

**IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT  
EDGAR COUNTY, ILLINOIS**

RIDES MASS TRANSIT DISTRICT,  
  
Plaintiffs,

vs.

DONALD WISEMAN, EDGAR COUNTY  
TREASURER, in his official capacity, and the  
EDGAR COUNTY BOARD  
  
Defendant

No. 16-L-16

**FILED**

**FEB - 9 2017**

*Angela R. Barrett*  
Circuit Clerk, 5th Judicial Circuit Edgar County

**FIRST AMENDED COMPLAINT**

**COUNT I- PROMISSORY ESTOPPEL**

NOW COMES the Plaintiff, Rides Mass Transit District, by and through its attorneys of the Law Office of Robert C. Wilson for its Complaint for Breach of Contract and states as follows:

1. East Central Illinois Mass Transit District (hereinafter "ECIMTD") provided mass transit services to Edgar County, Illinois and Clark County, Illinois at all relevant times prior to July 1, 2013.
2. On or about April 18, 2013, the governing board of ECIMTD approved an ordinance where "[ECIMTD] has determined that it should terminate its existence *ad (sic)* services in order to provide Clark County and Edgar County an opportunity to join a contiguous Mass Transit District" (see attached Exhibit "A").
3. The ordinance specified that ECIMTD would be dissolved effective June 30, 2013.
4. On June 17, 2013, the members of the Edgar County Board of Commissioners adopted a resolution, drafted by Edgar County State's Attorney Mark Isaf, providing "the County of

Edgar be annexed into the Rides Mass Transit District on July 1, 2013” (see attached Exhibit “B”).

5. Further, the June 17, 2013 resolution provided “that all assets received by Edgar County Treasurer upon the dissolution of the [ECIMTD] shall be transferred, assigned and conveyed by the County Treasurer to Rides Mass Transit District as the County’s contribution to Rides Mass Transit District.”
6. Edgar County was authorized to “transfer, assign and convey” the funds it received from the dissolution of ECIMTD pursuant to Downstate Public Transportation Act, 30 ILCS 740/2-15(b) which provides:

“Any county may apply for, accept and expend grants, loans or other funds from the State of Illinois or any department or agency thereof, from any unit of local government, from the federal government or any department or agency thereof, or from any other person or entity, for use in connection with any public transportation provided pursuant to this section.”
7. In reliance on the Edgar County Resolution of June 17, 2013 and statements made therein, the Rides Mass Transit District (hereinafter “Rides”) Board adopted Resolution 153 (see attached Exhibit “C”) on June 20, 2013 accepting the annexation of Edgar County into its mass transit district.
8. On June 30, 2013, ECIMTD ceased providing public transportation services to Edgar County.
9. On July 1, 2013, Rides began providing public transportation services in Edgar County pursuant to Edgar County Resolution dated the 17th day of June 2013.

10. On or about July 28, 2014, a cashier's check was sent to the Edgar County Treasurer in the amount of \$ \$150,775.97 as proceeds from the liquidation of ECIMTD's assets (see attached Exhibit "D").

11. On October 6, 2014, a cashier's check was sent to the Edgar County Treasurer in the amount of \$1,374.52 as final payment for the liquidation of ECIMTD's assets (see attached Exhibit "E").

12. On or about November 7, 2014, Rides, in further reliance on Edgar County's promise that:

**"Further be it ordained and resolved that all assets received by Edgar County Treasurer upon the dissolution of the East Central Illinois Mass Transit District shall be transferred, assigned and conveyed by the Treasurer to Rides Mass Transit District as the County's contribution to Rides Mass Transit District."**

(See Exhibit "B"), Rides purchased property in Paris, Edgar County, IL at the cost of approximately \$635,000.00 to better provide public transportation services to Edgar County (see attached Exhibits "F", "G", and "H").

13. In reliance on Edgar County's promise that "all assets received by Edgar County Treasurer upon the dissolution of the East Central Illinois Mass Transit District shall be transferred, assigned and conveyed by the Treasurer to Rides Mass Transit District as the County's contribution to Rides Mass Transit District" (See Exhibit "B"), Rides hired and employs fifteen (15) individuals at an annual cost of approximately \$730,186 in salary and benefits.

14. The Defendants have failed to remit the \$152,150.49 in liquidated assets to Rides as promised in the June 17, 2013 resolution.
15. Rides relied on the Defendant's promise to "transfer, assign and convey" the funds deposited with the Edgar County Treasurer from the dissolution of ECIMTD to Rides' detriment when Rides invested considerable amounts of money (\$635,000) to bring transportation services to Edgar County in reliance on receiving the funds from the dissolution of ECIMTD.

WHEREFORE, the Plaintiff, Rides Mass Transit District prays for judgment against the Defendants jointly and severally in the amount of \$152,150.49 for amounts due under the June 17, 2013 resolution, together with the costs of this action and any other relief this Court deems just and proper.

#### **COUNT II- BREACH OF UNILATERAL CONTRACT**

1. East Central Illinois Mass Transit District (hereinafter "ECIMTD") provided mass transit services to Edgar County, Illinois and Clark County, Illinois at all relevant times prior to July 1, 2013.
2. On or about April 18, 2013, the governing board of ECIMTD approved an ordinance providing "[ECIMTD] has determined that it should terminate its existence ad (*sic*) services in order to provide Clark County and Edgar County an opportunity to join a contiguous Mass Transit District" (see attached Exhibit "A").
3. The ECIMTD ordinance specified that ECIMTD would be dissolved effective June 30, 2013.

4. On June 17, 2013, the members of the Edgar County Board of Commissioners adopted a resolution, drafted by Edgar County State's Attorney Mark Isaf, providing "the County of Edgar be annexed into the Rides Mass Transit District on July 1, 2013" (see attached Exhibit "B").

5. The June 17, 2013 Edgar County Board resolution provided:

**"Further be it ordained and resolved that all assets received by Edgar County Treasurer upon the dissolution of the [ECIMTD] shall be transferred, assigned and conveyed by the County Treasurer to Rides Mass Transit District and the County's contribution to Rides Mass Transit District."**

(See attached Exhibit "B")

6. Further, the June 17, 2013 Edgar County Board resolution provided:

**"The resolution shall be effective when adopted by an official vote of the Edgar County Board and have an effective date when such resolution and ordinance is approved by 2/3 vote of the Rides Mass Transit District Board."**

(See attached Exhibit "B")

7. In order to induce Rides to annex Edgar County into Rides' district, on June 17, 2013 the Edgar County Board resolution was passed and approved by the Edgar County Board

(See attached Exhibit "C"). This was the offer of a unilateral contract.

8. On June 20, 2013, Rides' board passed Resolution 153 which "by a 2/3 vote of the Rides Mass Transit District Board" annexed Edgar County into its district effective July 1, 2013. (See attached Exhibit "C")

9. By Rides approving Resolution 153 by two-thirds vote (see attached Exhibit "C"), the resolution of Edgar County became effective on June 20, 2013 and Edgar County became bound by its terms, part of which included the direction to the Treasurer of Edgar County **"that all assets received by Edgar County Treasurer upon the dissolution of [ECIMTD] shall be transferred, assigned and conveyed by the County Treasurer to [Rides] as the County's contribution to [Rides]"** (See attached Exhibit "B"). Rides accepted Edgar County's offer to contract.
10. As consideration for the contract, Rides began providing mass transportation services to Edgar County residents on July 1, 2013.
11. On or about July 28, 2014, a cashier's check was sent to the Edgar County Treasurer in the amount of \$ \$150,775.97 as proceeds from the liquidation of ECIMTD's assets (see attached Exhibit "D").
12. On October 6, 2014, a cashier's check was sent to the Edgar County Treasurer in the amount of \$1,374.52 as final payment for the liquidation of ECIMTD's assets (see attached Exhibit "E").
13. As the Defendant Edgar County Board's consideration in entering into the contract and receiving from Rides the transportation services, the funds received on July 8, 2014 and October 6, 2014 by the Treasurer of Edgar County should have been transferred to Rides.
14. The Defendants have failed to remit and/or cause to be transferred the consideration of \$152,150.49 in proceeds of the liquidation of ECIMTD received by the Defendants to Rides. This is in breach of the contract that was entered into by the Edgar County Board when they offered to contract with Rides by passing the June 17, 2013 resolution which: **"shall be effective when adopted by an official vote of the Edgar County Board and**

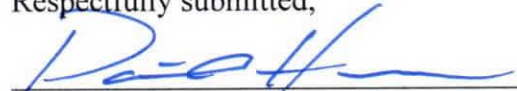
**have an effective date when such resolution and ordinance is approved by 2/3 vote of the Rides Mass Transit District Board” (See attached Exhibit “B”).**

15. Rides accepted Edgar County’s offer by approving by two-thirds vote the annexation of Edgar County on June 20, 2013 and by providing transportation services on and after July 1, 2013.

WHEREFORE, the Plaintiff, Rides Mass Transit District prays for judgment against the Defendants jointly and severally in the amount of \$152,150.49 for amounts due under the June 17, 2013 resolution, together with the costs of this action and any other relief this court deems just and proper.

Prepared by:  
Patrick Hunn  
Law Office of Robert C. Wilson  
P.O. Box 544 Harrisburg, IL 62946  
(618) 252-1776, ARDC# 6320820

Respectfully submitted,

  
Patrick Hunn, Attorney for Plaintiff

**IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT  
EDGAR COUNTY, ILLINOIS**

RIDES MASS TRANSIT DISTRICT,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	No. 16-L-16
	)	
DONALD WISEMAN, EDGAR COUNTY	)	
TREASURER, in his official capacity, and the	)	
EDGAR COUNTY BOARD	)	
	)	
Defendant	)	
	)	

**AFFIDAVIT OF WILLIAM JUNG**

1. Affiant is an adult over the age of twenty-one (21) years and under no legal disability.
2. Affiant is a resident of Massac County, Illinois.
3. Affiant is the Chief Executive officer of Rides Mass Transit District.
4. Affiant states that Rides Mass Transit District employs fifteen (15) people in Edgar County at an approximate annual cost of \$730,186 in salary and benefits.
5. Affiant states that Rides Mass Transit District purchase a building in Edgar County, IL at a cost of \$635,000 in order to provide public transportation services to Edgar County, IL.
6. Affiant states that Rides Mass Transit District relied on Edgar County transferring the funds from the liquidation of ECIMTD when it hired its employees and purchased the building in Edgar County.
7. Affiant states that during negotiations with Edgar County regarding annexation, Rides offered to have Rides' attorney prepare the ordinance for Edgar County, and further sent Edgar County State's attorney Mark Isaf a proposed resolution. Edgar County declined to use the Resolution drafted by Rides' attorney.
8. That if called as a witness, Affiant can and will confidently testify as to the facts set forth in this Affidavit.

FURTHER AFFIANT SAYETH NOT.

State of Illinois       )  
County of Saline       )


  
\_\_\_\_\_  
William Jung



State of Illinois )  
County of Saline )



Subscribed and sworn to before me this 1 day of February, 2017.

