Clinton Lake Sailing Association 6599 Sailboat Rd., Weldon, IL 61882 CLSAsailing.org / (727) 207-2336

MEMORANDUM OF UNDERSTANDING Clinton Lake Sailing Association and John Fayhee

Background: Dewitt County, IL Board Marina Committee posted a Request for Proposals on December 18, 2023 for bidders to submit proposals to purchase the Clinton Lake Marina with a due date of February 15, 2024. It is the intent of the Dewitt County Board to award the bid by April 1, 2024. Considerations for awarding RFP includes Commitment to honor Clinton Lake Sailing Association agreement and its terms thru 12/30/2024.

About CLSA: The Clinton Lake Sailing Association (CLSA), an Illinois not-for-profit corporation established in 1978, is the premier sailing destination in central Illinois. CLSA organizes sailboat racing and recreational sailing, promotes boating safety, offers sailing education classes and events, and promotes fellowship and cooperation among members via social events and mentorship programs. Membership is affordable (\$70 individual; \$35 student; \$95 family) and open to anyone who supports CLSA's mission. Members come mostly from the area encompassing Bloomington, Champaign-Urbana, Decatur, and Monticello. CLSA's excellent programs, including a nationally prominent regatta that includes about 80 sailors from all over the country, draw some members from as far away as Wisconsin and Indiana. Current membership includes over 200 people (54 individual, 6 student, and 75 family memberships), and has grown impressively over the last decade. CLSA maintains a fleet of club-owned dinghies (Lasers, Sunfish, Optimists) that are primarily used for educational purposes, as well as a pontoon boat and second support boat. CLSA is a vibrant sailing club with popular weeknight and weekend sailing programs. The number of sailboat slip renters at the Clinton Lake Marina continues to increase. CLSA aims to continue growing, and increasing the quality of its programs through investments in people, equipment, and facilities, facilitated by a stable, long-term relationship with the Marina Owner.

CLSA is an all-volunteer organization led by a volunteer board of directors, CLSA applied for federal 501(c)(7) designation in 2023.

MOU: Clinton Lake Sailing Association (CLSA) and John Fayhee, agree to enter into this memorandum of understanding. CLSA and John Fayhee will collaborate to continue to provide space and resources for the sailing activities of CLSA at the Dewitt County Marina.

In the interest of maintaining a sailing home for CLSA at the marina for decades to come, CLSA agrees to:

- Work collaboratively with the property owner and promptly respond to inquiries
- Discuss facilities and property needs and maintenance with the property owner prior to implementation
- Promote sailing and sailing education at the marina consistent with CLSA's Mission Statement with flyers and information requested by the marina owner
- Be good stewards of the property including grounds maintenance
- Refer our members to utilize marina services
- Continue to responsibly host and grow our events that bring many boaters to the lake and marina

John Fayhee will honor the current CLSA lease through December 31, 2024 and work collaboratively with CLSA to negotiate and sign a long-term lease (for example, a 20-year lease) with CLSA that begins January 1, 2025, or earlier, and includes provisions for the following:

- Long-term stability for CLSA to pursue equipment upgrades, property investments, and property improvements that enhance the sailing programs at CLSA, such as docks, race management equipment, buildings, and boat and equipment storage
- Meet with CLSA to assess and determine current and future needs
- An arrangement for CLSA to manage and maintain the dry land storage area it currently manages under its lease with DeWitt County, with CLSA retaining a similar or greater share of revenues.
- A plan for maintaining harbor depth in Hanson Harbor suitable for cabin and one-design sailboats
- Honoring slip rental for CLSA's Race Committee pontoon boat at current rate of \$1,232.00/yr

In addition, John Fayhee agrees to work with CLSA on addressing these important items:

- Provision for CLSA members to access available marina resources including indoor bathrooms and courtesy docks
- Keep slips and mooring balls available for lease by CLSA members
- To continue the sailboats-only restriction on CLSA boat ramps and CLSA dock, and maintain designated sailboat club parking areas.
- To extend electricity service to sailing pavilion
- To provide marina and sailing guests access to clean and safe drinking water
- The addition of showers to the property
- To continue to allow camping and short-term camper parking for CLSA members and regatta guests

Agreement Modification and Termination

Clinton Lako Cailing Association

This Memorandum of Understanding constitutes the entire agreement between the parties hereto and supersedes all prior dealings between the parties with respect to the subject matter, except for CLSA's existing lease with DeWitt County which is in effect through December 31, 2024. No subsequent amendment or other modifications to this agreement shall be binding upon either party, unless written and executed by both CLSA and John Fayhee

This Memorandum of Understanding is at will and may be modified by mutual consent of authorized officials from CLSA and John Fayhee. This MOU shall become effective once all signatures are affixed below and will remain in effect until it is superseded by a long-term lease between CLSA and John Fayhee unless modified or terminated by CLSA and John Fayhee by mutual consent.

