

RECORDER
DU PAGE COUNTY

Blaney

0-21-93

AN ORDINANCE APPROVING THE CITY OF
ELMHURST, ILLINOIS LAKE STREET TAX
INCREMENT REDEVELOPMENT AREA
REDEVELOPMENT PLAN AND PROJECT

154-110074
RECORDER
DU PAGE COUNTY
RE-RECORDED JAN 19 PM 12:45

WHEREAS, the City of Elmhurst, DuPage and Cook Counties, Illinois (the "City") desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1 et. seq., as amended, (hereinafter referred to as the "Act") for the proposed City of Elmhurst, Illinois Lake Street Tax Increment Redevelopment Area, described in Exhibit "A" of this ordinance and for the Redevelopment Plan and Project (the "Project") described in Exhibit "B" of this Ordinance, which area constitutes in the aggregate approximately 51 acres; and

WHEREAS, pursuant to Section 5 of the Act, the City Council caused a public hearing to be held relative to the Project and a designation of the Lake Street Redevelopment Project Area, on November 15, 1993 at the City Hall of the City; and

WHEREAS, due notice in respect to such hearing was given pursuant to Sections 5 and 6 of the Act, said notice being given to taxing districts by certified mail on October 1, 1993, by publication on October 27, 1993 and November 3, 1993; and by certified mail to taxpayers on November 4, 1993; and

WHEREAS, the City has considered the joint review board's advisory, non-binding recommendation and written report, which consisted of members' reports submitted individually or in combination with other taxing district members; and

WHEREAS, the Project sets forth the conditions in the proposed Lake Street Redevelopment Project Area qualifying the area as a "combination of blighted improved and vacant areas" as such term is defined in the Act, and that certain areas qualify as vacant blighted areas, and that the Area as a whole qualifies as a blighted improved area, and the City Council has reviewed information concerning said conditions presented at the public hearing and before this City Council and is generally informed of the conditions causing the proposed Lake Street Redevelopment Project Area to qualify as a blighted area as said term is defined in Section 11-74.4-3 of the Act; and

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

PREPARED BY: RETURN TO:

CITY CLERK
CITY OF ELMHURST, ILL
209 N. YORK
ELMHURST, ILL 60126

3/1

10/13/93

RE-RECORDED TO CORRECT
"EXHIBIT A" LEGAL DESCRIPTION

WHEREAS, the City Council has reviewed the conditions pertaining to real property in the proposed Lake Street Redevelopment Project Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Lake Street Redevelopment Project Area would be substantially benefitted by the proposed redevelopment project improvements;

WHEREAS, the City Council has reviewed the Comprehensive Plan, January, 1990 prepared by Trkla, Pettigrew, Allen & Payne, Inc., CEMCON, Inc. and Robert J. Boylan & Associates for the development of the City as a whole; and

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Elmhurst, DuPage and Cook Counties, Illinois as follows:

SECTION 1. The City Council hereby makes the following findings:

(a) The statements set forth in the preambles are incorporated herein as findings, as well as if set forth herein in full.

(b) The area constituting the proposed Lake Street Redevelopment Project Area is legally described as set forth in the attached Exhibit "A".

(c) There exist conditions which cause the area proposed to be designated as a Redevelopment Project Area to be classified as a "blighted area" as such term is defined in Section 3(a) of the Act.

(d) The Lake Street Redevelopment Project Area on the whole has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Project.

(e) The Project conforms to the Comprehensive Plan (that being the Comprehensive Plan, January, 1990 prepared by Trkla, Pettigrew, Allen & Payne, Inc., CEMCON, Inc. and Robert J. Boylan & Associates for the development of the municipality as a whole.

(f) The parcels of real property in the proposed Lake Street Redevelopment Project Area are contiguous and those contiguous parcels of real property and improvements thereon which will be substantially benefitted by the proposed Redevelopment Project.

(g) The estimated date for final completion of the Redevelopment Project is not later than 23 years from the date of adoption hereof, by December 6, 2016.

(h) The estimated date for retirement of obligations incurred of finance Redevelopment Project costs is not later than twenty-three (23) years from the date of passage of this Ordinance. The

City may issue its obligations or revenue bonds, the proceeds of which will be used for the Plan and which shall be retired on or prior to December 6, 2016 and the maturity of such obligations shall not exceed 6 years.

SECTION 2. The Project which was the subject matter of the hearing held November 15, 1993 is hereby adopted and approved. A copy of said redevelopment plan and project, is attached hereto as Exhibit "B" and made a part of this Ordinance.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law. A full, true and complete copy of this Ordinance shall be published within 10 days after passage in pamphlet form by authority of the City Council.

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.

Approved this 6th day of December, 1993.

Thomas D. Marcucci
Thomas D. Marcucci, Mayor

Passed this 6th day of December, 1993.

Ayes: 13 Nays: 1

Janet S. Edgley
Janet S. Edgley, City Clerk

R93-285297

EXHIBIT "A"

LEGAL DESCRIPTION OF
LAKE STREET REDEVELOPMENT PROJECT AREA

The real property which is legally described as follows:

Part of the Southwest and Southeast 1/4 of Section 26 and the Northwest and Northeast 1/4 of Section 35 all in Township 40 North, Range 11 East of the Third Principal Meridian comprising part or all of the following Subdivisions and Resubdivisions:

Davidson's Assessment Plat recorded as Document No. 694525, Fisher's Assessment Plat recorded as Document No. 928140, West Lake Farms Subdivision of Lot 1 recorded as Document No. 161541, Braun's Resubdivision recorded as Document No. 498078, Cuchetto's Division recorded as Document No. 730221, Elmhurst Industrial Park Unit Number 1, recorded as Document No. R65-002240, Mourekson Industrial Center Unit 1 recorded as Document No. R68-006176, Myer's Subdivision recorded as Document No. 195879, Teresis Subdivision recorded as Document No. R64-029290 and West Lake Farms recorded as Document No. 159001 Public Storage Subdivision recorded as Document No. R81-064463, also including parts of streets and alleys adjoining Lots in aforesaid Subdivisions and Resubdivision and being more particularly bounded and described as follows: commencing at the Southeasterly corner of Lot 45 in Elmhurst Industrial Park Unit Number 1 aforesaid; thence West along the South line of said Lot 45 to the Southwest corner thereof; thence South along the West line, Extended South of said Lot 45 to the center line, extended East of Crockett Avenue; thence West along the said center line extended East and the center line of said Crockett Avenue to the most Easterly East line extended south of Lot 2 in Moeller's Assessment Plat recorded as Document No 983838; thence North along said extended East line, the most Easterly East line and the said Easterly East line extended Northerly of said Lot 2 to the Northerly line of Lake Street (U.S. Route 20); thence Southeasterly along said Northerly line to the Southeasterly corner of Lot 24 in Myer's Subdivision aforesaid; thence Northerly along the Easterly line and said Easterly line extended Northerly of said Lot 24 to the Southerly line of Lot 15 in said Myer's Subdivision; thence Southeasterly along said Southerly line and the Southerly line of Lot 14 in said Myer's Subdivision to the Southeasterly corner of said Lot 14; thence Northerly along the Easterly line of said Lot 14 to the Northeasterly corner thereof; thence Northwesterly along the Northerly line of Lot 14, the Northerly line of Lots 15, 16, 17, 18 in said Myer's Subdivision and the said Northerly line of Lot 18 extended Northwesterly to the Westerly line of Church Road; thence Northeasterly along said Westerly line to the Southerly line, extended Northwesterly of Lot 8 in said Myer's Subdivision; thence Southeasterly along said extended Southerly line, the Southerly line of Lot 8 and the southerly line of Lots 9 & 10 in said Myer's Subdivision to the Southeasterly corner of said Lot 10; thence Northeasterly along the Easterly line of said Lot 10 to the Southerly line of Lot 3 in said Myer's

Subdivision; thence Northwesterly along said Southerly line of Lot 3 to the Southwesterly corner thereof; thence Northeasterly along the Westerly line of said Lot 3, the Westerly line of Lots 1 and 2 in said Myer's Subdivision and the Westerly line of said Lot 1, extended North, to the North line of the said Northwest 1/4 of Section 35 (said North line also being the South line of the said Southwest 1/4 of Section 26); thence East along said North line to the West line of West Lake Farms Subdivision of Lot 1 aforesaid; thence North along said West line to the North line thereof; thence East along said North line and said North line extended East to the Northwest corner of Davidson Assessment Plat aforesaid; thence continuing East along the North line of said Davidson Assessment Plat, said North line extended East to the Southwesterly line of Interstate (I-290), thence Southeasterly along said Southwesterly line to the North line of Teresis Subdivision aforesaid; thence East along said North line to the Northeasterly corner of Lot 1 of said Teresis Subdivision; thence Southeasterly along the Easterly line of said Lot 1 and the Easterly line of Lots 2 & 3 of said Teresis Subdivision to the Southeasterly corner of said Lot 3; thence East along the South line, extended East of said Lot 3 to the West line, extended North of said Lot 45 in Elmhurst Industrial Park Unit Number 1; thence South along said extended West line to the Northeasterly line of said Lot 45; thence Southeasterly along said Northeasterly line to the point of beginning, DuPage County, Illinois.

