

**AN ORDINANCE APPROVING AND ADOPTING
A SUPPLEMENT AND AMENDMENT TO THE REDEVELOPMENT PLAN
AND RELATED REDEVELOPMENT PROJECTS FOR THE DOWNTOWN
URBANA TAX INCREMENT REDEVELOPMENT PROJECT AREA**

WHEREAS, pursuant to a series of ordinances (Ordinance Nos. 8081-61, 8081-62 and 8081-63), adopted December 22, 1980, including as supplemented by an ordinance (Ordinance No. 8687-31) adopted October 6, 1986 (collectively, the "**TIF Ordinances**") in connection with the Urbana Downtown Tax Increment Redevelopment Project Area (the "**Redevelopment Project Area**"), the City Council of the City of Urbana, Champaign County, Illinois (the "**Municipality**") adopted the Urbana Downtown Tax Increment Area Redevelopment Plan and related Redevelopment Projects (the "**Redevelopment Plan**" and "**Redevelopment Projects**"), designated the Redevelopment Project Area, and authorized tax increment finance ("**TIF**") under the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1 et seq.), as supplemented and amended (including the predecessor act thereof, the "**TIF Act**"), and provided for the life of the Redevelopment Plan, Redevelopment Projects and Redevelopment Project Area utilizing TIF for a term of not more than 23 years;

WHEREAS, pursuant to an ordinance (Ordinance No. 9394-100), adopted May 16, 1994 (the "**1st Amending Ordinance**"), the City Council of the Municipality amended the TIF Ordinances in accordance with Sections 11-74.4-3(i) and (n), 11-74.4-7 and 11-74.4-8a of the TIF Act to extend the 23-year term for the life of the Redevelopment Plan, Redevelopment Projects and Redevelopment Project Area to the date on which the Redevelopment Project Area is terminated, or bonds with respect to certain redevelopment project costs for the Redevelopment Project Area are retired, or December 31, 2013, whichever

date occurred first, but such extension was expressly not made applicable to real property TIF under Section 11-74.4-8 of the TIF Act; and

WHEREAS, pursuant to an ordinance (Ordinance No. 9394-99) adopted May 16, 1994 (the "**Bond Ordinance**"), the Municipality, on June 1, 1994, issued \$1,990,000 original principal amount General Obligation Tax Increment Refunding Bond, Series 1994A (the "**Series 1994A Bonds**") to refund certain outstanding prior bonds issued to finance redevelopment project costs within the Redevelopment Project Area and pledged the "Incremental Property Taxes" and the "Incremental Sales Taxes" (as each such quoted term is defined in the Bond Ordinance) derived from the Redevelopment Project Area and deposited in the special tax allocation fund to the payment thereof; and

WHEREAS, \$865,000 total amount of the Series 1994A Bonds remain outstanding, which such outstanding bonds bear interest at the rates and mature and become due and payable on March 1 of the years (subject to prior redemption) in the principal amount in each year as follows:

| <u>Year</u> | <u>Principal Amount (\$)</u> | <u>Interest Rate (%)</u> |
|-------------|------------------------------|--------------------------|
| 2005 | 60,000 | 5.25 |
| 2006 | 70,000 | 5.25 |
| 2007 | 75,000 | 5.25 |
| 2008 | 85,000 | 5.25 |
| 2009 | 95,000 | 5.25 |
| 2010 | 105,000 | 5.25 |
| 2011 | 115,000 | 5.25 |
| 2012 | 125,000 | 5.25 |
| 2013 | 135,000 | 5.25 |

; and

WHEREAS, pursuant to an ordinance (Ordinance No. 2002-06-063), adopted June 17, 2002 (the "**2nd Amending Ordinance**"), the City Council of the Municipality amended the Redevelopment Plan and the Redevelopment Projects to extend the estimated date of completion of the Redevelopment Plan and Redevelopment Projects for the purposes of real property TIF under Section 11-74.4-8 of the TIF Act only to be not later than December 31, 2004; and

WHEREAS, pursuant to an ordinance (Ordinance No. 2003-03-031), adopted April 7, 2003 (the "**3rd Amending Ordinance**"), the City Council of the Municipality terminated real property TIF for the Redevelopment Project Area under Section 11-74.4-8 of the TIF Act as of December 31, 2003, the year in which payment to the Comptroller of the Municipality is to be made in respect to ad valorem taxes levied in the twenty-third (23rd) calendar year after the TIF Ordinances were adopted, but continued the special tax allocation fund for the Redevelopment Project Area and extended the estimated dates of the completion of the Redevelopment Projects and retirement of the Series 1994A Bonds to December 31, 2013; and

