

Resolution No. 36-14

**A RESOLUTION OF THE VILLAGE OF EAST DUNDEE,
COOK AND KANE COUNTIES, ILLINOIS, TO INDUCE THE REDEVELOPMENT OF
CERTAIN PROPERTY WITHIN A TAX INCREMENT FINANCING REDEVELOPMENT
PROJECT AREA AND A COMMERCIAL BUSINESS DISTRICT
(185 Penny Avenue/Illinois Route 68)**

WHEREAS, the Village of East Dundee is a home rule municipality pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and,

WHEREAS, the President and Board of Trustees (the "*Corporate Authorities*") of the Village of East Dundee, Cook and Kane Counties, Illinois (the "*Village*"), on August 1, 2011, pursuant to Ordinance Nos. 11-36, 11-37 and 11-38, approved a Redevelopment Project Plan and Eligibility Report for an area designated as the Route 68 West TIF Redevelopment Project Area (the "*Project Area*"), and adopted tax increment financing for the payment and financing of redevelopment project costs incurred within the Project Area, pursuant to the *Tax Increment Allocation Redevelopment Act*, 65 ILCS 5/11-74.4-1 *et seq.*, (the "*TIF Act*"); and,

WHEREAS, pursuant to the Business District Development and Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.3-1 *et seq.*, as from time to time amended (the "*BDD Act*") the Corporate Authorities are empowered to undertake the development and redevelopment of business districts within its municipal limits which are in need of revitalization if such business districts are deemed to be "blighted," as defined in the BDD Act; and,

WHEREAS, pursuant to the BDD Act, on September 28, 2009, the Corporate Authorities, after public hearings, passed Ordinance No. 09-30 designating the Route 25 and Route 72 Business District (the "*BD District*") which was amended by Ordinance No. 11-19 on April 11, 2011, to include that certain commercial district as described therein and imposed a retailers occupation tax and service occupation tax in the amount of one-half of one percent (1/2%) on all commercial operations within the boundaries of this commercial district to pay

costs incurred in connection with the planning, execution and implementation of the Route 25 and Route 72 Development Plan as amended on April 11, 2011 (the “*BD Plan*”); and,

WHEREAS, the Village has been informed by Hasselbring Family, LLC (the “*Developer*”), that the Developer intends to acquire certain property located within the Project Area and the BD District, as amended (“*Subject Property*”), commonly known as 185 Illinois Route 68, East Dundee, Illinois 60118, and identified by permanent index number 03-23-329-046, and intends to redevelop the building located on the Subject Property for office uses (the “*Project*”); and,

WHEREAS, the Developer has also informed the Village that the ability to undertake the Project on the Subject Property may require financial assistance from the Village for certain costs that would be incurred in connection with the acquisition and redevelopment, which costs would constitute “*Redevelopment Project Costs*” as such term is defined in the TIF Act and which costs would be in furtherance of the implementation of the BD Plan, as amended, for the BD District, as amended; and,

WHEREAS, the Developer would like to incur certain costs in connection with the acquisition and redevelopment of the Subject Property prior to the approval of an ordinance authorizing the execution of a redevelopment agreement pertaining to the Subject Property with the Village; wherein reimbursement for such costs may be considered between the parties subject to certain terms and conditions; and,

WHEREAS, the Developer desires such costs related to the Project be able to qualify for consideration as redevelopment project costs that can be reimbursed to the extent such costs constitute “*Redevelopment Project Costs*” as such term is defined in the TIF Act or such costs are in furtherance of the BD Plan, as amended; and,

WHEREAS, this Resolution is intended to allow the Developer to incur certain costs relating to the redevelopment of the Subject Property that may be considered “*Redevelopment Project Costs*” as such term is defined in the TIF Act or costs in furtherance of the implementation of the BD Plan, as amended, prior to approval of any ordinance authorizing the execution of a redevelopment agreement pertaining to the Subject Property with the Village, subject to the conditions set forth in Section 3 of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

Section 1. That the above recitals are incorporated herein and made a part hereof.

Section 2. That the Corporate Authorities may consider expenditures in connection with the acquisition and redevelopment of the Subject Property or costs in furtherance of the implementation of the BD Plan, as amended, incurred prior to the approval and execution of a redevelopment agreement with the Developer to be expenditures that are eligible for reimbursement through the TIF Act or the BDD Act, provided that such costs constitute “redevelopment project costs” as defined by the TIF Act or the BDD Act; and, that the redevelopment of the Project is consistent with the redevelopment project and plan for the overall Project Area and BD Plan, as amended.

Section 3. That all undertakings of the Village set forth in this Resolution are specifically contingent upon the Village approving the execution of a redevelopment agreement with the Developer, which provides for the acquisition and redevelopment of the Subject Property in accordance with all applicable Village ordinances.

Section 4. That any financial assistance rendered to the Developer by the Village shall be contingent upon the authority, restrictions, terms and conditions imposed by the TIF Act and the BDD Act.

Section 5. That this Resolution shall be in full force and effect from and after its passage and approval as provided by law.


Passed by the President and the Village Board of Trustees of the Village of East Dundee, Illinois, this 1st day of December, 2014.

AYES: Trustees Gorman, Lynam, Skillicorn, Selep and Wood

NAYS: Ø

ABSENT: Trustee Ruffulo

APPROVED:



Village President

Attest:



Village Clerk