

ORDINANCE NO. F- 1889

AN ORDINANCE REGARDING CERTAIN SECOND AMENDMENTS TO THE  
REDEVELOPMENT PLAN AND PROJECT FOR THE DOWNTOWN WHEATON  
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 corporate authorities (the “Corporate Authorities”) of the City have heretofore determined that it is necessary and advisable for the public health, safety, welfare and convenience of residents of the City that the City undertake a redevelopment project and have heretofore approved a redevelopment plan and project (the “Plan”), designated a redevelopment project area (the “Area”) for that portion of the City known as the Downtown Wheaton Redevelopment Project Area, legally described on Exhibit “A” attached hereto, and adopted tax increment allocation financing for the Area, all as authorized by the Act; and

WHEREAS, on October 2, 2006, pursuant to the Act and Ordinance No. F-1208, the corporate authorities of the City of Wheaton approved an Amendment to the Downtown Wheaton Redevelopment Project Report, dated October 2, 2006 (the “First Amendment”).

WHEREAS, the Corporate Authorities are considering adoption of Second Amendments to the Plan (the “Second Amendment”); and

WHEREAS, the Act requires the City to conduct a public hearing prior to the passage of an ordinance approving the Second Amendments, 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 such Second Amendment; 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 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 a public hearing for those purposes specified in the Act shall be held by the City Council of the City at 7:00 P.M. on the 30<sup>th</sup> day of November, 2015 at City Hall, 303 W. Wesley Street, Wheaton, Illinois 60187, to consider the proposed Second Amendments to the Downtown Wheaton Redevelopment Report and Project.

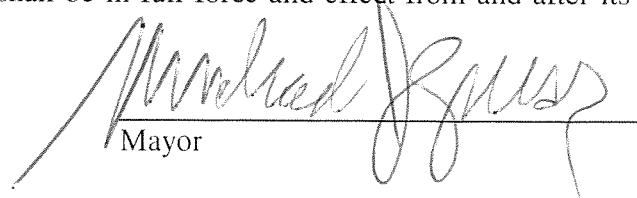
Section 2. Notice of the hearing, substantially in the form attached hereto as Exhibit "B", shall be published at least twice, the first publication to be not more than thirty (30) nor less than ten (10) days prior to the hearing, in a newspaper of general circulation within the taxing districts having property in the 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 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. In addition, notice shall be mailed to each residential address located within the Area.

Section 3. Notice shall also be given by certified mail to all taxing districts in which taxable property is included in the Area and to the Illinois Department of Commerce and Economic Opportunity 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 Economic Opportunity 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 advise the taxing bodies represented on the joint review board of the time and place of the first meeting of such board.

Section 4. A draft of the Second Amendment is on file at the offices of the City and is available for public inspection.

Section 5. The joint review board is hereby convened and shall meet to consider the proposed Second Amendment to the Plan and issue its report as required by the Act. A meeting of the joint review board shall be held at 10:00 A.M. on the 28<sup>th</sup> day of October, 2015, at City Hall, 303 W. Wesley Street, Wheaton, Illinois 60187.

Section 6. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.



Michael R. Gresk  
Mayor

ATTEST:



Alan Bennett Hagan  
City Clerk

ROLL CALL VOTE:

Ayes: Councilwoman Fitch  
Councilman Prendiville  
Councilman Rutledge  
Mayor Pro Tem Suess  
Councilman Saline

Nays: None

Absent: Mayor Gresk  
Councilman Scalzo

MOTION CARRIED UNANIMOUSLY

Passed: October 5, 2015

Published: October 6, 2015

## EXHIBIT "A"

### LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR THE TAX INCREMENT FINANCING DISTRICT IN SECTIONS 16 AND 17, TOWNSHIP 39 NORTH RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF THE WESLEY STREET RIGHT-OF-WAY WITH THE NORTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY, IN THE NORTHEAST QUARTER OF SAID SECTION 17,

THENCE EASTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF WESLEY STREET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF THE EAST 186 FEET OF LOT 4 OF COUNTY CLERKS ASSESSMENT DIVISION OF LOT 4, IN THE SOUTHEAST QUARTER OF SAID SECTION 17,

