

ORDINANCE NO. 2013-09

VILLAGE OF TOLONO, ILLINOIS

AN ORDINANCE PROVIDING FOR AND
APPROVING THE SECOND AMENDMENT TO THE
TOLONO TIF DISTRICT
REDEVELOPMENT PROJECT AREA, PLAN & PROJECTS

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF TOLONO, CHAMPAIGN COUNTY, ILLINOIS,
ON THE 3RD DAY OF DECEMBER, 2013.

ORDINANCE NO. _____

VILLAGE OF TOLONO, ILLINOIS

AN ORDINANCE PROVIDING FOR AND APPROVING
THE SECOND AMENDMENT TO THE TOLONO TIF DISTRICT
REDEVELOPMENT PROJECT AREA, PLAN AND PROJECTS

WHEREAS, the Village of Tolono, Champaign County, Illinois (“Village”) by its duly elected President and Board of Trustees hereto approved a Redevelopment Plan and Projects; designated a Redevelopment Project Area; and adopted Tax Increment Financing pursuant to Illinois Compiled Statutes, 65 ILCS 5/11-74.4-1 *et seq.* (the “Act”) known as the *Tolono TIF District* (“TIF District”) on the 4th day of June, 2002; and

WHEREAS, the Village approved an Ordinance Providing for and Approving the First Amendment to the Tolono TIF District Redevelopment Project Area, Plan and Projects on the 4th day of December, 2012; and

WHEREAS, the Village desires to further amend the Redevelopment Project Area, Plan and Projects (“Second Amendment”) for its TIF District pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4 *et seq.*, as amended by reducing the size of the Redevelopment Project Area; and

WHEREAS, the proposed Second Amendment reduces the size of the Redevelopment Project Area by amending *Exhibit 1 (Boundary Map)* and *Exhibit 2 (Legal Description)* of the Tolono TIF District Redevelopment Plan by removing one (1) parcel described in **Exhibit A** of this Second Amendment; and

WHEREAS, the Redevelopment Project Area as Amended is legally described in **Exhibit B** (Amended Legal Description) and shown in **Exhibit C** (Amended Boundary Map); and

WHEREAS, the Village also wishes to amend the Redevelopment Plan and Projects pursuant to the Act in order to ratify, confirm and incorporate all private redevelopment agreements, public projects, intergovernmental agreements, administrative agreements and other eligible redevelopment projects and costs into the Redevelopment Plan and Projects; and

WHEREAS, the totals of line items set forth in the Redevelopment Plan are not intended to place a total limit on the described expenditures or intended to preclude payment of other eligible redevelopment project costs in connection with the redevelopment of the Area, provided the total amount of payment for all eligible redevelopment project costs, public and private, shall not exceed the amount set forth in the Redevelopment Plan; and adjustments may be made in line items within the total, either increasing or decreasing line item costs for redevelopment; and

WHEREAS, pursuant to Section 74.4-3(n)(J)(3) of the TIF Act, the Village also desires to extend the estimated dates of completion of the Redevelopment Plan and Projects and retirement of obligations to December 31, 2026 in order to utilize the property tax growth resulting from real estate taxes levied in the 23rd year of the TIF District and received by the Village the following year to pay for TIF eligible public and private project costs provided for in the Redevelopment Plan or eligible project costs in any contiguous Redevelopment Project Areas; and

WHEREAS, the proposed Second Amendment does not add additional parcels of property to the Redevelopment Project Area; affect the general land uses established pursuant to the Redevelopment Plan; substantially change the nature of the Redevelopment Projects; increase the total estimated Redevelopment Project Costs set out in the Redevelopment Plan by more than 5% after an adjustment for inflation from the date the Plan was adopted; add additional Redevelopment Project Costs to the itemized list of redevelopment project costs set out in the Redevelopment Plan; or increase the number of inhabited residential units to be displaced from the Redevelopment Project Area to a total of more than 10, as measured from the time of creation of the Area; and

WHEREAS, the proposed Second Amendment is consistent with the Redevelopment Plan and Projects and has been reviewed by the President and the Village Board is generally informed of this Amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TOLONO, CHAMPAIGN COUNTY, ILLINOIS:

