

**ORDINANCE NUMBER 20 - 28**

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, ILLINOIS CALLING FOR A PUBLIC HEARING AND A  
JOINT REVIEW BOARD MEETING TO CONSIDER THE DESIGNATION OF A  
REDEVELOPMENT PROJECT AREA AND THE APPROVAL OF A  
REDEVELOPMENT PLAN AND PROJECT  
(SOUTH IL ROUTE 72 TAX INCREMENT FINANCING DISTRICT)**

**WHEREAS**, the Village of East Dundee (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the Village is considering the designation of a redevelopment project area and the approval of a redevelopment plan and project within the corporate limits of the Village, to be called the South IL Route 72 Tax Increment Financing District (“South IL Route 72 TIF District”), pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.* (“TIF Act”); and

**WHEREAS**, on June 1, 2020, the Village President and Board of Trustees approved a motion authorizing Vandewalle & Associates, Inc. to prepare an eligibility study and report, and a redevelopment plan and project relative to the South IL Route 72 TIF District; and

**WHEREAS**, on June 14, 2020, the Village published the Tax Increment Financing (TIF) Interested Parties Registry Notice, as required by Section 11-74.4-5(a) of the TIF Act, in the *Daily Herald*; and

**WHEREAS**, on June 15, 2020, the Village announced the availability of the redevelopment plan and project for the proposed South IL Route 72 TIF District (“TIF Plan”), with said TIF Plan containing an eligibility report for the proposed South IL Route 72 TIF District (“Eligibility Report”) addressing the tax increment financing eligibility of the area proposed for the redevelopment project area (“Redevelopment Project Area”), with said Redevelopment Project Area being legally described on **EXHIBIT A** attached hereto and made part hereof; and

**WHEREAS**, pursuant to the provisions of Section 11-74.4-5(c) of the TIF Act, prior to the adoption of the ordinance designating the Redevelopment Project Area and approving the TIF Plan for the proposed South IL Route 72 TIF District, the Village must fix a time and place for a public hearing; and

**WHEREAS**, pursuant to the provisions of Section 11-74.4-5(b) of the TIF Act, prior to the adoption of the ordinance designating the Redevelopment Project Area and approving the TIF Plan for the proposed South IL Route 72 TIF District, the Village must convene a meeting of the Joint Review Board (“JRB”) to consider the proposal; and

**WHEREAS**, it is the desire of the Village President and Board of Trustees to conduct such public hearing and to convene said meeting of the JRB;

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION 1: Incorporation.** That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

**SECTION 2: Public Hearing Date.** That, pursuant to the provisions of the TIF Act, the Village President and Board of Trustees hereby designate the date of Monday, September 14, 2020, at 6:00 p.m. at either the East Dundee Police Station 2nd Floor Meeting Room, 115 East 3rd Street, East Dundee, Illinois 60118 or at a virtual location if permitted under the Governor’s Executive Orders and / or the Illinois Open Meetings Act, for the purpose of conducting a public hearing to hear from any interested persons, taxpayers or affected taxing districts regarding the Redevelopment Project Area and the TIF Plan for the proposed South IL Route 72 TIF District.

**SECTION 3: Availability of Eligibility Report and TIF Plan.** That copies of the Eligibility Report and the TIF Plan for the proposed South IL Route 72 TIF District have been on file in the office of the Village Clerk, and have been available for public inspection during regular Village business hours, since June 14, 2020.

**SECTION 4: Comments and Objections.** That at the public hearing, any interested person, taxpayer or affected taxing district may file with the Village Clerk written comments and/or objections to, and may be heard orally with respect to, any issues embodied in the notice of public hearing attached hereto.