Clinton Lake Salling Association		
Charles Suggs	Charles L. Siggs IV	14 Feb. 2024
Print Name	Signature	Date
John Fayhee	002	Feb 14 2024
Print Name	Signature	Date

Sullivan Marina and Campground, Llc Proposal to Purchase Clinton Lake Marina



Sullivan Marina and Campground Proposal to Purchase the Clinton Lake Marina

Background

In 1995, my parents, Dennis and Elaine Fayhee, were awarded the lease for Sullivan Marina and Campground, [then known as Fox harbor] after the prior business underwent bankruptcy. The leased area included 75 slips with approximately 20% occupancy, 150 campsites (mostly primitive) with six seasonal campers on site, a water-front restaurant in disrepair and acres of unused, underdeveloped property.

Within four years, our family exceeded our five year plan, expanding the business to include:

- 142 Destination/Seasonal Water/Electric/Sewer Sites
- 155 Open and Covered Boat Slips
- Popular Dockside Restaurant
- 12 Modern Kitchenette Suites
- · Pool, Recreation, and Laundry Facilities

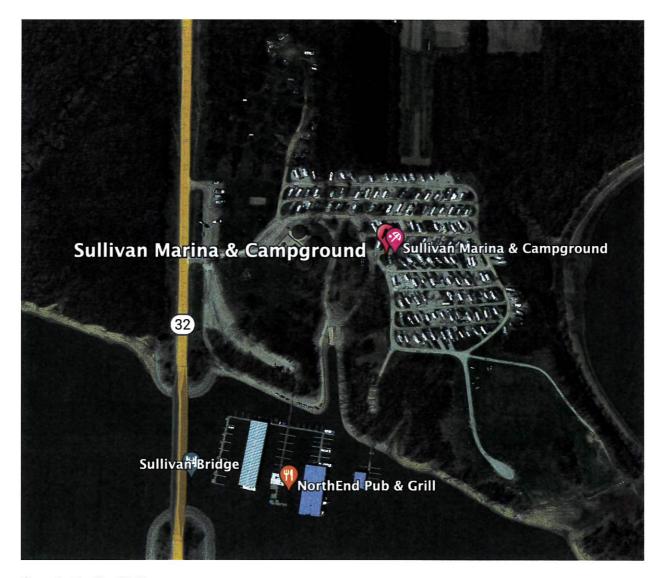
From the age of 12, I had a role in the growth of the site and business, growing up around the Marina and Campground and gaining first-hand experience and perspective in nearly every facet of the business. In 2013, following my father's passing, I secured bank financing to purchase Sullivan Marina and Campground from my mother, Elaine. As a second generation owner, my wife [Kayla] and I, built off of the lessons learned from my father while contributing a creative and youthful perspective. We have built relationships with loyal customers, local businesses, area economic development venues and USACE personnel, and are committed to operating a business that is truly part of the neighboring communities. It cannot be understated that Sullivan Marina and Campground represents a significant role in my upbringing. Under our ownership, we continue to raise our family, as I was raised, and maintain the charms of a professional family run business that visitors from all over continue to come back for. We have garnered a genuine love for this business, which is displayed in every decision, improvement, and otherwise daily aspect at Sullivan Marina and Campground.

