

ORDINANCE NO. 9091-65

**AN ORDINANCE
ADOPTING AND APPROVING A REDEVELOPMENT PLAN
AND REDEVELOPMENT PROJECT, FIRST AMENDED AND
RESTATED, FOR REDEVELOPMENT PROJECT AREA NUMBER THREE**

WHEREAS, the City of Urbana, Champaign County, Illinois (the "City") has duly adopted 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 Ordinance No. 8990-59, entitled "An Ordinance Approving A Redevelopment Plan and Redevelopment Project; Designating a Redevelopment Project Area; and Adopting Tax Increment Allocation Financing", passed by the City Council of the City on December 15, 1989 and approved by the Mayor of the City on December 20, 1989 (the "TIF Ordinance"); and

WHEREAS, the City Council of the City now desires to change the Redevelopment Plan and Redevelopment Project, as defined in and previously adopted by the TIF Ordinance, in such a manner as to change the nature of such Redevelopment Plan and Redevelopment Project, but without altering the exterior boundaries of the Redevelopment Project Area as described in and previously adopted by the TIF Ordinance and without affecting the general land uses established pursuant to such Redevelopment Plan as previously adopted by the TIF Ordinance; and

WHEREAS, the proposed change in the nature of such Redevelopment Plan and Redevelopment Project is now fully contained in the document entitled "NORTH CAMPUS AND KING PARK NEIGHBORHOOD REDEVELOPMENT PLAN, FIRST AMENDED AND RESTATED, Tax Increment Finance District Number 3", dated December, 1990, (the "Amended Redevelopment Plan and Project"), a copy of which has been presented to and is now before this meeting; and

WHEREAS, pursuant to §11-74.4-5(a) of the Act, the City held a public hearing relative to the approval of the proposed Amended Redevelopment Plan and Project, such public hearing being duly held at 6:30 p.m. on November 26, 1990 at the City Council Chambers, City Building, 400 South Vine Street, Urbana, Illinois (the "Public Hearing"); and

WHEREAS, due notice in respect to the Public Hearing was given by the City in accordance with §11-74.4-5(a) and (b) and §11-74.4-6 of the Act, said notice being given: by certified mail to taxing districts having property in the Redevelopment Project Area and to the Illinois Department of Commerce and Community Affairs on October 11, 1990, a date not less than forty-five (45) days prior to such date set for the Public Hearing; by publication in the Champaign-Urbana News-Gazette, a newspaper of general circulation within such taxing districts, on

November 5, 1990 and November 12, 1990 respectively, such first publication being not more than thirty (30) nor less than ten (10) days prior to such date set for the 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 Redevelopment Project Area on November 12, 1990, a date not less than ten (10) days prior to such date set for the Public Hearing; and by certified mail to corporations owning railroad rights-of-way within the proposed Redevelopment Project Area on November 3, 1989, a date not less than ten (10) days prior to such date set for the Public Hearing; and

WHEREAS, both the Redevelopment Plan as adopted by the TIF Ordinance and the proposed Amended Redevelopment Plan and Project set forth the factors constituting such Redevelopment Project Area as a "Conservation Area" within the meaning of §11-74.4-3(b) of the Act, and 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 such Redevelopment Project Area; and

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

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

WHEREAS, the City Council has reviewed the area of which the 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 Amended Redevelopment Plan and Project improvements.

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

Section 1. Definitions. The words and terms defined in the recitals and preambles hereto shall for all purposes of this Ordinance have the same meanings respectively specified therein. In addition, the words and terms as defined in the TIF Ordinance shall have the same meanings for all purposes of this Ordinance, unless the context or use indicates a different or another meaning.

Section 2. Ratification. All the actions of the proper officers, agents and employees of the City taken preliminary to and in connection with the Public Hearing and the adoption of this Ordinance, be and the same are hereby ratified and confirmed.

Section 3. Findings. The City Council hereby specifically finds and determines as follows:

(a) That all of the matters hereinabove set forth in the preambles and recitals to this Ordinance are full, true and correct and are incorporated herein by this reference.

(b) That conditions exist which qualified the Redevelopment Project Area as adopted by the TIF Ordinance 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 such Redevelopment Project Area will be enhanced by implementation of the Amended Redevelopment Plan and Project.

(c) That the Redevelopment Project Area as adopted by the TIF Ordinance and 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 Amended Redevelopment Plan and Project.

(d) That the Amended Redevelopment Plan and Project conform to the Comprehensive Plan for the development of the City as a whole.

(e) That the estimated date for completion of the Amended Redevelopment Plan and Project shall not be later than December 1, 2013.

(f) That the estimated date for retirement of obligations, if any, incurred by the City to finance the costs incurred in connection with the Amended Redevelopment Plan and Project shall not be later than December 1, 2013.

(g) That the Redevelopment Project Area as adopted by the TIF Ordinance 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 Amended Redevelopment Plan and Project improvements.

(h) That since the time of the Public Hearing no further changes have been made in the proposed Amended Redevelopment Plan and Project and since the time of the Public Hearing in connection with the adoption of the TIF Ordinance no changes have been made which alter the exterior boundary of the Redevelopment Project Area or which affect

the general land uses originally established pursuant to the Redevelopment Plan as adopted by the TIF Ordinance.

(i) That this Ordinance was introduced within fourteen (14) to ninety (90) days from completion of the Public Hearing specified in §11-74.4-5(a) of the Act.

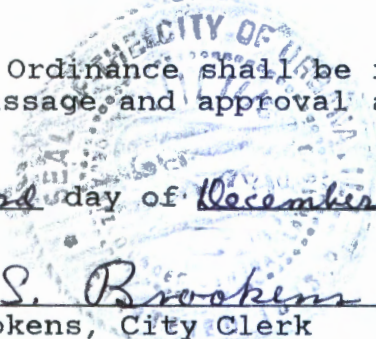
Section 4. Adoption of Amended Redevelopment Plan and Project. The proposed Amended Redevelopment Plan and Project, including the redevelopment program or programs identified therein, a copy of which such document has been presented to and is now before this meeting, be and the same is hereby adopted and approved pursuant to §11-74.4-4 and 4-5 of the Act as the Amended Redevelopment Plan and Project for the Redevelopment Project Area as adopted by the TIF Ordinance.

Section 5. Further Authorization. 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 the TIF Ordinance and this Ordinance.

Section 6. Conflict with Other Ordinances, Resolutions, etc. All ordinances, resolutions and other actions, or parts thereof, including in particular such parts of the TIF Ordinance as are in conflict with the provisions of this Ordinance, are, to the extent of such conflict, hereby superseded.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED by the City Council this 3rd day of December,
1990.


Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 13th day of December,
1990.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor