

ORDINANCE NO. 05-09-45

**AN ORDINANCE CALLING FOR A PUBLIC HEARING AND
A JOINT REVIEW BOARD MEETING TO CONSIDER
DESIGNATION OF A REDEVELOPMENT PROJECT AREA,
REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT FOR THE
VILLAGE OF CLARENDON HILLS (OGDEN AVENUE TIF DISTRICT)**

WHEREAS, the Village of Clarendon Hills is considering the designation of a redevelopment project area and the approval of a redevelopment plan and redevelopment project within the corporate limits of the Village of Clarendon Hills, to be called the Clarendon Hills Ogden Avenue Tax Increment Financing (TIF) District, pursuant to the “Tax Increment Allocation Redevelopment Act,” 65 ILCS 5/11-74.4-1 *et seq.* (hereinafter referred to as the “TIF Act”); and

WHEREAS, pursuant to the provisions of Section 5/11-74.4-5(a) of the TIF Act, as amended, prior to the adoption of an ordinance proposing the designation of a redevelopment project area or approval of a redevelopment plan or redevelopment project, the Village must fix a time and place for a public hearing; and

WHEREAS, pursuant to the provisions of Section 5/11-74.4-5(b) of the TIF Act, as amended, prior to the adoption of an ordinance proposing the designation of a redevelopment project area or approval of a redevelopment plan or redevelopment project, the Village must convene a Joint Review Board (hereinafter referred to as the “JRB”) to consider the proposal; and

WHEREAS, it is the desire of the President and Board of Trustees of the Village to conduct such public hearing and to convene said meeting of the JRB;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Clarendon Hills, Du Page County, Illinois, as follows:

SECTION 1: That pursuant to the provisions of the TIF Act, the President and Board of Trustees hereby designate the date of Monday, November 7, 2005, at the hour of 6:00 p.m. at the Clarendon Hills Middle School, Cafetorium, 301 Chicago Avenue, Clarendon Hills, Illinois, for the purpose of conducting a public hearing to hear from any interested persons, taxpayers or affected taxing districts regarding the proposed designation of a redevelopment project area, a redevelopment plan and a redevelopment project for the area legally described in EXHIBIT A attached hereto and made part hereof.

SECTION 2: That a copy of the proposed redevelopment plan and redevelopment project has been on file in the office of the Village Clerk, and has been available for public inspection during regular Village business hours, since August 15, 2005.

SECTION 3: That at the public hearing, any interested person, taxpayer or affected taxing district may file with the Village Clerk written comments and/or objections to, and may be heard orally with respect to, any issues embodied in the notice of public hearing attached hereto.

SECTION 4: That the JRB shall be established and shall first meet on Wednesday, September 28, 2005, at 3:30 p.m. at the Clarendon Hills Village Hall, Board Room, 1 North Prospect Avenue, Clarendon Hills, Illinois. The JRB shall review the public record, planning documents and proposed ordinances approving the redevelopment plan and redevelopment project. The JRB shall make an advisory recommendation to the Village within thirty (30) days after the convening of the JRB. A written report shall be issued by the JRB. The failure of the JRB to submit its report on a timely basis shall not be cause to delay the public hearing or any other step in the process of establishing the redevelopment project area and approving the redevelopment plan. In the event the JRB does not file a report, it shall be presumed that the JRB has found that the redevelopment

project area and redevelopment plan satisfy the plan requirements, the eligibility criteria defined in Section 5/11-74.4-3 of the TIF Act and the objectives of the TIF Act. Pursuant to the provisions of Section 5/11-74.4-5(b) of the TIF Act, the JRB shall consist of one (1) representative from each of the following taxing districts: College of DuPage Community College District No. 502, Hinsdale Township High School District No. 86, Consolidated Elementary School District No. 181, the Clarendon Hills Park District, the County of Du Page, Downers Grove Township and the Village of Clarendon Hills; and a public member. The public member and the chairperson of the JRB, in that order, shall be selected by a majority of the JRB members present and voting at said September 28, 2005 meeting.

SECTION 5: That the Village of Clarendon Hills' representative on the JRB is hereby confirmed as Diane Hiller or her designee.

