

**ORDINANCE NO. 6731**

**AN ORDINANCE AUTHORIZING  
A FIRST AMENDMENT TO  
AN INTERGOVERNMENTAL REDEVELOPMENT AGREEMENT BETWEEN  
THE VILLAGE OF LOMBARD AND THE LOMBARD PARK DISTRICT  
IN REGARD TO THE DOWNTOWN TIF DISTRICT AND  
THE DEVELOPMENT, OPERATION AND MAINTENANCE OF  
A SPRINKLER PARK AT 211 WEST ST. CHARLES ROAD,  
AND AUTHORIZING THE LEASING OF VILLAGE-OWNED PROPERTY  
WITHIN SAID DOWNTOWN TIF DISTRICT IN RELATION THERETO**

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

**SECTION 1:** The President and Board of Trustees of the Village find as follows:

- A. The Village of Lombard (hereinafter referred to as the "VILLAGE") is a non-home rule municipality.
- B. The State of Illinois has adopted tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as from time to time amended (hereinafter referred to as the "TIF ACT").
- C. Pursuant to its powers and in accordance with the TIF ACT, on February 2, 1989, the corporate authorities of the VILLAGE adopted Ordinance Nos. 3121, 3122 and 3123, approving a tax increment redevelopment plan and project, designating a tax increment redevelopment project area and adopting tax increment financing relative to the VILLAGE's downtown area tax increment financing district (hereinafter referred to as the "DOWNTOWN TIF DISTRICT") for the redevelopment and revitalization of a portion of the corporate limits of the VILLAGE, which property is legally described in EXHIBIT 1, attached hereto and made a part hereof (hereinafter referred to as the "REDEVELOPMENT PROJECT AREA").

- D. Pursuant to, and in accordance with, the TIF ACT, on June 6, 2002, the corporate authorities of the VILLAGE adopted Ordinance No. 5145, entitled "An Ordinance Amending Ordinance No. 3121, Adopted February 2, 1989, and the Redevelopment Plan and Project Attached Thereto as Exhibit "B," in Regard to the Termination Date of the Village of Lombard's Downtown Tax Increment Financing District," for the VILLAGE'S DOWNTOWN TIF DISTRICT, by which the termination date for the DOWNTOWN TIF DISTRICT was extended to December 31, 2011, subject to the receipt of 2011 incremental real estate tax revenues during 2012.
- E. Pursuant to Ordinance Number 5981, adopted January 18, 2007, LOMBARD amended Ordinance Number 3121, and the redevelopment plan and project attached thereto, as amended by Ordinance Number 5145, adopted June 6, 2002, to further extend the life of the DOWNTOWN TIF DISTRICT for an additional twelve (12) years, so that the DOWNTOWN TIF DISTRICT would remain in full force and effect for the full period authorized by Public Act 94-0783; said full period being thirty-five (35) years, with real estate taxes for 2023, as collected during 2024, being the last year of real estate taxes subject to the DOWNTOWN TIF DISTRICT.
- F. The VILLAGE and the Lombard Park District (hereinafter referred to as the "PARK DISTRICT") entered into AN INTERGOVERNMENTAL REDEVELOPMENT AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE LOMBARD PARK DISTRICT IN REGARD TO THE DOWNTOWN TIF DISTRICT AND THE DEVELOPMENT, OPERATION AND MAINTENANCE OF A SPRINKLER PARK AT 211 WEST ST. CHARLES ROAD, dated June 9, 2005 (hereinafter the "ORIGINAL AGREEMENT).

- G. Pursuant to the ORIGINAL AGREEMENT, the VILLAGE leased the property, common known as 211 West St. Charles Road; said property being legally described as follows:

Lot 2 in Fifth Third Bank Plat of Resubdivision, being a resubdivision in the Northeast 1/4 of Section 7, Township 39 North, Range 11, East of the Third Principal Meridian, DuPage County, Illinois;

P.I.N.: Pt. 06-07-209-019;

(hereinafter referred to as the "VILLAGE PROPERTY"), to the PARK DISTRICT for the development, operation and maintenance of a sprinkler park and associated public parking and accessory facilities (hereinafter referred to as the "PROJECT"), all as more fully set forth in the site plan and associated descriptive Subections A through I attached as Exhibit "B" to the ORIGINAL AGREEMENT.

- H. The VILLAGE and the PARK DISTRICT have determined it to be in the best interests of the public that the VILLAGE PROPERTY continue to be used to provide open space and recreational opportunities for the residents of the VILLAGE.
- I. Attached hereto as EXHIBIT 2 and made part hereof is a First Amendment to the ORIGINAL AGREEMENT (hereinafter referred to as the "FIRST AMENDMENT"), which extends the term of the ORIGINAL AGREEMENT for an additional five (5) years; through December 31, 2016.
- J. In accordance with the TIF ACT, it is in the best interests of the VILLAGE to approve the FIRST AMENDMENT, and to continue to lease the VILLAGE PROPERTY to the PARK DISTRICT pursuant to the ORIGINAL AGREEMENT, as amended by the FIRST AMENDMENT, so that redevelopment within the DOWNTOWN TIF DISTRICT can continue, said redevelopment pursuant to the

TIF ACT being the VILLAGE'S purpose for continuing to lease the VILLAGE PROPERTY.

