

ORDINANCE NO. 8687-45

AN ORDINANCE

APPROVING A REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT; DESIGNATING A REDEVELOPMENT PROJECT AREA; ADOPTING TAX INCREMENT ALLOCATION FINANCING; AND AUTHORIZING THE ILLINOIS DEPARTMENT OF REVENUE TO ANNUALLY CERTIFY AND CAUSE TO BE PAID TO THE CITY OF URBANA, ILLINOIS AN AMOUNT EQUAL TO THE INCREASE IN THE AGGREGATE AMOUNT OF STATE SALES TAXES PAID BY RETAILERS AND SERVICEMEN ON TRANSACTIONS AT PLACES OF BUSINESS LOCATED WITHIN THE REDEVELOPMENT PROJECT AREA

WHEREAS, the City of Urbana, Champaign County, Illinois (the "City") desires to adopt tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, as amended and supplemented from time to time, (Ill.Rev.Stats. ch. 24, §§11-74.4-1 et. seq.), (the "Act"); and

WHEREAS, pursuant to §11-74.4-5 of the Act, the City held a public hearing relative to the approval of a proposed Redevelopment Plan and Redevelopment Project and the designation of a proposed Redevelopment Project Area, such public hearing being duly held at 3:00 p.m. on October 15, 1986, at the City Council Chambers, City Building, 400 South Vine Street, Urbana, Illinois; and

WHEREAS, due notice in respect to said public hearing was given by the City in accordance with §§ 11-74.4-5 and 11-74.4-6 of the Act, said notice being given: by certified mail to taxing districts having property in the proposed Redevelopment Project Area and to the Illinois Department of Commerce and Community Affairs on September 11, 1986, a date not less than thirty (30) days prior to such date set for said public hearing; by publication in the Champaign-Urbana News-Gazette, a newspaper of general circulation within such taxing districts, on October 1 and October 8, 1986, respectively, such first publication being not more than thirty (30) nor less than ten (10) days prior to such date set for said public hearing; by certified mail 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 proposed Redevelopment Project Area on September 24, 1986, a date not less than ten (10) days prior to such date set for said public hearing; and by certified mail to corporations owning railroad rights-of-way within the proposed Redevelopment Project Area on October 3, 1986, a date not less than ten (10) days prior to such date set for said public hearing; and

WHEREAS, the proposed Redevelopment Plan sets forth the factors constituting the proposed Redevelopment Project Area as a "Conservation Area" within the meaning of the Act. The

City Council has fully reviewed such factors in connection with such other information concerning the same as was presented at the public hearing, and has further reviewed other studies and is generally informed of the conditions in the proposed Redevelopment Project Area; and

WHEREAS, the City Council has reviewed the conditions pertaining to investment by private enterprise in the proposed Redevelopment Project Area as a whole to determine whether growth and development would take place therein without the adoption of the proposed Redevelopment Plan; and

WHEREAS, the City Council has reviewed the proposed Redevelopment Plan in connection with the comprehensive plan for development of the City as a whole to determine whether the proposed Redevelopment Plan and Redevelopment Project conform to such comprehensive plan of the City; and

WHEREAS, the City Council has reviewed the area of which the proposed Redevelopment Project Area is comprised to determine its aggregate acreage and to determine whether the contiguous parcels of real property and improvements thereon would be substantially benefitted by the proposed Redevelopment Project improvements; and

WHEREAS, the City Council of the City has determined that it is necessary and in the best interests of the City to authorize the Department of Revenue, pursuant to §11-74.4-8a(1) of the Act, to annually certify and cause to be paid to the City an amount equal to the increase in the aggregate amount of state sales taxes paid by retailers and servicemen on transactions at places of business located within the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. Definitions. That the following words and terms used in this Ordinance shall have the following meanings unless the context or use indicates a different meaning:

a) "Act" means the Tax Increment Allocation Redevelopment Act of the State of Illinois, as amended and supplemented from time to time, and as formerly known and cited as the Real Property Tax Increment Allocation Redevelopment Act (Ill.Rev.Stats., Ch. 24, §11-74.4-1 et seq.).

