

**ORDINANCE NO. 5437**

**AN ORDINANCE APPROVING THE VILLAGE OF LOMBARD ST. CHARLES  
ROAD TIF DISTRICT II (EAST) TAX INCREMENT REDEVELOPMENT PROJECT  
AREA REDEVELOPMENT PLAN AND PROJECT**

**WHEREAS**, the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, (hereinafter referred to as the "Village") desire to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.1-1 et seq., as amended, (hereinafter referred to as the "Act") for the proposed Village of Lombard St. Charles Road TIF District II (East) Tax Increment Redevelopment Project Area Redevelopment Plan and Project (hereinafter referred to as the "Project") within the municipal boundaries of the Village of Lombard, Illinois and within the Village of Lombard St. Charles Road TIF District II (East) Tax Increment Redevelopment Project Area (hereinafter referred to as the "Redevelopment Project Area") described in Exhibit "A" attached hereto and made part hereof; and

**WHEREAS**, pursuant to Section 5/11-74.4-6(e) of the Act, the Village caused a public meeting to be held, relative to the proposed designation of the Redevelopment Project Area, the approval of the Project and the Housing Impact Study in relation thereto, on September 10, 2003, at the Lombard Village Hall; and

**WHEREAS**, pursuant to Section 5/11-74.4-5 of the Act, the Village Board caused a public hearing to be held, relative to the Project and the designation of the Redevelopment Project Area, on January 15, 2004, at the Lombard Village Hall; and

**WHEREAS**, due notice with respect to such public meeting was given pursuant to Section 5/11-74.4-6(e) of the Act, said notice being given to all taxing districts impacted by the proposed Lombard St. Charles Road TIF District II (East) and to those individuals and entities registered on the Village's Tax Increment Financing Interested Parties Registry, by certified mail, return receipt requested, and to the taxpayers of record and residential addresses within the Lombard St. Charles Road TIF District II (East), by First Class U.S. Mail, on August 25, 2003; and

**WHEREAS**, due notice with respect to the availability of the Eligibility Report/Study and the Redevelopment Plan and Project was given pursuant to Section 5/11-74.4-5 of the Act; said notice being given to all residences within seven hundred fifty (750) feet of the boundaries of the proposed Lombard St. Charles Road TIF II (East) Tax Increment Financing District, and to those individuals and entities registered on the Village's Tax Increment Financing Interested Parties Registry, by First Class U.S. Mail, on November 10, 2003; and

**WHEREAS**, due notice with respect to such public hearing was given pursuant to Sections 5/11-74.4-5 and 5/11-74.4-6 of the Act, said notice being given to all taxing districts impacted by the proposed Lombard St. Charles Road TIF District II (East) Tax Increment Financing District and the Illinois Department of Commerce and Community Affairs (Illinois Department of Commerce and Economic Opportunity), by certified mail, return receipt requested, on November 10, 2003; by publication on December 24, 2003 and December 31, 2003; by certified mail, return receipt requested, to the taxpayer of record for each parcel within the Redevelopment Project Area on either December 23, 2003 or January 5, 2004; and by First Class U.S. Mail to each residential address within the Redevelopment Project Area and to each person on the Village's TIF Interested Parties Registry on January 5, 2004; and

**WHEREAS**, the Project sets forth the conditions in the proposed Redevelopment Project Area qualifying the Redevelopment Project Area as a "conservation area"; and the Village Board has reviewed testimony concerning said conditions presented at the public hearing and is generally informed of the conditions causing the proposed Redevelopment Project Area to qualify as a "conservation area" as said term is defined in Section 5/11-74.4-3 of the Act; and

**WHEREAS**, the Village Board has reviewed the conditions pertaining to the lack of private investment in the proposed Redevelopment Project Area to determine whether private development would take place in the proposed Redevelopment Project Area as a whole without the adoption of the Project; and

**WHEREAS**, it is the intent of the Village Board to utilize the tax increment from all sources authorized by law; with such revenues to be exclusively utilized for the development of the Project within the Redevelopment Project Area; and

**WHEREAS**, the proposed Redevelopment Project Area would not reasonably be redeveloped without the use of such incremental revenues; and

**WHEREAS**, the Village Board has reviewed the conditions pertaining to real property in the proposed Redevelopment Project Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Redevelopment Project Area would be substantially benefitted by the proposed Project improvements;

**NOW, THEREFORE, BE IT ORDAINED**, by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

**SECTION 1:** That the Village Board hereby makes the following findings:

A. The area constituting the proposed Redevelopment Project Area is described as set forth in the attached Exhibit "A";

B. There exist conditions which cause the area proposed to be designated as a Redevelopment Project Area to be classified as a "conservation area" as such term is defined in Section 5/11-74.4-3 of the Act;