**SECTION 5: JRB Meeting Date.** That the JRB for the proposed South IL Route 72 TIF District shall meet on Wednesday, July 29, 2020, at 10:00 a.m. at either the East Dundee Police Station 2nd Floor Meeting Room, 115 East 3rd Street, East Dundee, Illinois 60118 or at a virtual location if permitted under the Governor’s Executive Orders and / or the Illinois Open Meetings Act. The JRB shall review the public record, planning documents, Eligibility Report, Redevelopment Project Area and the TIF Plan for the proposed South IL Route 72 TIF District. The JRB shall make an advisory recommendation to the Village within thirty (30) days after the convening of the JRB. A written report shall be issued by the JRB. The failure of the JRB to submit its report on a timely basis shall not be cause to delay the public hearing or any other step in the process of designating the Redevelopment Project Area and approving the TIF Plan for the proposed South IL Route 72 TIF District. In the event the JRB does not file a report,

it shall be presumed that the JRB has approved the matters before it. Pursuant to the provisions of Section 11-74.4-5(b) of the TIF Act, the JRB shall consist of one (1) public member and one (1) representative from each of the following taxing districts: Kane County, Elgin Community College District No. 509, Dundee Township, Dundee Township Park District, Community Unit School District No. 300, East Dundee and Countryside Fire Protection District, Fox River Valley Public Library District and the Village of East Dundee.

**SECTION 6: Village JRB Representative.** That the Village's representative on the JRB is hereby confirmed as the Village Administrator Jennifer Johnsen or her designee.

**SECTION 7: Notice of Availability of Eligibility Report and TIF Plan.** That a notice setting forth the availability of the Eligibility Report and the TIF Plan for the proposed South IL Route 72 TIF District, and how to obtain a copy thereof, shall be sent by mail to all residential addresses within seven hundred fifty feet (750') of the boundaries of the proposed South IL Route 72 TIF District and to all persons who have registered on the Village's TIF Interested Parties Registry, within a reasonable time after the adoption of this Ordinance, as required by Section 11-74.4-5(a) of the TIF Act, with said notice being substantially in the form attached hereto as **EXHIBIT B** and made part hereof.

**SECTION 8: Notice of Public Hearing and JRB Meeting.** That a notice of the public hearing and the JRB meeting shall be sent by certified mail, return receipt requested, and a notice of the public hearing shall be given by publication, certified mail, return receipt requested, and by first class U.S. Mail, all as required by Sections 11-74.4-5(b) and 11-74.4-6(a), (b) and (c) of the TIF Act, with said notices being substantially in the form attached hereto as **EXHIBIT C** and made part hereof, with such changes thereto as may be necessary regarding the location of the public hearing and JRB meeting under the then-applicable Executive Orders of the Illinois Governor and the provisions of the Illinois Open Meetings Act regarding virtual meetings.

**SECTION 9: Severability.** That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 10: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

**SECTION 10: Effect.** That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

**ADOPTED** this 6th day of July, 2020 pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Wood, Mahony and Kunze

NAYES: None

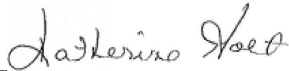
ABSENT: Trustee Andresen

**APPROVED** by me this 6th day of July, 2020.



\_\_\_\_\_  
Lael Miller, Village President

**ATTEST:**



\_\_\_\_\_  
Katherine Holt, Village Clerk

Published in pamphlet form this 6th day of July, 2020 under the authority of the Village President and Board of Trustees.

Recorded in the Village records on July 6, 2020.

**EXHIBIT A**

**REDEVELOPMENT PROJECT AREA LEGAL DESCRIPTION**

**VILLAGE OF EAST DUNDEE  
SOUTH IL ROUTE 72 TAX INCREMENT FINANCING DISTRICT**

(attached)