THENCE SOUTHERLY ALONG THE NORTHERLY EXTENSION OF SAID WEST LINE OF THE EAST 186 FEET OF SAID LOT 4, TO THE NORTHERLY RIGHT-OF-WAY LINE OF FRONT STREET,

THENCE SOUTHEASTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF FRONT STREET TO THE SOUTHEASTERLY CORNER OF LOT 15 IN A.T. MACINTOSH & COMPANY'S FRONT STREET ADDITION BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SAID SECTION 17,

THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 15 TO THE NORTHEAST CORNER THEREOF SAID POINT BEING ALONG THE SOUTHERLY LINE OF LOT 3 IN SAID A.T. MACINTOSH & COMPANY'S FRONT STREET ADDITION,

THENCE EASTERLY ALONG THE SOUTHERLY LINE OF LOTS 3, 2, AND 1 AND THE EXTENSION THEREOF IN SAID SUBDIVISION TO THE WEST RIGHT-OF-WAY LINE OF GARY AVENUE,

THENCE NORTHERLY ALONG THE WEST RIGHT-OF-WAY LINE OF GARY AVENUE TO THE NORTH RIGHT-OF-WAY LINE OF WESLEY STREET,

THENCE EASTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF WESLEY STREET TO THE WEST RIGHT-OF-WAY LINE OF WEST STREET,

THENCE NORTHERLY ALONG THE WEST RIGHT-OF-WAY LINE OF WEST STREET TO THE NORTH RIGHT-OF-WAY LINE OF SEMINARY AVENUE,

THENCE EASTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF SEMINARY AVENUE TO THE EAST RIGHT-OF-WAY LINE OF WHEATON AVENUE,

THENCE SOUTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF WHEATON AVENUE TO THE NORTH RIGHT-OF-WAY LINE OF WESLEY STREET, THENCE EASTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF WESLEY STREET TO THE NORTHERLY EXTENSION OF THE WESTERLY LINE OF LOTS 1, 9, AND 10 IN BLOCK 8 OF THE ORIGINAL TOWN OF WHEATON,

THENCE SOUTHERLY ALONG THE EXTENSION OF SAID WESTERLY LINE OF LOTS 1, 9, AND 10 IN BLOCK 8 TO THE SOUTHWESTERLY CORNER OF LOT 10 IN SAID BLOCK 8 OF THE ORIGINAL TOWN OF WHEATON,

THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 10 TO THE WEST RIGHT-OF-WAY LINE OF HALE STREET,

THENCE SOUTHERLY ALONG THE WEST RIGHT-OF-WAY LINE OF HALE STREET TO THE NORTH RIGHT-OF-WAY LINE OF FRONT STREET,

THENCE WESTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF FRONT STREET TO THE NORTHERLY EXTENSION OF A LINE THAT IS 10.5 FEET WEST OF THE WEST LINE OF LOT 2 IN THE COUNTY CLERKS ASSESSMENT DIVISION IN THE SOUTH HALF AND THE SOUTH HALF OF THE NORTH HALF OF SAID SECTION 16,

THENCE SOUTHERLY ALONG THE EXTENSION OF SAID LINE THAT IS 10.5 FEET WEST OF THE WEST LINE OF SAID LOT 2 TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY,

THENCE EASTERLY AND NORTHEASTERLY ALONG SAID NORTH RAILROAD RIGHT-OF-WAY LINE TO A POINT THAT IS 395 FEET WEST OF THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 16, AS MEASURED ALONG THE CENTER LINE OF SAID RAILROAD RIGHT-OF-WAY,

THENCE SOUTHERLY 100 FEET PARALLEL WITH SAID QUARTER SECTION LINE TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY,

THENCE SOUTHWESTERLY AND WESTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY TO ITS INTERSECTION WITH THE EASTERNLY RIGHT-OF-WAY LINE OF WHEATON AVENUE,

THENCE SOUTHERLY ALONG SAID EASTERNLY RIGHT-OF-WAY LINE OF WHEATON AVENUE, TO THE SOUTHERLY

THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF WHEATON AVENUE, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WILLOW STREET,

THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF WILLOW STREET TO THE WESTERLY RIGHT-OF-WAY LINE OF WEST STREET,

THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF WEST STREET TO A POINT 305.2 FEET NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF CHILDS STREET,