Under my ownership, we have exceeded \$5 million in capital improvements to expand and improve the property with the following:

- New electric service throughout campground and marina
- Constant resurfacing of all roads
- The addition of 68 premium full hookup seasonal campsites
- The addition of 110 covered boat slips ranging from 24-50 feet
- Added 230 foot attenuator breakwater dock
- Renovation of 12 Kitchenette Suites
- Renovation and rebranding of Restaurant
- Replacement of old dock flotation with encapsulated flotation (now 90% encapsulated)

For the last 11 years, the marina and campground has maintained 100% occupancy, with a waiting list that now exceeds 400 people. The marina now has 265 boat slips and the campground has 215 campsites. Our family is the only entity with any length [now almost 30 years] of proven success at the site since the lake opened in 1970, having created a loyal

customer base among visitors and providing verifiable economic benefit to the surrounding communities. Since 2013, under my ownership, our growth has increased revenues by 300% and visitation to the facility has went from approximately 1200 people per weekend to nearly 2000. Much of our successes have derived from our desire and ability to grow, as well as, the pride we take in offering a clean, safe, family friendly atmosphere.

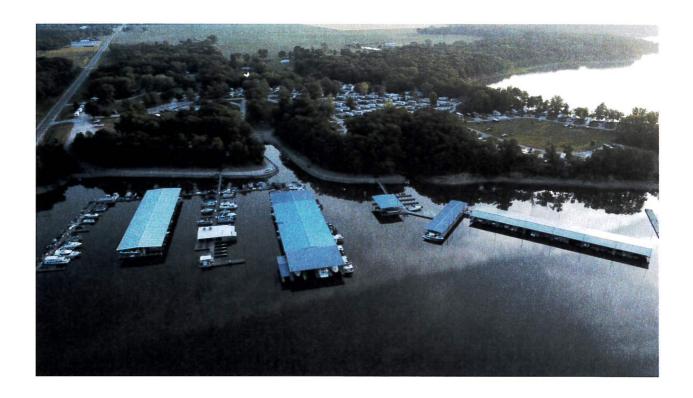


Google Earth 2013



Google Earth 2024









Moving Forward

Sullivan Marina and Campground maintains the knowledge and financial stability that will enable us to bring the same success to Clinton Lake Marina, as well as, Dewitt County as a whole. Although, Dewitt County has made some improvements for the marina under their ownership, many of the docks have reached the age that they must be replaced in the very near future. Many of the current docks were built with the flotation molded into the framework making it inefficient and/or unreasonable to simply replace the flotation. Many of the slip sizes are also too small to accommodate modern boats and/or the boat lifts that often accompany them in their slips. We are willing, able, and excited to take on the task of removing the old docks that have reached the end of their life and replace them with modern covered docks that more than fill the demand for the modern boat owner.

The Clinton Lake Marina Property has several acres of underutilized and unorganized open space that is currently used as trailer storage. There are currently around 10 acres that is used for boat trailer storage. At Sullivan Marina and Campground, we utilize approximately 1-2 acres to store the same amount of boat trailers. We believe we can consolidate the boat trailer storage into a much smaller area and use this space to build around 100 Seasonal RV Campsites. Our history has proven that seasonal campsites provide revenue to the entire operation enabling huge improvements to the marina property as a whole. Our history has also proven that seasonal campers who park their campers for the summer and make the campground their warm season destination, add a huge economic benefit to other local amenities not limited to groceries, fuel, hardware, automobile purchase and repair, and dining.

The main building at Clinton Lake Marina has also recently been underutilized. We have a plan to bring boat sales/service, rental boats, and dock store to the marina in a thoughtful and professional way adding sales tax revenue for Dewitt County.

