

1446

ORDINANCE NO. F-0982

AN ORDINANCE PROPOSING A REDEVELOPMENT PLAN AND PROJECT  
FOR, AND THE DESIGNATION OF, THE CITY OF WHEATON COURTHOUSE  
REDEVELOPMENT PROJECT AREA, CONVENING A JOINT REVIEW BOARD  
AND CALLING A PUBLIC HEARING IN CONNECTION THEREWITH

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.*, as supplemented and amended (the "Act"), the City of Wheaton, DuPage County, Illinois (the "City"), is authorized to approve a redevelopment plan for and to designate redevelopment project areas and adopt tax increment allocation financing therefor; and,

WHEREAS, the City Council has heretofore caused a study to be conducted to determine the conditions in that part of the City legally described as set forth on Exhibit "A" attached hereto and made a part hereof and located generally in the area bounded by the Union Pacific Railroad right-of-way on the north, Washington Street on the east, Willow Avenue on the south and Cross Street on the west within the City; and,

WHEREAS, the City Council has determined that said territory would qualify as a "redevelopment project area" as defined in the Act and that said territory on the whole has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the adoption of a redevelopment plan and the use of tax increment allocation financing as provided in the Act; and

WHEREAS, the City Council has heretofore and it hereby is determined that it is advisable that the City afford itself of the provisions of the Act and by ordinance approve a redevelopment plan (the "Plan") and project (the "Project") for and designate said territory as legally described on said Exhibit A as a redevelopment project area to be known as the "City of Wheaton Courthouse Redevelopment Project Area" (the "Redevelopment Project Area"), and also that the City by ordinance adopt tax increment allocation financing in order to pay redevelopment project costs for the Project in the Redevelopment Project Area, all as provided in the Act; and

WHEREAS, the Act requires the City to conduct a public hearing prior to the adoption of ordinances approving the Plan and the Project, designating the Redevelopment Project Area, and adopting tax increment allocation financing, at which hearing any interested person or affected taxing district may file with the City Clerk written objections to and may be heard orally with respect to the proposed approval of the Plan and Project, designation of the Redevelopment Project Area and adoption of tax increment allocation financing therefor; and,

WHEREAS, the Act further requires that the City convene a joint review board consisting of a representative selected by each community college district, local elementary school district and high school district or each local community unit school district, park district, library district, township, fire protection district and county that has authority to directly levy taxes on the property within the proposed Redevelopment Project Area, a representative selected by the City, and a public member to consider the subject matter of the public hearing; and,

WHEREAS, the Act requires that notice of the public hearing be given by publication and mailing.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, as follows:

Section 1. That the approval of the Redevelopment Plan and Project, the designation of a Redevelopment Project Area, and the adoption of tax increment allocation financing therefor are hereby proposed.

Section 2. That a public hearing shall be held by the City Council of the City at 7:00 P.M. on the 10<sup>th</sup> day of January, 2005, at City Hall, 303 W. Wesley Street, Wheaton, Illinois 60187, for the purpose of hearing from any interested persons or affected taxing districts regarding the proposed approval of the Redevelopment Plan and Project, designation of the Redevelopment Project Area and adoption of tax increment allocation financing therefor.

Section 3. Notice of the hearing, substantially in the form attached hereto as Exhibit "B", shall be published at least twice, the first publication to be not more than thirty (30) nor less than ten (10) days prior to the hearing, in a newspaper of general circulation within the taxing districts having property in the Redevelopment Project Area. In addition, notice shall be mailed by certified mail not less than ten (10) days prior to the date set for the hearing, addressed 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. In the event taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding three (3) years as the owners of such property. Each mailed notice shall include a copy of the proposed Redevelopment Plan and Project.

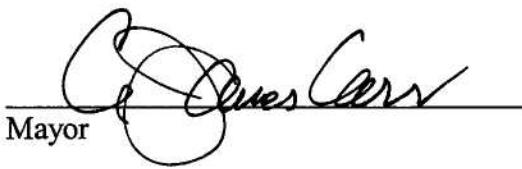
Section 4. Notice shall also be given by certified mail to all taxing districts in which taxable property is included in the Redevelopment Project Area and to the Illinois Department of Commerce and Community Affairs not less than forty-five (45) days prior to the hearing, and such notice shall also include an invitation to each taxing district and the Illinois Department of Commerce and Community Affairs to submit written comments prior to the date of the hearing to the City, to the attention of the City Clerk, 303 W. Wesley, Wheaton, Illinois 60187, concerning the subject matter of the hearing. Each mailed notice shall include a copy of the proposed Redevelopment Plan and Project and shall also advise the taxing bodies represented on the joint review board of the time and place of the first meeting of such board.

