

**ORDINANCE APPROVING TAX INCREMENT REDEVELOPMENT
PLAN AND REDEVELOPMENT PROJECT, TAX INCREMENT AREA**

WHEREAS, the City of O'Fallon, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4, as amended, hereinafter referred to as the "Act" for the proposed Redevelopment Plan and Redevelopment Project, Tax Increment Area, within the municipal boundaries of the City of O'Fallon and within the Redevelopment Project Area as described in Section 1(a) of this Ordinance, which constitutes in the aggregate more than 1-1/2 acres; and

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WHEREAS, pursuant to Section 11-74.4-5 of the Act, the City Council caused a public hearing to be held relative to the Redevelopment Plan and Redevelopment Project and a designation of a Redevelopment Project Area on May 1, 1995 in the Council Chambers, City of O'Fallon; and

WHEREAS, due notice in respect to such hearing was given pursuant to Section 11-74.4-5 and 11-74.4-6 of the Act, said notice being given to taxing districts and to the State of Illinois by certified mail on March 14, 1995 by publication on 04/04/95 and 04/11/95, and by certified mail to taxpayers on 04/20/95; and

WHEREAS, the Redevelopment Plan and Project set forth the factors constituting the need for public and private actions to correct the area's problems and facilitate private investment in the proposed redevelopment area, and the City Council has reviewed testimony concerning such need presented at the public hearing and has reviewed other studies and is generally informed of the conditions in the proposed Redevelopment Project Area; and

WHEREAS, the City Council has reviewed the conditions pertaining to lack of private investment in the proposed Redevelopment Project Area to determine whether private development would take place in the proposed Area as a whole without the adoption of the proposed Redevelopment Plan; and

WHEREAS, the City Council has reviewed the conditions pertaining to real property in the proposed Redevelopment Project Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Redevelopment Project Area would be substantially benefitted by the proposed redevelopment project improvements; and

WHEREAS, the City Council has reviewed its proposed Redevelopment Plan and Project and Comprehensive Plan for the development of the municipality as a whole to determine whether the proposed Redevelopment Plan and Project conform to the Comprehensive Plan of the City; and

WHEREAS, the City Council has reviewed the proposed Redevelopment Plan and Project and reviewed comments made at the public hearing on 05/01/95.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF O'Fallon, **ILLINOIS**, that:

1. The City Council of the City of O'Fallon hereby makes the following findings:
 - a. The area constituting the proposed Redevelopment Project Area, Tax Increment Area, in the City of O'Fallon, Illinois is described as follows:

(See Exhibit I to Attachment A)
 - b. There exist conditions which cause the area to be designated as a Redevelopment Project Area to be classified as a _____ as defined in Section 11-74.4-1 (a) of the Act.
 - c. The proposed Redevelopment Project Area on the whole has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Redevelopment Plan.
 - d. The Redevelopment Plan and Redevelopment Project conform to the Comprehensive Plan for the development of the municipality as a whole.
 - e. The parcels of real property in the proposed Redevelopment Project Area are contiguous, and only those contiguous parcels of real property and improvements thereon which will be substantially benefitted by the proposed redevelopment project improvement are included in the proposed Redevelopment Project Area.
 - f. The estimated date for final completion of the Redevelopment Project is not later than twenty-three (23) years from the effective date of this Ordinance.

- g. The estimated date for retirement of obligations incurred to finance the Redevelopment Project costs shall be not later than twenty-three (23) years from the effective date of this Ordinance.
2. The Redevelopment Plan and Redevelopment Project which were the subject matter of the hearing held 05/01/95 are hereby adopted and approved. A copy of the Tax Increment Redevelopment Plan, Tax Increment Area, marked Attachment A is attached hereto and made a part of this ordinance.
 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.
 4. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.
 5. The City Clerk shall cause a copy of this Ordinance to be filed with the St. Clair County Clerk.

Presented, passed and approved this 19th day of June, 1995.

Mayor

Aldersperson <u>Karras</u> _____:	<u>Aye</u> _____
Aldersperson <u>Rogers</u> _____:	<u>Aye</u> _____
Aldersperson <u>Graham</u> _____:	<u>Aye</u> _____
Aldersperson <u>Lambert</u> _____:	<u>Aye</u> _____
Aldersperson <u>Grogan</u> _____:	<u>Aye</u> _____
Aldersperson <u>Monken</u> _____:	<u>Aye</u> _____
Aldersperson <u>Braswell</u> _____:	<u>Naye</u> _____
Aldersperson <u>Cozort</u> _____:	<u>Naye</u> _____
Aldersperson <u>Reckamp</u> _____:	<u>Naye</u> _____
Aldersperson <u>Bennett</u> _____:	<u>Absent</u> _____

Robert B. Bryant
_____, Mayor

ATTEST:

Benjamin Hamm
_____, City Clerk

STATE OF MISSOURI
ST. CLAIR COUNTY
95 JUL 24 AM 10:25
BOOK 3040 PAGE 366
MICHAEL T. BRYANT
RECORDER

SHERBUT - CARSON & ASSOCIATES, P.C.
CIVIL ENGINEERS - LAND SURVEYORS
LAND DEVELOPMENT CONSULTANTS

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David B. Claxton, E.I.T., S.I.T.
Gary W. Graminski, S.I.T.

