

O-23-2006

**AN ORDINANCE APPROVING AN AMENDMENT
RELEASING PARCELS FROM THE REDEVELOPMENT
PROJECT AREA OF THE CENTRAL BUSINESS
TAX INCREMENT FINANCING DISTRICT FOR THE
CITY OF ELMHURST
(Release of Crescent Court Phase II Parcels in 2007)**

WHEREAS, the City of Elmhurst, DuPage County, Illinois (the "City") has heretofore on October 23, 1986 adopted Tax Increment Financing (Ord. No. O-17-86), a Redevelopment Plan and Project (Ord. No. O-15-86) and a Redevelopment Project Area (Ord. No. O-16-86) for the Central Business Tax Increment Finance District (the "Central TIF District"); and

WHEREAS, pursuant to an Intergovernmental Agreement between the City and School District 205 (the "School District") dated March 15, 2004 (the "IGA") the City and School District agreed that the School District would cooperate and extend the life of the Central Business TIF District and the City would amend the Redevelopment Project Area by removing certain properties therefrom; and

WHEREAS, by Ordinance Nos. O-29-2004 and O-22-2006 the City released certain properties from the Central Business TIF District Project Area pursuant to the IGA; and

WHEREAS, the IGA also requires that the City "undertake such further action as may be reasonably necessary to carry out the terms and intent of the IGA," and an additional release of properties by the City furthers such intent; and

WHEREAS, the Tax Increment Redevelopment Act (hereinafter referred to as the "TIF Act") at 65 ILCS 5/11-74.4-5(c) authorizes municipalities with existing tax increment financing districts to amend the project area thereof subject to first complying with the requirements of that section of the TIF Act; and

WHEREAS, the City has complied with the requirements provided in Sec. 74.4-5(c) of the TIF Act in order to release in 2007 the parcels listed on Exhibit A hereto ("Released Parcels"), as follows:

1. No additional properties are being added to the Redevelopment Project Area; and
2. The release of the Released Parcels will not effect the general land uses of the Redevelopment Plan; and
3. And the release of the Released Parcels will not substantially change the nature of the Redevelopment Plan and Project; and
4. The total estimated Redevelopment Project cost will not be increased; and
5. No additional Redevelopment Project costs will be added in addition to those costs as set out in the Redevelopment Plan and Project; and
6. No inhabited residential units will be displaced from the Redevelopment Project Area.

**Copies To All
Elected Officials**

08-03-06

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Elmhurst, DuPage County, Illinois, as follows:

SECTION 1. That the Mayor and City Council hereby adopt the aforesaid recitals as the findings of the City Council regarding this Amendment to the Redevelopment Project Area, as though fully set forth herein.


SECTION 2. That Ordinance No. O-15-86, which established the Redevelopment Project Area for the Central Business TIF District, and any other City ordinance or ordinances in conflict with this ordinance, including ordinance Nos. O-16-86, O-17-86, O-29-04 and O-22-2006 are hereby amended to the extent of the conflict and so that the Released Parcels as listed on Exhibit A, attached hereto and made part hereof, are removed from the boundaries of the Development Project Area effective in calendar 2007 and upon passage and approval of this Ordinance No. O-23-2006 on or before December 31, 2007.

SECTION 3. That all the provisions of the aforesaid ordinances numbers O-15-86, O-16-86, O-17-86, O-29-04, and O-22-2006 as may otherwise be amended from time to time, and any other ordinance of the City concerning the Central Business TIF District, shall remain in full force and effect to the extent that those prior ordinances are not superceded by, inconsistent or in conflict with this ordinance.

SECTION 4. That the City Clerk is hereby directed to give mailed notice of the passage and approval of this ordinance to each affected taxing district and registrant on the interested parties registry and to publish notice in a newspaper of general circulation in the City, no later than ten (10) days after passage and approval hereof. The City Clerk is further directed to file a certified copy of this ordinance with the DuPage County Clerk, the Illinois Department of Commerce and Community Affairs and the Illinois Department of Revenue.

SECTION 5. This ordinance shall be in full force and effect on January 1, 2007 and after passage and approval as provided by law.

Approved this 7th day of August, 2006.


Thomas D. Marcucci, Mayor

Passed this 7th day of August, 2006.

