

ORDINANCE NO. 22-45

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF A FEE SIMPLE
INTEREST IN CERTAIN REAL PROPERTY, LOCATED AT 7 MAIDEN LANE,
THROUGH EMINENT DOMAIN OR OTHERWISE, LOCATED IN THE TAX
INCREMENT REDEVELOPMENT PROJECT AREA OF THE DOWNTOWN TAX
INCREMENT FINANCING DISTRICT**

BE IT ORDAINED by the President and Board of Trustees of the Village of East Dundee, Kane County, Illinois, as follows:

SECTION 1: The President and Board of Trustees of the Village of East Dundee (hereinafter referred to as the "Village Board"), finds as follows:

- A. The Village of East Dundee (hereinafter referred to as the "Village") is a home rule municipality pursuant to Section 6 (a) of Article VII of the Constitution of the State of Illinois and is authorized to exercise and perform any function pertaining to its government and affairs.
- 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. In accordance with the TIF Act, on June 16, 2008 the corporate authorities of the Village adopted Ordinance Numbers 08-34, 08-35, and 08-36, as amended on September 10, 2018 by Ordinance Number 18-28, approving a tax increment redevelopment plan and project (hereinafter referred to as the "TIF Plan"), designating a tax increment redevelopment project area (hereinafter referred to as the "Redevelopment Project Area"), and adopting tax increment financing relative to the Village's Downtown Tax Increment Financing District (hereinafter referred to as the "Downtown TIF District") for redevelopment and revitalization of a portion of the corporate limits of the Village.
- D. The Village Board has determined that the TIF Plan, which was the subject matter of a public hearing in accordance with the TIF Act, is in the best interests of the residents of the Village and constitutes a public purpose.
- E. The Village is authorized and empowered pursuant to the TIF Act to acquire by purchase, donation, lease or eminent domain, any property, real or personal, or rights of interest therein, within the Redevelopment Project Area.

SECTION 2: That under the authority vested in the Village Board, through the statutes of the State of Illinois and the ordinances of the Village, it is hereby determined that pursuant to the TIF Act it is necessary and desirable that the Village shall acquire title to and possession of the real property interests in certain real property commonly known as 7 Maiden Ln., East Dundee, Illinois, as legally described in Exhibit A attached hereto and made a part hereof (hereinafter referred to as the "Subject Property"), said Subject Property being located within the Redevelopment Project Area for the Downtown TIF District, and being necessary, required and needed to achieve the objectives of the TIF Plan for the Downtown TIF District.

SECTION 3: The Village finds that the acquisition of the Subject Property is necessary and desirable for redevelopment purposes under the authority vested in the Village Board by Article VII, Section 6 of the Constitution of the State of Illinois.

SECTION 4: That the Village Attorney, or such other persons as the Village Attorney may designate, are hereby authorized, empowered and directed to negotiate personally or through representatives for, and on behalf of, the Village, with the owner or owners of the fee simple interest in the Subject Property for the purchase and acquisition thereof by said Village.

SECTION 5: That in the event the Village Attorney, or the Village Attorney's designee(s) are unable to agree with the owner or owners of said fee simple interest in the Subject Property as to the compensation therefor, then title to and possession of the fee simple interest in the Subject Property shall be acquired by the Village through eminent domain, and authorization is hereby given to institute proceedings in any court of competent jurisdiction to acquire title to and possession of the fee simple interest in the Subject Property for the Village in accordance with the TIF Act, the eminent domain laws of the State of Illinois and the ordinances of the Village.

SECTION 6: 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.

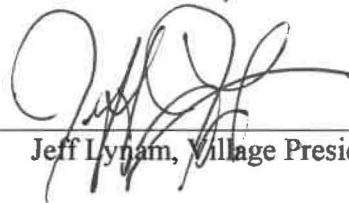
ADOPTED this 19th day of September, 2022, pursuant to a roll call vote as follows:

AYES: Kunze, Brittin, Saviano and Sauder

NAYS: 0

ABSENT: Mahony and Treiber

PASSED AND APPROVED this 19th day of September, 2022.



Jeff Lynam, Village President

ATTEST:


Katherine Diehl, Village Clerk

EXHIBIT A

PARCEL 1: LOTS 6, 7 AND 8 IN BLOCK 11 OF EAST DUNDEE (EXCEPTING THEREFROM THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY), IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PARCEL 2: LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9 AND 10 IN BLOCK 14 OF EAST DUNDEE, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PARCEL 3: THAT PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN BLOCK 15 OF THE ORIGINAL PLAT OF EAST DUNDEE; THENCE SOUTHERLY ALONG THE EASTERLY LINE AND EASTERLY LINE EXTENDED OF SAID BLOCK 15, 242 FEET 9 INCHES FOR THE POINT OF BEGINNING, THENCE NORTHERLY ALONG SAID EXTENDED EASTERLY LINE OF BLOCK 15, 68 FEET 9 INCHES TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE WEST ALONG SAID NORTH LINE TO THE EASTERLY BANK OF FOX RIVER; THENCE SOUTHERLY ALONG THE EASTERLY BANK TO A LINE DRAWN WEST, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, FROM THE POINT OF BEGINNING; THENCE EAST ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING (EXCEPTING THAT PART THEREOF CONVEYED BY FREDERICK WASHER TO THE VILLAGE OF EAST DUNDEE BY WARRANTY DEED RECORDED AUGUST 12, 1890, IN BOOK 290, PAGE 380 AS DOCUMENT 31524), IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PARCEL 4: THAT PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN BLOCK 15 OF THE ORIGINAL PLAT OF EAST DUNDEE; THENCE SOUTHERLY ALONG THE EASTERLY LINE AND THE EASTERLY LINE EXTENDED OF SAID BLOCK 15, 242 FEET 9 INCHES FOR THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG THE WESTERLY LINE AND THE WESTERLY LINE EXTENDED OF RIVER STREET 522 FEET; THENCE NORTHERLY ALONG THE EASTERLY BANK OF THE FOX RIVER TO A LINE DRAWN WEST, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, FROM THE POINT OF BEGINNING; THENCE EAST ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING; IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PARCEL 5: THAT PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THE PLAT OF EAST DUNDEE (BEING ALSO THE SECTION LINE BETWEEN SECTIONS 23 AND 26, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN) 50

FEET EASTERLY FROM AND AT RIGHT ANGLES TO THE CENTER LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTH WESTERN RAILWAY COMPANY; THENCE EAST ALONG THE SOUTH LINE OF SAID PLAT, 4.65 CHAINS TO THE WEST LINE OF THE ROAD; THENCE SOUTH 10 DEGREES EAST LONG THE WEST LINE OF SAID ROAD 6.62 CHAINS TO THE MIDDLE OF SAID ROAD WHERE THE SAME ANGLES WESTERLY; THENCE WESTERLY ALONG THE MIDDLE OF SAID ROAD 4.45 CHAINS TO A POINT 50 FEET EASTERLY FROM AND AT RIGHT ANGLES TO THE PARALLEL WITH AND 50 FEET DISTANT FROM THE CENTER LINE OF SAID RIGHT OF WAY 6.79 CHAINS TO THE POINT OF BEGINNING, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PINs: 03-23-362-001, 03-26-107-001, 03-23-360-008, 03-26-106-001, 03-26-106-002 Common
Address: 7 Maiden Ln., East Dundee, Illinois