

**AN ORDINANCE OF THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS,
ADOPTING TAX INCREMENT ALLOCATION FINANCING
FOR THE SPRING HILL MALL AREA TIF #5 TAX INCREMENT FINANCING
REDEVELOPMENT PROJECT AREA**

WHEREAS, it is desirable and in the best interests of the citizens of the Village of West Dundee, Kane County, Illinois (the “*Village*”), for the Village to adopt tax increment allocation financing pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended, 65 ILCS 5/11-74.4-1, *et seq.* (the “*TIF Act*”); and

WHEREAS, pursuant to the TIF Act, the Village President and Board of Trustees of the Village (collectively, the “*Corporate Authorities*”) have heretofore approved a Spring Hill Mall Area TIF #5 Tax Increment Financing Redevelopment Plan and Program (the “*Plan*”) as required by the TIF Act by passage of an ordinance and have heretofore designated the Spring Hill Mall Area TIF #5 Tax Increment Financing Redevelopment Project Area (the “*Area*”) as required by the TIF Act by passage of an ordinance and have otherwise complied with all other conditions precedent required by the TIF Act.

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

Section 1. Tax Increment Adoption. The TIF Act is hereby adopted to pay redevelopment project costs, as defined in the TIF Act and as set forth in the Plan, within the Area, as legally described in *Exhibit A*, attached hereto and incorporated herein. The map of the Area showing the street location is depicted in *Exhibit B*, attached hereto and incorporated herein as if set out in full by this reference.

Section 2. Allocation of Ad Valorem Taxes. Pursuant to the TIF Act, the ad valorem taxes, if any, arising from the levies upon taxable real property in the Area by taxing districts and

tax rates determined in the manner provided in Section 11-74.4-9(c) of the TIF Act each year after the effective date of this Ordinance until the Project costs and obligations issued in respect thereto have been paid, shall be divided as follows:

- (a) That portion of taxes levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the Area, shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts, in the manner required by law in the absence of the adoption of tax increment allocation financing.
- (b) That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each lot, block, tract, or parcel of real property in the Area over and above the initial equalized assessed value of each property in the Area, shall be allocated to and when collected shall be paid to the municipal treasurer or to his or her designee, pursuant to Section 207A of the Revenue Act of 1939 of the State of Illinois, as amended, who shall deposit said taxes into a special fund, hereby created, and designated the "Village of West Spring Hill Mall Area TIF #5 Tax Increment Financing Redevelopment Project Area Special Tax Allocation Fund" of the Village, and such taxes shall be used for the purpose of paying Project costs and obligations incurred in the payment thereof.

Section 3. Invalidity of Any Section. If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or

unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4. Superseder and Effective Date. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

Passed this 6th day of February, 2023.

AYES: Trustees Haley, Anderley, Wilbrandt, Price and Yuscka

NAYS: None

ABSENT: Trustee Alopogianis

Approved this 6th day of February, 2023.



Village President

Attest:



Village Clerk

Exhibit A

*Legal Description of the Spring Hill Mall Area TIF #5 Tax Increment Financing Redevelopment Project
Area*

LEGAL DESCRIPTION (Spring Hill Mall Area TIF 5 – West Dundee):

THAT PART OF THE EAST HALF OF SECTION 21, THE WEST HALF OF SECTION 22 AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27 IN TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN IN KANE COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 3 IN SPRING HILL PLAZA SUBDIVISION, AS RECORDED DECEMBER 7, 1993 AS DOCUMENT NO. 93K98062, SAID SOUTHWEST CORNER ALSO BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF LOCUST DRIVE;

THENCE NORTH ALONG SAID EAST RIGHT-OF-WAY LINE OF LOCUST DRIVE TO A POINT OF INTERSECTION WITH THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 72 (AKA WEST MAIN STREET);

THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF WEST MAIN STREET TO A POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF SPRING HILL WEST SUBDIVISION, AS RECORDED DECEMBER 10, 1986 AS DOCUMENT NO. 1811460;

THENCE NORTH ALONG SAID SOUTHERLY EXTENSION AND THE WEST LINE OF SPRING HILL WEST SUBDIVISION TO THE NORTHEAST CORNER OF TARTANS GLEN SUBDIVISION, AS RECORDED FEBRUARY 4, 1988 AS DOCUMENT NUMBER 1892122;

THENCE WEST ALONG THE NORTH LINE OF SAID TARTANS GLEN SUBDIVISION TO THE SOUTHEAST CORNER OF LOT 2 IN HILL SUBDIVISION UNIT NO. 2, AS RECORDED JUNE 16, 1989 AS DOCUMENT NUMBER 1979385;

THENCE NORTHERLY AND NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID LOT 2 IN HILL SUBDIVISION UNIT NO. 2 TO THE NORTHEAST CORNER THEREOF, SAID NORTHEAST CORNER ALSO BEING THE SOUTHEAST CORNER OF LOT 3 IN SAID HILL SUBDIVISION UNIT NO. 2;

THENCE NORTHWESTERLY AND WESTERLY ALONG THE EASTERLY AND NORTHERLY LINES OF SAID LOT 3 AND THE WESTERLY EXTENSION THEREOF TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF TARTAN DRIVE;

THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF TARTAN DRIVE TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HUNTLEY ROAD;

THENCE EASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF HUNTLEY ROAD TO A POINT ON SAID WEST LINE OF SPRING HILL WEST SUBDIVISION;

THENCE NORTH ALONG THE NORTHERLY EXTENSION OF SAID WEST LINE OF SPRING HILL WEST SUBDIVISION TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HUNTLEY ROAD;

THENCE EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE OF HUNTLEY ROAD TO A POINT ON THE EAST LINE OF ALEXIS COURT SUBDIVISION, AS RECORDED JUNE 10, 2002 AS DOCUMENT NUMBER 2002K072484;