WHEREAS, pursuant to an ordinance (Ordinance No. 2003-12-148), adopted December 15, 2003 (the "**4th Amending Ordinance**"), the City Council of the Municipality rescinded and repealed the termination of real property TIF for the Redevelopment Project Area under Section 11-74.4-8 of the TIF Act as of December 31, 2003 as provided in the 3rd Amending Ordinance, and extended the date for the completion of the Redevelopment Projects and the retirement of obligations issued to finance redevelopment project costs for the purposes of real property TIF under Section 11-74.8 of the TIF Act until December 31, 2004, as originally provided in the 2nd Amending Ordinance; and

WHEREAS, Section 11-74.4-3(n) of the TIF Act in relevant part now further provides that, if the TIF Ordinances were first adopted prior to January 15, 1981, the estimated date of completion of the Redevelopment Projects and retirement of obligations to finance redevelopment project costs shall not be later than December 31 of the year in which the payment to the Municipality's treasurer as provided in subsection (b) of Section 11-74.4-8 of the TIF Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the TIF Ordinances approving the Redevelopment Project Area were adopted; and

WHEREAS, the City Council of the Municipality has determined that it is advisable for the Municipality to afford itself of the provisions of the TIF Act and to undertake proceedings related to supplementing and amending the Redevelopment Plan, a draft copy of which was placed on file with the City Clerk of the Municipality on June 25, 2004 and is now before the meeting of the City Council at which this Ordinance is adopted (the "**Redevelopment Plan Amendment**"), including certain other proposed Redevelopment Projects identified therein to further the objectives of the TIF Act; and

WHEREAS, pursuant to an ordinance (Ordinance No. 2004-06-278), adopted July 6, 2004, as amended by a correcting ordinance (Ordinance No. 2004-08-108), adopted August 16, 2004, the City Council set 7:30 p.m. on Tuesday, September 7, 2004, at the Municipal Building, 400 S. Vine Street, Urbana, Illinois, at the time and place for the public hearing required under Section 11-74.4-5 of the TIF Act in connection with any approval and adoption of the Redevelopment Plan Amendment; and

WHEREAS, the City Council and other officers and representatives of the City have duly noticed, held and conducted all proceedings, including the required public hearing and joint review board meeting, preliminary to the approval and adoption of the Redevelopment Plan Amendment under and pursuant to the TIF Act.

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

Section 1. Findings. The Corporate Authorities hereby find, determine and declare as follows:

A. that the matters hereinabove set forth in the preambles and recitals to this Ordinance are true, correct and complete and are hereby incorporated herein by this reference thereto; and

B. that the approval and adoption of the Redevelopment Plan Amendment and related Redevelopment Projects as described therein are necessary and

proper public purposes in order to promote and protect the health, safety, morals and welfare of the public and thereby eradicate blighted conditions, institute conservation measures, undertake the further redevelopment of the Redevelopment Project Area, remove and alleviate adverse conditions and encourage private investment and enhance the tax base of the various taxing districts.

Section 2. Approval and Adoption of Redevelopment Plan Amendment.

Under and pursuant to the TIF Act, the Municipality hereby approves and adopts the Redevelopment Plan Amendment, including the related Redevelopment Projects described therein, for the Redevelopment Project Area and hereby ratifies, confirms, adopts and approves as true, complete and correct all findings and certifications made in such Redevelopment Plan Amendment.

Section 3. Form. The Redevelopment Plan Amendment shall be in the form before the meeting of the City Council at which this Ordinance is adopted. Such Redevelopment Plan Amendment as so approved and adopted shall be on file with this Ordinance in the records of the City Clerk (but any failure to so file it shall not abrogate, diminish or impair its effect).

Section 4. Estimated Dates of Completion. As provided in the Redevelopment Plan Amendment, the estimated date of completion of the Redevelopment Projects and the retirement of obligations issued to finance redevelopment project costs, if any, shall not be later than December 31 of the year in which the payment to the Municipality's Comptroller as provided in subsection (6) of Section 11-74.4-8 of the TIF Act is to be made in respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the TIF Ordinances approving the Redevelopment Project Area were adopted, that is **December 31, 2016**, the TIF Ordinances having been adopted on December 22, 1980.

Section 5. Effective Date; Filing. This Ordinance shall become effective upon its passage and approval as required by law. The City Clerk

shall file or cause to be filed a certified copy of this Ordinance and a copy of the Redevelopment Plan Amendment with the County Clerk of Champaign County, Illinois, on or before December 31, 2004.

This ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said City Council on the 4th day of October, 2004, A.D.

PASSED by the City Council this 4th day of October, 2004.

AYES: Hayes, Huth, Otto, Patt, Wyman

NAYS:

ABSTAINS:

APPROVED by the Mayor this 14th day of October, 2004.

Phyllis D. Clark
Phyllis D. Clark, City Clerk
by [Signature] Deputy Clerk
Tod Satterthwaite
Tod Satterthwaite, Mayor