  
\_\_\_\_\_  
Notary Public

## VERIFICATION

Under penalty as provided by law, pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned, William Jung, in his official capacity as Chief Executive Officer for Rides Mass Transit District states that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Rides Mass Transit District

By: \_\_\_\_\_

  
William Jung

It's: Chief Executive Officer

**RESOLUTION 0413**

**ORDINANCE 0413**

**This Resolution and Ordinance authorizes the dissolution of the East Central Illinois Mass Transit District of Clark County and Edgar County, Illinois.**

WHEREAS, Clark County, Illinois and Edgar County, Illinois formed the East Central Illinois Mass Transit District by Resolution and Ordinance of Incorporation herein attached as Exhibit I and II, and

WHEREAS, East Central Illinois Mass Transit District is no longer able to provide mass transit transportation services on a cost efficient basis in Clark County and Edgar County, and

WHEREAS, adequate services are or can be made available to Clark County or Edgar County by joining a larger Mass Transit District, and

WHEREAS, East Central Illinois Mass Transit District has determined that it should terminate its existence and services in order to provide Clark County and Edgar County an opportunity to **join a contiguous Mass Transit District.**

NOW THEREFORE, be it ordained and resolved by the governing board of East Central Illinois Mass Transit District:

1. That adequate mass transit services are or can be made available to Clark County and Edgar County.
2. That the East Central Illinois Mass Transit District should terminate its existence and services.
3. That East Central Illinois Mass Transit District should certify to Clark County and Edgar County that it shall discontinue services on June 30, 2013 and wind up its affairs.
4. A copy of this Resolution and Ordinance shall be filed with the County Clerk of Clark County and the County Clerk of Edgar County and the Secretary of State of the State of Illinois.
5. **Any assets of East Central Illinois Mass Transit District remaining after payment of its bills shall be distributed by assignment to the Treasurer of Clark County and Treasurer of Edgar County.**
6. This Resolution and Ordinance is made pursuant to the provisions of 70 ILCS 3610/9.
7. That East Central Illinois Mass Transit District shall be dissolved effective June 30, 2013.

PRESENTED and ADOPTED this 18th day of April, 2013



On the following vote:

AYES

5

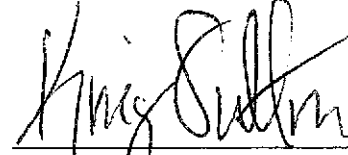
ABSENT

1

NAYES

0

East Central Illinois Mass Transit District



East Central Illinois Mass Transit District  
Board Chairman

Date: 04/18/13

ATTEST:

The undersigned Joan Mattingly being the duly elected Secretary of East Central Illinois Mass Transit District does herewith certify that the above Resolution and Ordinance was adopted the 18<sup>th</sup> day of April, 2013 by the Governing Board of East Central Illinois Mass Transit District.

Dated this 18th day of April, 2013.



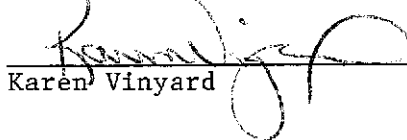
Secretary of East Central Illinois Mass Transit District

K:\MASS TRANSIT DISTRICT\EAST CENTRAL ILLINOIS MASS TRANSIT DISTRICT\RESOLUTION and ORDINANCE.docx

Certified Copy

I certify that the original of this Resolution is on file in the records of the office of East Central Illinois Mass Transit District.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 18th Day of June, 2013.



Karen Vinyard



# EXHIBIT I

## RESOLUTION AND ORDINANCE INCORPORATING EAST CENTRAL ILLINOIS MASS TRANSIT DISTRICT

Be it ordained and resolved by the Board of Commissioners of the Counties of Edgar and Clark that East Central Illinois Mass Transit District be and hereby is incorporated as follows:

### ARTICLE I. Name.

The name shall be East Central Illinois Mass Transit District.

### ARTICLE II. Purpose.

The Mass Transit District shall have any and all authority conferred on Mass Transit Districts by the laws of the State of Illinois.

### ARTICLE III. Board of Trustees.

- A. The Board of Trustees of the East Central Illinois Mass Transit District shall be composed of:

Four Trustees to be appointed by the Chairperson of the Edgar County Board.

Two Trustees to be appointed by the Chairperson of the Clark County Board.

A Trustee will be appointed by the Chairperson of each County Board annexed into the district based on the county's federal and state funding appropriations for transportation services.

- B. The term of appointment shall be four (4) years with the exception of the initial terms which shall be staggered as follows:

<u>Appointment*</u>	<u>Initial Term</u>
Edgar County 1 <sup>st</sup> trustee	1years
Clark County 1st trustee	2years
Edgar County 2 <sup>nd</sup> trustee	2 years
Clark County 2 <sup>nd</sup> trustee	4 year
Edgar County 3 <sup>rd</sup> trustee	3 years
Edgar County 4 <sup>th</sup> trustee	4 years

- C. Voting. Each Trustee shall be entitled to one vote on each matter submitted to the Board of Trustees.

- D. Resignation. Any trustee may resign by filing a written resignation with Secretary of the East Central Illinois Mass Transit District whereupon the appointing authority will make another appointment to fill the unexpired term.
- E. Manner of Acting. - The act of a majority of general members present at a meeting at which a quorum is present shall be the act of the membership.
- F. Quorum. A quorum shall consist of 1 more than half of the appointed trustees.
- G. Powers. The Board of Trustees may adopt such By-Laws and establish such rules and regulations and take such other actions as may be necessary to achieve the purpose for which the East Central Illinois Mass transit District is formed.

**ARTICLE IV. Transfer of Title.**

All property held by each County acquired by the Section 5311 2006, 2007 & 2008 Consolidated Vehicle Procurement Rolling Stock Capital Assistance Program included in the East Central Illinois Mass Transit District shall be transferred to the District on the date this ordinance is effective or at the end of the current grant period, whichever is later.

**ARTICLE V. Effective Date.**

This ordinance shall be effective when adopted by an official vote of the Edgar, and Clark County Boards and shall have an effective date which shall be the date the last of said County Boards adopt this ordinance.

**\* Appointees for Edgar County:**

Kevin Trogdon - County Board Rep - 4 years  
Joan Mattingly - Senior Center Rep - 2 years  
King Sutton - Senior Center Rep - 3 years  
Kristen Harden - Transportation Coordinator for HRC Rep - 1 year

I move for the adoption of the foregoing Resolution AND EDGAR COUNTY APPOINTEES.

Jeff Payton

I second the motion for the adoption of the foregoing Resolution AND EDGAR COUNTY APPOINTEES.

Kevin Stogdon

PASSED this 14<sup>th</sup> day of May, 2008.

James Velt  
CHAIRMAN OF THE BOARD

ATTEST:

Deborah R. Keener (SEAL)  
EDGAR COUNTY CLERK

# EXHIBIT II

## RESOLUTION AND ORDINANCE INCORPORATING

### EAST CENTRAL ILLINOIS MASS TRANSIT DISTRICT

Be it ordained and resolved by the Board of Commissioners of the Counties of Edgar and Clark that East Central Illinois Mass Transit District be and hereby is incorporated as follows:

#### ARTICLE I. Name.

The name shall be East Central Illinois Mass Transit District.

#### ARTICLE II. Purpose.

The Mass Transit District shall have any and all authority conferred on Mass Transit Districts by the laws of the State of Illinois.

#### ARTICLE III. Board of Trustees.

A. The Board of Trustees of the East Central Illinois Mass Transit District shall be composed of:

Four Trustees to be appointed by the Chairperson of the Edgar County Board.

Two Trustees to be appointed by the Chairperson of the Clark County Board.

A Trustee will be appointed by the Chairperson of each County Board annexed into the district based on the county's federal and state funding appropriations for transportation services.

B. The term of appointment shall be four (4) years with the exception of the initial terms which shall be staggered as follows:

<u>Appointment</u>	<u>Initial Term</u>
Edgar County 1 <sup>st</sup> trustee	1 years
Clark County 1st trustee	2 years
Edgar County 2 <sup>nd</sup> trustee	2 years
Clark County 2 <sup>nd</sup> trustee	4 year
Edgar County 3 <sup>rd</sup> trustee	3 years
Edgar County 4 <sup>th</sup> trustee	4 years

C. Voting. Each Trustee shall be entitled to one vote on each matter submitted to the Board of Trustees.



- D. Resignation. Any trustee may resign by filing a written resignation with Secretary of the East Central Illinois Mass Transit District whereupon the appointing authority will make another appointment to fill the unexpired term.
- E. Manner of Acting. – The act of a majority of general members present at a meeting at which a quorum is present shall be the act of the membership.
- F. Quorum. A quorum shall consist of 1 more than half of the appointed trustees.
- G. Powers. The Board of Trustees may adopt such By-Laws and establish such rules and regulations and take such other actions as may be necessary to achieve the purpose for which the East Central Illinois Mass transit District is formed.

ARTICLE IV. Transfer of Title.

All property held by each County acquired by the Section 5311 2006, 2007 & 2008 Consolidated Vehicle Procurement Rolling Stock Capital Assistance Program included in the East Central Illinois Mass Transit District shall be transferred to the District on the date this ordinance is effective or at the end of the current grant period, whichever is later.

ARTICLE V. Effective Date.

This ordinance shall be effective when adopted by an official vote of the Edgar, and Clark County Boards and shall have an effective date which shall be the date the last of said County Boards adopt this ordinance.

PASSED THIS 15<sup>th</sup> DAY OF May, 2008.

AYES: 7

NAYES: 0

ABSENT: 0

APPROVED THIS 15<sup>th</sup> DAY OF May, 2008.

ATTEST:

CLARK COUNTY BOARD

Larry Ingram  
CHAIRMAN

W. C. Owens  
SECRETARY

RESOLUTION – EAST CENTRAL ILLINOIS MASS TRANSIT DISTRICT - RIDES MASS  
TRANSIT DISTRICT

Be it ordained and resolved by the Members of the Edgar County Board that East Central Illinois Mass Transit District is authorized to discontinue its services and wind up its affairs pursuant to resolution by said District effective June 30<sup>th</sup>, 2013.

Be it ordained and resolved by the Members of the Edgar County Board that the County of Edgar be annexed into the Rides Mass Transit District on July 1st, 2013.

As a county member of the Rides Mass Transit District, Edgar County will have representation on the District Board according to the Local Mass Transit District Act ( 70 ILCS 3610) and the Rides Mass Transit District By-Laws, one Trustee to be appointed by the Chairperson of the County Board.

Further be it ordained and resolved that all assets received by Edgar County Treasurer upon the dissolution of the East Central Illinois Mass Transit District shall be transferred, assigned and conveyed by the County Treasurer to Rides Mass Transit District as the County's contribution to Rides Mass Transit District.

Further be it ordained and resolved that Rides Mass Transit District is herewith given immediate authority to apply for any and all Grants and Operating Assistance for public transportation services in the County for periods on and after July 1, 2013 the date of annexation of the County to Rides Mass Transit District.

The resolution shall be effective when adopted by an official vote of the Edgar County Board and have an effective date when such resolution and ordinance is approved by 2/3 vote of the Rides Mass Transit District Board.

On roll call vote this RESOLUTION NO. \_\_\_\_\_ was passed and approved this 27 day of June, 2013.



On the following vote:

AYES 4

ABSTAIN 0

NAYES 0

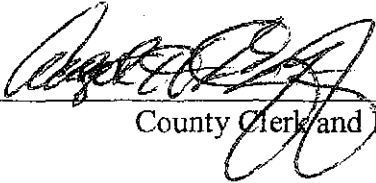
---

EDGAR COUNTY BOARD OF COMMISSIONERS



Chairman

ATTEST:



County Clerk and Recorder

K:\MASS TRANSIT DISTRICT\EAST CENTRAL MASS TRANSIT DISTRICT\Resolution Edgar County.docx

Resolution authorizing the annexing of contiguous counties into the Rides Mass Transit District.

WHEREAS, the regionalism of public transit service is essential to the transportation of persons in the non-urbanized area; and

WHEREAS, the Downstate Operating Assistance Program makes funds available to help offset expenditures of eligible systems; and

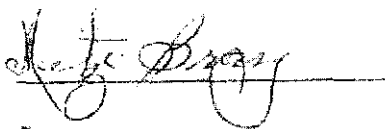
WHEREAS, grants for said funds will impose certain obligations upon the recipient, including the provision to provide local share necessary to cover costs not covered by the Downstate Operating Assistance Program and section 5311 of the Federal Transit Act of 1991.

