

Exhibit A to the Order

County Board of Whiteside County

ORDINANCE NO. ~~25~~-2-2025-6

Whereas, the applicant Prataria Solar, LLC (“Prataria Solar”) submitted an application on May 17, 2024 (“Application”) for approval of a special use permit for a commercial solar energy facility (“Project”) in accordance with the provisions of the Whiteside County Zoning Ordinance (the “Zoning Ordinance”) and, in particular, Section 39-268 of the Zoning Ordinance (the “Solar Ordinance”), and for approval to construct and operate the Project.

Whereas, the Project will have a nameplate generating capacity of up to five megawatts alternating current and will be sited on the parcel located on Prairie Center Road near Hillside Road in Morrison, Illinois in Whiteside County, Illinois, PIN 08-15-400-004.

Whereas, on June 20, 2024, a public evidentiary hearing was held before the Zoning Hearing Officer on the Application. The Zoning Hearing Officer found, based on the Application and evidence presented at the hearing, that the Application and Project satisfied all the requirements of the County’s Solar Ordinance. The Zoning Hearing Officer recommended approval of the Project to the Whiteside County Board.

Whereas, the Whiteside County Board voted to deny the Application on July 16, 2024.

Whereas, on October 10, 2024, Prataria Solar filed a Complaint against Whiteside County in the Circuit Court for the Fourteenth Judicial Circuit in Whiteside County, Illinois (the “Court”), in case No. 2024-MR-51, and requested: (1) a writ of mandamus compelling Whiteside County to approve the Application and issue a special use permit to Plaintiff for the construction and operation of the Project; and (2) declaratory relief.

Whereas, on March 18, 2025, the Court ordered that Whiteside County adopt this Ordinance granting the Application and approving the special use permit for the Project.

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD CHAIR AND THE COUNTY BOARD OF WHITESIDE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. That the special use within the Agricultural-1 District be granted to permit construction and operation of the Project in substantial compliance with the proposal set forth in the Application on the property legally described on **Attachment A**, and is hereby approved subject to the conditions attached as **Attachment B** to this Ordinance, which conditions supersede any conditions recommended by the Zoning Hearing Officer.

Section 2. In consideration for the issuance of this Special Use Permit, PRATARIA SOLAR, LLC, 3402 PICO BOULEVARD, SANTA MONICA, CALIFORNIA 90405, its successors and assigns, shall defend, indemnify and save harmless from liability Whiteside County, Illinois and its officers, officials, employees and members of the County Board from and against any and all claims, demands, losses, lawsuits, causes of action, damages, injuries, costs, expenses, including but not limited to, attorney's fees and costs of litigation arising from or under

this Special Use Permit or from the construction, maintenance or operation of the solar energy project contemplated under this Special Use Permit regardless of whether any such claim or litigation is based upon contract, tort or any other claimed legal theory.

Passed and adopted by the County Board of Whiteside County, Illinois, this 18th day of February 2025, by order of the Court.


