

City of O'Fallon



* A 0 2 2 4 1 2 6 0 1 0 *

A02241260

MICHAEL T. COSTELLO
RECORDER OF DEEDS
ST. CLAIR COUNTY
BELLEVILLE, IL

11/17/2010 02:10:01PM

TOTAL FEE: \$31.00

PAGES: 10

CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF ST. CLAIR) ss.
CITY OF O'FALLON)

I, PHILIP A. GOODWIN, City Clerk for said City of O'Fallon, duly elected, qualified, and acting, and keeper of the records and seals thereof, do hereby certify the attached to be a true, complete, and correct copy of Ordinance No. 3683 duly passed by the City Council of the City of O'Fallon at a Regular meeting of said City Council on the 16th day of August 2010, as the said matter appears on file and of record in this office.

I do further certify that prior to the execution of this certificate by me, the said Ordinance has been spread at length upon the permanent records of said City, where it now appears and remains in the book of Ordinances of the City kept by myself, a book labeled Ordinances 3653 - .

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said City at my office in the City of O'Fallon, Illinois, this 17th day of November 2010.



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

Philip A. Goodwin
Marjorie Fair
Deputy City Clerk

ORDINANCE 3683**ORDINANCE AMENDING PRIOR
ADOPTION OF TAX INCREMENT
FINANCING**

WHEREAS, the City of O'Fallon, Illinois desires to amend the currently existing tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. Seq., as amended, hereinafter referred to as the "Act".


WHEREAS, the City of O'Fallon previously adopted the original O'Fallon TIF #1 Redevelopment Plan and Project by Ordinance No. 1766 on June 19, 1995, and designated the original O'Fallon TIF #1 Redevelopment Project Area by Ordinance No. 1767 also on June 19, 1995, and attached as **Exhibit A**, and adopted Tax Increment Financing by Ordinance No. 1965 on same date, pursuant to the provisions of the Act, and has otherwise continually complied with all other conditions precedent required by the Act.

WHEREAS, the City of O'Fallon has adopted an Amended Redevelopment Plan and Project by **Ordinance No. (1) Aug 16, 2010**, and designated an Amended Redevelopment Project Area by **Ordinance No. (2) Aug 16, 2010**, pursuant to the provisions of the Act, and has otherwise complied with all other condition precedent required by the Act.

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

1. Said amended tax increment financing is hereby adopted in respect to the Amended O'Fallon TIF #1 Redevelopment Plan and Project, which was approved and adopted pursuant to **Ordinance No. (1) Aug 16, 2010**, in the City of O'Fallon with respect to the attached described Amended O'Fallon TIF #1 Redevelopment Project Area listed as **Exhibit B** and incorporated herein as if set out in full by this reference; which original O'Fallon TIF #1 Redevelopment Project Area was designated pursuant to Ordinance No. 1766, and Amended Redevelopment Project Area was designated pursuant to **Ordinance No. (1) Aug 16, 2010**.
2. Pursuant to the Illinois TIF Act, the ad valorem taxes, if any, arising from the levies upon real property in the Amended O'Fallon TIF #1 Redevelopment Project Area by taxing districts and the rates determined in the manner provided in Section 11-74.4-9(b) of the Act each year after the effective date of this Ordinance until the Amended O'Fallon TIF #1 Redevelopment Project costs and obligations (by said original issuances, and issuances henceforth) issued in respect thereto have been paid, shall continue to be divided as follows:

- a. That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the existing equalized assessed value or the original initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the original O'Fallon TIF #1 Redevelopment Project Area, or in the case of the Amended Area, that same Area, shall be allocated to, and when collected shall be paid by the County Collector to, the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment financing.
 - b. That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each lot, block, tract or parcel of real property in the amended O'Fallon TIF #1 Redevelopment Project Area over and above the lower of the existing equalized assessed value or the original initial equalized assessed value of each property in the original O'Fallon TIF #1 Redevelopment Project Area, or in the case of the Amended Area, that same Area, shall be allocated to, and when collected shall be paid to, the municipal treasurer (City treasurer) who shall deposit said funds in a special fund which shall continue to be called the "Special Tax Allocation Fund for the O'Fallon TIF #1 Redevelopment Area" of the municipality for the purpose of paying the O'Fallon TIF #1 Redevelopment Project costs and obligations incurred in the ongoing payment thereof, pursuant to such appropriations which may continue to be subsequently made.
3. If any section, paragraph, or provision of this Ordinance is held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.
4. All Ordinances, resolutions, motions, or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict.
5. The ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.