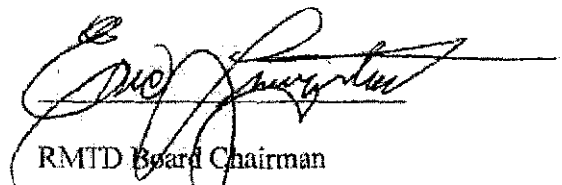
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE Rides Mass Transit District:

Section 1. That by a 2/3 vote of the Rides Mass Transit District Board the Edgar County be annexed into the District on July 1, 2013.

Ayes 9  
Nays 0  
Abstain 0

PRESENTED and ADOPTED this 20th day of JUNE, 2013.

  
Secretary

  
RMTD Board Chairman

Date: 6/20/13

Date: JUN/20/2013

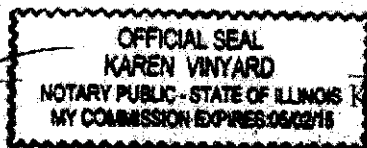
Certified Copy

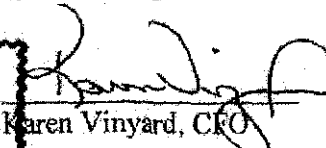
I certify that the original of this Resolution is on file in the records of the office Rides Mass Transit District in my custody.

I do further certify that the foregoing Resolution remains in full force and effect and has not been rescinded, as amended or altered in any manner since the date of its adoption.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 20th Day of June 2013.

  
Bill Jung, CEO



  
Karen Vinyard, CFO





THE EDGAR COUNTY BANK & TRUST

MEMPHIS, TENNESSEE

No. 1051147

REMITTEE Kids Mass Transit District

DATE July 28, 2014

PAY TO THE ORDER OF Edgar County Treasurer

**\$ 150,775.97**

\*\*\* One Hundred Fifty Thousand Seven Hundred Seventy Five and 97/100 \*\*\*

DOLLARS

**CASHIER'S CHECK**

This instrument may become void after 90 days after the date of issue.

Customer Copy

**NON-NEGOTIABLE**

THIS DOCUMENT HAS A POLYMER SECURITY FEATURE AND MUST BE VIEWED UNDER ULTRAVIOLET LIGHT



THE EDGAR COUNTY BANK & TRUST

No. 1051147

MEMPHIS, TENNESSEE

EDGAR COUNTY

0217 155 4114

EDGAR COUNTY

REMITTEE Kids Mass Transit District

DATE July 28, 2014

PAY TO THE ORDER OF Edgar County Treasurer

**\$ 150,775.97**

\*\*\* One Hundred Fifty Thousand Seven Hundred Seventy Five and 97/100 \*\*\*

DOLLARS

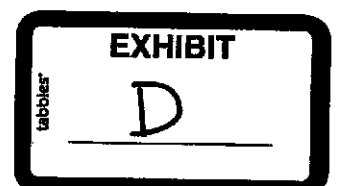
**CASHIER'S CHECK**


This instrument may become void after 90 days after the date of issue.

ECIMTD Proceeds - 6890 Edgar County Share

*Carl A. Hayes*  
*Edgar County Treasurer*

⑈ 1051147⑈ 0071107827⑈ 70000000⑈



<b>EAST CENTRAL ILLINOIS MASS TRANSIT</b>		<b>3217</b>	
206 W. COURT ST. PARIS, IL 61944 217-486-8821		EDGAR COUNTY BANK & TRUST PARIS, ILLINOIS 70-03820711	
Edgar County Treasurer		10/8/2014	
One Thousand Three Hundred Seventy-Four and 52/100		DATE	
PAY TO THE ORDER OF		Edgar County Treasurer P.O. Box 1234 Paris, IL 61944	
88% of Auction Proceeds		**1,374.62 AMOUNT	
SECURITY FEATURES INCLUDED DETAILS ON EACH			
*003217* :071102827* 110 417 1*			

DDA Debits - 10/15/2014 - 3217 - \$1,374.52

0017065326	BOFD>071102827< Paris 2014-10-15 Batch 3404709074 Seq 015865326	FOR DEPOSIT ONLY DONALD G. WISEMAN, TREAS. EDGAR COUNTY TREASURER
------------	---	---

DDA Debits - 10/15/2014 - 3217 - \$1,374.52

EXHIBIT

tabbles

E



# PTAX-203

## Illinois Real Estate Transfer Declaration

Please read the instructions before completing this form.  
This form can be completed electronically at [tax.illinois.gov/retd](http://tax.illinois.gov/retd).

### Step 1: Identify the property and sale information.

1 509 EAST JASPER STREET

Street address of property (or PFI address, if available)

PARIS

61944

City or village

ZIP

PARIS

Township

2 Write the total number of parcels to be transferred. 1

3 Write the parcel identifying numbers and lot sizes or acreage.

Property index number (PIN)

Lot size or acreage

a 09-18-01-482-002

65,763 SQ. FT.

b

c

d

Write additional property index numbers, lot sizes or acreage in Step 3.