1. The recitals set forth in the preamble to this Ordinance are hereby incorporated by reference as if fully set forth herein.
2. The Redevelopment Project Area is hereby amended to remove the parcel described in **Exhibit A**, thereby reducing the size of the Redevelopment Project Area.
3. The Tolono TIF District Amended Legal Description (**Exhibit B**) and Amended Boundary Map (**Exhibit C**) attached hereto are hereby approved.
4. The Redevelopment Plan and Projects are hereby amended to include all private redevelopment agreements, public projects, intergovernmental agreements, administrative agreements and all other eligible redevelopment costs entered into or undertaken heretofore as permitted under the TIF Act, and further, all such agreements, projects and costs are hereby ratified.
5. The total amount of payment for all eligible redevelopment project costs, public and private, shall not exceed the amount set forth in the Redevelopment Plan and adjustments may be made in line items within the total, either increasing or decreasing line item costs for redevelopment.
6. The estimated dates of completion of the Redevelopment Plan and Projects and retirement of obligations are hereby extended to December 31, 2026 in order to utilize the property tax growth resulting from real estate taxes levied in the 23rd year of the TIF District, received by the Village the following year to pay for TIF eligible public and private project costs provided for in the Redevelopment Plan or eligible project costs in any contiguous Redevelopment Project Areas.
7. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law and shall take effect upon its passage as required by law.
8. All ordinances and parts of ordinances in conflict herewith are repealed.

PASSED, APPROVED AND ADOPTED by the Corporate Authorities of the Village of Tolono, Champaign County, Illinois, on the 3rd day of December, A.D., 2013, and deposited and filed in the Office of the Village Clerk of said Village on that date.

TRUSTEES AND PRESIDENT	AYE VOTE	NAY VOTE	ABSTAIN	ABSENT
Beth Hewing			✓	
Beth Erwin	✓			
Ryan Perry	✓			
Kent Plackett				✓
Michael Golish	✓			
Greg Kingston	✓			
Jeff Holt, Village President				
TOTAL VOTES:				

APPROVED:

Jeff Holt

 President

ATTEST:

Lizbeth Phillips

 Village Clerk

EXHIBIT A ATTACHED: PARCEL REMOVED FROM TOLONO TIF DISTRICT.

EXHIBIT B ATTACHED: AMENDED LEGAL DESCRIPTION.

EXHIBIT C ATTACHED: AMENDED BOUNDARY MAP.

EXHIBIT A

TOLONO TIF DISTRICT SECOND AMENDMENT

**PARCEL REMOVED
FROM TOLONO TIF DISTRICT**

Parcel Number:

29-26-26-252-013

Legal Description:

Lot 6 of Windstone Townhomes Subdivision in the Village of Tolono, Illinois.

Address:

110 W. Walnut Street, Apt. 6, Tolono, IL 61880

EXHIBIT B

TOLONO TIF DISTRICT SECOND AMENDMENT

AMENDED LEGAL DESCRIPTION

Beginning at the intersection of the South right-of-way line of Linden Street and the West right-of-way line of Pease Street; thence West along the South right-of-way line of Linden Street to the West right-of-way line of Cory Street; thence North along the West right-of-way line of Cory Street to the South Lot Line of Lot 1, Block 19 of the Original Town of Tolono, said Lot referred to as permanent parcel number 26-26-408-009 as shown on the Champaign County Assessor's Office Sidwell Map, Page 26-26G, Revised January 1, 1997; thence East to the East right-of-way line of Cory Street; thence East along the South Lot Line of Lots 8, 7, 6, 5, 4, 3, 2, and 1 of Block 18 of the Original Town of Tolono to the West right-of-way line of Pease Street; thence North along the West right-of-way line of Pease Street to the South right-of-way line of Vine Street; thence West along the South right-of-way line of Vine Street to the West right-of-way line of James Street; thence South along the West right-of-way line of James Street extended to the Center Line of Section 26, Township 18 N. Range 8 East; thence West along said Center Line to the East right-of-way line of Whitehead Street; thence South along the East right-of-way line of Whitehead Street to the South right-of-way line of Holden Street; thence West along the South right-of-way line of Holden Street to the West right-of-way line of Condit Street; thence North along the West right-of-way line of Condit Street to the Center Line of Section 26, Township 18 North Range 8 East; thence West along said Center Line to the West Line of a 46.69 acres tract referred to as permanent parcel number 26-26-100-004 as shown on the Champaign County Assessor's Office Sidwell Map, Page 26-R, Revised January 1, 1999; thence North along said West line to the North Line of said 46.69 acres tract; thence East along said North Line of said 46.69 acres tract to the West Line of the Northeast 1/4 of Section 26, Township 18 N. Range 8 East; thence East along an extension of said North Line of said 46.69 acres tract, parallel with said Center Line to a point 508.81 feet West of the West right-of-way line of US Highway 45; thence Northeasterly along a line parallel to said West right-of-way line of US Highway 45 to the north right-of-way line of County Road 800N, thence east along said right-of-way line to the southwest corner of a tract referred to as permanent parcel number 26-23-400-004 as shown on the Champaign County Assessor's Office Sidwell Map, Page 26-L, revised January 1, 1997; thence north along the west line of said parcel to a point on the south side of the tract referred to as permanent parcel number 26-23-400-014 as shown on the Champaign County Assessor's Office Sidwell Map, Page 26-L, revised January 1, 1997; thence west along the south side of said parcel to a point 600 feet perpendicular distance from the centerline of U.S. Route 45; thence northerly along a line 600 feet perpendicular distance west of the centerline of U.S. Route 45 to a point on the south line of a tract referred to as permanent parcel number 26-23-200-002 as shown on the Champaign County Assessor's Office Sidwell Map, Page 26-L, Revised January 1, 1997; thence West along the South Line of said tract, parcel number 26-23-200-002, to the Southwest Corner of said tract, thence North along the West Line of said tract, parcel number 26-23-200-002, to the South Line of County Highway 18 (Philo Road); thence North to the North right-of-way line of County Highway 18 (Philo Road); thence East along the North right-of-way line of said County Highway 18 (Philo Road) to the East right-of-way line of US Highway 45; thence Southwesterly along said East right-of-way line of US Highway 45 to a point 500 feet perpendicular distance north of the north line of Section 26, Township 18 North Range 8 East; thence east along a line 500 feet perpendicular distance north of the north line of said Section 26 to a point 1610.78 feet perpendicular distance west of the east line of the west half of Section 26; thence south on a line 1610.78 feet perpendicular distance west of the east line of the west half of Section 26 to the North Line of Northwood Subdivision to the Village of Tolono; thence West along said North Line to the Northwest Corner of said Northwood Subdivision; thence West along the North