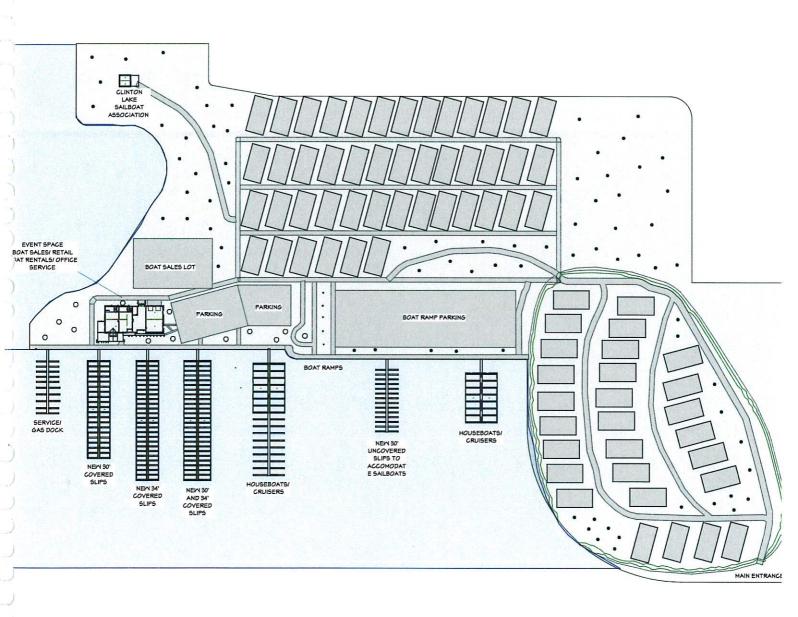
Development Plan

Within 5 years we would replace docks 2,3,4,6, and 7. Most of the docks would be sized between 30 and 34 feet long and most would be covered. Docks 6 and 7 will likely be replaced as uncovered docks to accommodate sailboats. All new construction docks will have all new power and water services. \$2M

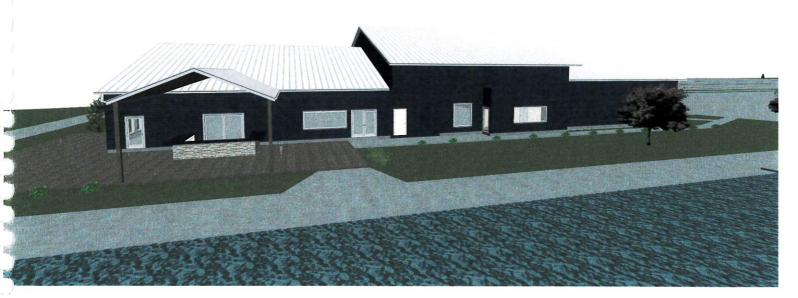
Year 1. Remodel main building to accommodate service and sales of boats, boat rentals, snack and dock store \$300,000

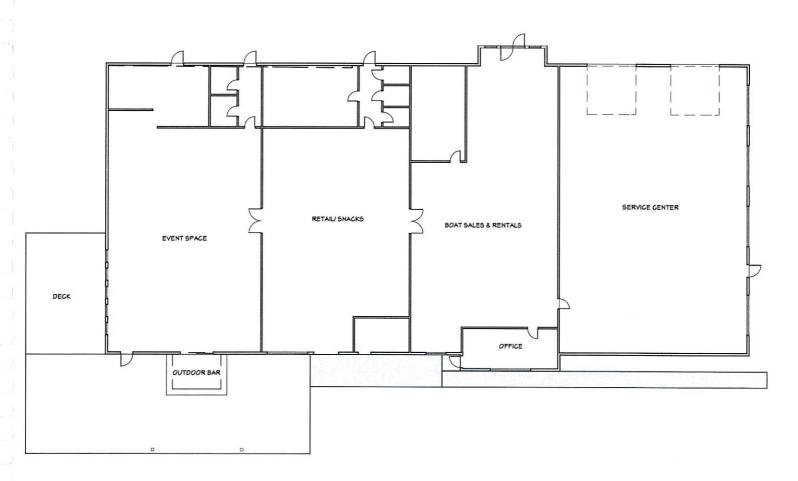
Year 2. Begin construction of up to 100 full hook up RV/Campsites. Construction would include sewage treatment plant that would fulfill the needs for entire developed property. \$1.5M

Once a purchase occurs, we would also be very interested in entering into a longterm lease or purchase agreement with Constellation Energy on adjacent property to build additional campsites









Proposed Purchase Price and Total 5 year Investment

Considering the vast amount of capital improvements that the Clinton Lake Marina needs to fulfill its potential, we feel that the appraised value of \$1,620,000 is also fair price. It is the \$3.8M investment in capital improvements and the potential for growth on the Clinton Lake Marina footprint that will be key for the projects sustainability for generations to come. We believe our 5 year investment in capital improvements will not only bring usable revenue to our operation but also an additional 400 visitors to the lake each week. Our improvements will also ensure stability to the current visitation numbers.

In addition, we would ask that the Dewitt County property taxes be offset by all major improvements that we would make on the property. We feel that the gains in visitation and sustainability of the marina would more than warrant such an agreement.