Said Area is also commonly described as follows:

An irregular area bordered on the North by the north (rear lot line) of properties north of Fullerton Avenue; on the east by the west side right-of-way of I-290; on the south by the center line right-of-way of Crockett Avenue; and on the west by several tax parcels and the west side right-of-way of Church Street perpendicular to the Thomas Street right-of-way, all in Elmhurst, Illinois.

EXHIBIT "B"

General Description of the Redevelopment Project Area

Said Area is also commonly described as follows:

An irregular area bordered on the North by the north (rear lot line) of properties north of Fullerton Avenue; on the east by the west side right-of-way of I-290; on the south by the center line right-of-way of Crockett Avenue; and on the west by several tax parcels and the west side right-of-way of Church Street perpendicular to the Thomas Street right-of-way, all in Elmhurst, Illinois.

Plan and Project

City of Elmhurst, Illinois Lake Street Tax Increment Redevelopment Area Redevelopment Plan and Project

(attached hereto)

RE-RECORD

STATE OF ILLINOIS)
) SS
COUNTIES OF DUPAGE
AND COOK)

I, JANET S. EDGLEY, hereby certify that I am the duly elected, qualified and acting City Clerk of the City of Elmhurst, DuPage and Cook Counties, Illinois, a municipal corporation, and the keeper of its seal and records.

I HEREBY FURTHER CERTIFY that the attached is a true and correct copy of _____
Exhibit "A" - Legal Description of Lake Street Tax Increment Redevelopment Project Area

I HEREBY FURTHER CERTIFY that the original of the attached is now on file in the City Clerk's Office of the City of Elmhurst, 209 N. York Street, Elmhurst, IL 60126.

IN WITNESS HEREOF, I have hereunto set my hand and affixed the seal of the City of Elmhurst, aforesaid, at said City, in the County and State aforesaid, this 18th day of January 1993.

Janet S. Edgley
Janet S. Edgley, City Clerk

BY: *Susan R. Vileikis*
Susan R. Vileikis, Deputy Clerk

S E A L

RE-RECORD



**CITY OF ELMHURST, ILLINOIS
LAKE STREET TAX INCREMENT REDEVELOPMENT AREA
REDEVELOPMENT PLAN AND PROJECT**

Prepared by
the City of Elmhurst, DuPage County, Illinois

October 1, 1993

193-285297

TABLE OF CONTENTS

RECORDED

<u>Subject</u>	<u>Page</u>
I. INTRODUCTION AND BACKGROUND	1
II. INDUSTRIAL PARK CONSERVATION AREA CONDITIONS EXISTING IN THE REDEVELOPMENT PROJECT AREA	4
III. REDEVELOPMENT PROJECT AREA GOALS AND OBJECTIVES	13
IV. REDEVELOPMENT PROJECT	14
A. City Redevelopment Plan and Project Objectives	14
B. General Land Use Plan	14
C. Redevelopment Program	15
D. Estimated Redevelopment Project Costs	15
E. Sources of Funds to Pay Redevelopment Project Costs	18
F. Nature and Term of Obligations to be Issued	18
G. Most Recent Equalized Assessed Valuation of Properties in the Redevelopment Project Area	19
H. Anticipated Equalized Assessed Valuation	19
V. DESCRIPTION OF COMPONENTS OF REDEVELOPMENT PROJECT	19
A. Description of Redevelopment Project	19
B. Commitment to Fair Employment Practices and Affirmative Action	20
VI. SCHEDULING OF THE REDEVELOPMENT PROJECT	21
VII. PROVISIONS FOR AMENDING THE TAX INCREMENT REDEVELOPMENT PLAN AND PROJECT	21

153-285297

LIST OF TABLES AND EXHIBITS

Subject	Page
EXHIBIT A LEGAL DESCRIPTION	22
EXHIBIT B BOUNDARY MAP	24
EXHIBIT C EXISTING PRIMARY LAND USE MAP	25
EXHIBIT D PROPOSED LAND USE MAP	26
EXHIBIT E CRITERIA FOR QUALIFICATION	27
TABLE 1 REDEVELOPMENT PROJECT - ESTIMATED PROJECT COSTS . .	17

113-285297

I. INTRODUCTION AND BACKGROUND

The City of Elmhurst

The City of Elmhurst, Illinois is generally bordered by Interstate 294 on the East, Roosevelt Road on the South, Illinois State Route 83 on the West and Grand Avenue on the North. The City was founded in 1882.

As of the 1990 census, the City had a population of 42,029. Water is furnished from Lake Michigan and the City also maintains a sewage disposal system and a solid waste disposal system.

The City is governed by a Mayor, alderman and a City Manager to run daily operations. Also, the City maintains a Police Department of 63, a Fire Department of 38 with two fire stations and a public library.

The City is located approximately 15 miles away from downtown Chicago and is accessible by Tri-State tollway 294/Interstate 290, as well as Illinois State Routes 83 & 64.

The Redevelopment Project Area

The proposed Lake Street Redevelopment Project Area (the "RPA") established pursuant to the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74, 4-1 to 5/11-74, 4-11) (the "Act") represents a significant opportunity for industrial and commercial development within the City. Covering approximately 51 acres within City boundaries, the Lake Street Redevelopment Project Area will provide land for a number of facilities engaged in production, warehousing, and/or distribution of a diverse range of goods and types of manufacturing as well as support/ancillary uses, as well as commercial uses. Located at approximately Lake Street or about 1/4 mile West of Interstate 294, it has easy access to Interstate 294, and connection to other Interstate highways.

The RPA is legally described in Exhibit A, attached and a part hereof. A boundary map is attached and made a part hereof as Exhibit B.

Description of RPA

The proposed RPA includes an array of residential, commercial and industrial buildings and uses. The area south of Lake Street is largely unbuilt with a small automobile dealer at the east and a few commercial and storage buildings on the west.

On the north side of Lake Street, the frontage properties include two restaurants, parking lots and the offices of an ambulance service company. Hawthorne Street provides access for residential properties, an unbuilt parcel and a residential property with material storage in the yard. Walnut and Fullerton Streets predominantly contain residential structures -- some with

167007

yards that are being used as storage for commercial enterprize. Among the houses along Fullerton are an auto repair shop and a fairly new commercial office/light industrial building.

The area east of the rear lot lines of the Walnut Street parcels is dominated by four business operations; a single commercial office, industrial and storage user; a multi-use commercial/industrial building and its adjacent property; a public storage complex; and a commercial/industrial building with a material storage yard.

Despite its favorable location, the development of industrial and commercial sites has been impaired.

The City plans to encourage a more intensive and accelerated industrial redevelopment of the RPA. In order to accomplish such redevelopment, the City has undertaken the designation of the RPA and begun to explore methods of providing the necessary public improvements within the RPA. Public assistance is required to promote redevelopment, due to the lack of strong marketplace momentum, due to lack of roads, utilities, properly sized lots and landscaping, serve to limit potential and competitive development of property within the RPA. The City plans on demonstrating a positive marketplace signal, through the sustained industrial and commercial redevelopment of the site. Currently, industrial uses are limited within the immediate area - sufficient density of development is required in order to generate significant interest within the area; while attracting and promoting quality industrial uses. The scope of existing industrial development needs to be addressed by the City. Its is important to future tenants/owners of property within the RPA that the marketplace perceives the property favorably.

The RPA as constituted would be difficult to develop solely through investment by private enterprise. It is not reasonable to anticipate substantial reuse of the site without the adoption of a redevelopment plan that addresses the characteristics of the site and recent market trends, and provides a practical method for financing the redevelopment project. The City has prepared this redevelopment plan to address its needs and meet its redevelopment goals and objectives as they relate to the RPA through the use of tax increment financing.

The City is proposing a designation of the RPA as a blighted improved and blighted vacant area as defined by the Act. Although the majority of the land within the RPA is suitable for industrial facilities, in its present state it is not suitable for proper development of such uses.

The City recognizes the need for implementation of various strategies to overcome blighted conditions. The needed public investment will be possible only if tax increment financing is adopted pursuant to the terms of the Act. Incremental real estate

1500-285297

tax revenue generated by the RPA will play a decisive role in encouraging private development.

Blighted site conditions that have precluded intensive private investment in the past will be eliminated. Through this Redevelopment Plan and Project, the City will serve as the central force for marshalling the assets and energies of the private sector for a unified cooperative public-private redevelopment effort. Ultimately, the implementation of the Redevelopment Plan and Project will benefit the City and all the taxing districts which are included in the RPA in the form of a significant expansion of the real estate tax base and employment base. The Redevelopment Plan and Project will serve to create new jobs within the City and thereby reduce unemployment within taxing districts which cover all or part of the RPA.

The RPA has not been subject to development through investment by private enterprise and it is not reasonably anticipated to be developed in an intensive or accelerated schedule without the adoption of a Redevelopment Plan and Project. The City has prepared this Redevelopment Plan and Project to use tax increment financing in order to address its needs and meet its redevelopment goals and objectives.

On September 20, 1993, the City Council adopted a resolution indicating its intent to use Tax Increment Financing ("TIF") for the redevelopment of the area legally described herein in Exhibit A and outlined on the map in Exhibit B. Redevelopment of the TIF area is tenable only if public improvements are funded by TIF.

The adoption of this Redevelopment Plan and Project makes possible the implementation of a comprehensive program for the economic redevelopment of the proposed RPA. By means of public investment, the RPA will become an improved, more viable environment that will attract private investment. The public investment will set the stage for the redevelopment of the area with private capital.

