

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)

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 No. O-29-2004 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 2006 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.

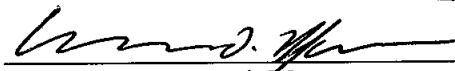
SECTION 2. That Ordinance No. O-15-86, which established the Redevelopment Project Area for the Central Business TIF District, and any other City ordinance or ordinances in conflict with this ordinance, including ordinance Nos. O-16-86, O-17-86, and O-29-04 are hereby amended to the extent of the conflict 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 2006 and upon passage and approval of this Ordinance No. O-22-2006 on or before December 31, 2006.

SECTION 3. That all the provisions of the aforesaid ordinances numbers O-15-86, O-16-86, O-17-86 and O-29-04 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 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

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 13, 2006

Properties to be removed from TIF 1.

222 - 276 N. Addison Avenue

Legal Description:

Lot 1 (except that part of Lot 1 taken in Department of Transportation Case 96 ED 12) and Lots 2 through 16, inclusive, in Block 13 of the Plat of the Town of Elmhurst, recorded July 30, 1869 as Document 11706, and Lots A through C, inclusive, in Parent Assessment Plat, recorded August 5, 1997 as Document R1997-114211, and Lots 230 through 236, inclusive, in Addison Avenue Prairie Homes Resubdivision, recorded December 10, 2004 as Document R2004-310943, and Lots 1A through 2B, inclusive, in Addison Avenue Resubdivision, recorded January 25, 2002 as Document R2002-026506, all in the Northeast Quarter of Section 2, Township 39 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois.

Addresses and PINs to be removed:

06-02-205-032	276 N. Addison Ave
06-02-205-015	270 N. Addison Ave
06-02-205-016	268 N. Addison Ave
06-02-205-017	264 N. Addison Ave
06-02-205-018	260 N. Addison Ave
06-02-205-019	256 N. Addison Ave
06-02-205-030	252 N. Addison Ave
06-02-205-031	250 N. Addison Ave
06-02-205-021	248 N. Addison Ave
06-02-205-034	244 N. Addison Ave
06-02-205-035	242 N. Addison Ave
06-02-205-036	240 N. Addison Ave
06-02-205-041	236 N. Addison Ave
06-02-205-042	234A N. Addison Ave
06-02-205-043	234 N. Addison Ave
06-02-205-044	232 N. Addison Ave
06-02-205-045	230A N. Addison Ave
06-02-205-046	230 N. Addison Ave
06-02-205-037	228 N. Addison Ave
06-02-205-038	226 N. Addison Ave
06-02-205-039	224 N. Addison Ave
06-02-205-040	222 N. Addison Ave

July 17, 2006

Properties to be removed from TIF 1.

Phase I of Crescent Court

Legal Description:

Units 145-202 through 145-P71, 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.

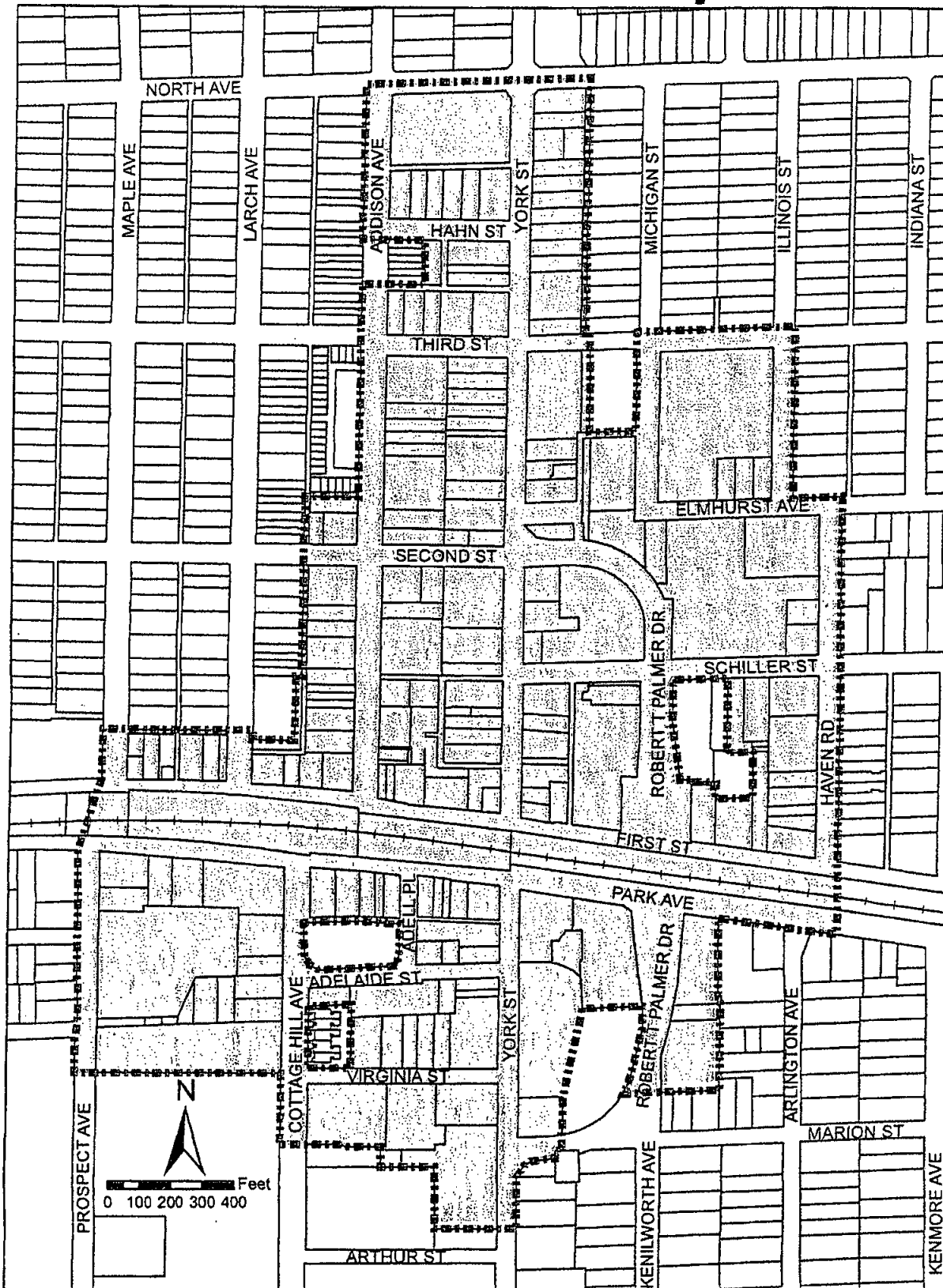
Addresses and PINs to be removed:

06-01-326-001	145 S. York St. Unit 202	06-01-326-031	145 S. York St. Unit 328
06-01-326-002	145 S. York St. Unit 204	06-01-326-032	145 S. York St. Unit 330
06-01-326-003	145 S. York St. Unit 206	06-01-326-033	145 S. York St. Unit 332
06-01-326-004	145 S. York St. Unit 208	06-01-326-034	145 S. York St. Unit 334
06-01-326-005	145 S. York St. Unit 210	06-01-326-035	145 S. York St. Unit 402
06-01-326-006	145 S. York St. Unit 212	06-01-326-036	145 S. York St. Unit 404
06-01-326-007	145 S. York St. Unit 214	06-01-326-037	145 S. York St. Unit 406
06-01-326-008	145 S. York St. Unit 216	06-01-326-038	145 S. York St. Unit 408
06-01-326-009	145 S. York St. Unit 218	06-01-326-039	145 S. York St. Unit 410
06-01-326-010	145 S. York St. Unit 220	06-01-326-040	145 S. York St. Unit 412
06-01-326-011	145 S. York St. Unit 222	06-01-326-041	145 S. York St. Unit 414
06-01-326-012	145 S. York St. Unit 224	06-01-326-042	145 S. York St. Unit 416
06-01-326-013	145 S. York St. Unit 226	06-01-326-043	145 S. York St. Unit 418
06-01-326-014	145 S. York St. Unit 228	06-01-326-044	145 S. York St. Unit 420
06-01-326-015	145 S. York St. Unit 230	06-01-326-045	145 S. York St. Unit 422
06-01-326-016	145 S. York St. Unit 232	06-01-326-046	145 S. York St. Unit 424
06-01-326-017	145 S. York St. Unit 234	06-01-326-047	145 S. York St. Unit 426
06-01-326-018	145 S. York St. Unit 302	06-01-326-048	145 S. York St. Unit 428
06-01-326-019	145 S. York St. Unit 304	06-01-326-049	145 S. York St. Unit 430
06-01-326-020	145 S. York St. Unit 306	06-01-326-050	145 S. York St. Unit 432
06-01-326-021	145 S. York St. Unit 308	06-01-326-051	145 S. York St. Unit 434
06-01-326-022	145 S. York St. Unit 310	06-01-326-052	145 S. York St. Unit 502
06-01-326-023	145 S. York St. Unit 312	06-01-326-053	145 S. York St. Unit 504
06-01-326-024	145 S. York St. Unit 314	06-01-326-054	145 S. York St. Unit 508
06-01-326-025	145 S. York St. Unit 316	06-01-326-055	145 S. York St. Unit 510
06-01-326-026	145 S. York St. Unit 318	06-01-326-056	145 S. York St. Unit 512
06-01-326-027	145 S. York St. Unit 320	06-01-326-057	145 S. York St. Unit 514
06-01-326-028	145 S. York St. Unit 322	06-01-326-058	145 S. York St. Unit 516
06-01-326-029	145 S. York St. Unit 324	06-01-326-059	145 S. York St. Unit 518
06-01-326-030	145 S. York St. Unit 326	06-01-326-060	145 S. York St. Unit 520