Existing Slip Renters

We agree to honor existing Slip Renter Leases if signed before completion of purchase

Clinton Lake Sailing Association

We had an opportunity to visit with a few of the members of the CLSA on our marina tour and have had some correspondence with them since. The CLSA is a without a doubt a unique and very interesting asset to the area. The group has desires and demand to grow their organization and we are confident that the CLSA will have that opportunity under our ownership.

Public Access of Main Ramp and Parking

We understand the need to keep the Clinton access ramp open to the public and are willing to keep this location available to transient boaters.

01/26/2024

Dewitt County PO Box 439 201 W Washington St. Clinton, IL 61727

To Whom It May Concern,

I am writing to express my enthusiastic support and commendation for Sullivan Marina and Campground, owned and operated by Mr. John Fayhee. As the Executive Director of the Sullivan Chamber and Economic Development, I have had the privilege of observing the business's operations and its significant impact on the Dewitt County community over the past 13 years, while in my position.

Sullivan Marina and Campground stands out as a model of excellence in the industry, demonstrating a high level of professionalism, dedication, and innovation. Under Mr. Fayhee's leadership, the business has consistently achieved success, maintaining a reputation for outstanding service and customer satisfaction.

What sets Sullivan Marina and Campground apart is not only its financial success but also its deep commitment to community engagement. Mr. Fayhee has been instrumental in fostering a sense of community by actively participating in local events, supporting charitable causes, and contributing to the overall well-being of the area.

The positive impact of Sullivan Marina and Campground on Moultrie County is evident in various ways. The business has created employment opportunities, stimulating economic growth and enhancing the quality of life for residents. Additionally, the support and involvement in community initiatives have made a lasting impression, solidifying the business as an integral part of the local fabric.

Mr. John Fayhee's leadership style is characterized by a combination of vision, integrity, and a genuine concern for the welfare of both employees and community members. His strategic decision-making and hands-on approach have played a pivotal role in the sustainable growth and success of Sullivan Marina and Campground.

I wholeheartedly recommend Sullivan Marina and Campground and Mr. John Fayhee for any recognition or accolades that may come their way. It is without reservation that I affirm the positive impact they have had on Moultrie County, both as a thriving business and as responsible corporate citizens.

If you require any further information or would like to discuss this recommendation in more detail, please feel free to contact me at director@sullivanchamber.com or 217-728-4223.

Thank you for considering my recommendation.

Sincerely,

Laurrie Minor, Executive Director

Sullivan Chamber and Economic Development

Dewitt County Board Dewitt County Courthouse Clinton, Illinois 61727

I am writing this letter in support of John Fayhee and including a brief history of our working relationship. I have known and worked with the Fayhee Family for over 30 years as Superintendent of Eagle and Wolf Creek State Parks and as the overseer of the golf course and former resort. Also, as Mayor of Sullivan we have worked together for more development and tourism for Lake Shelbyville. On many occasions we worked on problems concerning and dealing with flooding, ice problems, dredging at the marina, high water ramps, working with state and federal officials on problems, year-round camping, cabins, and possibly combining the Sullivan Marina and Eagle Creek Resort marinas.

John is very positive and drives himself to meet the needs of the public. As you know, this is a specialized business that is driven by customer relationships. He understands the concept and promotes the concept for customers and employees.

The marina business is a highly demanding business! I believe that John Fayhee is up to the task, and I highly recommend John Fayhee because of what he will bring to Clinton Lake and Dewitt County for the future. Do not hesitate to call me if you would like to discuss John and his marina experiences.

Sincerely, Nichard 1. Alaphrol

Richard Glazebrook

711 South Van Buren

Sullivan, Illinois 61951

217-246-5000



February 10, 2024

DeWitt County Board 201 W. Washington Street Clinton, Illinois 61727

Re: Clinton Marina RFP Process - Fayhee

Dear Board Members.

I am writing this letter of recommendation in support of John and Kayla Fayhee's purchase of the Clinton Marina. Twenty nine years ago this Spring, when I was sixteen years old, I began working for John's Dad, Dennis Fayhee mowing the grounds at the Sullivan Marina and Campground. It was their first year of business and the property had been through multiple operators, bankruptcy and failed re-leasing in the preceding five years. Though difficult to imagine today, no one in the community or at the Army Corps of Engineers believed the property to be viable long term. Both the property's, and Mr. Fayhee's failure were widely forecasted in the community. Below, I have placed an excerpt from a letter of recommendation Dennis Fayhee wrote for me twenty-eight years ago. His words convey the considerable obstacles before Mr. Fayhee and his family to create a destination from ruin through the eyes of a man who had bet everything on a new enterprise.

