

ORDINANCE _____

ORDINANCE APPROVING THE ROCHELLE NORTHERN GATEWAY TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT

WHEREAS, the City of Rochelle, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74,4-1 et. seq., as amended, hereinafter referred to as the "Act" for the proposed Rochelle Northern Gateway TIF Redevelopment Plan and Redevelopment Project within the municipal boundaries of the City of Rochelle and within the Redevelopment Project Area as described in Section 1(a) of this ordinance, which constitutes in the aggregate more than 1 1/2 acres.

WHEREAS, pursuant to Section 11-74.4-5 of the Act, the City Council caused a Public Hearing to be held relative to the Redevelopment Plan and Redevelopment Project and a designation of a Redevelopment Project Area on July 23rd, 2018, at Rochelle City Hall; and

WHEREAS, due notice with respect to such hearing was given pursuant to Section 11-74.4-5 and 6 of the Act, said notice having been given to taxing districts and to the State of Illinois by certified mail on and around May 30th, 2018 and by publication on July 5, 2018 and July 8, 2018 and by certified mail to taxpayers on and around July 5, 2018; and

WHEREAS, at the Public Hearing, any interested person or affected taxing district was permitted to file with the City Clerk written objections and was heard orally in respect to any issues embodied in the notice of said Public Hearing, and the City heard and determined all protests and objections at the Public Hearing; and

WHEREAS, the Public Hearing was adjourned on July 23rd, 2018; and,

WHEREAS, notice of the availability of the Report and the Plan, including how to obtain this information, was provided by mail on and around May 31st, 2018 to all residential addresses that, after a good faith effort, the City determined are located outside the boundaries of the proposed Redevelopment Project Area which are within 750 feet of the boundaries of the Proposed Area; and

WHEREAS, the City has established and given public notice of an "interested parties registry" for the Proposed Area in compliance with the requirements of the Act; and,

WHEREAS, the City has given such notice to all persons and organizations who have registered for information with such registry, all in the manner and at the times as provided in the Act; 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 Joint Review Board has met at the time and as required by the TIF Act and has reviewed the public record, planning documents and a form of proposed ordinance approving the Plan and Project; and

WHEREAS, the Joint Review Board has approved by a majority vote an advisory, non-binding recommendation that the City proceed to implement the Redevelopment Plan and Project and to designate the Proposed Area as a redevelopment project area under the Act; and,

WHEREAS, the City held a Joint Review Board Hearing on June 19th, 2018 at Rochelle City Hall; and

WHEREAS, the City continued the Joint Review Board Hearing on July 10th, 2018 at Rochelle City Hall; and

WHEREAS, at the Joint Review Board Hearing, any interested person or affected taxing district was permitted to file with the City Clerk written objections and was heard orally in respect to any issues embodied in the notice of said hearing, and the City heard and determined all protests and objections at the hearing; and

WHEREAS, the Joint Review Board Hearing was adjourned on July 10th, 2018; and,

WHEREAS, the Redevelopment Plan and Project set forth the factors constituting the need for conservation in the proposed redevelopment area, and the City Council has reviewed testimony concerning such need presented at the Joint Review Board Hearing and has reviewed other studies and is generally informed of the conditions in the proposed Rochelle Northern Gateway TIF Redevelopment Area as said terms “conservation” and “blighted” are used in the Act; and

WHEREAS, the City Council has reviewed the conditions pertaining to lack of private investment in the proposed Rochelle Northern Gateway TIF Redevelopment Area to determine whether private development would take place in the proposed Area as a whole without the adoption of the proposed Rochelle Northern Gateway TIF Redevelopment Plan; and

WHEREAS, the City Council has reviewed the conditions pertaining to real property in the proposed Rochelle Northern Gateway TIF Redevelopment Project Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Redevelopment Project Area are substantially benefited by the proposed redevelopment project improvements; and

WHEREAS, the City Council has reviewed its proposed Rochelle Northern Gateway TIF Redevelopment Plan and Project Area and the Plan for the development of the City as a whole to determine whether the proposed Rochelle Northern Gateway TIF Redevelopment Plan and Project conforms to the community plans of the City:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, ILLINOIS, that:

1. The City Council of Rochelle hereby makes the following findings:
 - a. The area constituting the proposed Rochelle Northern Gateway TIF Redevelopment Project Area in the City of Rochelle, Illinois is described in **Exhibit A**.
 - b. There exist conditions which cause the area to be designated as a Redevelopment Project Area be classified as a combination “Conservation Area” and “Blighted Area” as defined in Section 11-74.4-3 (b) of the Act.
 - c. The proposed Rochelle Northern Gateway TIF 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 Rochelle Northern Gateway TIF Redevelopment Plan.
 - d. The Rochelle Northern Gateway TIF Redevelopment Plan and Redevelopment Project Area conform to the plan for the development of the City as a whole.
 - e. The parcels of real property in the proposed Rochelle Northern Gateway TIF Redevelopment Project Area are contiguous and only those contiguous parcels of real property and improvements thereon which will be substantially benefited by the proposed redevelopment project improvement are included in the Rochelle Northern Gateway TIF Redevelopment Project Area.
 - f. The estimated date for final completion of the Rochelle Northern Gateway TIF Redevelopment Plan is twenty-three (23) years from the effective date of this ordinance.
 - g. The estimated date for retirement of obligations incurred to finance the Rochelle Northern Gateway TIF Redevelopment Plan costs shall be not later than twenty-three (23) years from the effective date of this ordinance.
2. The Rochelle Northern Gateway TIF Redevelopment Plan and Redevelopment Project Area which was the subject matter of the public hearing held July 23rd, 2018, is hereby adopted and approved. A copy of the Rochelle Northern Gateway TIF Redevelopment Plan and Project Area marked **Exhibit B** is attached to and made a part of this ordinance.
3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

4. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED by the City Council of the City of Rochelle, Illinois on the 13th day of August, 2018.

Approved this 13th day of August, 2018.
(SEAL)

Upon motion by Alderman _____, seconded by Alderman _____, adopted this 13th day of August, 2018 by roll call vote, as follows:

“Ayes”

“Nays”

“Absent”

PASSED this 13th day of August, 2018.

City Clerk

APPROVED this 13th day of August, 2018.

Mayor

Recorded in the Municipality’s Records on August 13th, 2018.

Exhibit A
LEGAL DESCRIPTION

OF PROPERTY DESCRIBED AS: Part of Section 13 and part of Section 24, Township 40 North, Range 1 East of the Third Principal Meridian, Ogle County, Illinois, bounded and described as follows:

Beginning at the Southeast Corner of the Northeast Quarter of said Section 13; thence Westerly along the South Line of said Northeast Quarter, a distance of 1023.66 feet; thence Northerly, parallel with the East line of said Northeast Quarter, a distance of 1096.46 feet to a point lying 1537.80 feet South of the North Line of said Northeast Quarter; thence Northwesterly, a distance of 2388.91 to the centerline of a old road (designated the Old Rockford and Peru Road, the Rockford and Ottawa Road and also known as Meridian Highway (now abandoned, said point lying 1442.10 feet South of the North Line of the Northwest Quarter of said Section 13, as measured along said old centerline; thence continuing Northwesterly along an extension of the last described course to the Westerly Right-of-Way Line of a public road designated Illinois Route 251; thence Southwesterly along said Westerly Right-of-Way Line to the North Line of Parcel #24-13-176-003; thence Northwesterly along said North Line to the Northwest Corner of said Parcel; thence Southwesterly along the West Line of said Parcel to the North Line of Parcel #24-13-176-004; thence Westerly along said North Line to the Northwest Corner of said Parcel; thence Southerly along the Westerly Line of said parcel to the Northerly Right-of-Way Line of a public road designated Flagg Road; thence Westerly along said Northerly Right-of-Way Line to the Northerly projection of Westerly Line of a public road designated 8th Street; thence Southerly along said Northerly projection and the Westerly Line of said 8th Street to the North Line of Parcel #24-13-301-011; thence Easterly along said North Line to the Easterly Right-of-Way Line of said 8th Street; thence Northerly along said Easterly Right-of-Way Line to the Southwest Corner of Parcel # 24-13-326-004; thence Easterly along the South Line of said Parcel to the Westerly Right-of-Way Line of said Illinois Route 251; thence Southerly along said Westerly Right-of-Way Line to the Northeast Corner of Parcel #24-13-351-012; thence Westerly along the North Line of said Parcel to the Northwest Corner of said Parcel; thence Southerly along the West Line of said Parcel to the Southwest Corner of said Parcel; thence Easterly along the South Line of said Parcel to the Westerly Right-of-Way Line of said Illinois Route 251; thence Southerly along said Westerly Right-of-Way Line to the Northeast Corner of Parcel #24-13-376-004; thence Westerly along the North Line of said Parcel to the Northwest Corner of said Parcel; thence Southerly along the West line of said Parcel to the Southwest Corner of said Parcel; thence Easterly along the South Line of said Parcel to the Northwest Corner of Parcel #24-13-376-007; thence Southerly along the West Line of said Parcel to the Southwest Corner of said Parcel; thence Easterly along the South Line of said Parcel to the Southeast Corner of said Parcel; thence Southerly along the Southerly projection of the East Line of said Parcel to the Southerly Right-of-Way Line of a public road designated Jones Road; thence Easterly along said Southerly Right-of-Way line to the Westerly Right-of-Way Line of said Illinois Route 251; thence Southerly along said Westerly Right-of-Way Line to the Westerly projection of the South Line Parcel #24-24-126-004; thence Easterly along said Westerly projection and the South line of said Parcel to the Southeast Corner of said Parcel (also the West Line of an alley); thence Southerly along the West Line of said alley to the Westerly projection of the South Line of Parcel #24-24-126-054; thence Easterly along said Westerly projection and the South Line of said Parcel and the Easterly projection of said South Line to the Easterly Right-of-Way Line of a public road designated Lincoln Highway; thence Northerly along said Easterly Right-of-Way line to the Southwest Corner of Parcel #24-24-127-006; thence Easterly along the South Line of said Parcel to the Southeast Corner of said Parcel; thence Northerly along the East Line of said Parcel and the East Line of Parcel # 24-24-127-005 and #24-24-127-004 to the Northwest Corner of Parcel #24-24-127-031; thence Easterly along the North Line of said Parcel and the North Line of Parcel # 24-24-24-127-048 and #24-24-127-049 and #24-24-127-060 and #24-24-201-002 and #24-24-201-003 to the Northeast Corner of said Parcel #24-24-201-003; thence Southerly along the East Line of said Parcel to the Southerly Right-of-Way Line of a public road designated McConaughy