C. The Redevelopment Project Area on the whole has not been subject to growth and redevelopment through investment by private enterprise and would not be reasonably anticipated to be redeveloped without the adoption of the Project;

D. The Redevelopment Project Area would not reasonably be redeveloped without the tax increment derived from real property tax incremental revenues, and the increment from such revenues will be exclusively utilized for the redevelopment of the Project within the Redevelopment Project Area or in a contiguous redevelopment project area as allowed by 65 ILCS 5/11-74.4-4(q);

E. The Project conforms to the Village's Comprehensive Plan for the development of the Village as a whole;

F. The parcels of real property in the proposed Redevelopment Project Area are contiguous and only those contiguous parcels of real property and improvements thereon which will be substantially benefitted by the proposed Project are included in the proposed Redevelopment Project Area;

G. The estimated date for final completion of the Project is December 31, 2027, subject to the receipt of 2027 incremental real estate tax revenues during 2028; and

H. The estimated date for retirement of obligations incurred to finance Project costs is not later than December 31, 2027, subject to the receipt of 2027 incremental revenues during 2028.

**SECTION 2:** That the Project which was the subject matter of the public hearing held on January 15, 2004, is hereby adopted and approved. A copy of said Project plan is attached hereto as Exhibit "B" and made a part hereof.

**SECTION 3:** That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

**SECTION 4:** That if any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

**SECTION 5:** That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Passed on first reading this 5th day of February, 2004.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2004.


Passed on second reading this 9th day of February, 2004, pursuant to a roll call vote as follows:

AYES: Trustees DeStephano, Tross, Koenig, Sebby, Soderstrom

NAYS: None

ABSENT: None

ABSTAIN: Trustee Florey  
APPROVED by me this 19th day of February, 2004.

  
\_\_\_\_\_  
William J. Mueller  
Village President

ATTEST:

Barbara A. Johnson  
Barbara A. Johnson  
Deputy Village Clerk

Published by me in pamphlet form this 23rd day of February, 2004.

Barbara A. Johnson  
Barbara A. Johnson  
Deputy Village Clerk

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## EXHIBIT A

### LOMBARD ST. CHARLES ROAD TIF DISTRICT II (EAST)

All that part of the Southeast 1/4 of Section 5, Township 39 North, Range 11, East of the Third Principal Meridian, the Northeast 1/4 of Section 8, Township 39 North, Range 11, East of the Third Principal Meridian, the West 1/2 of the Southwest 1/4 of Section 4, Township 39 North, Range 11, East of the Third Principal Meridian and the West 1/2 of the Northwest 1/4 of Section 9, Township 39 North, Range 11, East of the Third Principal Meridian, including all lots, blocks, tracts, parcels and rights-of-way, located within the following legally described boundaries:

Beginning at the intersection of the Northerly line of the Great Western Trail right-of-way and the centerline of Grace Street in the Southeast 1/4 of Section 5, Township 39 North, Range 11, East of the Third Principal Meridian; thence Easterly along the Northerly line of the Great Western Trail right-of-way to its intersection with the Northerly line of the Union Pacific Railroad right-of-way; thence Southwesterly along the Northerly line of the Union Pacific Railroad right-of-way to the East right-of-way line of Grace Street; thence South along the East right-of-way line of Grace Street to its intersection with the Southerly line of the Union Pacific Railroad right-of-way; thence Northeasterly along the Southerly line of the Union Pacific Railroad right-of-way to a point on said Southerly line of the Union Pacific Railroad right-of-way which is 45 feet East (as measured along the Southerly line of the Union Pacific right-of-way) of the Northwest corner of Lot 3 in B.D. Kramer Resubdivision (Doc. No. R1973-052562) of part of the Southeast 1/4 of Section 5, Township 39 North, Range 11, East of the Third Principal Meridian; thence Southeasterly along a line drawn parallel with and 45 feet East of the West line of Lot 3 in B.D. Kramer Resubdivision, aforesaid, to the intersection of said line with the Northerly right-of-way line of Wester Avenue; thence Northeasterly along the Northerly right-of-way line of Western Avenue to its intersection with the Northerly extension of the West line of Lot 15 in Block 5 in Sunnyside Addition to Lombard (Doc. No. 191820), a subdivision of part of the Southeast 1/4 of Section 5, Township 39 North, Range 11, East of the Third Principal Meridian; thence South along the Northerly extension of the West line of said Lot 15 in Block 5 in Sunny side Addition to Lombard, aforesaid, and the West lines of Lots 15, 14, 13, 12, 11, 10, 9, 8 and 7 in Block 5 in Sunnyside Addition to Lombard, aforesaid, to the Southwest corner of Lot 7 in Block 5 in Sunnyside Addition to Lombard, aforesaid; thence Easterly along the South line of Lot 7 in Block 5 in Sunnyside Addition to Lombard, aforesaid, to the Southeast corner of said Lot 7 in Block 5 in Sunnyside Addition to Lombard, aforesaid; thence Easterly, along a straight line, to the Northwest corner of Lot 84 in Robertson's St. Charles Road Addition to Westmore (Doc. No. 157522), a subdivision of part of the Southwest 1/4 of Section 4, Township 39 North, Range 11, East of the Third Principal Meridian; thence West along the North lines of Lots 84, 83, 82 and 81 in Robertson's St. Charles Road Addition to Westmore, aforesaid, to the Northeast corner of Lot 81 in Robertson's St. Charles Road Addition to Westmore, aforesaid; thence Easterly, along a straight line, to the Southwest corner of Lot 1 in Karban's Resubdivision (Doc. No. R1986-019922) of part of the Southwest 1/4 of Section 4, Township 39 North, Range 11, East of the Third Principal Meridian; thence East along the South line of Lot 1 in Karban's Resubdivision, aforesaid, to Southeast corner of said Lot 1 in Karban's Resubdivision, aforesaid,

