

ORDINANCE NO. _____

Date Passed: June 3, 2013

ORDINANCE APPROVING DEVELOPMENT AGREEMENT AND EASEMENT GRANT (DAN K. SAWICKI AND SAWICKI MOTOR COMPANY, INC.)

WHEREAS, the City of Rochelle is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, et. seq.; and

WHEREAS, Dan K. Sawicki and Sawicki Motor Company, Inc., are the owners of certain tracts of land consisting generally of 2.75 acres, more or less, located on North 7th Street, improved with a commercial building and parking lot used as an automobile dealership ("the Property"); and

WHEREAS, the Property has previously been annexed into the City and zoned B-2 (commercial - highway); and

WHEREAS, Owner intends to re-develop the Property for use as an automobile dealership, by demolishing the existing showroom facility and constructing a new showroom facility ("Development"); and

WHEREAS, the parties have entered into certain other agreements related to the Development, as set forth in a Development Agreement and an Easement Grant which have been presented to, and reviewed by the City Council; and

WHEREAS, the Rochelle City Council makes the following findings with respect to the sales tax rebate provisions of paragraph 2(b) of the Development Agreement: (1) that the building on the Property no longer complies with current building codes; (2) that the Development is expected to create or retain job opportunities within the City; (3) that the Development will serve to further the development of adjacent areas; (4) that without the agreement for a rebate of sales taxes the Development would not be possible; (5) that the Owner and Operator meet high standards of creditworthiness and financial strength, as demonstrated by a letter from a financial institution with assets of \$10,000,000.00 or more attesting to the financial strength of the Owner and Operator; (6) that the Development will strengthen the commercial sector of the City; (7) that the Development will enhance the tax base of the City; and (8) that the sales tax rebate agreement is made in the best interest of the City; and

WHEREAS, the City Council finds that approval of the Development Agreement and the Easement Grant is in the best interests of the City;

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

1. The Development Agreement and the Easement Grant between the City of Rochelle, Dan Sawicki and Sawicki Motor Company, Inc., as presented to the City Council, are hereby approved, and the City Manager is authorized to execute said agreements in substantially the same form, on behalf of the City.

This ordinance shall become effective after its passage, approval and publication as provided by law.

PASSED AND APPROVED this 3rd day of June, 2013.

Ayes: _____ Nays: _____ Abstain: _____

Mayor

Attested: _____
City Clerk

E:\MyFiles\city sawicki\ordinanceapprovingdevelopmentagreementandeasementgrant.docx