Ayes: 12 Nays: 0


Patty Spencer, City Clerk
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COUNCIL ACTION SUMMARY

SUBJECT: Ordinance No. O-22-2006 - An Ordinance Approving An Amendment Releasing Parcels From The Redevelopment Project Area Of The Central Business Tax Increment Financing District For The City Of Elmhurst (Release Of Addison Street And Crescent Court Phase I Parcels In 2006) and Ordinance No. O-23-2006 - An Ordinance Approving An Amendment Releasing Parcels From The Redevelopment Project Area Of The Central Business Tax Increment Financing District For The City Of Elmhurst (Release Of Crescent Court Phase II Parcels In 2007)

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

These two ordinances release certain parcels from the Downtown TIF District, some in 2006 (Addison Street parcels and Phase I of Crescent Court) and others in 2007 (Phase II of Crescent Court). The DuPage County Clerk has required that there be two (2) ordinances, one each for the 2006 release and another for the 2007 release.

July 17, 2006

Properties to be removed from TIF 1.

Phase II of Crescent Court

Legal Description:

Units 135-202 through 135-P56, inclusive, of Morningside Crescent Court Final Plat of Resubdivision, recorded April 25, 2005 as Document R2005-084311, all in the Southwest Quarter of Section 1, Township 39 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois.

Addresses and PINs to be removed:

06-01-326-138	135 S. York St. Unit 202	06-01-326-168	135 S. York St. Unit 406
06-01-326-139	135 S. York St. Unit 204	06-01-326-169	135 S. York St. Unit 408
06-01-326-140	135 S. York St. Unit 206	06-01-326-170	135 S. York St. Unit 410
06-01-326-141	135 S. York St. Unit 208	06-01-326-171	135 S. York St. Unit 412
06-01-326-142	135 S. York St. Unit 210	06-01-326-172	135 S. York St. Unit 414
06-01-326-143	135 S. York St. Unit 212	06-01-326-173	135 S. York St. Unit 416
06-01-326-144	135 S. York St. Unit 214	06-01-326-174	135 S. York St. Unit 418
06-01-326-145	135 S. York St. Unit 216	06-01-326-175	135 S. York St. Unit 420
06-01-326-146	135 S. York St. Unit 218	06-01-326-176	135 S. York St. Unit 422
06-01-326-147	135 S. York St. Unit 220	06-01-326-177	135 S. York St. Unit 424
06-01-326-148	135 S. York St. Unit 222	06-01-326-178	135 S. York St. Unit 426
06-01-326-149	135 S. York St. Unit 224	06-01-326-179	135 S. York St. Unit 428
06-01-326-150	135 S. York St. Unit 226	06-01-326-180	135 S. York St. Unit 502
06-01-326-151	135 S. York St. Unit 228	06-01-326-181	135 S. York St. Unit 504
06-01-326-152	135 S. York St. Unit 302	06-01-326-182	135 S. York St. Unit 506
06-01-326-153	135 S. York St. Unit 304	06-01-326-183	135 S. York St. Unit 508
06-01-326-154	135 S. York St. Unit 306	06-01-326-184	135 S. York St. Unit 510
06-01-326-155	135 S. York St. Unit 308	06-01-326-185	135 S. York St. Unit 512
06-01-326-156	135 S. York St. Unit 310	06-01-326-186	135 S. York St. Unit 514
06-01-326-157	135 S. York St. Unit 312	06-01-326-187	135 S. York St. Unit 516
06-01-326-158	135 S. York St. Unit 314	06-01-326-188	135 S. York St. Unit 518
06-01-326-159	135 S. York St. Unit 316	06-01-326-189	135 S. York St. Unit 520
06-01-326-160	135 S. York St. Unit 318	06-01-326-190	135 S. York St. Unit 522
06-01-326-161	135 S. York St. Unit 320	06-01-326-191	135 S. York St. Unit 524
06-01-326-162	135 S. York St. Unit 322	06-01-326-192	135 S. York St. Unit 526
06-01-326-163	135 S. York St. Unit 324	06-01-326-193	135 S. York St. Unit 528
06-01-326-164	135 S. York St. Unit 326	06-01-326-194	135 S. York St. Unit P1
06-01-326-165	135 S. York St. Unit 328	06-01-326-195	135 S. York St. Unit P2
06-01-326-166	135 S. York St. Unit 402	06-01-326-196	135 S. York St. Unit P3
06-01-326-167	135 S. York St. Unit 404	06-01-326-197	135 S. York St. Unit P4

