1-O-04

AN ORDINANCE

APPROVING A TAX INCREMENT REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT FOR THE HOWARD AND RIDGE REDEVELOPMENT PROJECT AREA

WHEREAS, it is desirable and in the best interest of the citizens of the City of Evanston, Cook County, Illinois (the "City"), for the City to implement tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Division 74.4 of Article 11 of the Illinois Municipal Code, as amended (the "Act"), for a proposed redevelopment plan and redevelopment project (the "Plan and Project") within the municipal boundaries of the City within a proposed redevelopment project area (the "Area") described in Section 1(a) of this Ordinance, which Area constitutes in the aggregate more than one and one-half acres; and

WHEREAS, pursuant to Section 11-74.4-5 of the Act, the Mayor and City Council of the City (the "Corporate Authorities") called a public hearing relative to the Plan and Project and the designation of the Area as a redevelopment project area under the Act for December 15, 2003; and

WHEREAS, due notice with respect to such hearing was given pursuant to Section 11-74.4-5 of the Act, said notice being given to taxing districts and to the Department of Commerce and Economic Opportunity of the State of Illinois by certified mail on October 14, 2003, by publication on November 20, 2003, and November 27, 2003, and by certified mail to taxpayers within the Area on November 17 and November 18, 2003; and

WHEREAS, the City has heretofore convened a joint review board as required by and in all respects in compliance with the provisions of the Act; and

WHEREAS, the Corporate Authorities have reviewed the information concerning such factors presented at the public hearing and have reviewed other studies and are generally informed of the conditions in the proposed Area that could cause the Area to be a "conservation area" as defined in the Act; and

WHEREAS, the Corporate Authorities have reviewed the conditions pertaining to lack of private investment in the proposed Area to determine whether private development would take place in the proposed Area as a whole without the adoption of the proposed Plan; and

WHEREAS, the Corporate Authorities have reviewed the conditions pertaining to real property in the proposed Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Area would be substantially benefited by the proposed Project improvements; and

WHEREAS, the Corporate Authorities have reviewed the proposed Plan and Project and also the existing comprehensive plan for development of the City as a whole to determine whether the proposed Plan and Project conform to the comprehensive plan of the City.

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

SECTION 1. Findings. That the Corporate Authorities hereby make the following findings:

a. The Area is legally described in Exhibit A attached hereto and incorporated herein as if set out in full by this reference. The general street location for the Area is described in Exhibit B attached hereto and incorporated herein as if set out in full by this reference. The map of the Area is depicted on Exhibit C attached hereto and incorporated herein as if set out in full by this reference.

b.   There exist conditions that cause the Area to be subject to designation as a redevelopment project area under the Act and to be classified as a conservation area as defined in Section 11-74.4-3(b) of the Act.

c.   The proposed Area on the whole has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Plan.

d.   The Plan and Project conform to the comprehensive plan for the development of the City as a whole, as reflected in the City's zoning map.

e.   As set forth in the Plan, it is anticipated that all obligations incurred to finance redevelopment project costs, if any, as defined in the Plan, shall be retired within twenty-three (23) years after the Area is designated.

f.   The parcels of real property in the proposed Area are contiguous, and only those contiguous parcels of real property and improvements thereon that will be substantially benefited by the proposed Project improvements are included in the proposed Area.

SECTION 2. Plan and Project Approved.   That the Plan and Project, which were the subject matter of the public hearing held on December 15, 2003, are hereby adopted and approved.   A copy of the Plan and Project is set forth in Exhibit D attached hereto and incorporated herein as if set out in full by this reference.

SECTION 3. Invalidity of Any Section.   That 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 herewith shall be, and the same hereby are, repealed to the extent of such conflict. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

ATTACHMENTS:

> EXHIBIT A – Legal Description
>
> EXHIBIT B – General Street Location
>
> EXHIBIT C – Map of Redevelopment Project Area
>
> EXHIBIT D – Redevelopment Plan and Project

Introduced: _January 12_, 2004

Adopted: _January 26_, 2004

Approved:

January 27, 2004

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form:

_____
Corporation Counsel

2-O-04

AN ORDINANCE

DESIGNATING THE HOWARD AND RIDGE
REDEVELOPMENT PROJECT AREA OF SAID
CITY A REDEVELOPMENT PROJECT AREA PURSUANT
TO THE TAX INCREMENT ALLOCATION REDEVELOPMENT ACT

WHEREAS, it is desirable and in the best interest of the citizens of the City of Evanston,

Cook County, Illinois (the "City"), for the City to implement tax increment allocation financing

pursuant to the Tax Increment Allocation Redevelopment Act, Division 74.4 of Article 11 of the