4 Date of instrument: 1 / 1 / 2 0 1 4

Month

Year

5 Type of instrument (Mark with an "X"):

Quit claim deed \_\_\_\_\_ Executor deed X Trustee deed \_\_\_\_\_

Beneficial interest \_\_\_\_\_ Other (specify): \_\_\_\_\_

6 Yes X No Will the property be the buyer's principal residence?

7 X Yes \_\_\_\_\_ No Was the property advertised for sale?  
(i.e., media, sign, newspaper, realtor)

8 Identify the property's current and intended primary use.

Current Intended (Mark only one item per column with an "X.")

a \_\_\_\_\_ Land/lot only

b \_\_\_\_\_ Residence (single-family, condominium, townhome, or duplex)

c \_\_\_\_\_ Mobile home residence

d \_\_\_\_\_ Apartment building (8 units or less) No. of units: \_\_\_\_\_

e \_\_\_\_\_ Apartment building (over 6 units) No. of units: \_\_\_\_\_

f \_\_\_\_\_ Office

g \_\_\_\_\_ Retail establishment

h X \_\_\_\_\_ Commercial building (specify): \_\_\_\_\_

i \_\_\_\_\_ Industrial building OFFICES & GARAGE

j \_\_\_\_\_ Farm

k X \_\_\_\_\_ Other (specify): EMPTY

Do not write in this area.  
County Recorder's Office use.

Date

Page No.

Vol.

Page

Received by

# COPY

9 Identify any significant physical changes in the property since January 1 of the previous year and write the date of the change.  
Date of significant change: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

(Mark with an "X.")

Demolition/damage \_\_\_\_\_ Additions \_\_\_\_\_ Major remodeling \_\_\_\_\_

New construction \_\_\_\_\_ Other (specify): \_\_\_\_\_

10 Identify only the items that apply to this sale. (Mark with an "X.")

a \_\_\_\_\_ Fulfillment of installment contract —

year contract initiated: \_\_\_\_\_

b \_\_\_\_\_ Sale between related individuals or corporate affiliates

c \_\_\_\_\_ Transfer of less than 100 percent interest

d \_\_\_\_\_ Court-ordered sale

e \_\_\_\_\_ Sale in lieu of foreclosure

f \_\_\_\_\_ Condemnation

g \_\_\_\_\_ Short sale

h \_\_\_\_\_ Bank REO (real estate owned)

i \_\_\_\_\_ Auction sale

j \_\_\_\_\_ Seller/buyer is a relocation company

k \_\_\_\_\_ Seller/buyer is a financial institution or government agency

l \_\_\_\_\_ Buyer is a real estate investment trust

m \_\_\_\_\_ Buyer is a pension fund

n \_\_\_\_\_ Buyer is an adjacent property owner

o \_\_\_\_\_ Buyer is exercising an option to purchase

p \_\_\_\_\_ Trade of property (simultaneous)

q \_\_\_\_\_ Sale-leaseback

r \_\_\_\_\_ Other (specify): \_\_\_\_\_

s \_\_\_\_\_ Homestead exemptions on most recent tax bill.

1 General/Alternative \$ 0.00

2 Senior Citizens \$ 0.00

3 Senior Citizens Assessment Freeze \$ 0.00

### Step 2: Calculate the amount of transfer tax due.

Note: Round Lines 11 through 18 to the next highest whole dollar. If the amount on Line 11 is over \$1 million and the property's current use on Line 8 above is marked "e," "f," "g," "h," "i," or "k," complete Form PTAX-203-A, Illinois Real Estate Transfer Declaration Supplemental Form A. If you are recording a beneficial interest transfer, do not complete this step. Complete Form PTAX-203-B, Illinois Real Estate Transfer Declaration Supplemental Form B.

11 Full actual consideration

11 \$ 635,000.00

12a Amount of personal property included in the purchase

12a \$ 0.00

12b Was the value of a mobile home included on Line 12a?

12b Yes X No

13 Subtract Line 12a from Line 11. This is the net consideration for real property.

13 \$ 635,000.00

14 Amount for other real property transferred to the seller (in a simultaneous exchange) as part of the full actual consideration on Line 11

14 \$ 0.00

15 Outstanding mortgage amount to which the transferred real property remains subject

15 \$ 0.00

16 If this transfer is exempt, use an "X" to identify the provision.

16 X b \_\_\_\_\_ k \_\_\_\_\_ m

17 Subtract Lines 14 and 15 from Line 13. This is the net consideration subject to transfer tax.

17 \$ 0.00

18 Divide Line 17 by 500. Round the result to the next highest whole number (e.g., 51.002 rounds to 52).

18 0.00

19 Illinois tax stamps — multiply Line 18 by 0.50.

19 \$ 0.00

20 County tax stamps — multiply Line 18 by 0.25.

20 \$ 0.00

21 Add Lines 19 and 20. This is the total amount of transfer tax due.

21 \$ 0.00

PTAX-203 (R-9/10)

This form is authorized in accordance with 35 ILCS 200/31-1 of seq. Disclosure of this information is REQUIRED. This form has been approved by the Forms Management Center. IL-492-0227

ID:INT, Declaration Number: N141-R528-S571-2440

EXHIBIT

F



**Step 3: Write the legal description from the deed.** Write, type (minimum 10-point font required), or attach the legal description from the deed. If you prefer, submit an 8 1/2" x 11" copy of the extended legal description with this form. You may also use the space below to write additional property index numbers, lots sizes or acreage from Step 1, Line 3.

LOT NO. 3 IN THE DIVISION OF THE ESTATE OF SAMUEL UTTER, DECEASED, AS SHOWN BY THE PLAT OF SAID SUBDIVISION RECORDED IN DEED RECORD 90, PAGE 84 OF THE EDGAR COUNTY, ILLINOIS RECORDS, EXCEPT THAT PART THEREOF USED FOR ROAD PURPOSES, AND BEING PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 13 NORTH, RANGE 12 WEST OF THE 2ND P.M. ALSO, LOTS NOS. 47, 48, 49, 50, 51, 52, 53, 54, 55 AND 56 IN CRAWFORD CREST ADDITION TO THE CITY OF PARIS, EDGAR COUNTY, ILLINOIS AS SHOWN BY PLAT RECORDED IN DEED RECORD 148 AT PAGE 514 OF THE RECORDS OF EDGAR COUNTY, ILLINOIS, EXCEPT THAT PART THEREOF CONVEYED FOR HIGHWAY PURPOSES; AND ALSO CONVEYING THAT PORTION OF THE ALLEY (NOW VACATED) LYING BETWEEN LOTS 47 TO 51 INCLUSIVE ON THE SOUTH AND LOTS 52 TO 56 INCLUSIVE ON THE NORTH AND BOUNDED BY THE WEST LINE OF LOT 51 PROJECTED NORTHWARD TO THE SOUTHWEST CORNER OF LOT 52 AND BY THE EAST LINE OF LOT 47 PROJECTED NORTHWARD TO THE SOUTHEAST CORNER OF LOT 56, SITUATED IN EDGAR COUNTY, ILLINOIS. PREIN: 09-18-01-482-002 SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND PROTECTIVE COVENANTS OF RECORD. SUBJECT TO THE 2014 REAL ESTATE TAXES WHICH GRANTEE ASSUMES AND AGREES TO PAY.