SECTION 6: That a notice setting forth the availability of the redevelopment plan and eligibility report, and how to obtain a copy thereof, shall be sent by mail to all residential addresses within seven hundred fifty (750) feet of the boundaries of the proposed redevelopment project area and to all persons who have registered on the Village's TIF Interested Parties Registry, within a reasonable time of the adoption of this Ordinance, as required by Section 5/11-74.4-5(a) of the TIF Act, with said notice being substantially in the form attached hereto as EXHIBIT B and made part hereof.

SECTION 7: That a notice of the public hearing and the JRB meeting shall be sent by certified mail, return receipt requested, and a notice of the public hearing shall be given by publication and by first class U.S. mail, all as required by Sections 5/11-74.4-5(b) and 5/11-74.4-

6(a), (b) and (c) of the TIF Act, with said notices being substantially in the form attached hereto as EXHIBIT C and made part hereof.

SECTION 8: That this Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 6th day of September, 2005, pursuant to a roll call vote as follows:

AYES: Trustees Alongi, Flood, Karaba, O'Toole, Pedersen, and Robertson

NAYS: None

ABSENT: None

APPROVED by me this 6th day of September, 2005.



Diane Hiller
Village President

ATTEST:



Dawn M. Tandle
Village Clerk



Published in Pamphlet Form: September 5, 2005

EXHIBIT A

Lots 1, 2 and 3 in Block 1, the West 71 feet of Lot 2 in Block 2, and Lots 3, 4, 5 and 6 in Block 2, all in Arthur T. McIntosh & Company=s Westmont Acres, a subdivision of part of the Southeast 1/4 of Section 3, Township 38 North, Range 11, East of the Third Principal Meridian, as provided by document number 145100; Lots 1 and 2 in Broberg=s Resubdivision of Lot 1 and the East 29 feet of Lot 2 in Block 2 of Arthur T. McIntosh & Company=s Westmont Acres, aforesaid, as provided for by document number 947033; Lots 1 and 2 in Adolf=s Resubdivision of Lots 4, 5 and 6 in Block 1 in Arthur T. McIntosh & Company=s Westmont Acres, aforesaid, as provided for by document number R1993-119973; along with the East 1/2 of the Richmond Avenue right-of-way, from the Westerly extension of the South line of Lot 6 in Block 2 of Arthur T. McIntosh & Company=s Westmont Acres, aforesaid, to the South right-of-way line of Ogden Avenue; the 66 foot wide right-of-way of Woodstock Avenue, from the Westerly extension of the South line of Lot 1 in Adolf=s Resubdivision, aforesaid, to the South right-of-way line of Ogden Avenue; the 33 foot wide right-of-way of Oxford Avenue, from the Easterly extension of the South line of Lot 1 in Block 1 of Arthur T. McIntosh & Company=s Westmont Acres, aforesaid, to the South right-of-way line of Ogden Avenue; and the South 1/2 of the Ogden Avenue right-of-way from the Northerly extension of the center line of Richmond Avenue to the Northerly extension of the East right-of-way line of Oxford Avenue; all in DuPage County, Illinois.;

P.I.N.=s: 09-03-400-001, -002, -008, -009, -010 and -011; 09-03-403-004, -005, -006, -025 and -026;

Commonly known as: 285 Richmond Avenue; 284 Woodstock Avenue; 403, 407, 415, 419, 427, 431, 433 and 435-45 Ogden Avenue; and 288 Oxford Avenue; all in Clarendon Hills, Illinois.

EXHIBIT B

**NOTICE OF THE AVAILABILITY OF
THE PROPOSED CLARENDON HILLS OGDEN AVENUE
TAX INCREMENT FINANCING DISTRICT
REDEVELOPMENT PLAN AND ELIGIBILITY REPORT**

Notice is hereby given to you, in that you reside at a residential address within seven hundred fifty (750) feet of the boundaries of the Village of Clarendon Hills's proposed Ogden Avenue Tax Increment Financing District or have registered your name on the Village of Clarendon Hills Tax Increment Financing Interested Parties Registry, that the redevelopment plan and eligibility report, relative to the proposed Village of Clarendon Hills Ogden Avenue Tax Increment Financing District, are available for your review. Copies of said redevelopment plan and eligibility report can be obtained from the Director of Community Development, Michael Brown, at the Clarendon Hills Village Hall, 1 North Prospect Avenue, Clarendon Hills, Illinois 60514, between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, except holidays.

