

ORDINANCE NUMBER 10 - 03

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS, TO SET A DATE FOR, AND TO APPROVE A PUBLIC NOTICE OF, A PUBLIC HEARING FOR THE CHRISTINA DRIVE REDEVELOPMENT PROJECT AREA

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of East Dundee, Kane County, Illinois, (the "*Village*") as follows:

Section . It is necessary and in the best interests of the Village that a public hearing be held prior to the adoption by the Board of Trustees of an ordinance or ordinances establishing the Christina Drive Redevelopment Plan and Project (the "*Redevelopment Plan*") and the Christina Drive Redevelopment Project Area (the "*Project Area*"), and accordingly, it is necessary that a date for such public hearing be established and notice thereof be given, all in accordance with the provisions of the Tax Increment Allocation Redevelopment Act, as amended, 65 ILCS 7/11-74.4-1, *et seq.* (the "*Act*").

Section Two. It is hereby determined that a public hearing (the "*Hearing*") on the proposed Redevelopment Plan for the proposed Project Area, as legally described in *Exhibit A*, attached to and made a part of this Ordinance, shall be held by the Board of Trustees of the Village on the 15th day of March 2010, at 6:30 p.m., at the Village Hall, 120 Barrington Avenue, East Dundee, Illinois.

Section Three. Notice of the Hearing is hereby authorized to be given by publication and mailing; notice by publication to be given at least twice, the first publication to be not more than thirty (30) nor less than ten (10) days prior to the Hearing in the *Daily Herald*, being a newspaper of general circulation within the taxing districts in the Project Area, and notice by mailing to be given by depositing such notice in the United States mail by certified mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the Project Area, not less than ten (10) days prior to the date set for the Hearing; provided however, that in the event taxes for the last preceding year were not paid, notice shall also be sent to the persons last listed on the tax rolls within the preceding three (3) years as owners of such property.

Section Four. Notice of the Hearing is hereby directed to be in substantially the following

form:

NOTICE OF PUBLIC HEARING

VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS, PROPOSED APPROVAL OF THE CHRISTINA DRIVE REDEVELOPMENT PROJECT AREA

Notice is hereby given that on the 15th day of March 2010, at 6:30 p.m., at the Village of East Dundee, Village Hall, 120 Barrington Avenue, East Dundee, Illinois, a public hearing (the "*Hearing*") will be held to consider the approval of the proposed Christina Drive Redevelopment Plan and Project (the "*Redevelopment Plan*") for, and the designation of, the Christina Drive Redevelopment Project Area (the "*Project Area*") legally described as follows:

See attached Exhibit A

The Project Area is composed of approximately 270 acres located in an area generally on the east side of the Village of East Dundee (the "*Village*") between Route 72 and Route 68 to the north and south, and between Route 25 and the county line to the east and west. Land uses in the Project Area consist of mining operations, vacant land, and reclamation activities.

The Redevelopment Plan objectives are to reduce or eliminate blighting conditions, to enhance the real estate and sales tax base of the Village and other affected taxing districts by encouraging private investment in commercial, industrial, and recreational development within the Project Area, and to preserve and enhance the value of properties therein, all in accordance with the provisions of the "Tax Increment Allocation Redevelopment Act," effective January 10, 1977, as amended (the "*Act*"). The Village may issue obligations to finance project costs in accordance with the Redevelopment Plan, which obligations may also be secured by the special tax allocation fund and other available funds, if any, as now or hereafter permitted by law, and which also may be secured by the full faith and credit of the municipality.