**Step 4: Complete the requested information.**

The buyer and seller (or their agents) hereby verify that to the best of their knowledge and belief, the full actual consideration and facts stated in this declaration are true and correct. If this transaction involves any real estate located in Cook County, the buyer and seller (or their agents) hereby verify that to the best of their knowledge, the name of the buyer shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois. Any person who willfully falsifies or omits any information required in this declaration shall be guilty of a Class B misdemeanor for the first offense and a Class A misdemeanor for subsequent offenses. Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

**Seller Information (Please print.)**

EDGAR COUNTY BANK & TRUST CO. TRUSTEE

455C4143

Seller's or trustee's name

Seller's trust number (if applicable - not an SSN or FEIN)

P O BOX 400

PARIS

IL 61944

Street address (after sale)

City

State ZIP

Seller's or agent's signature

( 217 ) 465-4154

Ext.

Seller's daytime phone

**Buyer Information (Please print.)**

RIDES MASS TRANSIT DISTRICT

Buyer's or trustee's name

Buyer's trust number (if applicable - not an SSN or FEIN)

30 VETERANS DR

HARRISBURG

IL 62946

Street address (after sale)

City

State ZIP

Buyer's or agent's signature

( 618 ) 253-8761

Ext.

Buyer's daytime phone

Mail tax bill to:

RIDES MASS TRANSIT DIST

30 VETERANS DR

HARRISBURG

IL 62946

Name or company

Street address

City

State ZIP

**Preparer Information (Please print.)**

RICHARD L. JAMES

Preparer's and company's name

Preparer's file number (if applicable)

328 N CENTRAL, P O BOX 820

PARIS

IL 61944

Street address

City

State ZIP

Preparer's signature

( 217 ) 465-2529

Ext.

Preparer's daytime phone

Preparer's e-mail address (if available)

Identify any required documents submitted with this form. (Mark with an "X") ☐ Extended legal description ☐ Form PTAX-203-A ☐ Itemized list of personal property ☐ Form PTAX-203-B

**To be completed by the Chief County Assessment Officer**

1 County Township Class Cook-Minor Code 1 Code 2  
2 Board of Review's final assessed value for the assessment year prior to the year of sale.  
Land  
Buildings  
Total

3 Year prior to sale  
4 Does the sale involve a mobile home assessed as real estate? Yes No  
5 Comments

Illinois Department of Revenue Use

Tab number

**BANTERRA BANK**  
**FUNDS TRANSFER AGREEMENT - BANK CUSTOMER**

1. **Authorization.** The undersigned authorizes Banterra Bank to transfer funds as specified below or as specified from time to time using any means or agent Banterra Bank considers suitable.
2. **Security.** Banterra Bank reserves the right to verify or authenticate any request by any means it deems appropriate. Customers who want to effect funds transfers more than one time, will be issued a security code and Section B must be signed.
3. **Requests.**
  - A. **Deadlines.** Banterra Bank will make every reasonable effort to act upon request(s) on the day received if received prior to Banterra Bank's deadline. Banterra Bank will not honor request(s) after its deadline, on weekends, or holidays observed by Banterra Bank or holidays observed by the funds transfer system to be used. The undersigned agrees to hold Banterra Bank harmless against claims of third parties for failure or delays in transfers.
  - B. **Funds.** Banterra Bank shall be under no obligation to honor funds transfer requests, when, at the time the request is made there are insufficient funds in the account; however, if funds are transferred without sufficient balances, Banterra Bank has the authority and right to collect all insufficient balances plus reasonable costs of collection.
  - C. **Revocation.** The undersigned agrees to hold Banterra Bank harmless against third parties when the undersigned revokes or cancels any funds transfer instructions. Banterra Bank makes no warranty as to its ability to revoke or cancel a transfer once made.
4. **Fees.** The undersigned agrees to pay all fees according to the fee schedule then in effect plus any direct charges incurred by Banterra Bank to make or revoke a request. Banterra Bank may make the appropriate transaction to the account for the transfer and debit the account for fees and direct charges in connection with each transfer.
5. **Limitation of Liability.** Banterra Bank shall be liable only for the gross negligence or willful misconduct of its employees and in no event is Banterra Bank liable for special, indirect, or consequential damages. Customer(s) signature(s) on the form constitutes acceptance of the above stated terms and authorizes Banterra Bank to execute the transfer of funds as outlined below or from time to time upon receipt of specific instructions.

Date of Wire: 11/07/2014 Amount of Wire: 629,288.92 Fee: 25.00 Correspondent Bank: FRB

**Section A:**

**Party Making Wire:**

Name: RIDES MASS TRANSIT DISTRICT  
Address: 30 VETERANS DR  
City, State, Zip: HARRISBURG IL 62946  
Telephone #: 618-253-8761

Charge account of: 6340679  
Charge teller #: \_\_\_\_\_

Acct. #: SAME

**Sending Wire To:**

Bank: FIRST BANK AND TRUST  
Address: 206 S CENTRAL  
City, State, Zip: PARIS IL 61944  
For Credit To: EDGAR COUNTY TITLE CO ESCROW ACT  
Recipient's Address (if other than Bank): 206 W WASHINGTON  
City, State, Zip: PARIS IL 61944  
For Final Credit To: \_\_\_\_\_

ABA#: 271172987

Is this a Branch? \_\_\_\_\_

Account #: 0100607895

Account # \_\_\_\_\_

[Signature]  
Customer Signature

11-6-14  
Date

**Section B:**

The undersigned authorizes Banterra Bank to transfer funds as may be specified from time to time upon receipt of written instructions when the assigned security code is used. Banterra Bank will not be liable to customer or a third party for refusing to make any such transfer requested if a wrong or incomplete security code is used.

