

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING
AND DESIGNATING THE REGENCY
PARK BUSINESS DISTRICT AND
APPROVING THE REGENCY PARK
BUSINESS DISTRICT PLAN WITHIN
THE CITY OF O’FALLON, ILLINOIS**

WHEREAS, the City of O’Fallon, St. Clair County, Illinois (the **“Municipality”**), is authorized under and pursuant to Division 74.3 (Business District Development and Redevelopment) of Article 11 (Public Health, Safety and Welfare) of the Illinois Municipal Code, Section 5/11-74.3-1 *et seq.* of Chapter 65 of the Illinois Compiled Statutes (as supplemented and amended, the **“Business District Act”**) to establish a business district to be named the **“Regency Park Business District”** (the **“Business District”**) and adopt and approve the related **“Regency Park Business District Plan”** (the **“Business District Plan”**); and

WHEREAS, the Municipality is interested in assisting in the financing of certain public and private improvements, infrastructure and facilities (i.e., **(i)** site preparation; **(ii)** infrastructure; **(iii)** debt retirement on existing infrastructure; **(iv)** parking and landscape enhancement; and **(v)** related facilities, improvements and costs, constituting, collectively, the **“Business District Project Costs”**) within the Business District; and

WHEREAS, the Business District is compact and contiguous and is totally within the corporate limits of the Municipality, and it is in the public interest to establish the Business District as a business district under the Act for the purposes herein set forth; and

WHEREAS, on November 19, 2009, notice of public hearings to consider the establishment of the Regency Park Business District and adoption of the Regency Park Business District Plan (the **“Public Hearings”**) was published in the *Belleville News Democrat*; and

WHEREAS, the Municipality conducted the Public Hearings on November 30, 2009 and December 1, 2009.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF O’FALLON, ST. CLAIR COUNTY, ILLINOIS, as follows:

Section 1. The Municipality hereby designates the real estate described in the attached Exhibit A, “**Boundary Description, Regency Park Business District of the City of O’Fallon, St. Clair County, Illinois**” as a business district under the Business District Act (65 ILCS 5/11-74.3-1 *et seq.*, as supplemented and amended), and as the Business District hereunder.

Section 2. Under the Business District Act, the Municipality hereby adopts and approves the Regency Park Business District Plan for the Regency Park Business District.

Section 3. The Regency Park Business District Plan shall be in the form presented to the Municipality’s corporate authorities at the time this ordinance is adopted. The Regency Park Business District Plan as so adopted and approved shall be on file with the City Clerk’s records with this ordinance (but any failure to so file it shall not abrogate, diminish or impair its effect).

Section 4. Obligations payable from and/or secured by revenues derived from the Business District may be issued for financing Business District Project Costs.

Section 5. The City Clerk shall file a certified copy of this ordinance with the County Clerk of St. Clair County, Illinois.

Section 6. The Mayor, the City Clerk, the City Treasurer, the City Attorney and other officials, consultants, employees and attorneys of the Municipality are hereby authorized and directed on behalf of the Municipality to do such things as may be necessary or desirable to carry out the transactions contemplated by and to give full effect to this ordinance without further act or deed on the part of the Municipality’s corporate authorities.

Section 7. If any portion of this ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect the remaining portions of this resolution.

Section 8. Pursuant to Section 1-2-4 of the Illinois Municipal Code, this ordinance shall be in full force and effect immediately upon its passage and approval.

Upon motion by Councilman _____, seconded by Councilman _____, adopted this ____ day of _____ 2009 by roll call vote, as follows.

ROLL CALL:	Grogan	McCoskey	True	Polites	Mouser	Reckamp	Drolet, J.	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Cozad	Bennett	Renner	Drolet, N.	Engler	Albrecht	Cozad	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									

Approved this _____ day of _____ 2009.

(SEAL)

Mayor, City of O'Fallon, St. Clair County, Illinois

Attest:

City Clerk, City of O'Fallon
St. Clair County, Illinois

Recorded in the Municipality's Records on _____, 2009.

EXHIBIT A

**Boundary Description
Regency Park Business District of the
City of O'Fallon, St. Clair County, Illinois**

Beginning at a point in the east right-of-way line of Interstate 64 where the south edge of the Carr Street right-of-way intersects with Regency Park Drive; thence continuing southeasterly along the I-64 right-of-way to a point approximately 400 feet west of the Green Mount Road right-of-way, said point also being the southwest corner of the parcel identified as 03-36.0-203-013; thence continuing northerly approximately 320 feet along the west line of said parcel to its northwestern corner; thence easterly a distance of 245 feet to the southwest corner of the parcel identified as 03-36.0-203-011; thence northerly along the west line of the aforementioned parcel a distance of 285 feet to its northwest corner, which is also the south line of the Regency Park Drive right-of-way; thence east along the south line of the Regency Park Drive right-of-way a distance of 360 feet to a point in the east line of the Green Mount Road right-of-way; thence northerly a distance of approximately 2,055 feet along the east line of the Green Mount Road right-of-way to the north line of its intersection with the Cambridge Boulevard right-of-way; thence west along a westerly extension of the north line of the Cambridge Boulevard right-of-way a distance of 2,700 feet to the I-64 right-of-way, which is also the point of beginning for this description.