

Ordinance No. 2018-01

**AN ORDINANCE OF THE VILLAGE WEST DUNDEE, KANE COUNTY, ILLINOIS,  
TO SET A DATE FOR, AND TO APPROVE A PUBLIC NOTICE OF A PUBLIC HEARING ON  
THE VILLAGE OF WEST DUNDEE MAIN STREET/ILLINOIS ROUTE 31  
TIF REDEVELOPMENT PLAN AND PROJECT**

**WHEREAS**, the Village of West Dundee, Kane County, Illinois (the "*Village*") is a municipal corporation and political subdivision of the State of Illinois and as such is reviewing the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.* (the "*Act*") for purposes of designating the Main Street/Illinois Route 31 Redevelopment Project Area; and,

**WHEREAS**, pursuant to the Act, the Village is required to adopt an ordinance fixing the time and place for a public hearing on the proposed Main Street/Illinois Route 31 Redevelopment Project Area; and,

**WHEREAS**, the Village desires to adopt this Ordinance in order to comply with such requirements of the Act.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, as follows:

**Section 1.** The above recitals are incorporated herein and made a part hereof.

**Section 2.** It is necessary and in the best interests of the Village that a public hearing be held prior to the consideration of the adoption by the President and Board of Trustees of the Village (the "*Corporate Authorities*") of an ordinance or ordinances approving the Village of West Dundee Main Street/Illinois Route 31 TIF Redevelopment Plan and Project (the "*Plan and Project*"), designating the Main Street/Illinois Route 31 Redevelopment Project Area (the "*Project Area*") and adopting tax increment allocation financing, and accordingly, it is necessary that a date for such public hearing be established and notice thereof be given, all in accordance with the provisions of the Act.

**Section 3.** It is hereby determined that a public hearing (the "*Hearing*") on the proposed Plan and Project for the proposed Project Area, as legally described in *Exhibit A*, attached hereto and made a part hereof this Ordinance, shall be held on the 19th day of March, 2018 at 7:30 p.m., at the Village of West Dundee Village Hall, 102 S. Second Street, West Dundee, Illinois.

**Section 4.** Within a reasonable time after the adoption of this ordinance, the Plan and Project along with the name of the contact person at the Village shall be sent to the affected taxing districts by certified mail.

**Section 5.** Notice of the Hearing is hereby authorized to be given by publication and mailing, said notice by publication to be given at least twice, the first publication to be not more than thirty (30) nor less than ten (10) days prior to the Hearing in a newspaper of general circulation within the taxing districts having property in the Project Area, and notice by mailing to be given by depositing such notice in the United States mail by certified mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the Project Area and to each residential address located within the Project Area, not less than ten (10) days prior to the date set for the Hearing. In the event taxes for the last preceding year were not paid, notice shall also be sent to the persons last listed on the tax rolls within the preceding three (3) years as owner(s) of such property.

**Section 6.** Notice of the Hearing is hereby directed to be in substantially the form found in *Exhibit B* which is attached hereto and made a part hereof.

**Section 7.** The notice provided for in Section 6 is hereby directed to be given by mail, not less than forty-five (45) days prior to the date set for the Hearing, to all taxing districts of which taxable property is included in the proposed Project Area and to the Illinois Department of Commerce and Economic Opportunity (“DCEO”). Notice shall include an invitation to each taxing district and DCEO to submit written comments to the Village, in care of the Village Clerk of the Village of West Dundee, Village Hall, 102 S. Second Street, West Dundee, Illinois 60118, concerning the subject matter of the Hearing prior to the date of the Hearing.

**Section 8.** It is hereby ordered that a Joint Review Board (the “Board”) shall be convened on the 16<sup>th</sup> day of February, 2018 at 12:00 p.m., at Village Hall, 102 S. Second Street, West Dundee, Illinois 60118, which is not sooner than fourteen (14) days nor later than twenty-eight (28) days following the notice to be given to all taxing districts, as provided in Section 7 above, to review the public record, the proposed Plan and Project and the proposed ordinances approving the proposed Plan and Project. The Joint Review Board shall consist of a representative selected by the community college district, local community unit school district, park district, library district, township, fire protection district, and the county that has authority to directly levy taxes on the property in the proposed Project Area, a representative selected by

the Village, and a public member to be selected by a majority of other Board members, and shall act in accordance with the applicable provisions of the Act.