(said Southeast corner of Lot 1 also being the Northeast corner of Lot 3 in Karban's Resubdivision, aforesaid); thence South along the East line of Lot 3 in Karban's Resubdivision, aforesaid, to its intersection with the North line of Lot 1 in Rose's Plat of Consolidation (Doc. No. R1987-135515) of part of the Southwest 1/4 of Section 4, Township 39 North, Range 11, East of the Third Principal Meridian; thence East along the North line of Lot 1 in Rose's Plat of Consolidation, aforesaid, to its intersection with the West right-of-way line of Ahrens Avenue; thence North along the West right-of-way line of Ahrens Avenue to its intersection with the Westerly extension of the South line of Lot 29 in Robertson's St. Charles Road Addition to Westmore, aforesaid; thence East along the Westerly extension of the South line of Lot 29, the South line of Lot 29, the South line of Lot 19 and the Easterly extension of the South line of Lot 19, all in Robertson's St. Charles Road Addition to Westmore, aforesaid, to the intersection of the Easterly extension of the South line of Lot 19 in Robertson's St. Charles Road Addition to Westmore, aforesaid, with the centerline of Westmore Avenue (Westmore/Meyers Road); thence South along the centerline of Westmore Avenue (Westmore/Meyers Road) to the intersection thereof with the Southerly line of the Great Western Trail right-of-way; thence Westerly along the Southerly line of the Great Western Trail right-of-way to the intersection of the Southerly line of the Great Western Trail right-of-way and the Northerly extension of the East right-of-way line of Edgewood Avenue; thence South along the Northerly extension of the East right-of-way line of Edgewood Avenue to its intersection with the South right-of-way line of St. Charles Place; thence West along the South right-of-way line of St. Charles Place and the South right-of-way line of St. Charles Road to the intersection of the South right-of-way line of St. Charles Road and the centerline of Grace Street; thence North along the centerline of Grace Street to its intersection with the North line of the Great Western Trail right-of-way, said point of intersection also being the point of beginning; all in DuPage County, Illinois;

P.I.N.'s: 06-05-427-001, -002 and -003; 06-05-426-001, -002, -003, -004, -006 and -007; 06-05-423-002, -006, -009, -010, -012 and -013; 06-05-421-002 and -007; 06-05-424-005, -006 and -007; 06-05-425-015, -016 and -021; 06-05-428-001; 06-04-309-025, -026 and -029; 06-04-310-045, -046 and -047; 06-04-311-037, -038, -039, -040, -041, -042, -043 and -044; 06-08-200-002 and -003; 06-09-100-001; Pt. 06-09-104-117; 06-09-101-009, -010, -012, -013, -015, -017 and -018; 06-08-218-001;

Commonly known as: 1 North Grace Street; 404, 430, 540, 555, 600, 601, 606, 609, 612, 626, 638, 640, 730, 736, 740 to 774, 806, 812, 819, 820, 825, 833, 901, 902, 906, 912, 916, 922, 925, 926, 932, 935 and 938 East St. Charles Road; 619 East Western Avenue; and 506, 524 and 550 East St. Charles Place; all in Lombard, Illinois.