Lot Lines of permanent parcel numbers 26-25-152-007, 26-25-152-006, and 26-25-152-001 as shown on Champaign County Assessor's Sidwell Map 26-25A, Revised January 1, 1999, to the East right-of-way line of Central Avenue; thence West to the West right-of-way line of Central Avenue; thence north along the west right-of-way line of Central Avenue to the northeast corner of a tract referred to as permanent parcel number 26-25-101-001 as shown on the Champaign County Assessor's Office Sidwell Map, Page 26-25A, Revised January 1, 1999; thence west along said tract to the northeast corner of a tract referred to as permanent parcel number 26-26-230-008 as shown on the Champaign County Assessor's Office Sidwell Map, Page 26-25A, Revised January 1, 1999; thence west along said tract to a point on the east line of Harden's 1st Addition to the Village of Tolono; thence north along said east line to the North right-of-way line of Leda Street, said North right-of-way being the Northeast Corner of said Harden's 1st Addition; thence Westerly along the Northerly Line of said Harden's 1st Addition to the East right-of-way line of the I.C.G. Railroad right-of-way; thence South along said East Railroad right-of-way to the North right-of-way line of Reynolds Street; thence East along the North right-of-way line of Reynolds Street to the East right-of-way line of Calhoun Street; thence South along said East right-of-way line of Calhoun Street to the South right-of-way Line of Main Street; thence Southwesterly along said South right-of-way line of Main Street to the West Lot Line of Lot 2, Block 27 to the Original Town of Tolono; thence Southeasterly along said West Lot Line to the North right-of-way line of Great Western Avenue; thence Northeasterly along said North right-of-way line of Great Western Avenue to the West Line of Section 25, Township 18 North, Range 8 East; thence South to the North right-of-way line of the N. & W. Railroad; thence Northeasterly along said North Railroad right-of-way line to the East right-of-way line of Elizabeth Avenue; thence South along said East right-of-way line of Elizabeth Avenue to the South right-of-way line of Broadway Street; thence Southwesterly along said South right-of-way line of Broadway Street to the West right-of-way line of Bourne Street; thence North along said West right-of-way line of Bourne Street to the South right-of-way line of Daggy Avenue; thence Southwesterly along said South right-of-way line of Daggy Avenue, to a point where Daggy Avenue and Clark Avenue merge, this point being the East right-of-way line of Clark Avenue; thence Southwesterly along the East right-of-way line of Clark Avenue to the South Line of Section 26, Township 18 North, Range 8 East; thence West along said South Section Line to the South right-of-way line of N. & W. Railroad; thence Northeasterly along said South Railroad right-of-way line to the West right-of-way line of US Highway 45; thence North along said West right-of-way line of US Highway 45 to North right-of-way line of Strong Street; thence North along the West right-of-way line of Pease Street to the South right-of-way line of Linden Street, said point being the point of beginning. All in Sections 14, 23, 24, 25 or 26, Township 18 North, Range 8 East, Champaign County, Illinois.

The tracts referred to by the following permanent parcel numbers as shown on the Champaign County Assessor's Office Sidwell Map, Page 26-26H, Revised January 1, 1999 are to be excluded from this description: 29-26-26-437-004; 29-26-26-437-007; 29-26-26-438-013; 29-26-26-438-014; 29-26-26-182-001 (Lot 119 of Deerpath Subdivision No. 2); and 29-26-26-252-013 (Lot 6 of Windstone Townhomes Subdivision).