VILLAGE OF CLARENDON HILLS

Dawn M. Tandle
Village Clerk

EXHIBIT C

**NOTICE OF PUBLIC HEARING AND JOINT REVIEW BOARD MEETING
TO CONSIDER THE DESIGNATION OF A
REDEVELOPMENT PROJECT AREA, A REDEVELOPMENT PLAN AND
A REDEVELOPMENT PROJECT FOR THE PROPOSED CLARENDON HILLS
OGDEN AVENUE TAX INCREMENT FINANCING DISTRICT**

Notice is hereby given that a public hearing will be held on Monday, November 7, 2005, at 6:00 p.m. at the Clarendon Hills Middle School, Cafetorium, 301 Chicago Avenue, Clarendon Hills, Illinois, on the proposed designation of a Redevelopment Project Area, Redevelopment Plan and Redevelopment Project for the proposed Clarendon Hills Ogden Avenue Tax Increment Financing District, pursuant to the provisions of the "Tax Increment Allocation Redevelopment Act," 65 ILCS 5/11-74.4-1 et seq., as amended (the "TIF Act").

The boundaries of the proposed Clarendon Hills Ogden Avenue Tax Increment Financing District are more fully set forth on the legal description attached hereto as EXHIBIT 1 and made part hereof and the street location map attached hereto as EXHIBIT 2 and made part hereof.

The proposed Redevelopment Plan and Redevelopment Project provide for assembly, preparation and marketing of potential sites for development/redevelopment; improvements to the public infrastructure within the proposed Redevelopment Project Area and for the Village of Clarendon Hills to implement a set of actions to promote redevelopment within the proposed Redevelopment Project Area. The contemplated Village actions include, but are not limited to, the encouragement of redevelopment agreements and improving public facilities such as street improvements, utility improvements, storm water detention improvements, landscaping and lighting improvements, and related site work, and providing for traffic flow and adequate off-street parking.

The Village of Clarendon Hills would realize the goals and objectives of the Redevelopment Plan through public finance techniques including, but not limited to, tax increment allocation financing.

A copy of the Redevelopment Plan and Eligibility Report have been on file with the Village since August 15, 2005, and are currently on file and available for public inspection between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, except holidays, at the office of the Director of Community Development, Michael Brown, located at the Clarendon Hills Village Hall, 1 North Prospect Avenue, Clarendon Hills, Illinois 60514. Copies of the Redevelopment Plan and Eligibility Report are enclosed with the copies of this Notice that are being mailed to the affected taxing districts and the Illinois Department of Commerce and Economic Opportunity (f/k/a the Illinois Department of Commerce and Community Affairs). Michael Brown, Director of Community Development for the Village of Clarendon Hills [(630) 323-3500, ext. 11] or Jewell Walton of S.B. Friedman and Company [(312) 384-2403], can be contacted for further information.

Pursuant to the TIF Act, a Joint Review Board for the proposed Clarendon Hills Ogden Avenue Tax Increment Financing District (the "JRB") is being established to review the public record, planning documents and proposed ordinances approving the redevelopment plan and project relative to the proposed Clarendon Hills Ogden Avenue Tax Increment Financing District. Pursuant to the TIF Act, the JRB shall consist of one (1) public member and one (1) representative from each of the following taxing districts: College of DuPage Community College District No. 502, Hinsdale Township High School District No. 86, Consolidated Elementary School District No. 181, the Clarendon Hills Park District, the County of DuPage, Downers Grove Township and the Village of Clarendon Hills. The public member and the chairperson of the JRB, in that order, shall be selected by a majority of the JRB members present and voting at the initial meeting of the JRB.

Pursuant to the TIF Act, the first meeting of the JRB will be held on Wednesday, September 28, 2005, at 3:30 p.m. at the Clarendon Hills Hall, Board Room, 1 North Prospect Avenue, Clarendon Hills, Illinois 60514. Those taxing districts with representatives on the JRB are hereby notified of said JRB meeting. The JRB's recommendation on the Redevelopment Project Area and Redevelopment Plan shall be advisory and non-binding, and shall be adopted by a majority vote of the JRB members present and voting and shall be submitted to the Village within thirty (30) days after the first convening of the JRB. Failure of the JRB to submit its report on a timely basis shall not delay the Public Hearing nor shall it delay any other step in the process of establishing the Redevelopment Project Area.