Illinois Municipal Code, as amended (the "Act"), for a proposed redevelopment plan and

redevelopment project (the "Plan and Project") within the municipal boundaries of the City and

within a proposed redevelopment project area (the "Area") described in Section 1 of this

Ordinance; and

WHEREAS, the Corporate Authorities have heretofore by ordinance approved the Plan

and Project, which Plan and Project were identified in such ordinance and were the subject,

along with the Area designation hereinafter made, of a public hearing held on December 15,

2003, and it is now necessary and desirable to designate the Area as a redevelopment project area

pursuant to the Act.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of

Evanston, Cook County, Illinois, as follows:

SECTION 1. Area Designated. That the Area, as legally described in Exhibit A

attached hereto and incorporated herein as if set out in full by this reference, is hereby designated

as a redevelopment project area pursuant to Section 11-74.4-4 of the Act. The general street

location for the Area is described in Exhibit B attached hereto and incorporated herein as if set

out in full by this reference. The map of the Area is depicted on Exhibit C attached hereto and incorporated herein as if set out in full by this reference.

SECTION 2. <u>Invalidity of Any Section</u>. That 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 3. <u>Superseder and Effective Date</u>. All ordinances, resolutions, motions, or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.
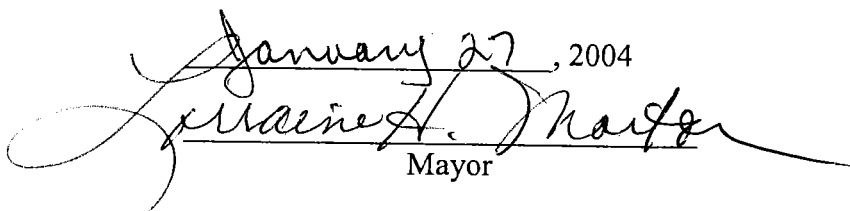
ATTACHMENTS:

EXHIBIT A – Legal Description

EXHIBIT B – General Street Location

EXHIBIT C – Map of Redevelopment Project Area

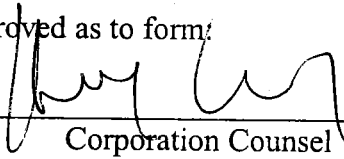Introduced: _January 12_____, 2004

Adopted: _January 26____, 2004

Approved:

January 27, 2004

_____
Mayor

2

ATTEST:

Mary P. Morris
City Clerk

Approved as to form:

_____
Corporation Counsel

3-O-04

AN ORDINANCE

ADOPTING TAX INCREMENT
ALLOCATION FINANCING FOR THE HOWARD AND RIDGE
REDEVELOPMENT PROJECT AREA

WHEREAS, it is desirable and in the best interest of the citizens of the City of Evanston, Cook County, Illinois (the "City"), for the City to implement tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Division 74.4 of Article 11 of the Illinois Municipal Code, as amended (the "Act"); and

WHEREAS, the City has heretofore approved a redevelopment plan and project (the "Plan and Project") as required by the Act by passage of an ordinance and has heretofore designated a redevelopment project area (the "Area") as required by the Act by the passage of an ordinance and has otherwise complied with all other conditions precedent required by the Act.

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

SECTION 1. Tax Increment Financing Adopted. That tax increment allocation financing is hereby adopted to pay redevelopment project costs as defined in the Act and as set forth in the Plan and Project within the Area as legally described in Exhibit A attached hereto and incorporated herein as if set out in full by this reference. The general street location for the Area is described in Exhibit B attached hereto and incorporated herein as if set out in full by this reference. The map of the Area is depicted in Exhibit C attached hereto and incorporated herein as if set out in full by this reference.

SECTION 2. <u>Allocation of Ad Valorem Taxes</u>. That pursuant to the 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 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 that 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 that is attributable to the increase in the current equalized assessed valuation of each lot, block, tract, or parcel of real property in the Area shall be allocated to and when collected shall be paid to the municipal treasurer, who shall deposit said taxes into a special fund, hereby created, and designated the "Howard and Ridge Redevelopment Project Area Special Tax Allocation Fund" of the City and such taxes shall be used for the purpose of paying Project costs and obligations incurred in the payment thereof.

SECTION 3. <u>Invalidity of Any Section</u>. That 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. <u>Superseder and Effective Date</u>. That all ordinances, resolutions, motions, or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

ATTACHMENTS:

EXHIBIT A – Legal Description

EXHIBIT B – General Street Location

EXHIBIT C – Map of Redevelopment Project Area

Introduced: _January 12_, 2004

Adopted: _January 26_, 2004

Approved:

January 27, 2004

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form:

_____
Corporation Counsel

3