06-01-326-198	135 S. York St. Unit P5	06-01-326-244	135 S. York St. Unit P51
06-01-326-199	135 S. York St. Unit P6	06-01-326-245	135 S. York St. Unit P52
06-01-326-200	135 S. York St. Unit P7	06-01-326-246	135 S. York St. Unit P53
06-01-326-201	135 S. York St. Unit P8	06-01-326-247	135 S. York St. Unit P54
06-01-326-202	135 S. York St. Unit P9	06-01-326-248	135 S. York St. Unit P55
06-01-326-203	135 S. York St. Unit P10	06-01-326-249	135 S. York St. Unit P56
06-01-326-204	135 S. York St. Unit P11		
06-01-326-205	135 S. York St. Unit P12		
06-01-326-206	135 S. York St. Unit P13		
06-01-326-207	135 S. York St. Unit P14		
06-01-326-208	135 S. York St. Unit P15		
06-01-326-209	135 S. York St. Unit P16		
06-01-326-210	135 S. York St. Unit P17		
06-01-326-211	135 S. York St. Unit P18		
06-01-326-212	135 S. York St. Unit P19		
06-01-326-213	135 S. York St. Unit P20		
06-01-326-214	135 S. York St. Unit P21		
06-01-326-215	135 S. York St. Unit P22		
06-01-326-216	135 S. York St. Unit P23		
06-01-326-217	135 S. York St. Unit P24		
06-01-326-218	135 S. York St. Unit P25		
06-01-326-219	135 S. York St. Unit P26		
06-01-326-220	135 S. York St. Unit P27		
06-01-326-221	135 S. York St. Unit P28		
06-01-326-222	135 S. York St. Unit P29		
06-01-326-223	135 S. York St. Unit P30		
06-01-326-224	135 S. York St. Unit P31		
06-01-326-225	135 S. York St. Unit P32		
06-01-326-226	135 S. York St. Unit P33		
06-01-326-227	135 S. York St. Unit P34		
06-01-326-228	135 S. York St. Unit P35		
06-01-326-229	135 S. York St. Unit P36		
06-01-326-230	135 S. York St. Unit P37		
06-01-326-231	135 S. York St. Unit P38		
06-01-326-232	135 S. York St. Unit P39		
06-01-326-233	135 S. York St. Unit P40		
06-01-326-234	135 S. York St. Unit P41		
06-01-326-235	135 S. York St. Unit P42		
06-01-326-236	135 S. York St. Unit P43		
06-01-326-237	135 S. York St. Unit P44		
06-01-326-238	135 S. York St. Unit P45		
06-01-326-239	135 S. York St. Unit P46		
06-01-326-240	135 S. York St. Unit P47		
06-01-326-241	135 S. York St. Unit P48		
06-01-326-242	135 S. York St. Unit P49		
06-01-326-243	135 S. York St. Unit P50		

TIF 1

After Release of Properties



TIF 1

 After Release of Phase II

TIF 1

BOUNDARY DESCRIPTION (after 2007 release of properties)