Section 5. A draft of the proposed Redevelopment Plan and Project relating to the proposed Redevelopment Project Area is on file at the offices of the City and is available for public inspection.

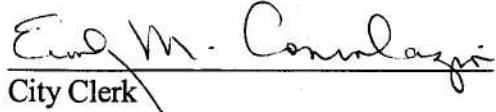
Section 6. The joint review board as set forth in the Act is hereby convened and the board shall meet, review such documents, and issue such report as set forth in the Act. The first meeting of the joint review board shall be held at 10:00A.M. on the 6th day of December, 2004, at City Hall, 303 W. Wesley Street, Wheaton, Illinois 60187.

Ord. F-0982

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

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Ayes:

Roll Call Vote

Councilman Johnson  
Mayor Carr  
Councilwoman Johnson  
Councilman Mork  
Councilman Mouhelis  
Councilman Bolds  
Councilwoman Corry

Nays: None

Absent: None

Motion Carried Unanimously

Passed: November 15, 2004  
Published: November 16, 2004

Orl. F-0982

EXHIBIT "A"

PARCEL 1: ALL THAT PROPERTY DESCRIBED AS THE COURTHOUSE BLOCK IN WARREN L. WHEATON'S 2<sup>ND</sup> ADDITION TO WHEATON IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 1869 AS DOCUMENT NO. 11488, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2: LOT 1 IN BURCKAL'S ASSESSMENT PLAT OR PART OF BLOCK 1 IN WARREN L. WHEATON'S SECOND ADDITION TO WHEATON, BEING A SUBDIVISION IN THE WEST  $\frac{1}{2}$  OF THE SOUTHEAST  $\frac{1}{4}$  AND THE EAST  $\frac{1}{2}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID BURCKAL'S ASSESSMENT PLAT RECORDED MARCH 4, 1933 AS DOCUMENT 334382, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: ALL THAT PART OF BLOCK 2 LYING EAST OF A STRAIGHT LINE DRAWN ACROSS SAID BLOCK AT A RIGHT ANGLE WITH THE SOUTH LINE THEREOF THROUGH A POINT ON SAID SOUTH LINE, THAT IS 77.2 FEET WEST, MEASURED ON SAID SOUTH LINE, OF THE SOUTHEAST CORNER OF SAID BLOCK 2 AND LYING SOUTHERLY OF THE PREMISES CONVEYED TO THE AURORA, ELGIN AND CHICAGO RAILWAY COMPANY BY DEED RECORDED APRIL 20, 1901 AS DOCUMENT 73859, IN WARREN L. WHEATON'S SECOND ADDITION TO WHEATON, A SUBDIVISION OF PART OF THE SOUTHEAST  $\frac{1}{4}$  AND PART OF THE EAST  $\frac{1}{2}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 1869 AS DOCUMENT 11488, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-16-318-001, 05-16-319-001 AND 002, 05-16-312-002

AND

LOTS 1, 2, 3, 4, AND 5 AND LOTS 9, 10, 11, 12, 13 AND 14, EXCEPT FOR THE SOUTH 15 FEET OF LOT 9 IN EGGER'S RESUBDIVISION, BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN DUPAGE COUNTY, ILLINOIS.

P.I.N'S 05-16-320-001 THRU 007 AND 05-16-320-009 THRU 011 AND 05-16-320-013 AND 014 AND  
05-16-320-018 THRU 026

AND

ALL OF BLOCKS 2 AND LOTS 1 THROUGH 5 IN BLOCK #3 IN WARREN L. WHEATON'S SECOND ADDITION TO WHEATON, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED IN DUPAGE COUNTY, ILLINOIS ON APRIL 28, 1869 AS DOCUMENT NO. 11488.

05-16-312-001 and 002  
05-16-317-001 and 002

## EXHIBIT "B"

NOTICE OF PUBLIC HEARING  
CITY OF WHEATON COURTHOUSE REDEVELOPMENT PROJECT AREA

NOTICE is hereby given that the City Council of the City of Wheaton, DuPage County, Illinois, will conduct a hearing on January 10, 2005, at 7:00 P.M., at City Hall, 303 W. Wesley Street, Wheaton, Illinois, to consider the approval of a Redevelopment Plan (the "Redevelopment Plan") and Project (the "Project") for and the designation of a redevelopment project area to be called the City of Wheaton Courthouse Redevelopment Project Area (the "Redevelopment Project Area") and the adoption of tax increment allocation financing therefor. The Redevelopment Project Area consists of a territory legally described on Exhibit "A" attached hereto and made a part hereof.