Pursuant to the requirements of the Act, the RPA includes only those contiguous parcels of real property and improvements thereon which are substantially benefitted by the redevelopment plan and project. Also in accordance with the Act, the RPA is not less than 1 1/2 acres in the aggregate.

Redevelopment Plan Development and Employment Projections

The City has designated an Industrial zoning classification to private property located North of Lake Street within the Industrial Park. The City has adopted a commercial classification C-3 for property located at South of Lake Street. The existing land uses are set forth in Exhibit C which is attached to and made a part hereof.

1133-285297

The City should retain flexibility so that the resources of this RPA and the City are most effectively utilized within the context of a changing economy. The City will encourage and consider proposals for facilities and structures of all types and character provided that such proposals meet the zoning classification (as revised from time to time) and are consistent with other City ordinances and overall goals.

The City is open to the type and class of employees that are reasonably employed by the type and character of facilities that it ultimately approves. Based on the estimated timing and absorption projections, the City anticipates that on average, many new employees will be employed within the RPA.

The development team is anticipated to consist of the current and/or future landowners and the appropriate support professionals such as leasing brokers, architects and general contractors. The absorption rate is based upon the RPA designation, assembly and designation of lots and the estimate of marketplace acceptance of designated lots. The Economic Development Commission will work with the City to ensure that appropriate, beneficial development occurs that is in conformance with market-driven realities.

Anticipated users include, but are not limited to, users that are engaged in production warehousing and/or distribution of a diverse range of goods and types of manufacturing. Facilities are anticipated to be modern quality structures that will serve the needs of tenants/users in an efficient; cost effective manner that is in conformance with the economic development goals, objectives, and ordinances of the City.

In the area that is zoned commercial the types of uses that are anticipated are those permitted under Elmhurst Zoning Ordinance.

II. INDUSTRIAL PARK CONSERVATION AREA CONDITIONS EXISTING IN THE REDEVELOPMENT PROJECT AREA

Findings

The RPA was studied to determine its qualifications as a "combination of blighted improved and vacant areas" as such term is defined in the Act. The area as a whole qualifies as a blighted improved area. Certain areas qualify as vacant blighted areas. These areas are set forth in Exhibit C.

Eligibility Survey

The entire designated Redevelopment Project Area was evaluated by the City in the fall of 1993. A copy of the evaluation is available for inspection and review. The eligibility and qualification factors are as follows:

In a development project area, the minimum number of blighting factors must be present to warrant either a "blighted area" or a "conservation area" designation. These factors should be present to a meaningful extent and should be reasonably distributed through out the RPA.

Status and/or Findings

The following are the qualification factors based on statute definitions, review of documents, site visits and other supportive documentation.

1. Factors present in the context of the redevelopment project area as a whole; area wide factors for blighted improved land.

1. Obsolescence
2. Presence of Structures Below Minimum Code
3. Inadequate Utilities
4. Deleterious Land Use or Layout
5. Depreciation of Physical Maintenance
6. Lack of Community Planning

The presence of six qualification factors within the RPA exceeds the required presence of five qualification factors necessary to qualify as blighted improved land.

2. Specific Factors evidenced on significant vacant parcels evaluated on their own; blighted vacant land.

1. Obsolete Platting of the Vacant Land
2. Diversity of Ownership
3. Deterioration of Structures or Site Improvements in Neighboring Areas Adjacent to Vacant Land

The presence of three qualification factors within the RPA exceeds the required presence of two qualification factors necessary to qualify as blighted vacant land.

FINDING OF QUALIFICATION FACTORS

A. AREA WIDE FACTORS - BLIGHTED IMPROVED

OBSOLESCENCE

- Obsolete buildings
- Obsolete site improvements
- Overall obsolescence of platting (street lights, parking, utility easements and right-of-ways), public works and community facilities.

157007-000

RE-RECORD

Findings:

Obsolete buildings: More than 15 buildings in the RPA are obsolete for commercial or industrial uses, since they were originally built as single family homes. While a few of these properties continue to be used as single family homes, the others serve as auxiliary uses for industry.

The best examples of these obsolete buildings are found along Fullerton Avenue, Hawthorne Avenue and Walnut Street: back yards being used for storing materials and side yards or adjacent lots are used for parking and storing machinery and equipment.

Obsolete Site Improvements: The RPA exhibits evidence of obsolete site improvements, including streets that were designed for rural residential rather than industrial uses. They specifically show signs of not meeting today's standards, such as lack of consistently-sized surface (paving), curbs or gutters and drainage; or no paving, curbs or gutters at all.

These conditions are present along Thomas Street, Hawthorne Avenue, Walnut Street, Fullerton Avenue and the Frontage Road east of Walnut. South of Lake Street, Crockett Avenue is an unpaved, gravel road.

Obsolete Platting: The platting of the streets, alleys, parking, easements and right-of-ways exhibits evidence of being obsolete. The combination of narrow and inconsistent frontage and deep parcels with the overlay of right-of-ways and easements creates a "crazy quilt" pattern of land parcels and ownership. This platting pattern has a limited number of secondary streets; those that do exist were laid out for residential lots and/or uses making land assembly difficult and the pattern of lots for industrial users restricted by the platted streets.

The obsolescence is further evidenced by the mixture of industrial and residential traffic on the same substandard streets and or right-of-ways. The unplanned mix of the residential, commercial and industrial uses create a condition which makes the area notably obsolete for development according to contemporary standards. These situations all contribute to the finding of obsolescence.

Documents to Support the Findings:

1. Sidwell Maps
2. Aerial photos and photos of streets and signage.
3. Review of historical land development and platting for both residential and industrial uses.
4. Testimonials of users/residents in writing.

RE-RECORD

PRESENCE OF STRUCTURES BELOW MINIMUM CODE

Structures which do not meet the standards of zoning, subdivision, building housing, property maintenance for local and other governmental codes.

Findings:

In addition to much of the inadequate utilities and sub-standard public infrastructure within the district boundaries, several conditions of structures below minimum code are present throughout the RPA.

The survey conducted by the City of Elmhurst Fire Department documents several cases of problematic storage tanks. In this survey the Fire Department conducted an external inspection for fill pipes, vent lines, tank covers and above ground tanks. Nearly one-third of the twenty-five properties examined contained tanks and the Fire Department suspects ground contamination on at least a few of those sites.

At least one property (along Fullerton Avenue) has been illegally sub-divided and that at least six other properties have extensive histories of miscellaneous code violations.

Along with other supporting evidence of code violations distributed throughout the RPA, these conditions contribute to the finding of the presence of structures below minimum code.

Documents to Support the Findings:

1. Report by the City of Elmhurst Fire Department.
2. City of Elmhurst Building Code violations.
3. City of Elmhurst file memo noting illegal uses/sub-divisions.

INADEQUATE UTILITIES

- Utilities are insufficient capacity to serve the proposed uses of the RPA.
- Utilities are deteriorated, obsolete, lacking or not in place.
- Utilities include storm, sanitary, water, gas, telephone or electric.

Findings:

The utility infrastructure is essentially laid out for residential use, following residential street right-of-ways.

262007...

The lack of a storm water sewer system in certain areas within the RPA; the limited combined use sanitary sewage with storm water; the lack of current plans to update the sewer and water utilities to accommodate industrial and commercial use; the limited and substandard street lighting and predominant existence of overhead electrical utilities, all contribute to the finding of inadequate utilities.

Documents to Support Findings:

1. Copies of the City's infrastructure maps for this area.
2. Evidence that no improvements are planned or anticipated for this area.
3. USGS topological maps (NIPC).
4. Hydrological/Wetland maps (NIPC).
5. FEMA maps (NIPC).
6. Review of NIPC Regional Storm Water Management Report.
7. Copies of gas and electric utility services and right-of-ways and letters from utility representatives.

DELETERIOUS LAND USE LAYOUT

- Incompatible land use
- Buildings occupied by inappropriate mixed-uses
- Buildings with noxious offensive or environmentally unsuitable uses
- Issues of site plan and layout that create physical problems

Findings:

Incompatible Land Use: The area exhibits evidence of incompatible land use relationships. In particular those that have a general and specific relation between the industrial and residential uses. Generally, conditions of incompatibility exist with light industrial uses being integrated into a formerly single-family residential area. Industrial buildings were constructed on vacant lots next to residential buildings along the same street. Industrial building complexes have grown, and in their growth created layout problems. For example, a parking lot built adjacent to a residence or a truck loading or storage area adjacent to residential uses.

Physical Problems: Many of the streets serve as ingress and egress for both residential and industrial/commercial users. Few of the collector and local streets were built to accommodate heavier truck traffic. Indications that there are physical problems with the layout of the area include: tractor-trailers driving on streets with signs which read "Children Playing" or "No Trucks"; and street corners which have evidence of damage due to short turns.

1120-285297

These conditions all contribute to the finding of deleterious land use and layout.

Documents to Support Findings:

1. Historical aerials (Geonex).
2. Map showing different types of industry and their relation to each other and to residential uses.
3. City of Elmhurst traffic or police reports on traffic, accident problems or complaints.
4. Qualification map prepared by CAPA.

DEPRECIATION OF PHYSICAL MAINTENANCE

- The presence of pot holes, broken or crumbling surfaces, lack of or broken curbs and gutters, areas of loose missing materials, standing water on Public Improvements
- Public improvements such as streets, alley, parking for cars, track crossings, bridges and culverts.

Findings:

The RPA exhibits evidence of depreciation of public improvements.