THENCE WESTERLY 165.0 FEET, THENCE NORTHERLY 139.3 FEET, THENCE EASTERLY 165.0 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID WEST STREET,

THENCE NORTHERLY TO THE SOUTHERLY RIGHT-OF-WAY LINE OF LIBERTY DRIVE,

THENCE SOUTH 89 DEGREES, 30 MINUTES WEST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID LIBERTY DRIVE 256 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY LINE,

THENCE SOUTH 82 DEGREES, 59 MINUTES WEST 200 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY LINE,

THENCE SOUTH 89 DEGREES, 53 MINUTES WEST 780.27 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF CARLTON AVENUE,

THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF CARLTON AVENUE TO THE NORTHERLY RIGHT-OF-WAY LINE OF CHILDS STREET,

THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF CHILDS STREET TO THE WESTERLY RIGHT-OF-WAY LINE OF CARLTON AVENUE,

THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF CARLTON AVENUE 200.1 FEET TO A JOG IN SAID RIGHT-OF-WAY LINE,

THENCE WESTERLY 4.6 FEET TO THE CONTINUATION OF THE WESTERLY RIGHT-OF-WAY LINE OF CARLTON AVENUE,

THENCE NORTHERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CARLTON AVENUE TO THE NORTHERLY RIGHT-OF-WAY LINE OF LIBERTY DRIVE, SAID POINT ALSO BEING THE SOUTH-EASTERLY CORNER OF LOT 5 IN THE SOUTH RAILROAD STREET SUBDIVISION,

THENCE NORTHERLY AND NORTHWESTERLY ALONG THE WESTERN RIGHT-OF-WAY LINE OF THE OLD CHICAGO AURORA AND ELGIN RAILROAD RIGHT-OF-WAY, BEING THE EASTERLY LINE OF SAID SOUTH RAILROAD STREET SUBDIVISION TO ITS INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY,

THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY TO ITS INTERSECTION WITH THE CENTERLINE OF BRIDGE STREET EXTENDED NORTHERLY,

THENCE SOUTHERLY ALONG THE EXTENSION OF SAID CENTERLINE OF BRIDGE STREET TO THE SOUTHERLY RIGHT-OF-WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF MANCHESTER ROAD,

THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY OF SAID CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY TO ITS INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17,

THENCE EASTERLY ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 TO THE NORTH RIGHT-OF-WAY LINE OF SAID CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY,

THENCE NORTHWESTERLY ALONG SAID NORTH RAILROAD RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, ALL BEING IN SECTIONS 16 AND 17, TOWNSHIP 39 NORTH RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF WHEATON, DU PAGE COUNTY, ILLINOIS.



0516131020	0516300018	0516340008	0516340054	0516340100
0516137001	0516300019	0516340009	0516340055	0516340101
0516137002	0516300020	0516340010	0516340056	0516340102
0516137003	0516300020	0516340011	0516340057	0516340103
0516137004	0516301025	0516340012	0516340058	0516505001
0516137005	0516301026	0516340013	0516340059	0517404001
0516137006	0516301031	0516340014	0516340060	0517404002
0516137007	0516301032	0516340015	0516340061	0517404003
0516137008	0516301033	0516340016	0516340062	0517404004
0516137009	0516301034	0516340017	0516340063	0517404005
0516137010	0516301035	0516340018	0516340064	0517405002
0516137011	0516301041	0516340019	0516340065	0517407001
0516137012	0516301042	0516340020	0516340066	0517407002
0516137013	0516301043	0516340021	0516340067	0517407005
0516137014	0516301055	0516340022	0516340068	0517408002
0516137015	0516301056	0516340023	0516340069	0517411006
0516137016	0516301057	0516340024	0516340070	0517411018
0516137017	0516301058	0516340025	0516340071	0517431001
0516137018	0516301059	0516340026	0516340072	0517431002
0516137019	0516301060	0516340027	0516340073	0517431003
0516137020	0516301061	0516340028	0516340074	0517431004
0516137021	0516301062	0516340029	0516340075	0517431005
0516137022	0516301063	0516340030	0516340076	0517431006
0516137023	0516306003	0516340031	0516340077	0517431007
0516137024	0516306004	0516340032	0516340078	0517431008
0516137025	0516306005	0516340033	0516340079	0517431009
0516137026	0516307001	0516340034	0516340080	0517431010
0516137027	0516307002	0516340035	0516340081	0517431011
0516137028	0516307003	0516340036	0516340082	0517431012
0516137029	0516307004	0516340037	0516340083	0517431013
0516137030	0516309001	0516340038	0516340084	0517431014
0516137031	0516313001	0516340039	0516340085	0517431015
0516137032	0516313005	0516340040	0516340086	0517431016
0516137033	0516313009	0516340041	0516340087	0517431017
0516300001	0516313010	0516340042	0516340088	0517431018
0516300002	0516313011	0516340043	0516340089	0517431019
0516300003	0516313013	0516340044	0516340090	0517431020
0516300004	0516313015	0516340045	0516340091	0517431021
0516300005	0516313016	0516340046	0516340092	0517431022
0516300006	0516340001	0516340047	0516340093	0517431023
0516300007	0516340002	0516340048	0516340094	0517431024
0516300008	0516340003	0516340049	0516340095	0517431025
0516300009	0516340004	0516340050	0516340096	0517431026
0516300012	0516340005	0516340051	0516340097	0517431027
0516300016	0516340006	0516340052	0516340098	0517431028
0516300017	0516340007	0516340053	0516340099	0517431029