Gary L. Graham, Mayor

[illegible]

EXHIBIT A

**LEGAL DESCRIPTION
ORIGINAL O'FALLON #1
REDEVELOPMENT AREA**

LEGAL DESCRIPTION

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

J.G. Sherbut, P.E., L.S.
Keith G. Carson, L.S.

4 Meadow Heights Professional Park
Collinsville, Illinois 62234
(618) 345-5434
FAX 345-3017

Michael J. Graminski, L.S.
David B. Claxton, E.L.T., S.L.T.
Gary W. Graminski, S.L.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 150 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

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

J.G. Sherbut, P.E., L.S.
Keith G. Carson, L.S.

4 Meadow Heights Professional Park
Collinsville, Illinois 62234
(618) 345-5454
FAX 345-3017

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

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

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

Job No. 1661 (des1661)

Surveyed and Platted

EXHIBIT B

**LEGAL DESCRIPTION
O'FALLON #1 REDEVELOPMENT AREA
AS AMENDED**

TIF DISTRICT ADDITION:

Part of the South Half of Section 32 and part of the West Half of Section 33, all in Township 2 North, Range 7 West of the 3rd P.M., St. Clair County, Illinois, described as follows:

Beginning at the Northwest corner of Lot 60 of Timber Creek Estates 4th Addition as recorded in Plat Book 84, page 99 of the St. Clair County, Illinois records; thence, S.00°10'34"W. (bearing assumed) collinear with the West line of said Lot 60 Timber Creek Estates 4th Addition, 428.00 feet to the Southwest corner of Lot 72 of said Timber Creek Estates 4th Addition; thence, S.88°57'38"E. collinear with the South line of said Lot 72 of Timber Creek Estates 4th Addition, 1331.84 feet to the Southeast corner of Lot 100 of Timber Creek Estates 6th Addition as recorded in Plat Book 86, page 75 of the St. Clair County, Illinois records, said point being on the West line of Lot 107 of Timber Creek Estates 7th Addition as recorded in Plat Book 87, page 98 of the St. Clair County, Illinois records; thence, along said West line of Lot 107 of Timber Creek Estates 7th Addition, N.00°37'40"W., 8.81 feet; thence, N.77°49'48"E., 208.02 feet; thence, S.88°24'57"E., 215.95 feet; thence, S.73°39'40"E., 209.43 feet; thence, along a curve having a radius point to the Southwest, a radial distance of 12477.67 feet, a chord bearing, S.85°07'26"E., and a chord distance of 800.00 feet to the Southeast corner of Lot 44 of The Manors of Timber Creek 2nd Addition as recorded in Plat Book 90, page 34 of the St. Clair County, Illinois records; thence, N.00°38'28"W. collinear with the East line of said Lot 44 of The Manors of Timber Creek 2nd Addition, 730.12 feet to the North R.O.W. line of Edgewood Drive; thence, collinear with said North R.O.W. line of Edgewood Drive, N.89°21'31"E., 327.75 feet; thence, N.00°01'12"W., 1094.64 feet to the South R.O.W. line of S.B.I. Route 12 (Old U.S. Route 50); thence, along said South R.O.W. line of S.B.I. Route 12 (Old U.S. Route 50), N.89°58'48"E., 509.86 feet to the Southerly extension of the West line of Kensington Woods Subdivision as recorded in Plat Book 90, page 4 of the St. Clair County, Illinois records; thence, collinear with said West line of Kensington Woods Subdivision, N.00°18'47"W., 503.98 feet to the South R.O.W. line of Oak Meadow Drive; thence, along said South R.O.W. line of Oak Meadow Drive, S.89°54'56"E., 386.31 feet to the West line of the Northeast 1/4 of said Section 33; thence, S.00°19'03"E., 