Streets

- Lake Street (Route 20) is a four lane highway and is basically in good condition. Yet, the location of curb cuts seems to have been placed in an inconsistent, unplanned manner and the south side lacks curbs and gutters.
- Thomas Street runs between Church Street and Hawthorne Avenue. The condition of the private perpendicular parking area at the west end of the street is in sharp contrast to the street itself. Its condition is characteristic of a rural residential road--narrow, partially unpaved, no curbs or gutters and numerous potholes.
- Hawthorne Avenue accommodates a combination of commercial, residential and truck traffic off of Lake Street. The condition of the road is as inconsistent as its use. While the width near Lake Street is sufficient, the condition of the road seriously disintegrates heading north.
- Walnut Street is similar in condition to Hawthorne Avenue, and also accommodates a combination of

commercial, residential and truck traffic off of Lake Street.

- Fullerton Avenue, like Thomas Street, is characteristic of a rural residential road--narrow, partially unpaved, no curbs or gutters and numerous potholes. The street serves four residences, one residence and repair shop and a newer commercial building. The eastern end narrows significantly and is approximately two to three feet lower than the adjacent property to the south.
- Crockett Avenue is a gravel unimproved road and is characterized by pot-holes and standing water.
- Frontage Road extends east of Walnut and appears to have been located through and around existing buildings to access parcels which formerly fronted on Lake Street. Although it is paved, it is not in particularly good condition and lacks curbs and gutters.

This condition collectively contributes to the finding of depreciation of physical maintenance.

Documents to Support the Findings:

1. Field survey of condition locations.
2. Map exhibiting the above conditions.
3. Photos of the above conditions.

LACK OF COMMUNITY PLANNING

Absence of a community plan at time of original development. Plan in effect was obsolete or ignored.

Findings:

Absence of Community Plan: The original development of the land in the RPA occurred prior to the land being annexed to the City of Elmhurst. Approximately two-thirds of the land in the RPA was annexed in 1962, the remainder was annexed in 1968.

The previous official plan, Elmhurst Estates (1968) recommended a combination of uses for the RPA are including multi-family residential and commercial/industrial use.

The RPA exhibits evidence of a lack of community planning, particularly in the lack of direction to development within the plan and zoning ordinance. The current Comprehensive Plan primarily recommends commercial and industrial use, with the exception of residential along Crockett Avenue, north of Bekens Park.

167007-0011

The prior zoning classification for this area included Light Industrial Commercial (C-4), Regional Service Commercial (C-3A), Multiple Family Residence (B-2), Single Family Residence (R-A), Light Industrial and Heavy Commercial (C-5) and Private and Social Service Clubs (B-4).

The present zoning includes two significant classifications--an I1 district north of Lake Street and a C3 district south of Lake (the RPA also includes a small portion of a R2 district, but the property in this area is limited to public street right-of-ways).

The conflicts between the previous plans and the current Comprehensive Plan; and previous zoning classifications, past and current uses and current zoning classifications create conditions that contribute to the finding of lack of community planning.

Documents to Support Findings:

1. Nature of development activity.
2. Zoning Map.
3. Copies of an comprehensive plans that existed prior to the 1990 plan.
4. The zoning of the land prior to current classification.
5. Annexation dates and map.
6. Current copy of land use map.

B. SPECIFIC FACTORS - BLIGHTED VACANT

The area examined to qualify for blighted vacant land is without industrial, commercial and residential buildings; has not been used for commercial agricultural purposes within five years; has not been subdivided and exhibits the following qualification factors:

OBSOLETE PLATTING OF LAND

- Parcels of limited or narrow size and configuration
- Parcels of irregular size or shape
- Parcels difficult to develop

Findings:

The present platting of these parcels could create significant problems for the coordinated development of the RPA. The seven parcels south of Lake Street vary in shape and size from 13,000 to 79,000 square feet. Two of the lots have no frontage along Lake Street and another is a "flag lot" with less than 50 feet of Lake Street frontage.

1100-685297

Each of the parcels could be difficult to develop individually, but the single development of one of the parcel would obstruct the possibility of the larger development of the overall site area.

The two larger parcels on the north side of Lake Street each have approximately 100 feet of frontage along Lake Street, but both are irregular in size since they are over 800 feet deep. Although the west parcel has frontage along Hawthorne Avenue the east parcel is landlocked except for its Lake Street Frontage.

The characteristics of the parcels' configuration, size and difficulty for development contribute to the finding of obsolete platting of land.

Documents to Support Findings:

1. Aerial Photos
2. Sidwell Map

DIVERSITY OF OWNERSHIP

A situation where different ownerships and interests in the land are sufficient in number to retard or impede the ability to assemble the land for development

Findings:

The total vacant area is owned by three separate entities. Since they are not under a single ownership, the ability to assemble all of this land under a single development plan is inhibited.

The multiple ownership of these properties contribute to the finding of diversity of ownership.

Documents to Support Findings:

1. Sidwell Map and Tax Records

DETERIORATION OF STRUCTURES OR SITE IMPROVEMENTS IN NEIGHBORING AREAS ADJACENT TO VACANT LAND

If a vacant area is adjacent to an improved area which evidences deterioration of structures or site improvements.

The improved parcels and infrastructure surrounding these vacant parcels exhibit deteriorated site improvements. The most prominent deterioration is evident in the condition of the public infrastructure, particularly the following streets:

167007 0011

Lake Street (Route 20) is a four lane highway and is basically in good condition. Yet, the location of curb cuts seems to have been placed in an inconsistent, unplanned manner and the south side lacks curbs and gutters.

Thomas Street runs between Church Street and Hawthorne Avenue. The condition of the private perpendicular parking area at the west end of the street is in sharp contrast to the street itself. Its condition is characteristic of a rural residential road--narrow, partially unpaved, no curbs or gutters and numerous potholes.

Hawthorne Avenue accommodates a combination of commercial, residential and truck traffic off of Lake Street. The condition of the road is as inconsistent as its use. While the width near Lake Street is sufficient, the condition of the road seriously disintegrates heading north.

Crockett Avenue is a gravel unimproved road and is characterized by pot-holes and standing water.

Documents to Support Findings:

1. Aerial Photos
2. Sidwell Map

The presence of the above conditions and the documentation of the blighted improved land surrounding the vacant parcels contributes to the finding of deterioration of structures or site improvements in neighboring areas adjacent to vacant land.

III. REDEVELOPMENT PROJECT AREA GOALS AND OBJECTIVES

The following goals and objectives are presented for the RPA in accordance with the City's zoning ordinance and comprehensive plan. The Redevelopment Plan and Project also conform to the Comprehensive Plan for the development of the City as a whole.

General Goals of the City of Elmhurst Redevelopment Plan

- 1) Encourage development of the industrial and commercial uses through the attraction of industry that is conformance with the City zoning ordinance
- 2) Create jobs within the RPA.
- 3) Provide suitable public infrastructure.

- 4) Diversify and strengthen the City's tax base with particular attention given to bolstering non-residential property taxes.
- 5) Reverse and reduce negative market perception relating to the location and generally, and specifically improve perception of the RPA property.

Specific Objectives of the City of Elmhurst Redevelopment Plan

- 1) Extend sewer and water lines as needed into the Industrial Park.
- 2) Build access roads as needed within the area designated for industrial use.
- 3) Provide for streetlighting and other related improvements as needed.
- 4) Through the provision of public improvements, allow for competitive and affordable industrial facilities that are available to users and tenants of the properties in the industrial area.
- 5) Enhance the absorption of industrial property located within RPA and consequently, increase non-residential property taxes.

IV. REDEVELOPMENT PROJECT

A. City Redevelopment Plan and Project Objectives

The City proposes to realize its goals and objectives of encouraging development of the redevelopment project area through public finance techniques including, but not limited to, Tax Increment Financing:

- 1) By providing public facilities which may include:
 - i) Utility improvements and expansion;
 - ii) Street improvements and expansion;
 - iii) Traffic signalization and intersection improvements; and
 - iv) Landscaping and signs on public ways.
- 2) By providing for assembly of sites, site preparation, clearance and grading of redevelopment sites.

B. General Land Use Plan

Exhibit D attached hereto and made a part of this plan, which includes industrial and commercial uses and designates intended

general land uses in the RPA. The proposed land uses will conform to the Comprehensive Plan of the City.

All redevelopment projects shall be subject to the provisions of the City Zoning Ordinance, as may be amended from time to time.

C. Redevelopment Program

Pursuant to the foregoing objectives, the City will implement a coordinated program of actions to facilitate industrial and commercial redevelopment, including, but not limited to, such eligible costs as public improvements, rehabilitation of existing structures and land acquisition for public roads, and to assemble sites which are viable for commercial and industrial development.

Public Improvements

The City may provide public improvements in the RPA to enhance the RPA as a whole, to support the Redevelopment Project Plan and Project, and to serve the needs of City residents. Appropriate public improvements may include, but are not limited to:

- new construction and improvements of streets, alleys, pedestrianways and street intersections;
- improvement and extension of public utilities;
- beautification, lighting and signage of public properties;
- construction of new public facilities to service the Industrial Park; and
- construction of new sewer and water mains.

Acquisition and/or Clearance

The City may determine that to meet redevelopment objectives it may be necessary to acquire property within the RPA to be utilized for public facilities identified by the City, or for the assembly of parcels which may be utilized for industrial and commercial use. Assembly of such parcels may be undertaken by voluntary acquisition or Eminent Domain.