06-01-326-061	145 S. York St. Unit 522	06-01-326-107	145 S. York St. Unit P41
06-01-326-062	145 S. York St. Unit 524	06-01-326-108	145 S. York St. Unit P42
06-01-326-063	145 S. York St. Unit 526	06-01-326-109	145 S. York St. Unit P43
06-01-326-064	145 S. York St. Unit 528	06-01-326-110	145 S. York St. Unit P44
06-01-326-065	145 S. York St. Unit 530	06-01-326-111	145 S. York St. Unit P45
06-01-326-066	145 S. York St. Unit 534	06-01-326-112	145 S. York St. Unit P46
06-01-326-067	145 S. York St. Unit P1	06-01-326-113	145 S. York St. Unit P47
06-01-326-068	145 S. York St. Unit P2	06-01-326-114	145 S. York St. Unit P48
06-01-326-069	145 S. York St. Unit P3	06-01-326-115	145 S. York St. Unit P49
06-01-326-070	145 S. York St. Unit P4	06-01-326-116	145 S. York St. Unit P50
06-01-326-071	145 S. York St. Unit P5	06-01-326-117	145 S. York St. Unit P51
06-01-326-072	145 S. York St. Unit P6	06-01-326-118	145 S. York St. Unit P52
06-01-326-073	145 S. York St. Unit P7	06-01-326-119	145 S. York St. Unit P53
06-01-326-074	145 S. York St. Unit P8	06-01-326-120	145 S. York St. Unit P54
06-01-326-075	145 S. York St. Unit P9	06-01-326-121	145 S. York St. Unit P55
06-01-326-076	145 S. York St. Unit P10	06-01-326-122	145 S. York St. Unit P56
06-01-326-077	145 S. York St. Unit P11	06-01-326-123	145 S. York St. Unit P57
06-01-326-078	145 S. York St. Unit P12	06-01-326-124	145 S. York St. Unit P58
06-01-326-079	145 S. York St. Unit P13	06-01-326-125	145 S. York St. Unit P59
06-01-326-080	145 S. York St. Unit P14	06-01-326-126	145 S. York St. Unit P60
06-01-326-081	145 S. York St. Unit P15	06-01-326-127	145 S. York St. Unit P61
06-01-326-082	145 S. York St. Unit P16	06-01-326-128	145 S. York St. Unit P62
06-01-326-083	145 S. York St. Unit P17	06-01-326-129	145 S. York St. Unit P63
06-01-326-084	145 S. York St. Unit P18	06-01-326-130	145 S. York St. Unit P64
06-01-326-085	145 S. York St. Unit P19	06-01-326-131	145 S. York St. Unit P65
06-01-326-086	145 S. York St. Unit P20	06-01-326-132	145 S. York St. Unit P66
06-01-326-087	145 S. York St. Unit P21	06-01-326-133	145 S. York St. Unit P67
06-01-326-088	145 S. York St. Unit P22	06-01-326-134	145 S. York St. Unit P68
06-01-326-089	145 S. York St. Unit P23	06-01-326-135	145 S. York St. Unit P69
06-01-326-090	145 S. York St. Unit P24	06-01-326-136	145 S. York St. Unit P70
06-01-326-091	145 S. York St. Unit P25	06-01-326-137	145 S. York St. Unit P71
06-01-326-092	145 S. York St. Unit P26		
06-01-326-093	145 S. York St. Unit P27		
06-01-326-094	145 S. York St. Unit P28		
06-01-326-095	145 S. York St. Unit P29		
06-01-326-096	145 S. York St. Unit P30		
06-01-326-097	145 S. York St. Unit P31		
06-01-326-098	145 S. York St. Unit P32		
06-01-326-099	145 S. York St. Unit P33		
06-01-326-100	145 S. York St. Unit P34		
06-01-326-101	145 S. York St. Unit P35		
06-01-326-102	145 S. York St. Unit P36		
06-01-326-103	145 S. York St. Unit P37		
06-01-326-104	145 S. York St. Unit P38		
06-01-326-105	145 S. York St. Unit P39		
06-01-326-106	145 S. York St. Unit P40		

TIF 1

After Release of Properties



TIF 1

TIF 1
BOUNDARY DESCRIPTION (after 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 Southerly to the Northeasterly corner of Lot 1 of Rakow's Subdivision in the Southwest Quarter of Section 1, thence Southerly along the 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,

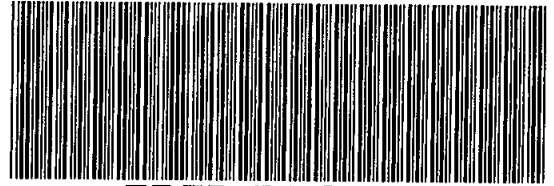
Property 2: Commonly known as Museum Square Condominiums at 131 W. Adelaide St (PINs 06-02-236-001 through 06-02-236-157, inclusive) described as follows:

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.



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
OCT.02,2006 12:24 PM
OTHER 06-02-205-032
011 PAGES R2006-190696

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)

Prepared by and return to:

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