THENCE SOUTH ALONG THE SOUTHERLY EXTENSION OF SAID EAST LINE OF ALEXIS COURT SUBDIVISION TO A POINT ON THE CENTERLINE OF SAID HUNTLEY ROAD;

THENCE EAST ALONG SAID CENTERLINE OF HUNTLEY ROAD TO A POINT ON THE WEST LINE OF SPRING HILL NORTH UNIT 1 SUBDIVISION, AS RECORDED SEPTEMBER 3, 1980 AS DOCUMENT NUMBER 1552839;

THENCE SOUTH ALONG SAID WEST LINE OF SPRING HILL NORTH UNIT 1 SUBDIVISION AND THE SOUTHERLY EXTENSION THEREOF TO A POINT ON THE SOUTH LINE OF THE NORTH 25 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 21, SAID SOUTH LINE BEING DESCRIBED IN A PLAT OF ANNEXATION, AS RECORDED SEPTEMBER 7, 1978 AS DOCUMENT NUMBER 1473937, SAID LINE ALSO BEING REFERENCED AS THE CARPENTERSVILLE MUNICIPAL BOUNDARY LINE;

THENCE EASTERLY ALONG SAID SOUTH LINE OF THE NORTH 25 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 21 AND THE SOUTH LINE OF THE NORTH 25 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 22 TO A POINT ON A LINE WHICH LIES 250.00 FEET SOUTHWESTERLY AND PARALLEL TO THE CENTERLINE OF STATE ROUTE 31 (AKA WESTERN AVENUE);

THENCE NORTHWESTERLY ALONG SAID LINE WHICH LIES 250.00 FEET SOUTHWESTERLY AND PARALLEL TO THE CENTERLINE OF STATE ROUTE 31 TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 22;

THENCE EAST ALONG SAID NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 22 TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 31;

THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 31 TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY EXTENSION OF THE NORTHWESTERLY LINE OF LOT 4 IN SPRING HILL SOUTHEAST SUBDIVISION, AS RECORDED OCTOBER 22, 1981 AS DOCUMENT NUMBER 1591179;

THENCE SOUTHWESTERLY ALONG SAID NORTHEASTELY EXTENSION AND THE NORTHWESTERLY LINE OF LOT 4 IN SPRING HILL SOUTHEAST SUBDIVISION TO THE NORTHWESTERLY CORNER THEREOF;

THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SAID LOT 4 TO THE SOUTHWEST CORNER THEREOF;

THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 4 TO THE MOST SOUTHERLY CORNER OF SAID LOT 4, SAID MOST SOUTHERLY CORNER ALSO BEING THE NORTHWEST CORNER OF LOT 3 IN SPRING HILL FASHION CORNER SUBDIVISION, AS RECORDED NOVEMBER 21, 1984 AS DOCUMENT NUMBER 1702859;

THENCE SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID LOT 3 TO THE SOUTHWEST CORNER THEREOF, SAID SOUTHWEST CORNER ALSO BEING A POINT ON THE NORTHWESTERLY LINE OF LOT 2 IN SAID SPRING HILL FASHION CORNER SUBDIVISION;

THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 2 TO THE SOUTHWEST CORNER THEREOF, SAID SOUTHWEST CORNER ALSO BEING A POINT ON THE NORTH LINE OF LOT 1 IN KENTUCKY FRIED CHICKEN SUBDIVISION, AS RECORDED AUGUST 20, 2001 AS DOCUMENT NUMBER 2001K086188;

THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 1 IN KENTUCKY FRIED CHICKEN SUBDIVISION TO THE NORTHWEST CORNER THEREOF;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 1 IN KENTUCKY FRIED CHICKEN SUBDIVISION AND THE SOUTHERLY EXTENSION THEREOF TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF AFORESAID STATE ROUTE 72 (AKA WEST MAIN STREET);

THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 72 (AKA WEST MAIN STREET) TO A POINT 250 FEET SOUTHEASTERLY FROM THE WEST LINE OF ROYAL ACRES SUBDIVISION, AS RECORDED NOVEMBER 1, 1960 AS DOCUMENT NUMBER 933030, EXTENDED NORTHERLY, AS MEASURED ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 72 (AKA WEST MAIN STREET);

THENCE SOUTHERLY ALONG A LINE THAT IS PARALLEL WITH SAID WEST LINE OF ROYAL ACRES SUBDIVISION, 176.03 FEET;

THENCE NORTHWESTERLY ALONG A LINE THAT IS PARALLEL WITH SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 72 (AKA WEST MAIN STREET) 250 FEET TO A POINT ON SAID NORTHERLY EXTENSION OF THE WEST LINE OF ROYAL ACRES SUBDIVISION, SAID WEST LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF VILLAGE QUARTER ROAD;

THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF VILLAGE QUARTER ROAD TO A POINT ON THE NORTH LINE OF OLD WORLD SUBDIVISION, AS RECORDED FEBRUARY 14, 1966 AS DOCUMENT NUMBER 1063720;

THENCE WEST ALONG SAID NORTH LINE OF OLD WORLD SUBDIVISION TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 22;

THENCE SOUTH ALONG SAID WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 22 TO THE SOUTHWEST CORNER THEREOF, SAID SOUTHWEST CORNER ALSO BEING THE NORTHEAST CORNER OF LOT 3 IN AFORESAID SPRING HILL PLAZA SUBDIVISION;

THENCE SOUTHWESTERLY AND WESTERLY ALONG THE NORTH LINE OF SAID LOT 3 IN SPRING HILL PLAZA SUBDIVISION TO THE POINT OF BEGINNING.

Exhibit B

Map of the Spring Hill Mall Area TIF #5 Tax Increment Financing Redevelopment Project Area