Prior to and at the November 7, 2005, Public Hearing, all interested persons, affected taxing districts and the Illinois Department of Commerce and Economic Opportunity (f/k/a the Illinois Department of Commerce and Community Affairs) may file with the Village Clerk written comments to and may be heard orally with respect to the designation of the Redevelopment Project Area and approval of the Redevelopment Plan in relation thereto. Written comments are invited and can be sent in advance of the Public Hearing to the Clarendon Hills Village Clerk, 1 North Prospect Avenue, Clarendon Hills, Illinois 60514. The Public Hearing may be adjourned by the Village Board without further notice other than a motion to be entered upon the minutes of the Public Hearing, fixing the time and place of the subsequent Public Hearing.

Mailed and Published by order of the Corporate Authorities of the Village of Clarendon Hills, DuPage County, Illinois
Dawn M. Tandle, Village Clerk

EXHIBIT 1

Lots 1, 2 and 3 in Block 1, the West 71 feet of Lot 2 in Block 2, and Lots 3, 4, 5 and 6 in Block 2, all in Arthur T. McIntosh & Company=s Westmont Acres, a subdivision of part of the Southeast 1/4 of Section 3, Township 38 North, Range 11, East of the Third Principal Meridian, as provided by document number 145100; Lots 1 and 2 in Broberg=s Resubdivision of Lot 1 and the East 29 feet of Lot 2 in Block 2 of Arthur T. McIntosh & Company=s Westmont Acres, aforesaid, as provided for by document number 947033; Lots 1 and 2 in Adolf=s Resubdivision of Lots 4, 5 and 6 in Block 1 in Arthur T. McIntosh & Company=s Westmont Acres, aforesaid, as provided for by document number R1993-119973; along with the East 1/2 of the Richmond Avenue right-of-way, from the Westerly extension of the South line of Lot 6 in Block 2 of Arthur T. McIntosh & Company=s Westmont Acres, aforesaid, to the South right-of-way line of Ogden Avenue; the 66 foot wide right-of-way of Woodstock Avenue, from the Westerly extension of the South line of Lot 1 in Adolf=s Resubdivision, aforesaid, to the South right-of-way line of Ogden Avenue; the 33 foot wide right-of-way of Oxford Avenue, from the Easterly extension of the South line of Lot 1 in Block 1 of Arthur T. McIntosh & Company=s Westmont Acres, aforesaid, to the South right-of-way line of Ogden Avenue; and the South 1/2 of the Ogden Avenue right-of-way from the Northerly extension of the center line of Richmond Avenue to the Northerly extension of the East right-of-way line of Oxford Avenue; all in DuPage County, Illinois.;

P.I.N.=s: 09-03-400-001, -002, -008, -009, -010 and -011; 09-03-403-004, -005, -006, -025 and -026;

Commonly known as: 285 Richmond Avenue; 284 Woodstock Avenue; 403, 407, 415, 419, 427, 431, 433 and 435-45 Ogden Avenue; and 288 Oxford Avenue; all in Clarendon Hills, Illinois.

