development and construction of a WECS project or any part thereof, including but not limited to WECS towers, cables, and substations, 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 or 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 of the Project to the Livingston County Board and the Livingston County Zoning Board of Appeals;

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

Section 1: The Village of Cullom hereby proclaims its support for the development and construction of the Project by Developer in Livingston County, Sullivan, Broughton, Round Grove, and Union Townships, and within the one and a half (1 ½) mile radius from the Village

limits, including but not limited to the development and construction of WECS towers, cables, and substations.

Section 2: The Village of Cullom hereby approves the development and construction of the Project, or any part thereof, including but not limited to WECS towers, cables, and substations, by Developer within one and a half (1 ½) miles of the Village's corporate limits pursuant to Livingston County Code of Ordinances Part II, Chapter 56, Article VIII, § 56-618(h)(4), as set forth on the preliminary Project Map, so long as the Project otherwise satisfies County setback requirements pursuant to the Livingston County Code of Ordinances. The Village acknowledges that the final locations of the WECS towers, cables, and substations are subject to final engineering. The Village approves the Developer's right to relocate the WECS towers, cables, and substations identified on the preliminary Project map to any other portion of the Project, provided that WECS towers sited within one and a half (1 ½) 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 Cullom 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, cables, and substations constructed within the one and a half (1 ½) 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 Cullom hereby authorizes the President of the Village of Cullom to execute and send the Letter of Support attached as Exhibit A to this Resolution to the Livingston County Board and the Livingston 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 7<sup>th</sup> day of February, 2022.

Ayes: 5

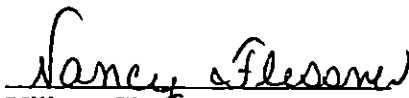
Nays: 0

Absent: 1

Abstain: 0

Approved this 7<sup>th</sup> day of February, 2022.

Signed:   
Village President

Attest:   
Village Clerk

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**EXHIBIT A TO RESOLUTION**

**LETTER OF SUPPORT FOR WECS PROJECT DEVELOPMENT**

February 7, 2022

To: Livingston County Board  
Livingston County Zoning Board of Appeals

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

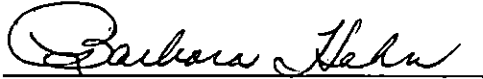
On February 7, 2022, the Village of Cullom Board of Trustees passed Resolution 2022-A proclaiming the Village's support for the development and construction of a wind energy conversion system ("WECS") project by Livingston Wind Project, LLC and its affiliates and assigns (collectively, "Developer") in Livingston County, Sullivan, Broughton, Round Grove, and Union Townships (the "Project"), and within a one and a half (1 ½) mile radius from the Village limits, including but not limited to the development and construction of WECS towers, cables, and substations, pursuant to Livingston County Code of Ordinances Part II, Chapter 56, Article VIII. Further by Resolution 2022- A the Village approves and supports the construction of the Project by Developer, including but not limited to WECS towers, cables, and substations, within the one and a half (1 ½) mile radius of the corporate limits of the Village of Cullom pursuant to Livingston County Code of Ordinances Part II, Chapter 56, Article VIII, § 56-618(h)(4), as set forth on the preliminary Project Map attached as Exhibit B to Resolution 2022-A (the "Project Map"), so long as the Project otherwise satisfies County setback requirements pursuant to the Livingston County Code of Ordinances. The Village acknowledges that the final locations of the WECS towers, cables, and substations are subject to final engineering. The Village approves the Developer's right to shift the WECS towers, cables, and substations identified on the preliminary Project map, provided that WECS towers sited within one and a

half (1 ½) miles of Village corporate limits may shift by one second or more of latitude and longitude only with additional approval by the Village.

Resolution 2022-A is enclosed herein.

Sincerely,

VILLAGE OF CULLOM

  
Village President Barbara Hahn

**EXHIBIT B TO RESOLUTION**  
**PRELIMINARY PROJECT MAP**





Exhibit B – Preliminary Site Map to include with Resolution 2022 A