824.44 feet to the centerline of the old former Shiloh Road; thence, along said centerline of the old former Shiloh Road, S.13°46'00"W., 274.93 feet; thence, S.35°25'16"W., 410.40 feet; thence, S.54°34'47"E., 249.84 feet to the Northwesterly R.O.W. line of County Highway 44 (Shiloh Road); thence, continuing along said Northwesterly R.O.W. line of County Highway 44 (Shiloh Road), S.35°24'20"W., 324.84 feet; thence, continuing along said Northwesterly R.O.W. line of County Highway 44 (Shiloh Road), S.52°19'55"W., 109.70 feet; thence, continuing along said Northwesterly R.O.W. line of County Highway 44 (Shiloh Road), S.38°48'07"W., 241.25 feet; thence, continuing along said Northwesterly R.O.W. line of County Highway 44 (Shiloh Road), S.38°46'01"W., 445.70 feet to the North R.O.W. line of F.A.I. Route 64; thence, along a curve on said North R.O.W. line of F.A.I. Route 64 having a radius point to the Southwest, a radial distance of 12427.67 feet, a chord bearing, N.84°09'54"W., and a chord distance of 1224.10 feet; thence, continuing along said North R.O.W. line of F.A.I. Route 64 as follows: N.73°39'40"W., 208.79 feet; thence, N.88°24'57"W., 203.45 feet; thence, S.77°49'48"W., 296.22 feet; thence, along a curve having a radius point to the South, a radial distance of 12412.67 feet, a chord bearing, S.88°44'11"W., and a chord distance of 425.11 feet; thence, S.87°45'18"W., 281.54 feet; thence, S.02°14'42"E., 10.00 feet; thence, S.87°45'18"W., 1200.00 feet; thence, N.84°16'31"W., 252.44 feet; thence, S.87°45'18"W., 850.00 feet; thence, S.81°06'03"W., 302.03 feet; thence, S.87°45'18"W., 400.00 feet; thence, N.89°22'57"W., 700.87 feet; thence, S.87°45'18"W., 200.00 feet; thence, S.87°45'27"W., 79.64 feet to the Northeast R.O.W. line of North Lincoln Avenue; thence, N.23°52'26"W., 160.37 feet to the South Line of the existing Kinder Limited Partnership tract as recorded in Deed Book 3354, page 1246 of the St. Clair County, Illinois records; thence, along said South Line of the existing Kinder Limited Partnership tract, S.89°03'11"E., 14.74 feet to the Southeast corner of said Kinder Limited

Partnership tract; thence, along the East line of said existing Kinder Limited Partnership tract, N.04°01'54"E., 72.01 feet; thence, S.67°59'58"W., 50.14 feet to said Northeast R.O.W. line of South Lincoln Avenue; thence, along said Northeast R.O.W. line of South Lincoln Avenue, N.26°48'58"W., 44.21 feet; thence, continuing along said Northeast R.O.W. line of South Lincoln Avenue, N.22°45'05"W., 526.65 feet to the Westerly extension of South line of Southview Gardens 1st Addition as recorded in Plat Book 56, page 51 of the St. Clair County, Illinois records; thence, collinear with said South line of Southview Gardens 1st Addition, S.89°04'54"E., 2430.69 to the Southwest corner of the existing Community Consolidated School District Number 90 tract as recorded in Deed Book 2849, page 1186 of the St. Clair County, Illinois records; thence, S.89°01'04"E., 779.84 feet to the Southeast corner of said existing Community Consolidated School District Number 90 tract; thence, S.89°03'42"E., 540.44 feet to the point of beginning, containing 96.71 acres, more or less.

PARCELS INCLUDED:

04-32-0-301-001
04-32-0-301-002
04-32-0-300-034
04-32-0-400-005
04-33-0-107-001
04-33-0-107-002
04-33-0-107-003
04-33-0-107-004
04-33-0-107-011
04-33-0-301-006
04-33-0-100-070
04-33-0-100-065
04-33-0-100-016
04-33-0-100-017
04-33-0-100-018
04-33-0-100-037