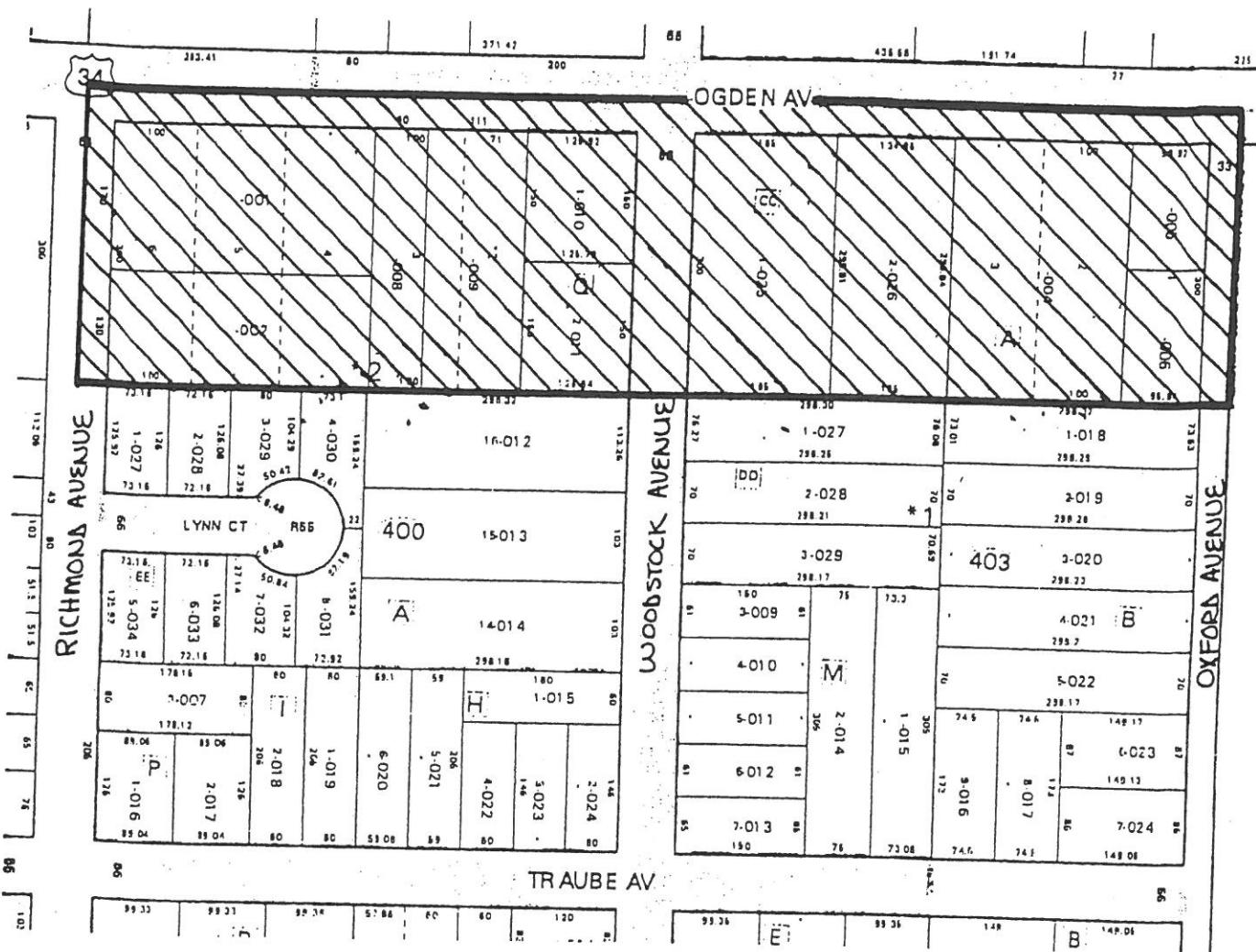
EXHIBIT D

**SERVICE LIST – TAXING DISTRICTS –
CLARENDON HILLS OGDEN AVENUE**

1. County of DuPage
421 N. County Farm Road
Wheaton, IL 60187
2. DuPage Airport Authority
2700 International Drive
Suite 200
West Chicago, IL 60185
3. Downers Grove Township
4340 Prince Street
Downers Grove, IL 60515
4. Downers Grove Township Highway
Department
4340 Prince Street
Downers Grove, IL 60515
- 5a. Forest Preserve District of DuPage County
3 S. 580 Naperville Road
Wheaton, IL 60187
- 5b. Forest Preserve District of DuPage County
P.O. Box 5000
Wheaton, Illinois 60189
6. DuPage Water Commission
600 E. Butterfield Road
Elmhurst, IL 60126
7. Consolidated Elementary School District
#181
1010 Executive Court
Suite 100
Westmont, IL 60559
8. Hinsdale Township High School District #86
55th and Grant Streets
Hinsdale, IL 60521
9. Clarendon Hills Library
7 North Prospect Avenue
Clarendon Hills, IL 60514

10. Clarendon Hills Park District
315 Chicago Avenue
Clarendon Hills, IL 60514
11. College of DuPage Community
College District 502
425 Fawell Boulevard
Glen Ellyn, IL 60137
12. Village of Clarendon Hills
1 North Prospect Avenue
Clarendon Hills, IL 60514
13. DuPage County Health Department
111 N. County Farm Road
Wheaton, IL 60187
14. Flagg Creek Water Reclamation District
(f/k/a Hinsdale Sanitary District)
P.O. Box 179
Hinsdale, IL 60522
15. Clarendon Blackhawk Mosquito Abatement
District
P.O. Box 77
Clarendon Hills, IL 60514
16. Illinois Department of Commerce and
Economic Opportunity
100 West Randolph Street
Third Floor
Chicago, IL 60601

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EXHIBIT

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