**Section 9.** The document entitled *Village of West Dundee Main Street/Illinois Route 31 TIF Redevelopment Plan and Project* has been available for inspection and review commencing the 28<sup>th</sup> day of December, 2017, which is more than 10 days prior to the adoption of this Ordinance at the office of the Village Clerk at Village Hall, 102 S. Second Street, West Dundee, Illinois, during regular office hours.

**Section 10.** Notice of the establishment of an interested parties' registry which entitles all registrants to receive information on activities related to the proposed designation of a redevelopment project area and the preparation of a redevelopment plan and project is hereby authorized.

**Section 11.** If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

**Section 12.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 13.** This Ordinance shall be in full force and effect immediately upon its passage.

PASSED THIS 8<sup>th</sup> day of January, 2018, pursuant to a roll call vote as follows:

AYES: Trustees Kembitzky, Price, Hanley, Anderley and Wilbrandt

NAYS: None


ABSENT: Trustee Yuscka



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VILLAGE PRESIDENT

ATTEST:

  
VILLAGE CLERK

STATE OF ILLINOIS )  
COUNTY OF KANE ) SS.

CERTIFICATE

I, Barbara Traver, Village Clerk of the Village of West Dundee, Kane County and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 2018-01:

**“AN ORDINANCE OF THE VILLAGE WEST DUNDEE, KANE COUNTY, ILLINOIS, TO SET A DATE FOR, AND TO APPROVE A PUBLIC NOTICE OF A PUBLIC HEARING ON THE VILLAGE OF WEST DUNDEE MAIN STREET/ILLINOIS ROUTE 31 TIF REDEVELOPMENT PLAN AND PROJECT”**

which was adopted by the President and Board of Trustees of the Village of West Dundee on the 8<sup>th</sup> day of January, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of West Dundee this 16<sup>th</sup> day of January, 2018.