THAT PART OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF GATEWAY SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 8, 1989 AS DOCUMENT NO. 1972329 WITH THE SOUTHWESTERLY LINE OF PARCEL 0002 ACQUIRED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION IN CONDEMNATION CASE ED 92 0015 BY ORDER DATED APRIL 22, 1993 AND AS SHOWN ON DOCUMENT 96K009367 AS ILLINOIS ROUTE 72, HIGGINS ROAD; THENCE SOUTH 61 DEGREES 53 MINUTES 27 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE, 491.05 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 654.45 FEET ALONG SAID SOUTHWESTERLY LINE, BEING A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 22,706.63 FEET AND WHOSE CHORD BEARS OF SOUTH 61 DEGREES 03 MINUTES 54 SECONDS EAST 654.43 FEET TO A BEND POINT IN SAID SOUTHWESTERLY LINE; THENCE SOUTH 37 DEGREES 44 MINUTES 46 SECONDS EAST ALONG THE SOUTHWESTERLY LINE OF SAID ILLINOIS ROUTE 72 A DISTANCE OF 160.60 FEET TO A BEND POINT IN SAID SOUTHWESTERLY LINE; THENCE NORTH 23 DEGREES 44 MINUTES 02 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE 61.34 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY 280.08 FEET ALONG SAID SOUTHWESTERLY LINE, NON TANGENT TO THE LAST DESCRIBED COURSE, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 22,706.63 FEET AND WHOSE CHORD BEARS OF SOUTH 59 DEGREES 31 MINUTES 40 SECONDS EAST 280.08 FEET TO A BEND POINT; THENCE SOUTH 59 DEGREES 09 MINUTES 16 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE, NON TANGENT TO THE LAST DESCRIBED CURVE, 490.70 FEET; THENCE SOUTH 30 DEGREES 50 MINUTES 06 SECONDS WEST, DEPARTING FROM SAID SOUTHWESTERLY LINE 223.12 FEET; THENCE SOUTH 24 DEGREES 01 MINUTES 52 SECONDS WEST 311.97 FEET; THENCE NORTH 59 DEGREES 09 MINUTES 53 SECONDS WEST 822.05 FEET; THENCE NORTH 61 DEGREES 03 MINUTES 20 SECONDS WEST 122.51 FEET; THENCE SOUTH 08 DEGREES 53 MINUTES 49 SECONDS WEST 565.95 FEET; THENCE NORTH 81 DEGREES 06 MINUTES 11 SECONDS WEST 874.66 FEET TO A POINT ON SAID EAST LINE OF SAID GATEWAY SUBDIVISION; THENCE NORTH 08 DEGREES 31 MINUTES 15 SECONDS EAST ALONG THE LAST DESCRIBED LINE 1448.17 FEET TO THE POINT OF BEGINNING, TOGETHER WITH ALL THAT PART OF ILLINOIS ROUTE 72 (HIGGINS ROAD) LYING NORTH OF AND ADJACENT TO ABOVE DESCRIBED PROPERTIES, NOT PREVIOUSLY ANNEXED TO THE VILLAGE OF EAST DUNDEE, ALL IN KANE COUNTY, ILLINOIS.

**EXHIBIT B**

**NOTICE OF THE AVAILABILITY OF  
THE ELIGIBILITY REPORT AND REDEVELOPMENT PLAN AND PROJECT  
RELATIVE TO THE PROPOSED EAST DUNDEE SOUTH IL ROUTE 72  
TAX INCREMENT FINANCING DISTRICT**

Notice is hereby given to you, in that you reside at a residential address within seven hundred fifty (750) feet of the boundaries of the Village of East Dundee's proposed South IL Route 72 Tax Increment Financing District, or have registered your name on the Village of East Dundee's Tax Increment Financing Interested Parties Registry, that the Eligibility Report and the Redevelopment Plan and Project for the Village of East Dundee's proposed South IL Route 72 Tax Increment Financing District are available for your review. Copies of said Eligibility Report and Redevelopment Plan and Project may be obtained from the Village Clerk for the Village of East Dundee, 120 Barrington Avenue, East Dundee, Illinois 60118, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, except holidays.

VILLAGE OF EAST DUNDEE

Katherine Holt  
Village Clerk

## EXHIBIT C

### **NOTICE OF PUBLIC HEARING AND JOINT REVIEW BOARD MEETING TO CONSIDER THE DESIGNATION OF THE REDEVELOPMENT PROJECT AREA FOR THE PROPOSED EAST DUNDEE SOUTH IL ROUTE 72 TAX INCREMENT FINANCING DISTRICT AND THE APPROVAL OF A REDEVELOPMENT PLAN AND PROJECT IN RELATION THERETO**

Notice is hereby given that a public hearing will be held on Monday, September 14, 2020, at 6:00 p.m. at either the East Dundee Police Station 2nd Floor Meeting Room, 115 East 3rd, East Dundee, Illinois 60118 or at a virtual location if permitted under the Governor's Executive Orders and / or the Illinois Open Meetings Act, with the location thereof to be posted at East Dundee Village Hall, 120 Barrington Avenue, East Dundee, Illinois 60118 and on the Village's website ([www.eastdundee.net](http://www.eastdundee.net)) no less than forty-eight (48) hours before the public hearing ("Public Hearing"), in regard to the proposed designation of a redevelopment project area ("Redevelopment Project Area"), and the proposed approval of a redevelopment plan and project ("Redevelopment Plan and Project") in relation thereto, for the proposed East Dundee South IL Route 72 Tax Increment Financing District ("South IL Route 72 TIF District"), pursuant to the provisions of the "Tax Increment Allocation Redevelopment Act," 65 ILCS 5/11-74.4-1, *et seq.*, as amended ("TIF Act").