"...The facilities consisted of seventy-five slips, a floating restaurant, gas docks, one hundred and fifty campsites and a swimming pool. The condition of the property was abysmal. Grass was waist high, the swimming pool leaked two hundred gallons an hour, the restaurant had been shattered and the potable water and sanitary sewer were inoperable. These were but some of the obstacles facing a brand-new concern when we were awarded the lease on March 1, with a commitment to open April 1."

Over time, considerable progress was made and my friendship with Dennis, who passed in 2013, John, his brother Ryan and their mother Eliane became among the most valued of the past thirty years. Over the first ten years years in operation, I saw Dennis overcome significant struggles to establish the destination and achieve a firm financial footing. Following John's return from St. Louis where he earned a B.S. in Business Administration, he took up the family business while working in the insurance industry and starting a family. Upon Dennis' passing, John took over

the operation full time and elevated the marina and campground further by investing capital to upgrade docks, the restaurant, add and rebuild campsites and further improve nearly all aspects of the property. Equally skilled both at financing the enterprise and turning strangers into valued guests, John is just as comfortable fixing a broken dock as visiting with a banker or vendor about a new initiative.

The considerable success of the past ten years demonstrated to anyone who has been present, how uniquely capable John is at his craft and how the overwhelming success of the Sullivan Marina and Campground is directly attributable to John's work ethic, determination, vision, and personable nature. As a business owner and vested community member, I can confidently state that DeWitt County could do no better for its citizens then to sell the Clinton Marina to John. The combination of his strong financial position and considerable commitment to grow the facility into something greater than has been contemplated previously will yield the best results for taxpayers and visitors for years to come.

Sincerely,

Zak Horn, CEO



5/5

We've been coming here for 15 years and the campground & marina look better than ever! It's a wonderful, clean, family environment with easy lake access and a sweet pool!! There's a reason we keep coming back year after year!





Becky Harshaw

2 years ago on G Google

5/5

Just the whole atmosphere was great. The food and the service was awesome and each time we came we had a different waitress and each one always went above and beyond. Very friendly!





Carol Smith 🔀 recommends Sullivan Marina & Campground LLC.

January 16, 2016 · 🚱

We, too, have been at the dock since Fayhees bought it. John was a young teen that summer when he showed us the boat we bought. Our grandchildren look forward to their lake visits each year, and we look forward to seeing the friends we have made. Come join us if you like good, clean fun on the water.

1 comment



Paul Hilton Paul Hilton recommends Sullivan Marina & Campground LLC.

March 7, 2020 · 3

Great place to camp. The Fayhee family have a great place and work hard to make sure the experience is good. If you are looking for a permanent campground I would highly suggest Sullivan Marina and Campground.



2

் Like

Comment

Share



Steve Cox

2 years ago on G Google

5/5

3 nice things about this place. It has the only restaurant on the water at Lake Shelbyville (North End Pub & Grill). Secondly it's the only campground on Lake Shelbyville that has access to the water. There is a really nice pool and outdoor cooking area. And a fully functional fuel dock and Marina.

UPDATE: Sunday's breakfast was the best. we had a group of 8 that came in after watching the best firework show the night before. the owner John does these fireworks every year in August as a customer appreciation thing. The quality of the food and the staff were amazing.