Barbara Traver  
Barbara Traver, Village Clerk

## **Exhibit A**

### *Legal Description Main Street/Illinois Route 31 Redevelopment Project Area*

That part of Sections 22, 23, 27 and 34 in Township 42 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the Southeast corner of Block 1 of the Original Town of West Dundee; thence Northwesterly along the East line thereof, also being the Westerly Bank of the Fox River, to the Northerly extension of the East line of Third Street; thence Southerly along said Easterly line to the Easterly extension of the North line of Lot 9 in Block 12 of said Original Town; thence West along said extended line and the North line of Lot 9 to the Northwest corner thereof; thence North along the West line of Lot 8 in said Block 12, 55.0 feet; thence West and parallel with the North line of said Block 12, 120.0 feet to the West line of Lot 4 in said Block 12; thence North along said West line to a line 90.0 feet South of and parallel with the North line of said Block 12; thence West along said parallel line and said line extended West to the East line of the Public Square in said Original Town; thence North along the East line thereof to the Northeast corner thereof; thence West along said North line to the Northwest corner thereof; thence South along the West line of said Public Square to the Easterly extension of the South line of Lot 4 in Block 11 of the Original Town; thence West along said line and the South line of said Lot 4 and said line extended West, 150.0 feet; thence South 15.0 feet; thence West along a line 135.0 feet South of and parallel with the North line of said Block 11, 150.0 feet to the West line of said Block; thence Westerly to the Southeast corner of lot 10 in Block 10 of the Original Town; thence West along the South line of Lots 10, 9, 8, 7 and 6 in said Block 10 and said line extended Westerly to the Southeast corner of Lot 10 in Block 9 of said Original Town; thence North along the East line of said Lot 10 to the Northeast corner thereof; thence West along the North line of said Block 9 to the Northwest corner of Lot 7 in said Block 9; thence South along the West line thereof to the Southwest corner thereof; thence West along the North line of Lot 5 in said Block to the Northwest corner thereof; thence South along the West line of said Lot 5 and said line extended Southerly to the South line of Main Street; thence West along said North line to the Easterly right of way line of State Route 31; thence Southerly along said East line to the Easterly extension of the North line of Lot 1 of Royal Acres Subdivision; thence West along said line and also the North line of said Lot 1 to the Northwest corner thereof; thence South along the West line of Lots 1 and 28 in said Royal Acres to the South line thereof; thence West to the East line of Old World Subdivision; thence South along said East line to the North line of Lot 10 in said Subdivision; thence West along said North line of Lot 10 to the Southwest corner thereof; thence Northwesterly to the Northeast corner of Village Quarter Commercial Condominiums; thence Southwesterly along the Northerly line thereof and the Northerly line of Stone Ridge Office Condominiums to the most Northerly corner of lot 3 of Old World Subdivision; (the next 4 courses being along the Northerly and Westerly lines of Old World Subdivision); thence Southwesterly to an angle being in the Northwesterly line of Lot 4; thence Southwesterly to an angle point in the Northerly line of Lot 6; thence West along said Northerly line to the West line of said subdivision; thence South along the West line of said Old World Subdivision to the Northerly line of Sleepy Hollow Manor Unit No. 8 extended Easterly; thence Southeasterly along said Northerly line to the Northwest corner of a parcel, P.I.N. No. 03-27-176-006; thence Southerly along the West line thereof to the Southwest corner thereof; thence Easterly along the Northerly line of Willow Lane to the Northerly extension of the West line of Chateau West Subdivision; thence South along said extended line and the West line of Lot 1 in said Subdivision to a jog in said West line; thence West along said jog 70.01 feet to the West line of said Lot 1; thence South along said West line and the West line of Lot 2 to the North line of Chateau Bluff Unit 1; thence East along said North line to the Northwest corner of Lot 15 of said subdivision; thence South along said West line and said West line extended to the South line of Market Loop; thence East along said South line and said South line extended East to the West line of State Route 31; thence South along said West line to the Northeast