The approximate street location and description of the Redevelopment Project Area is as follows:

Generally bounded by the Union Pacific Railroad right-of-way on the north, Washington Street on the east, Willow Avenue on the south and Cross Street on the west.

There will be considered at the hearing the proposed Redevelopment Plan and Project for the Redevelopment Project Area. The Redevelopment Plan and Project is on file and available for public inspection at the office of the City Clerk at 303 W. Wesley, Wheaton, Illinois 60187. The proposed Redevelopment Plan and Project includes, among other matters, the acquisition and conveyance of land in the Redevelopment Project Area, demolition, clearance, and related site preparation activities, the construction, acquisition, and installation of certain public works and improvements, rehabilitation, reconstruction or repair and remodeling of existing public or private buildings, and related costs and expenses, all as provided in the Tax Increment Allocation Redevelopment Act, as supplemented and amended.

Prior to the date of the hearing, each taxing district having property in the proposed Redevelopment Project Area and the Illinois Department of Commerce and Community Affairs may submit written comments to the City, to the attention of the City Clerk, 303 W. Wesley, Wheaton, Illinois 60187.

There is hereby convened a joint review board consisting of a representative from DuPage County, College of DuPage-Community College District 502, Wheaton Warrenville-Community Unit School District 200, Wheaton Park District, Milton Township, a representative selected by the City, and a public member. The first meeting of such joint review board will be held at 10 o'clock A.M. on the 6<sup>th</sup> day of December, 2004, at City Hall, 303 W. Wesley Street, Wheaton, Illinois 60187.

At the hearing, all interested persons or affected taxing districts may file written objections with the City Clerk and may be heard orally with respect to any issue regarding the approval of the Redevelopment Plan and Project, the designation of the Redevelopment Project Area and the adoption of tax increment allocation financing therefor. The hearing may be adjourned by the City

Council of the City without further notice other than a motion to be entered upon the minutes of the hearing fixing the time and place of the subsequent hearing.

By:\_\_\_\_\_

Emily M. Consolazio  
City Clerk  
City of Wheaton  
DuPage County, Illinois

## EXHIBIT "A"

PARCEL 1: ALL THAT PROPERTY DESCRIBED AS THE COURTHOUSE BLOCK IN WARREN L. WHEATON'S 2<sup>ND</sup> ADDITION TO WHEATON IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 1869 AS DOCUMENT NO. 11488, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2: LOT 1 IN BURCKAL'S ASSESSMENT PLAT OR PART OF BLOCK 1 IN WARREN L. WHEATON'S SECOND ADDITION TO WHEATON, BEING A SUBDIVISION IN THE WEST ½ OF THE SOUTHEAST ¼ AND THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID BURCKAL'S ASSESSMENT PLAT RECORDED MARCH 4, 1933 AS DOCUMENT 334382, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: ALL THAT PART OF BLOCK 2 LYING EAST OF A STRAIGHT LINE DRAWN ACROSS SAID BLOCK AT A RIGHT ANGLE WITH THE SOUTH LINE THEREOF THROUGH A POINT ON SAID SOUTH LINE, THAT IS 77.2 FEET WEST, MEASURED ON SAID SOUTH LINE, OF THE SOUTHEAST CORNER OF SAID BLOCK 2 AND LYING SOUTHERLY OF THE PREMISES CONVEYED TO THE AURORA, ELGIN AND CHICAGO RAILWAY COMPANY BY DEED RECORDED APRIL 20, 1901 AS DOCUMENT 73859, IN WARREN L. WHEATON'S SECOND ADDITION TO WHEATON, A SUBDIVISION OF PART OF THE SOUTHEAST ¼ AND PART OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 1869 AS DOCUMENT 11488, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-16-318-001, 05-16-319-001 AND 002, 05-16-312-002

AND

LOTS 1, 2, 3, 4, AND 5 AND LOTS 9, 10, 11, 12, 13 AND 14, EXCEPT FOR THE SOUTH 15 FEET OF LOT 9 IN EGGER'S RESUBDIVISION, BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN DUPAGE COUNTY, ILLINOIS.

P.I.N'S 05-16-320-001 THRU 007 AND 05-16-320-009 THRU 011 AND 05-16-320-013 AND 014 AND  
05-16-320-018 THRU 026

AND

ALL OF BLOCKS 2 AND LOTS 1 THROUGH 5 IN BLOCK #3 IN WARREN L. WHEATON'S SECOND ADDITION TO WHEATON, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED IN DUPAGE COUNTY, ILLINOIS ON APRIL 28, 1869 AS DOCUMENT NO. 11488.

05-16-312-001 and 002  
05-16-317-001 and 002