Whiteside County Board Chair


Karen Stralow, County Clerk

**ATTACHMENT A
LEGAL DESCRIPTION**

A 54.097 ACRE LEASE AREA LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 4 EAST OF THE FOURTH PRINCIPAL MERIDIAN, BEING A PORTION OF LAND AS DESCRIBED IN WARRANTY DEED TO DEBRA J. ROCKEY, RECORDED APRIL 03, 2019 AS DOCUMENT NUMBER 2019-01623 IN THE RECORDER'S OFFICE OF WHITESIDE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT A 5/8-INCH REBAR FOUND AND ADOPTED AS THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 15; THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER SOUTH 89 DEGREES 59 MINUTES 31 SECONDS EAST A DISTANCE OF 2,618.09 FEET TO A SET COTTON SPINDLE AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 15 BEING THE POINT OF BEGINNING; THENCE ALONG THE WEST LINE OF SAID WEST HALF OF THE SOUTHEAST QUARTER NORTH 00 DEGREES 09 MINUTES 44 SECONDS WEST A DISTANCE OF 2,638.34 FEET TO A 5/8-INCH REBAR WITH ORANGE CAP FOUND AND ADOPTED AS THE NORTHWEST CORNER OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE ALONG THE NORTH LINE OF SAID WEST HALF OF THE SOUTHEAST QUARTER SOUTH 89 DEGREES 57 MINUTES 09 SECONDS EAST A DISTANCE OF 1,308.24 FEET TO A 5/8-INCH REBAR WITH ORANGE CAP FOUND AND ADOPTED AS THE NORTHEAST CORNER OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE ALONG THE EAST LINE OF SAID WEST HALF OF THE SOUTHEAST QUARTER SOUTH 00 DEGREES 10 MINUTES 48 SECONDS EAST A DISTANCE OF 1,749.82 FEET; THENCE LEAVING SAID EAST LINE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 11.89 FEET; THENCE NORTH 86 DEGREES 27 MINUTES 42 SECONDS WEST A DISTANCE OF 81.17 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 1,117.25 FEET; THENCE SOUTH 00 DEGREES 13 MINUTES 20 SECONDS EAST A DISTANCE OF 124.07 FEET; THENCE SOUTH 03 DEGREES 07 MINUTES 35 SECONDS WEST A DISTANCE OF 671.33 FEET; THENCE SOUTH 12 DEGREES 11 MINUTES 58 SECONDS EAST A DISTANCE OF 100.31 FEET TO THE SOUTH LINE OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE ALONG SAID SOUTH LINE NORTH 89 DEGREES 59 MINUTES 31 SECONDS WEST A DISTANCE OF 81.17 FEET TO THE POINT OF BEGINNING, CONTAINING 54.097 ACRES, BEING SUBJECT TO EASEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD, IF ANY.

ATTACHMENT B
CONDITIONS TO THE SPECIAL USE PERMIT

1. Any outdoor lighting shall be located so that it does not unreasonably disturb the neighboring property owners or the safety of the motoring public.
2. There shall be no employees permanently located at the site.
3. Routine service and maintenance shall only be conducted during regular business hours.
4. Access to the site shall be approved/permitted by the jurisdiction having authority over the roadway.
5. Final project parcel area, approved at time of building permit issuance, including all acreage required to meet setbacks, distances from residences, and access to the site from public roadway shall remain intact and under the full lease control of the owner/operator of said solar farm throughout the life of the project.
6. A surety bond shall be required in compliance with the timeline as outlined in the Agricultural Impact Mitigation Agreement (AIMA) insuring the proper decommissioning of the site.
7. An indemnification clause shall be provided in the Special Use Resolution and shall read as follows: "In consideration for the issuance of this Special Use Permit, PRATARIA SOLAR, LLC, 3402 PICO BOULEVARD, SANTA MONICA, CALIFORNIA 90405, its successors and assigns, shall defend, indemnify and save harmless from liability Whiteside County, Illinois and its officers, officials, employees and members of the County Board from and against any and all claims, demands, losses, lawsuits, causes of action, damages, injuries, costs, expenses, including but not limited to, attorney's fees and costs of litigation arising from or under this Special Use Permit or from the construction, maintenance or operation of the solar energy project contemplated under this Special Use Permit regardless of whether any such claim or litigation is based upon contract, tort or any other claimed legal theory."
8. The project's utility poles shall be located in the main project area (beginning approximately 900 feet north of the centerline of Prairie Center Road) with the solar arrays.
9. The vehicular turnaround shall be located in the main project area (beginning approximately 900 feet north of the centerline of Prairie Center Road) with the solar arrays.
10. Petitioner shall work with neighbor to the east to provide visual screening/buffering along the east side of the proposed access road, as decided upon by both parties. Petitioner shall be responsible for all screening/buffering costs and installation.