Land Description for the City of O'Fallon
T.I.F. Boundary

Part of Sections 27, 28, 33 and 34, Township 2 North, Range 7 West of the Third Principal Meridian and part of Sections 3 and 4, Township 1 North, Range 7 West of the Third Principal Meridian, all in St. Clair County, Illinois, and being more particularly described as follows:

Beginning at the northwest corner of Lot 13B of the Northeast Quarter of Section 4, Township 1 North, Range 7 West of the Third Principal Meridian; thence South along the west line of Lot 13B to the southeast corner of Lot 14A; thence West along the south line of Lot 14A, a distance of 375.92 feet to a point 160 feet east of the southwest corner of Lot 14A; thence South along the west line of a tract described in Deed Book 1624 on Page 136, a distance of 129.8 feet; thence East, along the south line of said tract, a distance of 508.6 feet; thence South, 207 feet; thence East to the west line of Lot 3A of the Northeast Quarter of Section 4, Township 1 North, Range 7 West of the Third Principal Meridian; thence South along the west line of Lot 3A to the southerly right of way line of Wherry Housing Road; thence East along said southerly right of way line to a point on the southerly prolongation of the east line of Lot 10A of the Northwest Quarter of Section 3, Township 1 North, Range 7 West of the Third Principal Meridian; thence North along said east line to the northeast corner of said Lot 10A; thence West along the south line of Lot 11 of the Northwest Quarter of Section 3 to the easterly right of way line of Old Illinois Route 158; thence North along said right of way line to the south line of Lot 1 of the Northwest Quarter of Section 3; thence East along the south line of Lot 1 to the southeast corner of Lot 1; thence North along the east line of Lot 1 to the south line of the Southwest Quarter of Section 34, Township 2 North, Range 7 West of the Third Principal Meridian; thence East along said south line to the southeast corner of Lot 8 of the Southwest Quarter of Section 34; thence North along the east line of Lot 8 to the northeast corner of Lot 8; thence West along the north line of Lot 8 to the northerly right of way line of F.A.I. Route 64; thence Northwesterly along said right of way line to the west line of Lot 13 of the Southwest Quarter of Section 34; thence North along the west line of Lot 13 to the northwest corner of said Lot 13; thence West along the south line of the Northwest Quarter of Section 34 to the easterly right of way line of Illinois Route 158 (F.A.P. Route 55); thence Northeasterly along said right of way line to the east line of Lot 3 in the Northwest

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Quarter of Section 34; thence North along said east line to the northeast corner of Lot 3; thence West along the north line of Lot 3 to the westerly right of way line of said Illinois Route 158; thence North along said right of way line to the easterly prolongation of a 0.91 acre tract at the southwest corner of the intersection of Illinois Route 158 and U.S. Route 50; thence West along the south line of said 0.91 acre tract to the southwest corner of said 0.91 acre tract; thence North along the west line of said 0.91 acre tract to the southerly right of way line of U.S. Route 50; thence Northeasterly along the southerly right of way line of U.S. Route 50 to the southerly prolongation of the east line of a 2.74 acre tract; thence North along the east line of said 2.74 acre tract to the northeast corner of said tract; thence Southwesterly along the northerly line of said tract to the east right of way line of County Highway 61; thence North along said east right of way line to the southerly right of way line of the B & O Railroad; thence Southwesterly along said right of way line to the west right of way line of said County Highway 61; thence South along said right of way line to the north line of Lot 21A of the Southeast Quarter of Section 28, Township 2 North, Range 7 West of the Third Principal Meridian; thence West along the north line of Lot 21A to the northwest corner of said Lot 21A; thence in a Southwesterly direction along a line being the southerly line of a 15.0 acre tract in the Southeast Quarter of Section 28 to a concrete monument at the northwest corner of a tract described in Deed Book 2930 on Page 1036; thence South 0 degrees 01 minute 22 seconds East, along the west line of said tract, a distance of 275.00 feet; thence South 52 degrees 11 minutes 05 seconds West, a distance of 764.05 feet; thence South 68 degrees 50 minutes 17 seconds West, a distance of 342.93 feet to the west line of the Northeast Quarter of Section 33, Township 2 North, Range 7 West of the Third Principal Meridian; thence South along the west line of the Northeast Quarter of Section 33 to the southerly right of way line of U.S. Route 50; thence East along the south right of way line of U.S. Route 50 to the northerly prolongation of the west line of "East Gate", reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois in Book of Plats 86 on Page 35; thence South along the west line of "East Gate" to the south line of the Southeast Quarter of Section 33; thence East along said south line to the Point of Beginning.

MJG

2/3/95 Rev. 3-1-95

Job No. 1661 (des1661)

~~CONFIDENTIAL~~