That part of Sections 1 and 2, Township 39 North, Range 11, East of the Third Principal Meridian, described as follows: Commencing at the intersection of the Center Line of the Right-of-Way of North Avenue and the West Right-of-Way (ROW) line of Addison Avenue, in the Northeast Quarter of Section 2, thence running East along said Center Line to the East Alley ROW line extended of Block 1 in the Fairview Addition to Elmhurst in the Northwest Quarter of Section 1, thence Southerly to the North ROW line of Third Street, thence Easterly to a point 145.07 feet West of the West ROW line of Michigan Street, thence Southerly along a line parallel to and 145.07 feet West of the West ROW line of Michigan Street to a point 49.5 feet South of the North Property line of Lot 4 of Moench's Addition to Elmhurst in the Northwest Quarter of Section 1, thence Easterly along a line parallel to and 49.5 feet South of the North Property line of said Lot 4 to the West ROW line of Michigan Street, thence Northerly to the North ROW line of Third Street, thence Easterly to the East ROW line of Illinois Street, thence Southerly to the North ROW line of Elmhurst Avenue, thence Easterly to the East ROW line extended of Haven Road, thence Southerly along said line to the South ROW line of Park Avenue, thence Northwesterly along said ROW line to the West Property line of Park Avenue East Condominium subdivision in the Northwest Quarter of Section 1, thence Southerly to the South Property line of said subdivision, thence Easterly to the East Property line of County Clerk's Assessment Division in the Southwest Quarter of Section 1, thence Southerly along said Property line to the South Property line of Lot 2 of said County Clerk's Assessment Division, thence Westerly along said Property line to the West ROW line of Robert T. Palmer Drive, thence Northerly along said ROW line to the South Property line of the Elmhurst Museum Plat of Consolidation in the Northwest Quarter of Section 1, thence Westerly along said South Property line to the West Property line of said Plat, thence Northerly along said West Property line to the Northerly Property line of Morningside Crescent Court Final Plat of Subdivision in the Northwest and Southwest Quarters of Section 1, thence generally Westerly along said Northerly Property line to the East ROW line of York Street, thence Southerly along said East ROW line to its intersection with the North Property line of Lot 1 in Rakow's Subdivision in the Southwest Quarter of Section 1, thence Easterly along said North Property line to the East Property line of said Lot 1, thence Southerly along said East line, extended Southerly, of Lots 1 and 2 in said Rakow's Subdivision to its intersection with the Southerly ROW line of Robert T. Palmer Drive, thence following said ROW line Westerly to the South Property line of Lot 9, of the County Clerk's Assessment Division in the Southwest Quarter of Section 1, thence Southerly along the East ROW line of York Street, to the intersection of said East ROW line and the extension of a line that is parallel to and 66 feet North of the Arthur Street North ROW line, thence Westerly along said line extended to a line that is parallel to and 192.67 feet West of the West ROW line of York Street, thence Northerly to the North line of Lot 6, in Block 6, in Summit Addition to Elmhurst in the Southeast Quarter of Section 2, thence Westerly 193.83 feet, thence Northerly 64 feet, thence generally Westerly to the West ROW line of Cottage Hill Avenue, thence Northerly to the Center Line of the vacated Virginia Street ROW, thence westerly to the West ROW line of Prospect Avenue, thence Northerly to the South ROW line of Park Avenue, thence Northeasterly to the intersection of the West ROW line of Maple Avenue and the North ROW line of First Street, thence Northerly along the West ROW line of Maple Avenue to the intersection of said ROW line and the extended South Property line of Lot 16, of Block 2, in Struckmann's Resubdivision in the

Northeast Quarter of Section 2, thence Easterly along said extended line to the East ROW line of Larch Avenue, thence Southerly along said ROW line to the South Property line of Park Elm Condominium subdivision in the Northeast Quarter of Section 2, thence Easterly along said Property line to the East Property line of said subdivision, thence Northerly to the South Property line of Lot 2B of Meadow Woods subdivision of the Northeast Quarter of Section 2, thence Easterly along said Property line to the West Alley ROW line of Block 1 in the Town of Elmhurst subdivision in the Northeast Quarter of Section 2, thence Northerly along said Alley ROW line extended to its intersection with the extension of the South Property line of Lot 29 of Market Square Resubdivision in the Northeast Quarter of Section 2, thence Easterly along said Property line to the West ROW line of Addison Avenue, thence Northerly along said West ROW line to it's intersection with the Southerly Property line, extended Westerly, of the Townhomes of Normandy Subdivision in the Northeast Quarter of Section 2, thence Easterly along said Southerly Property line to the Easterly Property line of said Subdivision, thence Northerly along said Easterly Property line to the Northerly Property line of said Subdivision, thence Westerly along said Northerly Property line, extended Westerly, to it's intersection with the Westerly ROW line of Addison Avenue, thence Northerly along said Westerly ROW line to the point of beginning, excepting therefrom the following described properties:

Property 1: Commonly known as Elmhurst Place Apartments at 152 E Schiller St and it's adjoining parking lots (PINs 06-01-119-028, 06-01-119-029, and 06-01-119-034) described as follows:

Parcel A: That part of lots 6 and 7 lying East of the East line of Kenilworth Avenue (now known as Robert T. Palmer Drive) as dedicated in Document R76-41408, in Owner's Subdivision of part of Lots 14 and 15 in Block 2 in Railroad Addition and part of Outlots 17, 19 and 20 in the Northwest Quarter of Section 1, Township 39 North, Range 11, East of the Third Principal Meridian and that part of Lot 15 in Block 2 in Railroad Addition, lying East of the East line of Kenilworth Avenue (now known as Robert T. Palmer Drive) as dedicated in Document R76-41408, and lying North of the North line of Lot 7 in aforesaid Owner's Subdivision, in the Northwest Quarter of Section 1,

Parcel B: That part of Lot 14 in Block 2 in Railroad Addition to Elmhurst in the Northwest Quarter of Section 1, described as follows: Commencing at the Northwest corner of said Lot 14, running thence South along the West line of said Lot, 218 feet; thence East parallel with City Road, 50 feet; thence North parallel with the West line of said Lot 14, 218 feet to the intersection of City Road, thence West parallel with City Road, to the place of beginning,