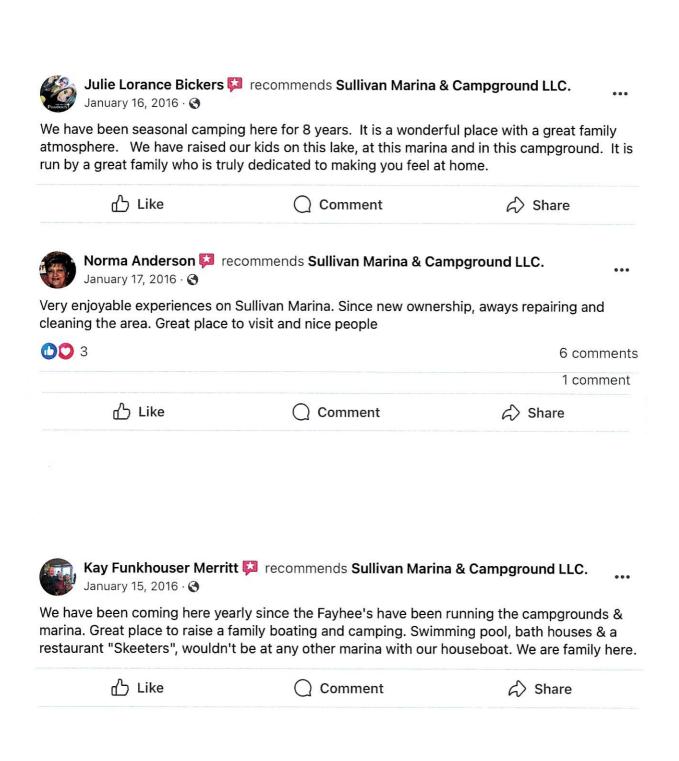


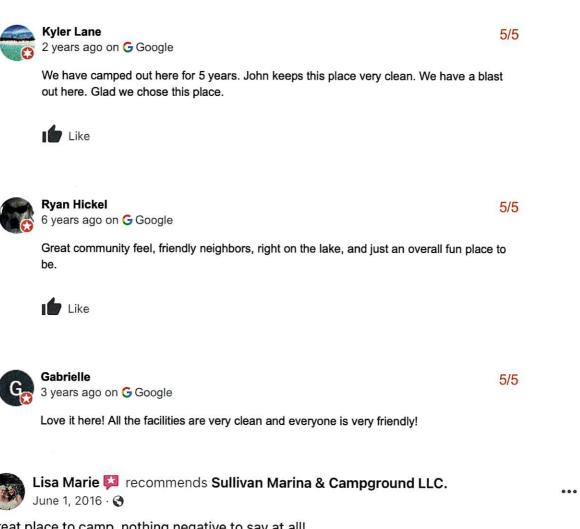


We came for a visit and to see what is available. A beautiful young lady who works at the office answered all of our questions. Very helpful.

Rooms: 5/5 | Service: 5/5 | Location: 5/5

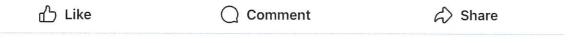






great place to camp, nothing negative to say at all! Skeeters is great, the grounds are kept nice by John and his wife Kayla, great fun, great friends and a family atmosphere!

5 stars



ليا سا Fees:

A .25% construction fee will be assessed. The Applicant will also be responsible for all costs incurred by the Bank in the analysis, document preparation, closing, or collection of the loan, including, but not limited to, attorney fees, environmental assessment costs, title insurance premiums, recording fees, appraisal fees, survey fees, credit reports, etc.

Collateral:

- 1st Mortgage on 6599 Sailboat Rd., Weldon, IL
- 2nd Mortgage on Sullivan Marina & Campground (925 State Highway 32, Sullivan, IL) - 1st Mortgage on personal residence/farm (850 Coalshaft Bridge Rd., Sullivan, IL)
- Blanket UCC on all business assets of new LLC (TBD)
- Shared UCC on all business assets of Sullivan Marina & Campground LLC

Guarantors:

James and Kayla Fayhee (secured, unlimited)

Sullivan Marina & Campground, LLC (secured, unlimited)

Reporting:

Applicant to provide the following as requested:

- Annual company prepared financial statement including Profit & Loss Statement and Balance Sheet from the applicant and guarantors.
- Company prepared, quarterly financial statements including Profit and Loss Statement and Balance Sheet from the applicant.
- Annual corporate and personal tax returns from the applicant and guarantors.

Other:

- Subject to SBA 504 loan approval.
- Construction payouts to be handled by a 3rd party title company.
- Subject to a Phase 1 environmental inspection.
- Flood search to be completed before closing.
- Inspection of well and septic tank on property to be completed.
- Verification of water rights for marina and lake access to be provided by applicant.
- Applicant to maintain deposit accounts with Bank
- Subject to appraisal acceptable to the Bank
- Rental agreements for campsites to be provided by borrower.

The terms and conditions discussed herein are non-binding and subject to change upon full underwriting of the loan request. Any future commitment to lend on this project will first be subject to receipt of the required certificate of need, full underwriting and due diligence by Lender and approval by the Bank's appropriate loan committees and/or Board of Directors as necessary. The proposed loan is also subject to the execution and delivery of documentation satisfactory in form and substance to the Bank and its legal counsel.