The boundaries of the Redevelopment Project Area for the proposed South IL Route 72 TIF District are more fully set forth on the legal description attached hereto as **EXHIBIT 1** and made part hereof and the street location map attached hereto as **EXHIBIT 2** and made part hereof.

The proposed Redevelopment Plan and Project provides for land acquisition and assembly and improvements to the public infrastructure within the proposed Redevelopment Project Area and for the Village of East Dundee ("Village") to implement a set of actions to promote redevelopment within the proposed Redevelopment Project Area. The contemplated Village actions include, but are not limited to: acquisition of property and property interests; site preparation and clearance; demolition; provision of public infrastructure and related public improvements and rehabilitation of structures; interest rate write-downs; job training; the encouragement of redevelopment agreements; assisting in the clean-up of any hazardous waste, hazardous substances or underground storage tanks as required by State or Federal law where these are a material impediment to redevelopment; addressing any flooding problems; and improving opportunities for further development and redevelopment within the South IL Route 72 TIF District. The Village would realize the goals and objectives of the Redevelopment Plan and Project through public finance techniques including, but not limited to, tax increment allocation financing.



Copies of the Eligibility Report and the Redevelopment Plan and Project have been on file with the Village since June 14, 2020, and are currently on file and available for public inspection between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, at the office of the Village Clerk for the Village of East Dundee, at 120 Barrington Avenue, East Dundee, Illinois 60118. Copies of the Eligibility Report and the Redevelopment Plan and Project are enclosed with the copies of this Notice that are being mailed to the affected taxing districts and the Illinois Department of Commerce and Economic Opportunity. The Village Clerk for the Village of East Dundee may be contacted for further information, at the address above or by telephone at (847) 426-2822.

Pursuant to the TIF Act, the Joint Review Board for the proposed South IL Route 72 TIF District ("JRB") is being convened to review the public record, planning documents, Eligibility Report and the proposed ordinances approving the Redevelopment Project Area and the Redevelopment Plan and Project for the proposed South IL Route 72 TIF District. Pursuant to the TIF Act, the JRB shall consist of one (1) public member and one (1) representative from each of the following taxing districts: Kane County, Elgin Community College District No. 509, Dundee Township, Dundee Township Park District, Community Unit School District No. 300, East Dundee and Countryside Fire Protection District, Fox River Valley Public Library District and the Village of East Dundee.

Pursuant to the TIF Act, the meeting of the JRB will be held on Wednesday, July 29, 2020, at 10:00 a.m. at either the East Dundee Police Station 2nd Floor Meeting Room, 115 East 3rd, East Dundee, Illinois 60118 or at a virtual location if permitted under the Governor's Executive Orders and / or the Illinois Open Meetings Act, with the location thereof to be posted at East Dundee Village Hall, 120 Barrington Avenue, East Dundee, Illinois 60118 and on the Village's website ([www.eastdundee.net](http://www.eastdundee.net)) no less than forty-eight (48) hours before the meeting ("Meeting"). Those taxing districts with representatives on the JRB are hereby notified of the Meeting. The JRB's recommendation relative to the Redevelopment Project Area and Redevelopment Plan and Project for the proposed South IL Route 72 TIF District shall be advisory and non-binding, and shall be adopted by a majority vote of those members of the JRB that are present and voting, and submitted to the Village within thirty (30) days after the first convening of the JRB. Failure of the JRB to submit its report on a timely basis shall not delay the Public Hearing, nor shall it delay any other step in the process of designating the Redevelopment Project Area or approving the Redevelopment Plan and Project for the proposed South IL Route 72 TIF District.

Prior to and at the Public Hearing, all interested persons, affected taxing districts and the Illinois Department of Commerce and Economic Opportunity may file with the Village Clerk written comments to and may be heard orally with respect to any issues regarding the proposed Redevelopment Project Area and Redevelopment Plan and Project for the proposed South IL Route 72 TIF District. Written comments are invited and can be sent in advance of the Public Hearing to the East Dundee Village Clerk, 120 Barrington Avenue, East Dundee, Illinois 60118. The Public Hearing may be adjourned

by the Village President and Board of Trustees without further notice other than a motion to be entered upon the minutes of the Public Hearing, fixing the time and place of the subsequent Public Hearing.