Parcel C: Lots 1 and 2 (except the East 45 feet of Lot 1 and except that part thereof lying South of a line drawn at right angles to the West line of said Lot 2, from a point 138.0 feet North of the Southwest corner of said Lot 2), in Owner's Subdivision of part of Lots 14 and 15 in Block 2 in Railroad Addition to Elmhurst, a subdivision of part of the Northwest Quarter of Section 1,

Parcel D: That part of Vacated alley lying between Parcels A and C and Parcels B and C described as follows: Lying West of the East line of Parcel B extended South to the North line of Parcel C, and East of the East line of Parcel A extended South to the North line of Lot 3 in Owner's Subdivision of part of Lots 14 and 15 in Block 2 in Railroad Addition to Elmhurst, a

subdivision of part of the Northwest Quarter of Section 1, along with the North half of Vacated alley lying South of and adjacent to Parcel A, East of the West line extended North of said Lot 3 in Owner's Subdivision and West of the said East line extended South of Parcel A,

Property 2: Commonly known as Museum Square Condominiums at 131 W. Adelaide St (PINs 06-02-236-001 through 06-02-236-157, inclusive) described as follows:

Museum Square Condominium Subdivision (Doc. R2002-157656), in the Northeast Quarter of Section 2,

Property 3: Commonly known as 137-145 S Cottage Hill Ave (PINs 06-02-231-028, and 06-02-407-012 through 06-02-407-016 inclusive) described as follows:

Lots 1-5, inclusive, and Outlot A in Graue Manor of Cottage Hill Subdivision (Doc. R1997-182810), in the Northeast and Southeast Quarters of Section 2,

all in York Township, in DuPage County, Illinois.

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

COPY

FILED

AUG 15 2006

I, PATTY SPENCER, 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 document is a true and correct copy of Ordinance O-23-2006 entitled An Ordinance Approving an Amendment Releasing Parcels from the Redevelopment Project Area of the Central Business Tax Increment Financing District for the City of Elmhurst (Release of Crescent Court Phase II Parcels in 2007) filed in my office at 209 North York Road, Elmhurst, Illinois.

I HEREBY FURTHER CERTIFY that said Ordinance was passed by the City Council of said City of Elmhurst on the 7th day of August, 2006 and that the vote of said City Council on the question of passage of said ordinance was taken by yeas and nays and fully recorded in the minutes of the proceedings of said City Council, and the result of said vote so taken was as follows:

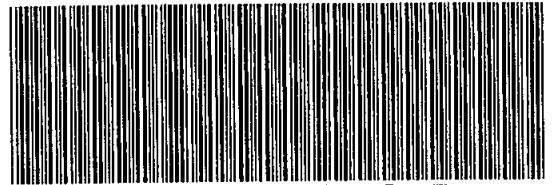
Ayes: 12 Nays: 0

I FURTHER CERTIFY that the original, of which the attached is a true copy, is entrusted to my care for safekeeping, and that I am the true and lawful keeper of the same.

IN WITNESS WHEREOF, 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 14th day of August, 2006.

Erin K. Van De Walle
By: Erin K. Van De Walle, Deputy City Clerk

SEAL



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
OCT. 02, 2006 12:24 PM
OTHER 06-01-326-138
010 PAGES R2006-190697

O-23-2006

An Ordinance Approving an Amendment Releasing Parcels from the Redevelopment Project Area of the Central Business Tax Increment Financing District for the City of Elmhurst (Release of Crescent Court Phase II Parcels inn 2007)

Prepared by and return to:

City of Elmhurst
City Clerk's Office
209 N. York Road
Elmhurst, Illinois 60126

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

I, PATTY SPENCER, 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.

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I HEREBY FURTHER CERTIFY that said Ordinance was passed by the City Council of said City of Elmhurst on the 7th day of August, 2006 and that the vote of said City Council on the question of passage of said ordinance was taken by yeas and nays and fully recorded in the minutes of the proceedings of said City Council, and the result of said vote so taken was as follows:

Ayes: 12 Nays: 0

I FURTHER CERTIFY that the original, of which the attached is a true copy, is entrusted to my care for safekeeping, and that I am the true and lawful keeper of the same.

IN WITNESS WHEREOF, 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 26th day of September, 2006.

Erin K. Van De Walle
By: Erin K. Van De Walle, Deputy City Clerk