b) "City" means the City of Urbana, Champaign County, Illinois, and its successors and assigns.

c) "City Code" means the Code of Ordinances, City of Urbana, Illinois, as amended and supplemented from time to time.

d) "Fund" means the special fund called the "Special Tax Allocation Fund for Redevelopment Project Area Number Two" established pursuant to §11-74.4-8 of the Act and Section 5 of this Ordinance.

e) "Ordinance" means this Ordinance as originally adopted and as the same may from time to time be amended or supplemented.

f) "Redevelopment Project Area" means the Redevelopment Project Area designated pursuant to §11-74.4-4 of the Act and by Section 4 of this Ordinance, also more specifically herein known and referred to as "Redevelopment Project Area Number Two."

g) "Redevelopment Plan" means the comprehensive program of the City for the Project Area established pursuant to §11-74.4-4 of the Act and as approved by Section 3 of this Ordinance.

h) "Redevelopment Project" means the Redevelopment Project, including any project or projects in furtherance of the objectives of the Redevelopment Plan, established pursuant to §11-74.4-4 of the Act and as adopted and approved by Section 3 of this Ordinance.

Section 2. Findings. That the City Council hereby specifically finds and determines as follows:

a) That the matters hereinabove set forth in the recitals to this Ordinance are adopted as facts.

b) That conditions exist which qualify the proposed Redevelopment Project Area to be classified as a "Conservation Area" within the meaning of §11-74.4-3(b) of the Act, and that the tax bases of the taxing districts which extend into the proposed Redevelopment Project Area will be enhanced by implementation of the Redevelopment Plan.

c) That the proposed Redevelopment Project 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 Redevelopment Plan.

d) That the Redevelopment Plan and Redevelopment Project conform to the comprehensive plan for the development of the City as a whole.

e) That the estimated date for completion of the Redevelopment Project shall not be later than December 1, 2009.

f) That the estimated date for retirement of obligations, if any, incurred by the City to finance the costs incurred in connection with the Redevelopment Project shall not be later than December 1, 2009.

g) That the proposed Redevelopment Project Area is not less in the aggregate than 1 1/2 acres and includes only those contiguous parcels of real property and improvements thereon which will be substantially benefitted by the proposed Redevelopment Project improvements.

h) That no changes have been made in the proposed Redevelopment Plan or Redevelopment Project or the proposed Redevelopment Project Area which alter the exterior boundaries of the proposed Redevelopment Project Area, which substantially affect the general land uses established in the Redevelopment Plan, or which substantially change the nature of the Redevelopment Project.

i) That the Redevelopment Project Area would not reasonably be developed without the use of such incremental revenues as are authorized pursuant to §11-74.4-8a(1) of the Act and Section 6 of this Ordinance.

j) That such incremental revenues described in subsection (i) above will be exclusively utilized for the development of the Redevelopment Project Area pursuant to §§11-74.4-3(i) and 11-74.4-8a(3)(f) of the Act and Section 7 of this Ordinance.

k) That the City imposes the maximum tax allowed by law under each of the following:

(1) the Municipal Retailers' Occupation Tax Act of the State of Illinois pursuant to §22-16, Article II of Chapter 22 of the City Code;

(2) the Municipal Use Tax Act of the State of Illinois pursuant to §22-82, Article IV of Chapter 22 of the City Code; and

(3) the Municipal Service Occupation Tax Act of the State of Illinois pursuant to §22-30, Article III of Chapter 22 of the City Code.

l) That this Ordinance was introduced within fourteen (14) to ninety (90) days from completion of the public hearing specified in §11-74.4-5 of the Act.

Section 3. Adoption of Redevelopment Plan and Redevelopment Project. That the proposed Redevelopment Plan and Redevelopment Project, entitled "DOWNTOWN URBANA TAX INCREMENT AREA TWO CONSERVATION REDEVELOPMENT PLAN AND PROJECTS", a copy of which has been presented to and is now before this meeting, be and the same is hereby adopted and approved pursuant to §11-74.4-4 of the Act as the Redevelopment Plan and Redevelopment Project for the proposed Redevelopment Project Area.

Section 4. Designation of Redevelopment Project Area. That the proposed Redevelopment Project Area, which is more particularly described in Exhibit A attached hereto and hereby incorporated by reference, be and the same is hereby designated pursuant to §11-74.4-4 of the Act as the Redevelopment Project Area. Such Redevelopment Project Area as described and designated herein shall hereafter be known as, referred to, and identified as the "Redevelopment Project Area Number Two."

Section 5. Adoption of Tax Increment Allocation Financing. That tax increment allocation financing be and the same is hereby adopted pursuant to §11-74.4-8 of the Act in respect to the Redevelopment Plan and Redevelopment Project for the Redevelopment Project Area known as, referred to, and identified herein as the "Redevelopment Project Area Number Two." In connection with such adoption of tax increment allocation financing, the ad valorem taxes, if any, arising from the levies upon taxable real property in the Redevelopment Project Area by taxing districts and tax rates determined in the manner provided in §11-74.4-9(c) of the Act each year after the effective date of this Ordinance until the costs of the Redevelopment Project and City obligations financing the costs of the Redevelopment Project incurred under the Act and this Ordinance, if any, 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 Redevelopment Project 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 this 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 taxable lot, block, tract or parcel of real property in the Redevelopment Project Area over and above the initial equalized assessed value of each property in the Redevelopment Project Area shall be allocated to and when collected shall be paid to the City Comptroller, who shall deposit said taxes into the Fund for the purpose of paying the costs of the Redevelopment Project and the obligations, if any, incurred in the payment thereof.

The Fund, to be used for the purposes as herein provided, be and the same is hereby established.

Section 6. Authorization of Department of Revenue. That pursuant to §11-74.4-8a(1) of the Act, the City hereby authorizes the Department of Revenue to annually certify and cause to be paid to the City an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen on transactions at places of business located within the

Redevelopment Project Area pursuant to the Municipal Retailers' Occupation Tax Act, the Municipal Service Occupation Tax Act, the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act for as long as the Project Area exists, over and above the aggregate amount of such taxes as certified by the Department of Revenue and paid under such Acts by retailers and servicemen on transactions at places of business located in the Redevelopment Project Area during the base year, which shall be the calendar year of 1985 (that being the calendar year immediately prior to the year in which the City adopted tax increment allocation financing pursuant to the Act and this Ordinance), less 1.6% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be retained by the State Treasurer to cover the costs incurred by the Department of Revenue in administering and enforcing Section 11-74.4-8a(1) of the Act.

Section 7. Allocation and Payment to Fund;
Accounting. That in addition to the City incremental real property tax revenues from the Redevelopment Project Area, which have heretofore been allocated and directed to be paid and deposited to the Fund pursuant to Section 5 of this Ordinance, all incremental revenues from the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act derived from the Redevelopment Project Area shall be allocated to and when collected shall be paid to the City Comptroller who shall deposit said funds in the Fund. Any payments of incremental revenues of the State of Illinois caused to be paid to the City by the Department of Revenue from the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act pursuant to §11-74.4-8a(1) of the Act and this Ordinance shall likewise be deposited by the City Comptroller in the Fund. For accounting purposes, the City Comptroller shall identify the source of each payment as Municipal Retailers' Occupation and Service Occupation Tax, State Retailers' and Service Occupation Tax, and Use and Service Use Tax.

Section 8. Use of Incremental Revenues. That the City shall pursue the implementation of the Redevelopment Plan in an expeditious manner. All incremental revenues created pursuant to §11-74.4-8a(1) of the Act and Section 6 of this Ordinance shall be exclusively utilized for the development of the Project Area and shall be used exclusively to pay the costs of the Redevelopment Project as defined in §11-74.4-3(1) of the Act.