D. Estimated Redevelopment Project Costs

Redevelopment project costs mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to the Redevelopment Plan and Project. Eligible costs permitted by the Act pertinent to this Redevelopment Plan and Project are:

1. Costs of studies and surveys, development of plans and specifications, implementation and administration of the redevelopment plan, including, but not limited to, staff and professional service costs for architectural, engineering, legal, marketing, financial, planning or other services, provided, however, that no charges for professional services may be based on a percentage of the tax increment collected;
2. Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
3. Costs of rehabilitation, reconstruction or repair or remodeling of existing buildings and fixtures;
4. Costs of the construction of public works or improvements;
5. Financing costs including but not limited to, all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;
6. Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law;

Estimated project costs are shown in Table 1. To the extent that the City has incurred redevelopment project costs prior to, but in anticipation of, the adoption of tax increment financing, the City may be reimbursed for such costs. Adjustments to the cost items listed in Table 1 are anticipated without amendment to the Redevelopment Plan.

167007-060

TABLE 1

REDEVELOPMENT PROJECT - ESTIMATED PROJECT COSTS

<u>Program Action/Improvement</u>	<u>Estimated Cost(s)</u>
Public Infrastructure Improvements (public utilities, street construction, streetscape Improvements)	\$1,650,000
Land Acquisition and/or Site Preparation and Clearance	900,000
Planning, Legal, Architectural, Engineering, Administrative, Financing and Other Professional Service Costs	300,000
Contingencies	150,000
ESTIMATED COSTS	<u>\$3,000,000</u>

- (A) All cost estimates are in 1993 dollars. In addition to the above stated costs, each issue of bonds issued to finance a phase of the project may include an amount of proceeds sufficient to pay customary and reasonable charges associated with the issuance of such obligations as well as capitalized interest. Adjustments to the estimated line item costs above are expected. Each individual project cost will be re-evaluated in light of projected private development and resulting incremental tax revenues as it is considered for public financing under the provisions of the Act. The totals of line items set forth above are not intended to place a total limit on the described expenditures. Adjustments may be made in line items within the total, either increasing or decreasing line item costs for redevelopment costs.

R93-285297

E. Sources of Funds to Pay Redevelopment Project Costs

Funds necessary to pay for redevelopment project costs are to be derived principally from real property tax incremental revenues and proceeds from any municipal obligations to be retired primarily with tax increment revenues.

The tax increment revenues which will be used to directly pay for said costs or to pay debt service on the tax increment obligations issued the proceeds of which are used to pay redevelopment project costs shall be the incremental real property taxes attributable to the increase in the equalized assessed value of each taxable lot, block, tract or parcel of real property in the RPA over and above the initial equalized assessed value of each such lot, etc. in the RPA.

Other sources of funds which may be used to pay for redevelopment project costs and debt service on municipal obligations issued to finance project costs are: real property tax receipts, certain motor fuel tax revenues, certain land lease payments, certain state and federal grants, certain investment income, and such other sources of funds and revenues as the City may, from time to time, deem appropriate.

The City may use its general fund and utilize its taxing power to sustain redevelopment projects and pay debt service on obligations issued in connection therewith to be reimbursed, if possible, from tax increment financing revenues. The City may utilize special assessments for certain of the public improvements and may use tax incremental revenue to reimburse the payment of said special assessments in whole or in part.

F. Nature and Term of Obligations to be Issued

The City may issue revenue or general obligations secured by the tax increment special tax allocation fund established for the RPA pursuant to Section 11-74.4-7 of the Act or such other funds or security as are available to the Village by virtue of its powers under the Act and as provided by the Constitution of the State of Illinois.

All obligations issued by the City pursuant to this Redevelopment Plan and Project and the Act shall be retired not more than twenty-three (23) years from the date of adoption of the ordinance approving the RPA. However, the final maturity date of any obligations issued pursuant to the Act may not be later than twenty (20) years from its respective date of issuance. One or more series of obligations may be issued from time to time in order to implement this Redevelopment Plan and Project. All obligations are to be covered after issuance by projected and actual tax increment, other tax revenue and by such debt service revenues and sinking funds as may be provided by ordinance. The total principal and interest payable in any year on all obligations shall not

exceed the amounts available in that year, or projected to be available in that year, from tax increment revenues and from bond sinking funds, capitalized interest, debt service reserve funds and all other sources of funds as may be provided by ordinance.

Those revenues not required for principal and interest payments, required reserves, bond sinking funds, redevelopment project costs and reserves required to fund such costs, early retirement of outstanding securities, and to facilitate the economical issuance of additional bonds necessary to accomplish the redevelopment plan, may be declared surplus and shall then become available for distribution annually to taxing districts overlapping the RPA in the manner provided by the Act.

Such securities may be issued on either a taxable or tax-exempt basis, with either fixed interest rates or floating interest rates; with or without capitalized interest; with or without deferred principal retirement; with or without interest rate limits, and with or without redemption provisions.

G. Most Recent Equalized Assessed Valuation of Properties in the Redevelopment Project Area

The total 1993 equalized assessed valuation for the RPA is approximately \$4,414,516. The Boundary Map, Exhibit B, shows the location of the RPA.

H. Anticipated Equalized Assessed Valuation

Upon completion of the anticipated private development, assuming that the Dupage County, Illinois equalization factor (multiplier) remains constant, it is estimated that the equalized assessed valuation of real property within the RPA will be approximately \$10,115,382 (based on a \$5,700,866 equalized assessed value increase in new improvements).

V. DESCRIPTION OF COMPONENTS OF REDEVELOPMENT PROJECT

A. Description of Redevelopment Project

The City will employ an implementation strategy which stresses economic feasibility whereby tax increment funds will not be initially pledged unless corresponding private investment is reasonably projected to be sufficient to generate equal or greater return of future tax revenues. Such strategy will contribute to a realistic approach in funding projects while assuring that the City has the flexibility to continue to prioritize among possible projects in meeting both City and private sector goals. The redevelopment projects contemplated by the City include, but are not limited to, the following:

R93-285297

Utility Improvements: The City may make improvements, extension and adjustment in water, storm sewer, sanitary sewer, electric lighting and other utility systems.

Right-of-Way Improvements: The City may improve, construct, reconstruct or extend primary and secondary street right-of-ways and other such territory located on public land, on private land or through public easement on private land.

Land Acquisition: The City may acquire property within the RPA to be utilized for public facilities identified by the City and/or assemble sites for commercial and industrial use.

Site Preparation and Clearance: The City may remove debris and other disposal material from sites and/or grade such site as part of its redevelopment activities.

Professional Services: The City may use tax increment financing to pay necessary architectural, engineering, planning, legal, removal, administrative and financial costs.

B. Commitment to Fair Employment Practices and Affirmative Action

As part of any Redevelopment Agreement entered into by the City and any private developers, both will agree to establish and implement an honorable, progressive, and goal-oriented affirmative action program that serves appropriate sectors of the City.

With respect to the public/private development's internal operations, both entities will pursue employment practices which provide equal opportunity to all people regardless of sex, color, race or creed. Neither party will countenance discrimination against any employee or applicant because of sex, marital status, national origin, age, or the presence of physical handicaps. These nondiscriminatory practices will apply to all areas of employment, including: hiring, upgrading and promotions, terminations, compensation, benefit programs and education opportunities.

All those involved with employment activities will be responsible for conformance of this policy and the compliance requirements of applicable state and federal regulations.

The City and private developers will adopt a policy of equal employment opportunity and will include or require the inclusion of this statement in all contracts and subcontracts at any level. Additionally, any public/private entities will seek to ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which all employees are assigned to work. It shall be specifically ensured that all on-site supervisory personnel are aware of and carry out the obligations to maintain such working environment, with specific attention to minority and/or female individuals.

Finally, the entities will utilize affirmative action to ensure that business opportunities are provided and that job applicants are employed and treated in a nondiscriminatory manner. Underlying this policy is the recognition by the entities that successful affirmative action programs are important to the continued growth and vitality of the community.

VI. SCHEDULING OF THE REDEVELOPMENT PROJECT

Completion of Redevelopment Project and Retirement of Obligations to Finance Redevelopment Costs

This Redevelopment Project will be completed on or before a date twenty-three (23) years from the adoption of an ordinance designating the RPA. The City thus expects that the Redevelopment Project will be completed sooner than the maximum time limit set by the Act. Actual public and/or private construction activities are anticipated to be completed within ten (10) years from the adoption of this Redevelopment Plan.

VII. PROVISIONS FOR AMENDING THE TAX INCREMENT REDEVELOPMENT PLAN AND PROJECT

This Redevelopment Plan and Project may be amended pursuant to the provisions of the Act.