At the Hearing, approval of the Redevelopment Plan, designation of the Project Area, and the adoption of tax increment allocation financing for the Project Area will be considered. The Redevelopment Plan is on file and available for public inspection at the Village of East Dundee, Village Hall, 120 Barrington Avenue, East Dundee, Illinois. Pursuant to the proposed Redevelopment Plan, the Village proposes to facilitate redevelopment of the Project Area by incurring or reimbursing eligible redevelopment project costs, which may include, but shall not be limited to, studies, surveys, professional fees, property assembly costs, construction of public improvements and facilities, building and fixture rehabilitation, reconstruction, renovation and repair, financing costs, and interest costs, all as authorized under the Act. The Redevelopment Plan proposes to provide assistance by paying or reimbursing costs related to site assembly, analysis, professional services and administrative activities, public improvements and facilities, including new streets, water, sewer, street lighting, and landscaping improvements, the execution of one or more redevelopment agreements, and the payment of financing and interest costs.

Prior to the date of the Hearing, each taxing district having property in the proposed Project Area and the Illinois Department of Commerce and Economic Opportunity may submit written comments to the Village, to the attention of the President of the Village of East Dundee, Village Hall, 120 Barrington Avenue, East Dundee, Illinois 60118.

At the Hearing, all interested persons or affected taxing districts may file written objections with the Village Clerk and may be heard orally with respect to any issues regarding the approval of the proposed Redevelopment Plan, designation of the Project Area, and adoption of tax increment allocation financing therefor. The Hearing may be adjourned by the President and Board of Trustees of the Village without further notice other than a motion to be entered upon the minutes of the Hearing fixing the time and place of the subsequent hearing.

There is hereby convened a Joint Review Board (the "*Board*") to consider the proposed approval of the Redevelopment Plan, designation of the Project Area, and adoption of tax increment allocation financing therefor. The Board shall consist of a representative selected by the community college district, the community school district, the park district, the library district, the township, the fire protection district, the county, the Village, and a public member to be selected by a majority of other Board members. The first meeting of the Board shall be held on the 16th day of February 2010, at 2:00 p.m., at the Village of East Dundee, Village Hall, 120 Barrington Avenue, East Dundee, Illinois.

By Order of the President and Board of Trustees of the Village of East Dundee this 19th day of January 2010.


Village Clerk

Section Five. Notice is hereby directed to be given by mail, not less than forty-five (45) days prior to the date set for the Hearing, by depositing such notice in the United States mail by certified mail addressed to all taxing districts of which taxable property is included in the proposed Project Area, and to the Illinois Department of Commerce and Economic Opportunity (the "*DCEO*"). Notice shall include an invitation to each taxing district and the DCEO to submit written comments to the Village, in care of the President of the Village of East Dundee, Village Hall, 120 Barrington Avenue, East Dundee, Illinois 60118, concerning the subject matter of the Hearing prior to the date of the Hearing.

Section Six. It is hereby ordered that a Joint Review Board (the "*Board*") shall be convened on February 16, 2010, at 2:00 p.m., which is not sooner than fourteen (14) days nor later than twenty-eight (28) days following the notice to be given to all taxing districts, as provided in Section 5, to consider the proposed Redevelopment Plan for the proposed Project Area. The Board

shall consist of a representative selected by the community college district, the community school district, the park district, the library district, the township, the fire protection district, the county, the Village, and a public member to be selected by a majority of other Board members, and shall act in accordance with the applicable provisions of the Act.

Section Seven. The document entitled "Redevelopment Project Plan and Eligibility Report for the: Christina Drive Redevelopment Project Area" constituting the Redevelopment Plan will be available for inspection and review commencing the 8th day of January 2010, at the Village Hall, 120 Barrington Avenue, East Dundee, Illinois, during regular office hours.

Section Eight. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Nine. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Ten. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 19th day of January, 2010, pursuant to a roll call vote as follows:

AYES: 7 - Trustees Ruffalo, Gorman, Lynam, Miller, Cichowski, VanOstenbridge & President Bartels
NAYES: 0
ABSENT: 0

Approved by me this 19th day of January, 2010.

Jerald Bartels
JERALD BARTELS, President

Published in pamphlet form this 22nd day of January, 2010, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Rehberg
JENNIFER REHBERG, Village Clerk



Recorded in the Village Records on Jan. 22nd, 2010.