Section 9. Transmittal. That within thirty (30) days after the adoption of this Ordinance, the City Clerk be and the same is hereby directed to transmit to the Department of Commerce and Community Affairs and the Department of Revenue the following:

a) a certified copy of this Ordinance accompanied by a complete list of street names and the range of street numbers of each street located within the Project Area for which payments are to be made under §11-74.4-8a(1) of the Act and this Ordinance in both the base year and in the year preceding the payment year; and the addresses of persons registered with the Department of Revenue; and, the name under which each such retailer or serviceman conducts business at that address, if different from the corporate name; and the Illinois Business Tax Number of each such person, updated as required under §11-74.4-8a(3) of the Act;

b) a copy of the Redevelopment Plan as herein approved by the City;

c) an opinion of legal counsel to the City that the City has complied with the requirements of the Act; and

d) a certification by the Mayor of the City that with regard to the Project Area: (1) the City has committed all of the municipal tax increment created pursuant to the Act for deposit in the Fund; (2) the Redevelopment Projects described in the Redevelopment Plan would not be completed without the use of State incremental revenues pursuant to the Act; (3) the City will pursue the implementation of the Redevelopment Plan in an expeditious manner; (4) the incremental revenues created pursuant to §11-74.4-8a(1) of the Act will be exclusively utilized for the development of the Project Area; and (5) the increased revenue created pursuant to §11-74.4-8a(1) of the Act shall be used exclusively to pay Redevelopment Project Costs as defined in the Act.

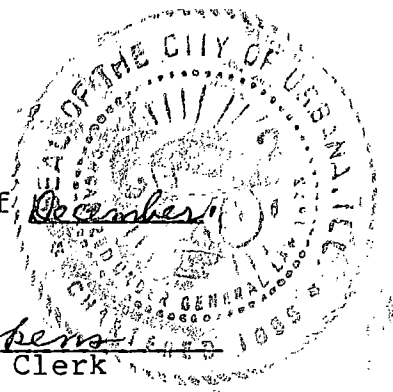
Section 10. Annual Submission of Information. That in the event the City receives any payments as authorized under §11-74.4-8a(1) of the Act and this Ordinance, the Administrator of the Community Development Services Department of the City shall submit to the City Council of the City and to the Illinois Department of Commerce and Community Affairs annually and within 180 days after the close of the fiscal year of the City such information for the immediately preceding fiscal year of the City as may be required by §11-74.4-8a(6) of the Act and any rules and regulations of the Department of Revenue issued pursuant thereto.

Section 11. Further Authorization. That from and after the effective date of this Ordinance, the proper officers, agents and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out the intent and accomplish the purposes of this Ordinance.

Section 12. Effective Date. That this Ordinance as hereby adopted shall be in full force and effect as of December 31, 1986.

1986.

PASSED by the City Council this 15th day of December



Ruth S. Brookens
Ruth S. Brookens, City Clerk

1986.

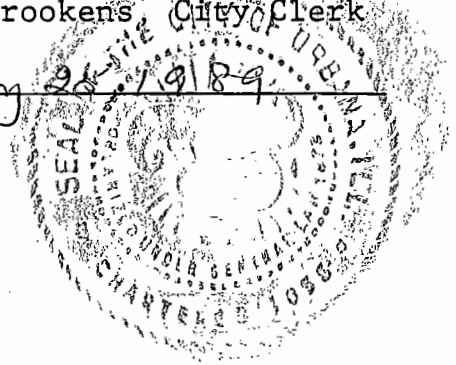
APPROVED by the Mayor this 23rd day of December.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN
ORDINANCE NO. 8687-45 AND IS INCORPORATED
THEREIN BY REFERENCE.

Ruth S. Brookens
Ruth S. Brookens City Clerk

May 28, 1989
Date



The Urbana Tax Increment II Redevelopment Project Area boundaries are shown on the Tax Increment II District Boundary Map in Appendix A.

The project area is generally bounded by Crystal Lake Drive on the North, Maple Street on the East, California Street on the South and Orchard Street on the West.