Mailed and Published by order of the  
Corporate Authorities of the Village of East Dundee, Illinois  
Katherine Holt, Village Clerk

## EXHIBIT 1

### **LEGAL DESCRIPTION, PINS AND GENERAL LOCATION FOR THE SOUTH IL ROUTE 72 TAX INCREMENT FINANCING DISTRICT**

THAT PART OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF GATEWAY SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 8, 1989 AS DOCUMENT NO. 1972329 WITH THE SOUTHWESTERLY LINE OF PARCEL 0002 ACQUIRED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION IN CONDEMNATION CASE ED 92 0015 BY ORDER DATED APRIL 22, 1993 AND AS SHOWN ON DOCUMENT 96K009367 AS ILLINOIS ROUTE 72, HIGGINS ROAD; THENCE SOUTH 61 DEGREES 53 MINUTES 27 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE, 491.05 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 654.45 FEET ALONG SAID SOUTHWESTERLY LINE, BEING A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 22,706.63 FEET AND WHOSE CHORD BEARS OF SOUTH 61 DEGREES 03 MINUTES 54 SECONDS EAST 654.43 FEET TO A BEND POINT IN SAID SOUTHWESTERLY LINE; THENCE SOUTH 37 DEGREES 44 MINUTES 46 SECONDS EAST ALONG THE SOUTHWESTERLY LINE OF SAID ILLINOIS ROUTE 72 A DISTANCE OF 160.60 FEET TO A BEND POINT IN SAID SOUTHWESTERLY LINE; THENCE NORTH 23 DEGREES 44 MINUTES 02 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE 61.34 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY 280.08 FEET ALONG SAID SOUTHWESTERLY LINE, NON TANGENT TO THE LAST DESCRIBED COURSE, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 22,706.63 FEET AND WHOSE CHORD BEARS OF SOUTH 59 DEGREES 31 MINUTES 40 SECONDS EAST 280.08 FEET TO A BEND POINT; THENCE SOUTH 59 DEGREES 09 MINUTES 16 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE, NON TANGENT TO THE LAST DESCRIBED CURVE, 490.70 FEET; THENCE SOUTH 30 DEGREES 50 MINUTES 06 SECONDS WEST, DEPARTING FROM SAID SOUTHWESTERLY LINE 223.12 FEET; THENCE SOUTH 24 DEGREES 01 MINUTES 52 SECONDS WEST 311.97 FEET; THENCE NORTH 59 DEGREES 09 MINUTES 53 SECONDS WEST 822.05 FEET; THENCE NORTH 61 DEGREES 03 MINUTES 20 SECONDS WEST 122.51 FEET; THENCE SOUTH 08 DEGREES 53 MINUTES 49 SECONDS WEST 565.95 FEET; THENCE NORTH 81 DEGREES 06 MINUTES 11 SECONDS WEST 874.66 FEET TO A POINT ON SAID EAST LINE OF SAID GATEWAY SUBDIVISION; THENCE NORTH 08 DEGREES 31 MINUTES 15 SECONDS EAST ALONG THE LAST DESCRIBED LINE 1448.17 FEET TO THE POINT OF BEGINNING, TOGETHER WITH ALL THAT PART OF ILLINOIS ROUTE 72 (HIGGINS ROAD) LYING NORTH OF AND ADJACENT TO ABOVE DESCRIBED PROPERTIES, NOT PREVIOUSLY ANNEXED TO THE VILLAGE OF EAST DUNDEE, ALL IN KANE COUNTY, ILLINOIS.

General Location: Approximately forty-two (42) acres of property on the south side of Illinois Route 72 in the vicinity of Christina Drive, being unincorporated property in Kane County, Illinois

Property Identification Numbers ("PINs"): part of 03-25-300-011 and part of 03-25-300-012

**EXHIBIT 2**

**STREET LOCATION MAP FOR THE EAST DUNDEE  
SOUTH IL ROUTE 72 TAX INCREMENT FINANCING DISTRICT**