0517431030 0517431076  
0517431031 0517431077  
0517431032 0517431078  
0517431033 0517431079  
0517431034 0517431080  
0517431035 0517431081  
0517431036 0517431082  
0517431037 0517431083  
0517431038 0517431084  
0517431039 0517431085  
0517431040 0517431086  
0517431041 0517431087  
0517431042 0517431088  
0517431043 0517431089  
0517431044 0517431090  
0517431045 0517431091  
0517431046 0517431092  
0517431047 0517431093  
0517431048 0517431094  
0517431049 0517431095  
0517431050 0517431096  
0517431051 0517431097  
0517431052 0517431098  
0517431053 0517431099  
0517431054 0517431100  
0517431055 0517431101  
0517431056 0517431102  
0517431057 0517431103  
0517431058 0517431104  
0517431059 0517431105  
0517431060 0517431106  
0517431061 0517431107  
0517431062 0517431108  
0517431063 0517431109  
0517431064 0517431110  
0517431065 0517505005  
0517431066 0517505006  
0517431067  
0517431068  
0517431069  
0517431070  
0517431071  
0517431072  
0517431073  
0517431074  
0517431075

EXHIBIT "B"

NOTICE OF PUBLIC HEARING  
SECOND AMENDMENT DOWNTOWN WHEATON REDEVELOPMENT PROJECT AREA

NOTICE is hereby given as follows: The City of Wheaton (the "City") has previously designated the Downtown Wheaton Redevelopment Project Area (the "Area") as a redevelopment project area pursuant to the Tax Increment Allocation Redevelopment Act, as amended (the "Act") and has approved a redevelopment plan and project (the "Plan") for the Area. Pursuant to the Act and Ordinance No. F-1208, on October 2, 2006, the City approved an Amendment to the Downtown Wheaton Redevelopment Project Report (the "First Amendment").

The City is now considering the approval of second amendments to the Plan (the "Second Amendment") and, pursuant to the Act, will conduct a hearing on November 30, 2015, at 7:00 P.M., at City Hall, 303 W. Wesley Street, Wheaton, Illinois, regarding the approval of the Second Amendment. The 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 Area is as follows:

Generally bounded by Seminary Street on the north, Willow Street on the south, Gary Avenue on the west and Hale Street on the east. A map of the Area is included in the Plan and is on file in the office of the City Clerk.

There will be considered at the hearing the proposed Second Amendment for the Area. The proposed Second Amendment is on file and available for public inspection at the office of the City Clerk at 303 W. Wesley, Wheaton, Illinois 60187. The proposed Second Amendment includes the provisions set forth in the Plan, with certain Second Amendments regarding the budget and other matters.

Prior to the date of the hearing, each taxing district having property in the Area and the Illinois Department of Commerce and Economic Opportunity may submit written comments concerning the subject matter of the hearing 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 meeting of the joint review board will be held at 10:00 A.M. on October 28, 2015, 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 Second Amendment. 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:   
Sharon Barrett-Hagen  
City Clerk  
City of Wheaton  
DuPage County, Illinois