167987-654

EXHIBIT A

RE-RECORDED

Legal Description

The real property which is legally described as follows:

Part of the Southwest 1/4 of Section 26 and the Northwest 1/4 of Section 35 all in Township 40 North, Range 11 East of the Third Principal Meridian comprising part or all of the following Subdivisions and Resubdivisions:

Davidson's Assessment Plat recorded as Document No. 694525, Fisher's Assessment Plat recorded as Document No. 928140, West Lake Farms Subdivision of Lot 1 recorded as Document No. 161541, Braun's Resubdivision recorded as Document No. 498078, Cuchetto's Division recorded as Document No. 730221, Elmhurst, City of Assessment Plat Number 2 recorded as Document No. R64-029362, Mourekson Industrial Center Unit 1 recorded as Document No. R68-006176, Myer's Subdivision recorded as Document No. 195879, Oaklawn Avenue 2nd Resubdivision recorded as Document No. R67-045815 and West Lake Farms recorded as Document No. 155001 also including parts of streets and alleys adjoining Lots in aforesaid Subdivisions and Resubdivisions and being more particularly bounded and described as follows: commencing at the Southeasterly corner of Lot 45 in Elmhurst, City of Assessment Plat No. 2 aforesaid; thence West along the South line of said Lot 45 to the Southwest corner thereof; thence South along the West line, Extended South of said Lot 45 to the center line, extended East of Crockett Avenue; thence West along the said center line extended East and the center line of said Crockett Avenue to the most Easterly East line extended south of Lot 2 in Moeller's Assessment Plat recorded as Document No. 983838; thence North along said extended East line, the most Easterly East line and the said Easterly East line extended Northerly of said Lot 2 to the Northerly line of Lake Street (U.S. Route 20); thence Southeasterly along said Northerly line to the Southeasterly corner of Lot 24 in Myer's Subdivision aforesaid; thence Northerly along the Easterly line and said Easterly line extended Northerly of said Lot 24 to the Easterly line of Lot 15 in said Myer's Subdivision; thence Southeasterly along said Southerly line and the Southerly line of Lot 14 in said Myer's Subdivision to the Southeasterly corner of said Lot 14; thence Northerly along the Easterly line of said Lot 14 to the Northeasterly corner thereof; thence Northwesterly along the Northerly line of Lot 14, the Northerly line of Lots 15, 16, 17, 18 in said Myer's Subdivision and the said Northerly line of Lot 18 extended Northwesterly to the Westerly line of Church Road; thence Northeasterly along said Westerly line to the Southerly line, extended Northwesterly of Lot 8 in said Myer's Subdivision; thence Southeasterly along said extended Southerly line, the Southerly line of Lot 8 and the Southerly line of Lots 9 & 10 in said Myer's Subdivision to the Southeasterly corner of said Lot 10; thence Northeasterly along the Easterly line of said Lot 10 to the

R94-285297

Southerly line of Lot 3 in said Myer's Subdivision; thence Northwesterly along said Southerly line of Lot 3 to the Southwesterly corner thereof; thence Northeasterly along the Westerly line of said Lot 3, the Westerly line of Lots 1 and 2 in said Myer's Subdivision and the Westerly line of said lot 1, extended North, to the North line of the said Northwest 1/4 of Section 35 (said North line also being the South line of the said Southwest 1/4 of Section 26); thence East along said North line to the West line of West Lake Farms Subdivision of Lot 1 aforesaid; thence North along said West line to the North line thereof; thence East along said North line and said North line extended East to the Northwest corner of Davidson Assessment Plat aforesaid; thence continuing East along the North line of said Davidson Assessment Plat, said North line extended East and the North line of Fisher's Assessment Division aforesaid to the Southwesterly line of Interstate (I-290), thence Southeasterly along said Southwesterly line to the North line of Oaklawn Avenue 2nd Resubdivision aforesaid; thence East along said North line to the Northeasterly corner of Lot 1 of said Oaklawn Avenue 2nd Resubdivision; thence Southeasterly along the Easterly line of said Lot 1 and the Easterly line of Lots 2 & 3 of said Oaklawn Avenue 2nd Resubdivision to the Southeasterly corner of Said Lot 3; thence East along the South line, extended East of said Lot 3 to the West line, extended North of said Lot 45 in Elmhurst, City of Assessment Plat No. 2; thence South along said extended West line to the Northeasterly line of said Lot 45; thence Southeasterly along said Northeasterly line to the point of beginning, DuPage County, Illinois.

Said Area is also commonly described as follows:

an irregular area bordered on the North by the north (rear lot line) of properties north of Fullerton Avenue; on the east by the west side right-of-way of I-290; on the south by the center line right-of-way of Crockett Avenue; and on the west by several tax parcels and the west side right-of-way of Church Street perpendicular to the Thomas Street right-of-way, all in Elmhurst, Illinois.

R93-285297

RE-RECORDED

EXHIBIT B

Boundary Map

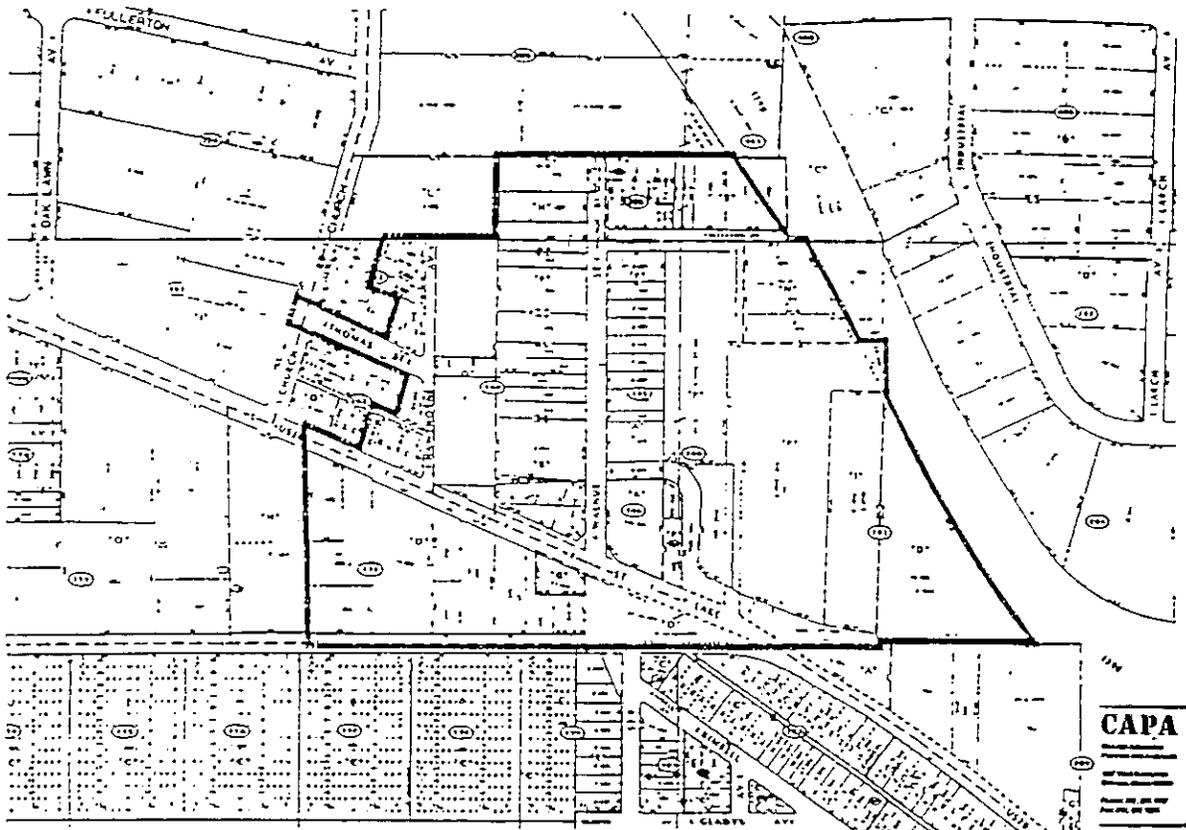
BOUNDARY MAP
EXHIBIT B

LAKEWALNUT
TAX INCREMENT FINANCING
RE DEVELOPMENT PLAN AREA

ELMHURST, ILLINOIS
FOR City of Elmhurst
209 N. York Street
Elmhurst, IL 60126-2759