corner of Lot 2 in Steeple Point at Canterfield Subdivision; thence West along the North line of Lots 2, 3 and 4 to the Northwest corner of Lot 4; thence South along the West line thereof to the North line of Angle Tarn; thence South along the East line of the Fairhills at Canterfield Phase 1 to the centerline of Boncosky Road, thence South 67 degrees 45 minutes 30 seconds West along said centerline 962.95 feet, thence continuing Southwesterly along said centerline, being on a curve to the right having a radius of 10,805.86 feet an arc distance of 35.32 feet; thence South 00 degrees 14 minutes West 874.28 feet; thence South 85 degrees 58 minutes 11 seconds East 3.44 feet; thence South 81 degrees 43 minutes 59 seconds East 60.84 feet; thence North 41 degrees 04 minutes 39 seconds East 157.08 feet; thence North 39 degrees 53 minutes 38 seconds East 95.96 feet; thence North 18 degrees 02 minutes 04 seconds East 42.62 feet; thence North 58 degrees 47 minutes 30 seconds East 260.28 feet; thence North 03 degrees 10 minutes 00 seconds East 71.0 feet; thence North 34 degrees 52 minutes 04 seconds East 73.84 feet; thence North 56 degrees 02 minutes 56 seconds East 197.07 feet; thence North 54 degrees 15 minutes 31 seconds East 149.68 feet; thence North 58 degrees 32 minutes 12 seconds East 151.48; thence North 62 degrees 49 minutes 15 seconds East 393.64 feet; thence North 79 degrees 31 minutes 14 seconds East 72.54 feet; thence North 85 degrees 31 minutes 08 seconds East 87.92 feet; thence North 89 degrees 52 minutes 21 seconds East 70.97 feet to the present Westerly right of way line of State Route 31; thence Southerly along the Westerly right of way of State Route 31 to the Easterly extension of the North line of Lot 1 in Tradition at Canterfield; thence Westerly along said North line to a jog in said lot; thence Southerly along a Westerly line of said Lot to a jog in said lot; thence West along a North line of said Lot to a jog in said Lot; thence Southerly along the West line of said lot to the Southwest corner thereof; thence East along the South line of said Lot and said line extended Easterly to the East line of State Route 31; thence Southerly along said East line to the Northerly line of Dun-El Airport Road and Route 31 Subdivision; thence Southeasterly along the Southerly line thereof to a jog in said Southerly line; thence East along the South line of said subdivision to the Westerly Bank of the Fox River; thence Northwesterly, Northerly, Northeasterly and Easterly along said River to Southerly extension of the West line of First Street in West Dundee; thence North along said extended line and also the West line of First Street to the South line of Dunning Avenue; thence West along said South line to the East line of Third Street; thence South along said East line to the South line of the Northeast Quarter of Section 27 aforesaid; thence West along said South line to the Southwest corner of Lot 62 in Dundee Highlands Subdivision Unit No. 8; thence Northeasterly along the West line thereof to the Northwest corner thereof; thence Northeasterly to the Southwest corner of Lot G of Dundee Highlands Unit No. 7 Resubdivision of Lots 12 through 26; thence North along the West line of said subdivision to the Northwest corner of Lot A in said subdivision; thence Northeasterly along the Northwesterly line thereof to the Westerly line of Eichler Drive; thence Northwesterly and Northerly and Westerly along said Westerly line to the Southerly extension of the East line of Lot 1 in Dundee Highlands Subdivision Unit No. 7; thence Northerly along said extended line and also the East line of said Lot to the Northeast corner thereof; thence West along the North line of said Lot to the Southeast corner of Lot 4 in Dundee Highlands Subdivision 6<sup>th</sup> Addition; thence North along the East line of said Lot to the Northeast corner thereof; thence Northerly to the Southeast corner of Lot 3 in said subdivision; thence North along the East line of said Lot to the Northeast corner thereof; thence West along the North line of said Lot to the Southeast corner of Lot 19 in Route 31-South Street, Hillside First Addition; thence North along the East line of said Lot to the Northeast corner thereof; thence North along the last described line extended Northerly to the North line of Oregon Street; thence East along said North line to the Southeast corner of Lot 6 in Block 8 of the Original Town aforesaid; thence North along the West line of Lot 6 to the Northwest corner thereof; thence East along the North line of Lots 6 through 10 in said Block 8 and said line extended Easterly to the Southwest corner of Lot 5 in Block 7 of the Original Town; thence East along the South line of Lots 5 through 1 in said Block 7 and said Lot extended Easterly to Southwest corner of Lot 5 in Block 6 of said Original Town; thence East along the South line of Lots 5 through 1 in said Block 6 and said line extended

Easterly to the West line of Block 5 in Original Town; thence South along the East line of 5<sup>th</sup> Street, 15.0 feet; thence East parallel with the South line of said Block 5 a distance of 90.0 feet; thence South and parallel with the East line of 5<sup>th</sup> Street, 135.0 feet to the North line of Oregon Street; thence East to the West line of 4<sup>th</sup> Street; thence North along said West line to the Southeast corner of said Block 5; thence East to the Southwest corner of Lot 5 in Block 4 in the Original Town; thence East along the South line of Lots 5 through 3 of said Block 4 to the Southeast corner of Lot 3; thence North along the East line thereof to the Southwest corner of Lot 2 of Erwin Schmidt Subdivision; thence East along the south line thereof and said line extended East to the West line of Block 3 in the Original Town; thence East along the South line of Block 3 to the Southeast corner thereof; thence East along the South line of said Block and said line extended Easterly, to the West line of Block 2 of the Original Town; thence South along the East line of Second Street to the North line of Oregon Street; thence East along said North line to the West line of First Street; thence North along said West line to the North line of Main Street; thence East along said North line to the Point of Beginning, and also all that part of the streets and highways lying contiguous to the above described property, in the Village of West Dundee, Kane County, Illinois.