Security Code Issued: 1876

[Signature]  
Authorized Signature of Bank Representative

11-6-14  
Date

[Signature]  
Customer Signature

Date

Collected Funds Verified

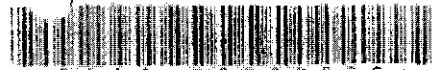
Yes ☒ No ☐

Date Wired: \_\_\_\_\_ Time: \_\_\_\_\_ Amount: \_\_\_\_\_ Wired By: \_\_\_\_\_ Info By: \_\_\_\_\_ Seq #: \_\_\_\_\_

**EXHIBIT**

tabbies

G



\* 2014-00002268 \*

2014-00002268

**TRUSTEE'S DEED**

The Grantor, **THE EDGAR**

**COUNTY BANK & TRUST CO.,**

Paris, Illinois, as Successor

Trustee to THE CITIZENS

NATIONAL BANK OF PARIS,

under the provisions of the

Trust known as Trust No.

**455C4143, under Trust Agreement**

AUGUST H. GRIFFIN

REGISTER OF DEEDS

EDGAR COUNTY, IL

11/07/2014 02:38:26PM

TRS DEED

REC FEE: 56.00

PAGES: 3

dated August 31, 2000, in exercise of the power and authority granted to it in and by said Trust Agreement and in pursuance of every other power and authority it enabling and pursuant to the written direction and authorization signed by holder of all the beneficial interest under said Trust, for and in consideration of TEN AND No/100 DOLLARS (\$10.00) and other good and valuable consideration, receipt whereof is hereby acknowledged, conveys and quit claims to **RIDES MASS TRANSIT DISTRICT**, a municipal corporation, in the following described real estate situated in the City of Paris, County of Edgar and State of Illinois, to wit:

LOT NO. 3 IN THE DIVISION OF THE ESTATE OF SAMUEL UTTER, DECEASED, AS SHOWN BY THE PLAT OF SAID SUBDIVISION RECORDED IN DEED RECORD 90, PAGE 84 OF THE EDGAR COUNTY, ILLINOIS RECORDS, EXCEPT THAT PART THEREOF USED FOR ROAD PURPOSES, AND BEING PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 13 NORTH, RANGE 12 WEST OF THE 2ND P.M.

ALSO, LOTS NOS. 47, 48, 49, 50, 51, 52, 53, 54, 55 AND 56 IN CRAWFORD CREST ADDITION TO THE CITY OF PARIS, EDGAR COUNTY, ILLINOIS AS SHOWN BY PLAT RECORDED IN DEED RECORD 148 AT PAGE 514 OF THE RECORDS OF EDGAR COUNTY, ILLINOIS, EXCEPT THAT PART THEREOF CONVEYED FOR HIGHWAY PURPOSES; AND ALSO CONVEYING THAT PORTION OF THE ALLEY (NOW VACATED) LYING BETWEEN LOTS 47 TO 51 INCLUSIVE ON THE SOUTH AND LOTS 52 TO 56 INCLUSIVE ON THE NORTH AND BOUNDED BY THE

**EXHIBIT**

tabbies

H

WEST LINE OF LOT 51 PROJECTED NORTHWARD TO THE SOUTHWEST  
CORNER OF LOT 52 AND BY THE EAST LINE OF LOT 47 PROJECTED  
NORTHWARD TO THE SOUTHEAST CORNER OF LOT 56.

SITUATED IN EDGAR COUNTY, ILLINOIS.

PREIN: 09-18-01-482-002

SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND PROTECTIVE  
COVENANTS OF RECORD.

SUBJECT TO THE 2014 REAL ESTATE TAXES WHICH GRANTEE ASSUMES  
AND AGREES TO PAY.

DATED this 7<sup>th</sup> day of November, 2014.

THE EDGAR COUNTY BANK AND TRUST CO.  
as Trustee of Trust No. 455C4143

BY: John D. Carrington VP  
Its Vice President and  
Trust Officer

ATTEST:

Carol A. Hughes  
Cashier

ACKNOWLEDGMENT

STATE OF ILLINOIS     )  
                              )  
COUNTY OF EDGAR     )     SS.

I, the undersigned, a Notary Public in and for said County, in the  
State aforesaid, do hereby certify that JOHN D. CARRINGTON, Vice  
President and Trust Officer of THE EDGAR COUNTY BANK AND TRUST CO.,  
Paris, Illinois, and CAROL A. HUGHES, Cashier of said Bank, who are  
personally known to me to be the same persons whose names are

subscribed to the foregoing instrument as such Vice President and Trust Officer and Cashier, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Bank as Trustee as aforesaid, and not for said Bank personally, for the uses and purposes therein set forth; and the said Cashier then and there acknowledged that as Custodian of the corporate seal of said Bank, she did affix said corporate seal to said instrument as her own free and voluntary act and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 7 day of November, 2014.

Melissa Roush

Notary Public



Exempt under the provisions of Paragraph B,  
Section 4, Real Estate Transfer Tax Act.

Date: 12-7-14

Th. Q. C. L. VP  
Buyer, Seller or Representative

Send Tax Statements To:

RIDES MASS TRANSIT DISTRICT  
30 Veterans Dr  
Harrisburg, IL 62946

This instrument Prepared By:

RICHARD L. JAMES, Attorney at Law  
328 North Central, P O Box 820  
Paris, Illinois 61944