Avenue; thence Easterly along said Southerly Right-of-Way line to the Southerly projection of the West Line of Parcel #24-24-201-005; thence Northerly along said Southerly projection and the West Line of said Parcel to the Northwest Corner of said Parcel; thence Easterly along the North line of said Parcel to the Northeast Corner of said Parcel; thence Southerly along the Easterly Line to the Westerly projection of the South Line of Parcel #24-24-205-014; thence Easterly along said Westerly projection and the South Line of said Parcel #24-24-205-014 to the centerline of Kyte Creek; thence Northerly along said centerline to the Northerly Right-of-Way Line of a public road designated Illinois Route 38; thence Westerly along said Northerly Right-of-Way Line to the Southeast Corner of Parcel #24-13-381-030; thence Northerly along the East Line of said Parcel to the Northeast Corner of said Parcel; thence Westerly along the North Line of said Parcel and the Westerly projection thereof to the Southwest Corner of Parcel #24-13-381-013; thence Northerly along the West line of said Parcel to the Northwest Corner of said Parcel (also the Southerly Right-of-Way Line of a public road designated Tilton Manor Drive; thence Northeasterly to Northwesterly along said Right-of-Way Line to the Easterly Line of Parcel #24-13-377-053; thence Northeasterly along the East line of said Parcel to the most Easterly Corner of said Parcel; thence Northwesterly along the East Line of said Parcel to the most Northerly Corner of said Parcel; thence Southwesterly and Westerly along the Northerly Line of said Parcel to the Southeast Corner of Parcel #24-13-377-004; thence Northerly along the East line of said Parcel and the East line of Parcels #24-13-377-059, #24-13-377-043, #24-13-377-057 and #24-13-377-056 to the Southerly Right-of-Way Line of a public road designated Fairview Drive; thence Easterly along said Southerly Right-of-Way Line to the Southerly projection of the East line of Parcel #24-13-327-006; thence Northerly along said Southerly projection and the East line of said Parcel to the Northwest Corner of Parcel #24-13-327-010; thence Easterly along the North Line of said Parcel to the Southeast Corner of Parcel #24-13-327-012; thence Northerly along the East Line of said Parcel and the East Line of Parcels # 24-13-327-009, #24-13-327-014, #24-13-327-016 and #24-13-327-004 to the Southerly Right-of-Way Line of said Flagg Road; thence Easterly along said Southerly Right-of-Way Line to the centerline of Kyte Creek; thence Southeasterly to Southwesterly along said centerline to the Westerly projection of the South Line of Parcel #24-13-426-003; thence Easterly along said Westerly projection and the South Line of said Parcel to the East Line of the Southeast Quarter of said Section 13; thence Northerly along said East Line to the Point of Beginning.

Exhibit B

REDEVELOPMENT PLAN & PROJECT