## ***Exhibit B***

### *Form of Notice of Public Hearing*

#### **NOTICE OF PUBLIC HEARING**

#### **VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, PROPOSED APPROVAL OF THE VILLAGE OF WEST DUNDEE MAIN STREET/ILLINOIS ROUTE 31 TIF REDEVELOPMENT PLAN AND PROJECT**

Notice is hereby given that on the 19<sup>th</sup> day of March, 2018 at 7:30 p.m., at the Village of West Dundee Village Hall, 102 S. Second Street, West Dundee, Illinois, a public hearing (the "*Hearing*") will be held to consider the approval of the proposed Village of West Dundee Main Street/Illinois Route 31 TIF Redevelopment Plan and Project (the "*Plan and Project*"), the designation of the Main Street/Illinois Route 31 Redevelopment Project Area (the "*Project Area*") and the adoption of tax increment financing therefore. The Project Area consists of the territory legally described on Exhibit A and generally described as the following two sub-areas:

- Sub-Area 1/Improved land – the area includes improved properties located north and south along Main Street (IL Route 72), north and south along Market Loop, and east and west along IL Route 31 (8<sup>th</sup> Street); and,
- Sub-Area 2/Vacant land – this property includes parcels located south of Century Plaza and Strom Drive, north of Marriott Drive, north and south along Boncosky Road east and west along IL Route 31 and east along the Fox River.

The Plan and Project objectives are to reduce or eliminate blighting conditions, to enhance the tax base of the Village and other affected taxing districts by encouraging private investment in retail, commercial, residential and mixed-use development within the Project Area, and to preserve and enhance the value of properties therein, all in accordance with the provisions of the "Tax Increment Allocation Redevelopment Act," effective January 10, 1977, as amended (the "*Act*"). The Village may issue obligations to finance project costs in accordance with the Plan and Project, which obligations may also be secured by the special tax allocation fund and other available funds, if any, as now or hereafter permitted by law, and which also may be secured by the full faith and credit of the municipality.

At the Hearing, there will be a discussion of the Plan and Project, designation of the Project Area, and the adoption of tax increment allocation financing for the Project Area. The Plan and Project is on file and available for public inspection at the office of the Village Clerk at Village Hall, 102 S. Second Street, West Dundee, Illinois.

Pursuant to the proposed Plan and Project, the Village proposes to facilitate redevelopment of the Project Area by incurring or reimbursing eligible redevelopment project costs, which may include, but shall not be limited to, studies, surveys, professional fees, property assembly costs, construction of public improvements and facilities, building and fixture rehabilitation, reconstruction, renovation and repair, financing costs, and interest costs, all as authorized under the Act. The Plan and Project proposes to provide assistance



by paying or reimbursing costs including, but not limited to, site assembly, analysis, professional services and administrative activities, public improvements and facilities, building rehabilitation, capital costs incurred by a taxing district as a direct result of a redevelopment project, the payment of financing and interest costs, and such other project costs as permitted by the Act pursuant to one or more redevelopment agreements.

Tax increment financing is a public financing tool that does not raise property taxes but is used to assist economic development projects by capturing the projected increase in the property tax revenue stream to be created by the increase of the assessed value of the development or development area and investing those funds in improvements associated with the project.

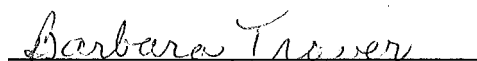
At the Hearing, all interested persons or affected taxing districts may file written objections with the Village Clerk and may be heard orally with respect to any issues regarding the approval of the proposed Plan and Project, designation of the Project Area, and adoption of tax increment allocation financing therefore.

The Hearing may be adjourned by the President and Board of Trustees of the Village without further notice other than a motion to be entered upon the minutes of the Hearing fixing the time and place of the subsequent hearing.

For additional information about the proposed Plan and Project and to file comments or suggestions prior to the hearing, please contact:

Joseph A. Cavallaro, Village Manager  
Mail: 102 S. Second Street, West Dundee, Illinois 60118  
Phone: (847) 551-3800  
Email: [jcavallaro@wdundee.org](mailto:jcavallaro@wdundee.org)

By Order of the President and Board of Trustees of the Village of West Dundee  
this 8<sup>th</sup> day of January, 2018.

  
Barbara Traver, Village Clerk