The exact legal description of the Urbana Tax Increment II Project Area boundaries is as follows:

A portion of Section 8 and 17, Township 19 North, Range 9 East of the Third Principal Meridian, situated in the City of Urbana, Champaign County, State of Illinois, further described as follows:

Beginning at the intersection of the West right-of-way line of Orchard Street and the North line of the Consolidated Railway Corporation's railroad right-of-way; thence Easterly along said railroad right-of-way to an extension of the East line of the Big Wheel Survey; thence Northerly 90 feet, more or less, to a property line; thence Easterly along said property line 150 feet, more or less, to the West line of Leal Park; thence Northerly along said Park to the North right-of-way line of University Avenue; thence Easterly along University Avenue to the West right-of-way line of Lake Street; thence Northerly along Lake Street 144 feet to the North line of an east-west alley; thence Easterly along said alley to the East right-of-way line of Race Street; thence Southerly along Race Street 13.6 feet to a property line; thence Easterly along said property line 181 feet to the center of a vacated alley; thence Northerly along the center of said vacated alley 4.2 feet, more or less, to a property line; thence Easterly along said property line to the West right-of-way line of Broadway Avenue; thence Northerly along Broadway Avenue to the extension of the South line of Crystal Lake Park Addition; thence Easterly along said South line to the West line of Lot 29 of said Addition; thence Northerly along said Lot 29 to the North right-of-way line of Crystal Lake Drive; thence Easterly along Crystal Lake Drive 47.05 feet; thence Southerly along the extension of the East line of said Lot 29 a distance of 248.76 feet to a property line; thence Southeasterly along said property line 284.31 feet to the West right-of-way line of Cunningham Avenue; thence Northeasterly along Cunningham Avenue to a point 196 feet North of the centerline of Crystal Lake Drive; thence Easterly to the intersection of the East right-of-way line of Cunningham Avenue with the South property line of a 0.95 Acre parcel having its North property line on the East 1/4 Section line of said Section 8; thence Easterly along said South property line to the West line of Lot 2 of Webber Estate Subdivision; thence Southerly along said Lot 2 a distance of 548.6 feet to a property line; thence Westerly along said property line to the East right-of-way line of Maple Street; thence Southerly along Maple Street to the centerline of the University Avenue pavement; thence Easterly along said centerline to the extension of the East right-of-way line of Maple Street

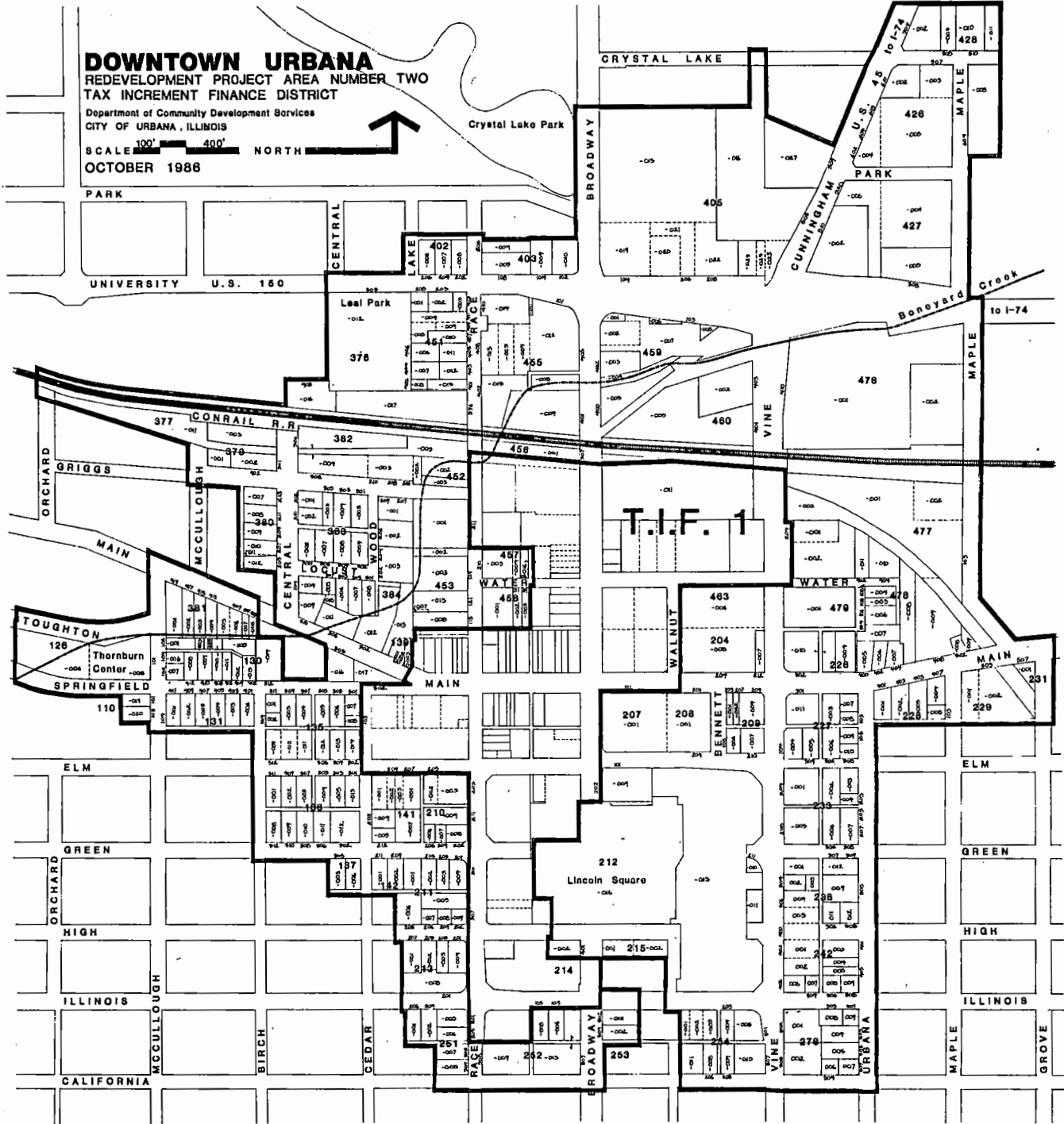
South of University Avenue; thence Southerly along the East right-of-way line of Maple Street to the North right-of-way line of Main Street; thence Easterly along Main Street to the extension of the East right-of-way line of Grove Street; thence Southerly along Grove Street to the extension of the South line of an alley commonly known as Fish Alley; thence Westerly along Fish Alley to a point 138 feet West of the West right-of-way line of Grove Street; thence Northerly 6 feet to the center of Fish Alley; thence Westerly along the centerline of the vacated portion of Fish Alley to the East right-of-way line of Maple Street; thence Southerly along Maple Street 6 feet; thence Westerly along the South line of Fish Alley to the East right-of-way line of Urbana Avenue; thence Southerly along Urbana Avenue to the South right-of-way line of California Avenue; thence Westerly along California Avenue to the East right-of-way line of Vine Street; thence Westerly to the intersection of the West right-of-way line of Vine Street with the South right-of-way line of California Avenue; thence Westerly along California Avenue to the West right-of-way line of Walnut Street; thence Northerly along the East line of Beck's Addition to the Southeast corner of Lot 4 of said Addition; thence Easterly to the Southwest corner of Lot 4 of Myers & Besores Addition; thence Northerly along the West line of said Lot 4 to the South right-of-way line of Illinois Street; thence Westerly along Illinois Street to the East line of Beck's Addition; thence Northerly along the West line of Walnut Street to a property line 132.9 feet North of the North right-of-way line of Illinois Street; thence Westerly along said property line to the East right-of-way line of Broadway Avenue; thence Southerly along Broadway Avenue to the South line of Illinois Street; thence Easterly along Illinois Street 127.5 feet; thence Southerly to the Northwest corner of Lot 5 of Beck's Addition; thence Westerly along the South line of Cedar Alley to the East right-of-way line of Broadway Avenue; thence Southerly along Broadway Avenue to the South right-of-way line of California Avenue; thence Westerly along California Avenue to a point 132 feet West of the West right-of-way line of Race Street; thence Northerly along a property line 165.5 feet to the south line of Cedar Alley; thence Westerly along Cedar Alley 103 feet, more or less; thence Northerly along a property line 127.5 feet to the South right-of-way line of Illinois Street; thence Westerly along Illinois Street 8 feet, more or less; thence Northerly along a property line 249.6 feet to the South right-of-way line of High Street; thence Westerly along High Street 28.875 feet; thence Northerly along a property line 75.5 feet to the South line of High Alley; thence Westerly along High Alley to the West right-of-way line of Cedar Street; thence Northerly 6 feet to the centerline of vacated High Alley; thence Westerly along said centerline 111.5 feet; thence Northerly along Birch Street to the South line of Fish Alley; thence Westerly along Fish Alley to the West line of McCullough Street; thence Northerly along McCullough Street 30.14 feet to a property line; thence Westerly along said property line 101.71 feet; thence Northerly along the West line of Lot 1 of Sutton's Subdivision to the South right-of-way line of Springfield Avenue; thence Westerly along the South

