

ORDINANCE NO. 22-46

AN ORDINANCE AUTHORIZING THE ACQUISITION OF A FEE SIMPLE INTEREST IN CERTAIN REAL PROPERTY, LOCATED AT 110-112 E. RAILROAD ST., 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 110-112 N. Railroad St., 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 leasehold 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 leasehold interest in the Subject Property as to the compensation therefor, then title to and possession of the leasehold 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 leasehold 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.

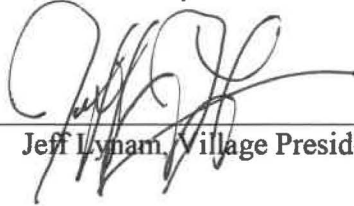
ADOPTED this 19th day of September, 2022, pursuant to a roll call vote as follows:

AYES: Kunze, Brittin, Saviano and Sauder

NAYS: Ø

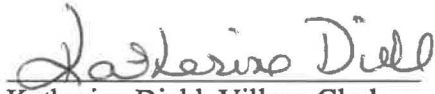
ABSENT: Mahony and Treiber

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



Jeff Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk

EXHIBIT A

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 AND 11 IN BLOCK 1 OF EDWARD'S ADDITION TO THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PIN: 03-23-314-001

Common Address: 110 E. Railroad Street, East Dundee, Illinois

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHERLY LINE OF RAILROAD STREET 22.5 FEET WESTERLY OF, MEASURED AT RIGHT ANGLES, THE CENTER LINE OF THE MAIN TRACK OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY AS NOW LOCATED AND ESTABLISHED; THENCE SOUTHERLY PARALLEL WITH THE CENTER LINE OF SAID MAIN TRACK TO THE CENTER LINE OF HILL STREET (FORMERLY SOUTH STREET); THENCE WESTERLY ALONG THE CENTER LINE OF SAID HILL STREET TO THE EASTERLY LINE, EXTENDED SOUTHERLY, OF BLOCK 1 OF EDWARD'S ADDITION TO DUNDEE; THENCE NORTHERLY ALONG THE EXTENSION OF AND THE EASTERLY LINE OF SAID BLOCK 1 TO THE SOUTHERLY LINE OF SAID RAILROAD STREET; THENCE EASTERLY ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PIN: 03-23-314-007

Common Address: 112 E. Railroad Street, East Dundee, Illinois