This letter is prepared for the exclusive use of the Applicant and is not to be released, discussed or communicated in any form or manner with any third party or financial institution without the prior written consent of the Bank. No third parties are entitled in any way to rely upon this letter.

I appreciate the opportunity to provide this information for your review and look forward to continuing discussions with you in regards to your financial needs. If you should have any questions, please call me at (217) 329-1606.

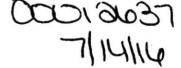
Respectfully,

Brian M. Beube Vice President

Form LLC-5.25	I Illinois	FILE 20012637
May 2012	Limited Liability Company Act	This space for use by Secretary of State.
Secretary of State	Articles of Amendment	•
Department of Business Services Limited Liability Division		FILED
501 S. Spi ngi 217-52-500-6-10049579	Type or print clearly.	JUL 1 4 2016
www.ayberdriveillinois.com	,	JESSE MILL
Payment may be made by check payable to Secretary of State. If	Filing Fee: \$150	JESSE WHITE SECRETARY OF STATE
check is returned for any reason this filing will be void.	Approved	ж.
		PAID
Limited Liability Company Name	SULLIVAN MARINA & CAMPGROUND, L.L.C.	JUL 1 5 2016
2. Articles of Amendment effective	on:	DEPARTMENT OF BUSINESS SERVICES
the file datea later date (not to exceed 30	days after the file date)	
a later date (not to exceed 50	days after the file date)	Month. Day, Year
 □ b) Admission of a new mana ☑ c) Withdrawal of a member (□ d) Withdrawal of a manager ☑ e) Change in address of the dress, a P.O. Box alone of the dress, a P.O. Box alone of the dress, a P.O. Box alone of the dress of the dress, a P.O. Box alone of the dress of the	(give name below)* office at which the records required by Section 1 r C/O is unacceptable.) at and/or registered agent's office (give new name a is unacceptable.) bility Company's name (give new name below) tion (state perpetual or date of dissolution below) attructure (state change and new name(s) and add e series (fee \$400, see NOTE)*	and/or address below, Address change
Item C: ELAINE FAYHEE is Item E: 925 State Highway Item F: Registered Agent/C Item H: The Limited Liability Item I: Management is ves	925 State Highway 32, Sullivan, IL 61951 withdrawn and removed as a Member. 32, Sullivan, Moultrie County, IL 61951 office is changed to: J. JOHN FAYHEE, 925 State Company shall be PERPETUAL. ted in the Members, being only: 925 State Highway 32, Sullivan, IL 61951	e Highway 32, Sullivan, IL 61951
New Name of LLC (as changed):	he name as changed must contain the words Lin	nited Liability Company, LLC or L.L.C.

(continued)

LLC-5.25



- 4. The amendment was approved in accordance with Section 5-25 of the Illinois Limited Liability Company Act, and, if adopted by the managers, was approved by not less than the minimum number of managers necessary to approve the amendment, member action not being required; or, if adopted by the members, was approved by not less than the minimum number of members necessary to approve the amendment.
- I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Amendment are to the best of my knowledge and belief, true, correct and complete.

Dated:	JUNE	23	2016
	Month/Day	'	Year
<	$\supset S$	m =	} -
Sign	alure (Must comer)	with Section	45 OF TELCA.)
J. JOHN FA	YHEE, Manage	r and Sole	Member
***************************************	Name and 1	litle (type or pr	rint)
- Ir t	he member or man	ager signing t	his document
	company or other e		

NOTE:

The following paragraph is adopted when Item 3j is checked:

The operating agreement provides for the establishment of one or more series. When the company has filed a Certificate of Designation for each series, which is to have limited liability pursuant to Section 37-40 of the Illinois Limited Liability Company Act, the debts, liabilities and obligations incurred, contracted for or otherwise existing with respect to a particular series shall be enforceable against the assets of such series only, and not against the assets of the Limited Liability Company generally or any other series thereof, and unless otherwise provided in the operating agreement, none of the debts, liabilities, obligations or expenses incurred, contracted for or otherwise existing with respect to this company generally or any other series thereof shall be enforceable against the assets of such series.