KEY

Proposed Limit RPA/TIF District



R93-285297

RECEIVED

EXHIBIT C

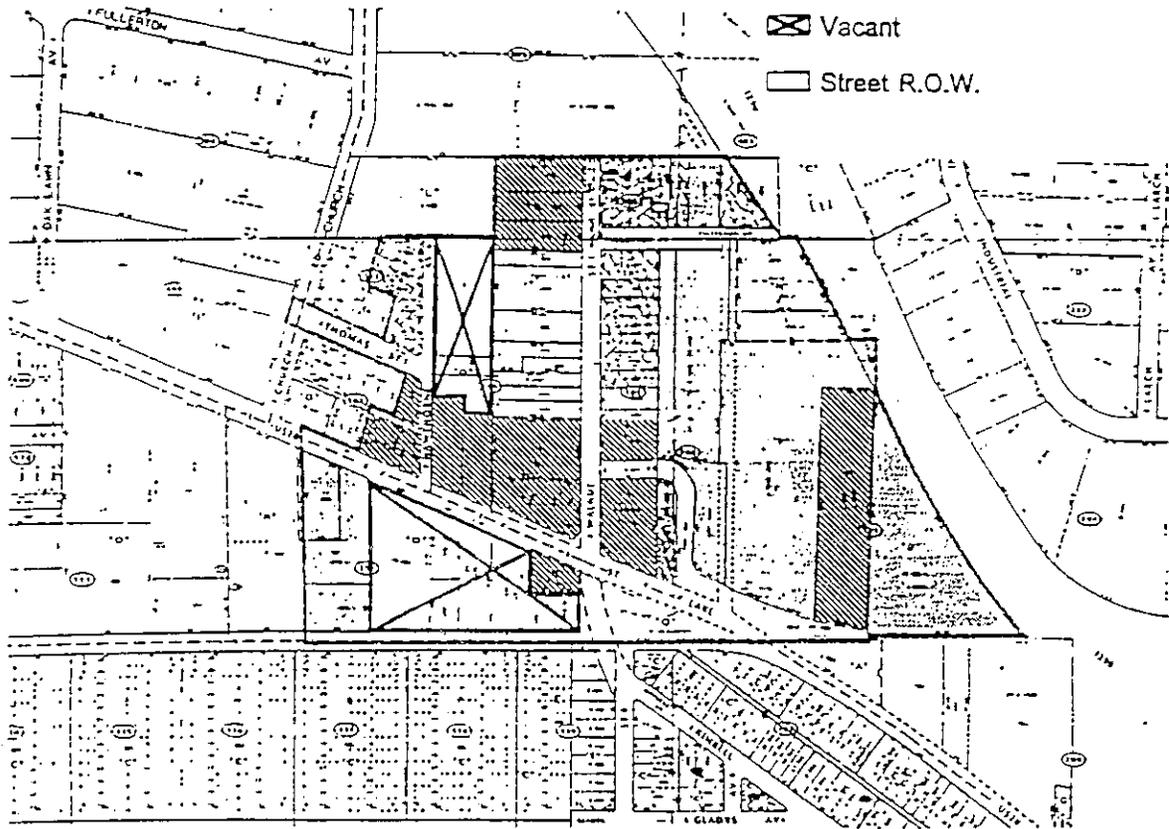
Existing Primary Land Use Map

EXISTING PRIMARY LAND USE MAP
EXHIBIT C

LAKE/WALNUT
TAX INCREMENT FINANCING
RE DEVELOPMENT PLAN AREA

ELMHURST, ILLINOIS
FOR City of Elmhurst
209 N. York Street
Elmhurst, IL 60126-2759

- KEY**
-  Residential
 -  Business/Commercial
 -  Business/Industrial
 -  Vacant
 -  Street R.O.W.



R93-285297

CAPA
City of Elmhurst
Planning Department
209 N. York Street
Elmhurst, IL 60126-2759

RE-RECORDED

EXHIBIT D

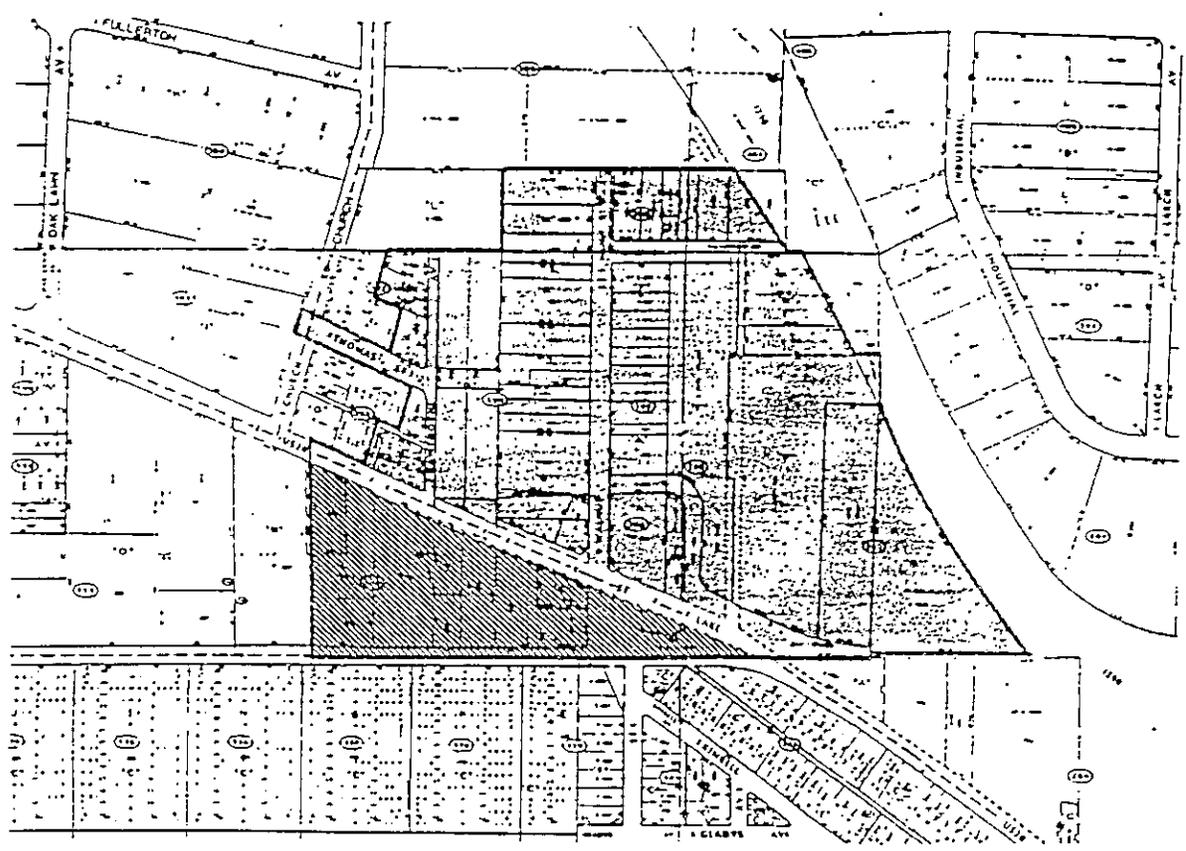
Proposed Land Use Map

PROPOSED LAND USE MAP
EXHIBIT D

LAKEWALNUT
TAX INCREMENT FINANCING
RE DEVELOPMENT PLAN AREA

ELMHURST, ILLINOIS
FOR City of Elmhurst
209 N. York Street
Elmhurst, IL 60126-2759

- KEY**
-  Commercial C-3
 -  Industrial I-1



CAPA

City of Elmhurst
Planning Department
209 N. York Street
Elmhurst, IL 60126-2759

R93-285297

15090

EXHIBIT E

Criteria For Qualification

ELIGIBLE QUALIFICATION FACTORS FOR BLIGHTED IMPROVED AREA

- 1. AGE
Age presumes the existence of problems or limiting conditions resulting from normal and continuous use of structures and exposure to the elements over a period of many years. Additionally, older buildings tend not to be ideally suited for modern day uses meeting contemporary space and development standards.

- 2. DEPRECIATION OF PHYSICAL MAINTENANCE
Considers the effects of deferred maintenance or lack of maintenance for building or sites.

 Building: Unpainted or unfinished surfaces; paint peeling; loose or missing materials; sagging or bowing walls, floors, roofs, and porches; cracks; broken windows; loose gutters and downspouts; loose or missing shingles; damages building areas in disrepair.

 Site: Front yards, side-yards and vacant parcels with an accumulation of trash and debris; broken sidewalks or curbs; lack of vegetation; lack of paving and dust control; potholes; standing water; fences in disrepair; lack of mowing and pruning or vegetation. Streets, alleys and parking areas with potholes, broken-up or crumbling surfaces; broken curbs and/or gutter; areas or loose or missing materials; or standing water.

- 3. DETERIORATION
Physical deficiencies or disrepair in buildings or site improvements requiring treatment or repair.

 Building: Not easily correctable in the course of normal maintenance. Such buildings may be classified as deteriorating if major defects exist in the primary and secondary building components.

 Site: Roadways, alleys, curbs, gutters, sidewalks off-street parking, surface storage areas evidence deterioration; cracking crumbling, potholes, depressions, loose paving materials.

- 4. DILAPIDATION
Refers to an advanced state of disrepair of buildings or improvements or the neglect of necessary repairs, suffering the building or improvement to fall into a state of decay.

R93-285297

5. OBSOLESCENCE

Obsolescence of building site improvements is one which is becoming obsolete or going out of use- not entirely in disuse, but gradually becoming so. It is the condition or process of falling into disuse.

Functional Obsolescence: Structures are typically built for specific uses or purposes. Their design, location, height and space arrangement are each intended for a specific occupancy. Buildings contain characteristic or deficiencies which limit the use and marketability of such buildings. Poor design or layout, improper orientation of building on site, detracts from the overall usefulness or desirability of a property. Obsolescence in such buildings is typically difficult and expensive to correct.

Economic Obsolescence: Some degree of market rejection, hence, depreciation in market values. Buildings classified as dilapidated buildings, which contain vacant space are characterized by problem conditions which may not be economically curable.

Obsolete Platting: Parcels of limited or narrow size and configuration, parcels of irregular size or shape that would be difficult to develop on a planned basis in a manner compatible with contemporary standards and requirements; and platting that created inadequate right of ways.

Obsolete Site Improvements: Site improvements, sewer and water lines, public utility lines, roadways, parking areas, parking structures, may also evidence obsolescence in terms of their relationship to contemporary development standards for such improvements, inadequate utility capacities and outdated designs.

6. PRESENCE OF STRUCTURES BELOW MINIMUM CODE

Structures which do not meet the standards of zoning, subdivision, building, housing, property maintenance for and other governmental codes which require buildings to be constructed in such a way as to sustain safety of loads, to be safe for occupancy against fire and similar hazards, establish minimum standards essential for safe and sanitary habitation.