right-of-way of Springfield Avenue to the extension of the West line of Lot 5 of Block 10 of Sim's Addition; thence Northerly along said Lot 5 a distance of 189 feet, more or less, to the South right-of-way line of Stoughton Street; thence Northeasterly along a line perpendicular to said right-of-way line 66 feet to the North right-of-way line of Stoughton Street; thence Southeasterly along the North right-of-way line of Stoughton Street and along its curve to the left, to its intersection with the West right-of-way line of McCullough Street; thence Northerly along McCullough Street to the North right-of-way line of Main Street; thence Southeasterly along Main Street to the extension of a property line located 82 feet East of the East line of Lot 2 of the Subdivision of Lot A of a Subdivision of the South Part of the Southwest Quarter of said Section 8; thence Southerly across the Main Street right-of-way and along said property line to the South line of said Section 8; thence Easterly along said South line to a property line located 90 feet East of the East line of Porter Replat; thence Southerly along said property line to the North right-of-way line of Springfield Avenue; thence Easterly along Springfield Avenue 179.79 feet to another property line; thence Northerly along said property line to the South right-of-way line of Main Street; thence Northwesterly along the South right-of-way line of Main Street to the West right-of-way line of Central Avenue; thence Northerly along Central Avenue to the Southeast corner of Lot 10 of C.W. Smith's Subdivision; thence Westerly along the South line of said Lot 10 a distance of 139.5 feet to the West line of a north-south alley; thence Northerly along said alley to the South right-of-way line of Griggs Street; thence Westerly along Griggs Street to the East right-of-way line of McCullough Street; thence Westerly to the intersection of the South right-of-way line of Griggs Street with the West right-of-way line of McCullough Street; thence Northerly along McCullough Street to the Northeast corner of Lot 1 of Block 1 of Colonel S.T. Busey's Third Addition; thence Northwesterly along the North line of said Addition and along an extension of said line to the west right-of-way line of Orchard Street; thence Northerly along Orchard Street to the point of beginning;

except the tract of land known as the Downtown Urbana Conservation-Redevelopment District as described in City Ordinance 8081-62, passed on December 15, 1980;

encompassing 173 Acres, more or less, all situated in the South half of Section 8 and the North half of Section 17, Township 19 North, Range 9 East of the Third Principal Meridian in the City of Urbana, Champaign County, State of Illinois.

The Redevelopment Project Area so described above is generally bounded on the North by Saline Ditch, Crystal Lake Drive, and Park Street; on the East by Maple Street and Urbana Avenue; on the South by California Avenue; and on the West by Orchard Street and McCullough Street. The area excludes an area previously designated as a Redevelopment Project Area on December 15, 1980.



DOWNTOWN URBANA
 REDEVELOPMENT PROJECT AREA NUMBER TWO
 TAX INCREMENT FINANCE DISTRICT
 Department of Community Development Services
 CITY OF URBANA, ILLINOIS
 SCALE 100' 400' NORTH
 OCTOBER 1986

MAP OF

PARCEL / ADDRESS MAP

- 201 BLOCK NUMBER
- 007 PARCEL NUMBER
- 712 ADDRESS NUMBER

300 & 400 Block series in Section 08
 100 & 200 Block series in Section 17

Source: 1986 Sidwell tax maps