- K. Article VII, Section 10 of the 1970 Illinois Constitution and 5 ILCS 220/1 through 220/9 provide authority for intergovernmental cooperation.
- L. It is in the best interests of the VILLAGE and the PARK DISTRICT to enter into the FIRST AMENDMENT attached hereto as EXHIBIT 2.

**SECTION 2:** Based upon the foregoing and pursuant to the TIF ACT, the FIRST AMENDMENT attached hereto as EXHIBIT 2 is hereby approved, and the President and Clerk of the VILLAGE be and they are hereby authorized and directed to continue to lease the VILLAGE PROPERTY pursuant to the terms and conditions set forth in said ORIGINAL AGREEMENT, as amended by the FIRST AMENDMENT, on behalf of the VILLAGE, and they are further authorized and directed to execute and deliver such other instruments, including said FIRST AMENDMENT, as may be necessary or convenient to consummate the continued leasing of the VILLAGE PROPERTY.

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

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2012, pursuant to a roll call vote as follows:

First reading waived by action of the Board of Trustees this 21<sup>st</sup> day of June, 2012.

Passed on second reading this 21<sup>st</sup> day of June, 2012.

**AYES:** Trustees Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

**NAYS:** None

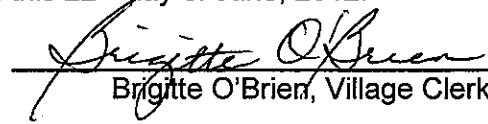
**ABSENT:** None

**APPROVED** by me this 21<sup>st</sup> day of June, 2012.

  
William J. Mueller, Village President

**ATTEST:**   
Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this 22<sup>nd</sup> day of June, 2012.

  
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Brigitte O'Brien, Village Clerk

## **EXHIBIT 1**

### **REDEVELOPMENT PROJECT AREA**

(Legal Description of Downtown T.I.F. District)

Lots 1 and 2 of the Resubdivision of Lot 6 of Block 27 of the Original Town of Lombard, Lots 1, 2, 3, and 4 of the Original Town of Lombard, Lots 1, 2, 3, the North 25 ft. of Lot 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 in Caverno's Subdivision, Lot 1 in Lombard Bible Church Consolidation Plat, Lots 1, 2, 3, 4, and 5 in Owner's Subdivision in Block 18 of the Original Town of Lombard, Lots 1, 2, 3, 4, 5, 6, and 7 in Block 11 of the Original Town of Lombard, Lots 8, 9, 10, 11, and 12 in J.B. Hull's Subdivision of part of Block 11 and part of outlot 4 of the Original Town of Lombard, Lots 7, 8, 9, 12, 13, 14, 15, 16, 17 and 18 of Grove Park Subdivision, Lots 2, 3, 4, 5, 6, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 in Grove Park Subdivision, Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 in Grove Park Subdivision First Addition, Lots 11 and 12 in W.H. Maple's Subdivision, Lots 3, 4, 5, 6, 7, 8, 9, 10, and 11 in Block 10 of the Original Town of Lombard, Lots 1, 2, 3, 4, 5, 6, 7, 8 in the Subdivision of Outlot 10 in the Original Town of Lombard, Lots 1, 2, 4, and 5 of Block 19 in the Original Town of Lombard, Lots 1, 2, 3, 4, 5, 6, 7, 8, of J.B. Hull's Subdivision of Lot 3 of Block 19 of the Original Town of Lombard, Lot 43 excepting the North 20 feet thereof in Orchard Subdivision, Lots 1 and 2 of Timke's Resubdivision, all of Park Manor Condominium, including all Chicago & Northwestern Railroad right-of-way and all public rights-of-way adjacent to the above-described property all being in the Northeast Quarter of Section 7, Township 39 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois.

Of that part of Block 22 of the Original Town of Lombard described by beginning at a point on the East line of Main Street, 499.0 feet North of the Southwest corner of said Block 22 and running thence Easterly to a point on the center line of said Block 22 that is 386.6 feet to the Southerly line of said Parkside Avenue; thence Southwesterly along the Southerly line of said Parkside Avenue to the East line of Main Street; thence South on the East line of Main street, 291.85 feet to the place of beginning, Lots 1, 2, and 3 in James' Subdivision of Part of Block 22 of the Original Town of Lombard, Lots 28, 29, 30, and 31 of Part of Block 22 in N. Matson & Others Resubdivision, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 in Block 17 of the Original Town of Lombard, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Block 16 of the Original Town of Lombard, Lots 1, 2, the East 1/2 of Lot 3, Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 in Block 12 of the Original Town of Lombard, Lots 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15 in Block 18 of H.O. Stone & Company's Addition to Lombard, Lombard Tower Condominiums, Charlotte-Garfield Condominiums, including all Chicago & Northwestern Railroad right-of-way and all public rights-of-way adjacent to the above-described property all being in the Northwest Quarter of Section 8, Township 39 North, Range 11, East of the Third Principal Meridian all in DuPage county, Illinois.

**EXHIBIT 2**

**FIRST AMENDMENT TO  
AN INTERGOVERNMENTAL REDEVELOPMENT AGREEMENT BETWEEN  
THE VILLAGE OF LOMBARD AND THE LOMBARD PARK DISTRICT  
IN REGARD TO THE DOWNTOWN TIF DISTRICT AND  
THE DEVELOPMENT, OPERATION AND MAINTENANCE OF  
A SPRINKLER PARK AT 211 WEST ST. CHARLES ROAD**

(attached)