7. LACK OF VENTILATION

Many order structures fail to provide adequate ventilation, light or sanitary facilities as required by local building codes, including adequate mechanical, ventilation for air circulation in spaces or rooms without windows; adequate natural light and ventilation for interior rooms or spaces and proper window sizes; adequate sanitary facilities, garbage storage and enclosure, bathroom facilities, hot water and kitchens; adequate ingress and egress.

- 8. **ILLEGAL USE**
In violation of applicable national, state or local laws, but not applicable to legal nonconforming uses.
- 9. **EXCESSIVE VACANCIES**
Vacant buildings and vacant portions of buildings refers to the presence of buildings which are unoccupied or under utilized and which represent an adverse influence on the area because of the frequency, extent, or duration of such vacancies has no apparent effort directed toward their occupancy or utilization.
- 10. **ABANDONMENT**
Abandonment usually refers to the relinquishing of all right, title, claim and possession with intention of not reclaiming the property or resuming its ownership, possession or enjoyment. In some cases, a determination of abandonment is appropriate if the occupant walks away without legally relinquishing title. A structure not occupied for over 12 months should probably be characterized as abandoned.
- 11. **EXCESSIVE LAND COVERAGE**
Excessive land coverage refers to the over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Buildings either improperly situated on the parcel, located on parcels of inadequate size and shape in relation to present day standards of development or multiple buildings on a single parcel. Insufficient provision for light and air, increased threat of spread of fires due to close proximity to nearby buildings, lack of adequate or property access to a public right-of-way, lack of required off-street parking, inadequate provision for loading and service; presumed to have an adverse or blighting effect on nearby development.
- 12. **OVERCROWDING**
The use of the residential, commercial and industrial units are overcrowded if the structures are not in conformance to the bulk regulation of the zoning ordinance, including floor area ratio and height limitations.
- 13. **INADEQUATE UTILITIES**
Relates to all underground and overhead utilities, storm sewers and storm drainage, sanitary sewers, water lines, gas, telephone, and electric which are of insufficient capacity, deteriorated, antiquated, obsolete, in disrepair or lacking.
- 14. **DELETERIOUS LAYOUT**
All instances of incompatible land-use relationships, building occupied by inappropriate mixed uses, uses which may be considered noxious, offensive or environmentally unsuitable.

R93-285297

15. LACK OF COMMUNITY PLANNING

If the redevelopment area developed prior to or without the benefit or guidance of a community plan, or no community plan existed or it was considered inadequate, and/or was virtually ignored during the time of the area's development. Amplified by other evidence which shows the deleterious results of the lack of community planning, adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate size or shape to meet contemporary development standards.

ELIGIBLE QUALIFICATION FACTORS FOR BLIGHTED VACANT AREA

1. A vacant area may be found to be a blighted area based on a combination of two or more of the following factors:
 - A. Obsolete platting of vacant land: Parcels of limited or narrow size and configuration or parcels of irregular size or shape that would be difficult to develop on a planned basis.
 - B. Diversity of ownership such land: Different ownerships and interest in the land are sufficient in number to retard or impede the ability to assemble the land for development.
 - C. Tax and special assessment delinquencies on such land: Nonpayment of real estate property taxes and/or special assessments for an unreasonably period of time or evidence of forfeiture.
 - D. Flooding on all or part of such vacant land: Evidence from municipal engineering records, U.S. Army Corps of Engineers or other secondary source information which satisfactorily documents the condition of flooding.
 - E. Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land; Area is adjacent to an improved area which evidences deterioration of structures or site improvements which in the guidelines otherwise set forth for deterioration of a blighted area.
2. The area immediately prior to becoming vacant qualified as a blighted improved area. An area that has been previously designated as blighted under state or local urban renewal or redevelopment legislation or ordinances.
3. The area consists of an unused quarry or unused quarries - open excavation where the works are visible at the surface, or a place or pit where stone, slate, marble, etc. is dug out

R93-285297

or separated from the mass or rack, or other similar open excavations.

4. The area consists of unused railyards, rail tracks or railroad right-of-ways.
5. The area prior to its designation is subject to chronic flooding which adversely impacts on real property, substantially caused by one or more improvements in or in proximity to the area, which improvements have been in existence for at least five years.
6. The area consists of an unused disposal site, containing earth, stone, building debris or similar materials, which were removed from construction demolition, excavation or dredge sites.
7. The area is not less than 50 nor more than 100 acres and 75 percent of which is vacant, notwithstanding the fact that such area has been used from commercial agricultural purposes within five years prior to the designation of the redevelopment project area, and which area meets at least one of the factors itemized in provision (1) of the subsection (a) - the factors listed in vacant land classification 1 above - and the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(50021138)

R93-285297

EXHIBIT "A"

LEGAL DESCRIPTION OF
LAKE STREET REDEVELOPMENT PROJECT AREA

The real property which is legally described as follows:

Part of the Southwest 1/4 of Section 26 and the Northwest 1/4 of Section 35 all in Township 40 North, Range 11 East of the Third Principal Meridian comprising part or all of the following Subdivisions and Resubdivisions:

Davidson's Assessment Plat recorded as Document No. 694525, Fisher's Assessment Plat recorded as Document No. 928140, West Lake Farms Subdivision of Lot 1 recorded as Document No. 161541, Braun's Resubdivision recorded as Document No. 498078, Cuchetto's Division recorded as Document No. 730221, Elmhurst, City of Assessment Plat Number 2 recorded as Document No. R64-029362, Mourekson Industrial Center Unit 1 recorded as Document No. R68-006176, Myer's Subdivision recorded as Document No. 195879, Oaklawn Avenue 2nd Resubdivision recorded as Document No. R67-045815 and West Lake Farms recorded as Document No. 155001 also including parts of streets and alleys adjoining Lots in aforesaid Subdivisions and Resubdivisions and being more particularly bounded and described as follows: commencing at the Southeasterly corner of Lot 45 in Elmhurst, City of Assessment Plat No. 2 aforesaid; thence West along the South line of said Lot 45 to the Southwest corner thereof; thence South along the West line, Extended South of said Lot 45 to the center line, extended East of Crockett Avenue; thence West along the said center line extended East and the center line of said Crockett Avenue to the most Easterly East line extended south of Lot 2 in Moeller's Assessment Plat recorded as Document No. 983838; thence North along said extended East line, the most Easterly East line and the said Easterly East line extended Northerly of said Lot 2 to the Northerly line of Lake Street (U.S. Route 6); thence Southeasterly along said Northerly line to the Southeasterly corner of Lot 24 in Myer's Subdivision aforesaid; thence Northerly along the Easterly line and said Easterly line extended Northerly of said Lot 24 to the Southerly line of Lot 15 in said Myer's Subdivision; thence Southeasterly along said Southerly line and the Southerly line of Lot 14 in said Myer's Subdivision to the Southeasterly corner of said Lot 14; thence Northerly along the Easterly line of said Lot 14 to the Northeasterly corner thereof; thence Northwesterly along the Northerly line of Lot 14, the Northerly line of Lots 15, 16, 17, 18 in said Myer's Subdivision and the said Northerly line of Lot 18 extended Northwesterly to the Westerly line of Church Road; thence Northeasterly along said Westerly line to the Southerly line, extended Northwesterly of Lot 8 in said Myer's Subdivision; thence Southeasterly along said extended Southerly line, the Southerly line of Lot 8 and the Southerly line of Lots 9 & 10 in said Myer's Subdivision to the Southeasterly corner of said Lot 10; thence Northeasterly along the Easterly line of said Lot 10 to the Southerly line of Lot 3 in said Myer's Subdivision; thence Northwesterly along said Southerly line of Lot 3 to the

R93-285297

Southwesterly corner thereof; thence Northeasterly along the Westerly line of said Lot 3, the westerly line of Lots 1 and 2 in said Myer's Subdivision and the Westerly line of said Lot 1, extended North, to the North line of the said Northwest 1/4 of Section 35 (said North line also being the South line of the said Southwest 1/4 of Section 26); thence East along said North line to the West line of West Lake Farms Subdivision of Lot 1 aforesaid; thence North along said West line to the North line thereof; thence East along said North line and said North line extended East to the Northwest corner of Davidson Assessment Plat aforesaid; thence continuing East along the North line of said Davidson Assessment Plat, said North line extended East and the North line of Fisher's Assessment Division aforesaid to the Southwesterly line of Interstate (I-290), thence Southeasterly along said Southwesterly line to the North line of Oaklawn Avenue 2nd Resubdivision aforesaid; thence East along said North line to the Northeasterly corner of Lot 1 of said Oaklawn Avenue 2nd Resubdivision; thence Southeasterly along the Easterly line of said Lot 1 and the Easterly line of Lots 2 & 3 of said Oaklawn Avenue 2nd Resubdivision to the Southeasterly corner of Said Lot 3; thence East along the South line, extended East of said Lot 3 to the West line, extended North of said Lot 45 in Elmhurst, City of Assessment Plat No. 2; thence South along said extended West line to the Northeasterly line of said Lot 45; thence Southeasterly along said Northeasterly line to the point of beginning, DuPage County, Illinois.

Said Area is also commonly described as follows:

An irregular area bordered on the North by the north (rear lot line) of properties north of Fullerton Avenue; on the east by the west side right-of-way of I-290; on the south by the center line right-of-way of Crockett Avenue; and on the west by several tax parcels and the west side right-of-way of Church Street perpendicular to the Thomas Street right-of-way, all in Elmhurst, Illinois.