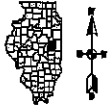
EXHIBIT C

TOLONO TIF DISTRICT SECOND AMENDMENT





AMENDED BOUNDARY MAP

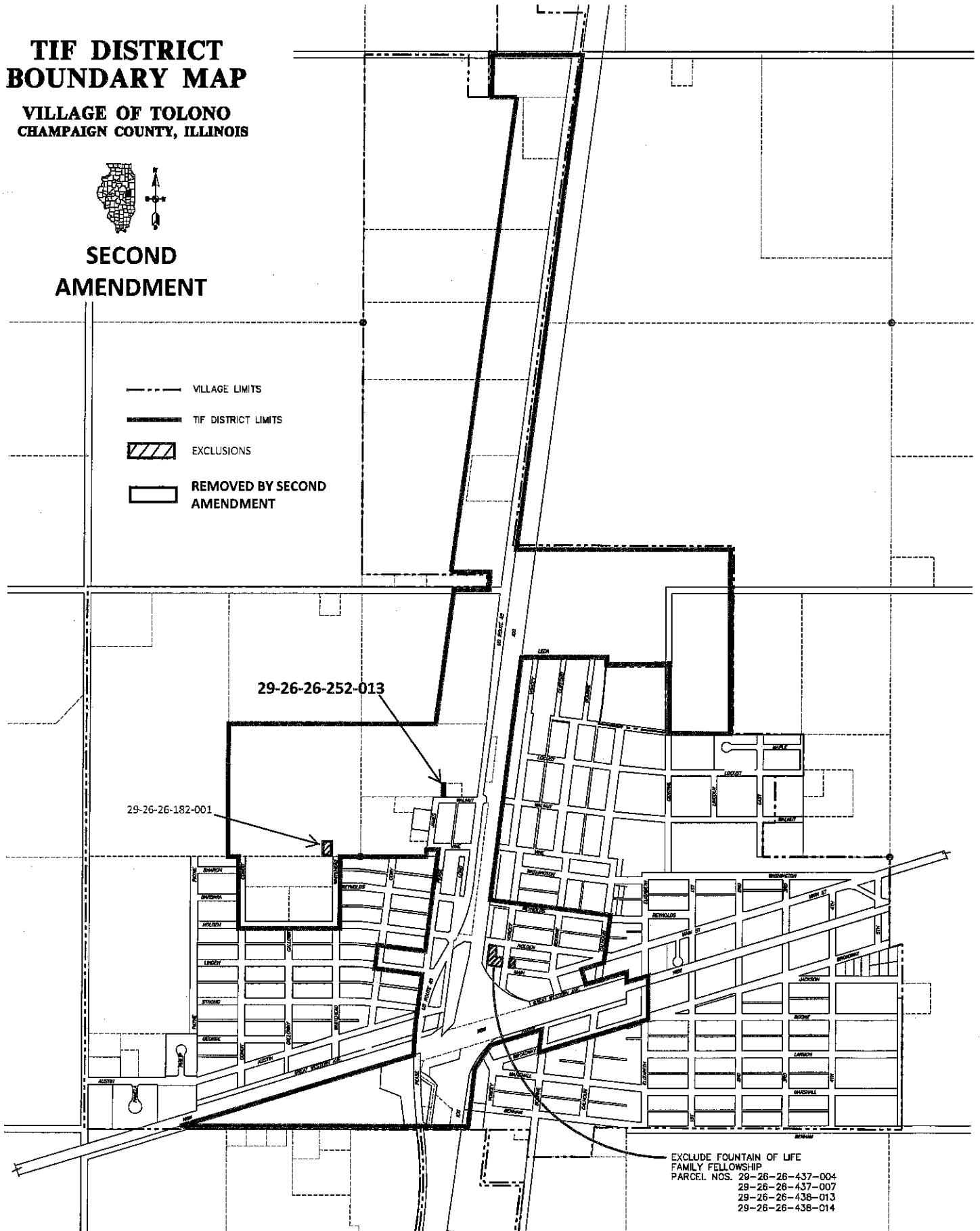
TIF DISTRICT BOUNDARY MAP

VILLAGE OF TOLONO
CHAMPAIGN COUNTY, ILLINOIS



SECOND AMENDMENT

-  VILLAGE LIMITS
-  TIF DISTRICT LIMITS
-  EXCLUSIONS
-  REMOVED BY SECOND AMENDMENT



EXCLUDE FOUNTAIN OF LIFE
FAMILY FELLOWSHIP
PARCEL NOS. 29-26-26-437-004
29-26-26-437-007
29-26-26-438-013
29-26-26-438-014