



2016K000835
SANDY WEGMAN
RECORDER - KANE COUNTY, IL

RECORDED: 1/7/2016 08:46 AM
REC FEE: 48.00
PAGES: 5

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-03**

**ORDINANCE ADOPTING TAX INCREMENT FINANCING
FOR WEST TOWN REDEVELOPMENT PROJECT AREA**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
THIS 4TH DAY OF JANUARY, 2016**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane & DuPage Counties, Illinois,
This 5th day of January, 2016

Prepared by: *R. Retornak*
Scott Beatty
City of Batavia
100 N. Island Ave.
Batavia, IL 60510

5

48

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-03**

**ORDINANCE ADOPTING TAX INCREMENT FINANCING
FOR WEST TOWN REDEVELOPMENT PROJECT AREA**

WHEREAS, the City of Batavia, Kane County, Illinois desires to adopt 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."

WHEREAS, the City of Batavia has adopted a West Town Redevelopment Project Area, and designated a West Town Redevelopment Project Area pursuant to the provisions of the Act, and has otherwise complied with all other conditions precedent required by the Act.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, that:

SECTION 1: Tax Increment financing is hereby adopted in respect to the West Town Development Project Area approved and adopted pursuant to Ordinance No. 16-01 in the City of Batavia in respect to the West Town Redevelopment Project Area, described as attached on Exhibit "A," which Area was designated pursuant to Ordinance No. 16-02.

SECTION 2: After the total equalized assessed valuation of taxable real property in the West Town Redevelopment Project Area exceeds the total initial equalized assessed value of all taxable real property in the West Town Redevelopment Project Area, the ad valorem taxes, if any, arising from the levies upon real property in said 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 West Town Redevelopment Project Area costs and obligations issued in respect thereto have been paid shall 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 lower of the existing equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the West Town Redevelopment Project 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 allocation 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 redevelopment project area over and above lower of the existing equalized assessed value of the initial equalized assessed value of each property in the West Town Redevelopment

CITY OF BATAVIA, ILLINOIS ORDINANCE 16-03

Project Area shall be allocated to and when collected shall be paid to the City treasurer who shall deposit said funds in a special fund called "the Special Tax Allocation fund for the West Town Redevelopment Project Area of Batavia" for the purpose of paying the West Town Redevelopment Project Area costs and obligations incurred in the payment thereof, pursuant to such appropriations which may be subsequently made.

SECTION 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This Ordinance shall be in full force and effect from and after its approval, passage, and publication as required by law.

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this 4th day of January, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 4th day of January, 2016.

Jeffery D. Schielke
Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien	x				Fischer	x			
2	Callahan	x				Wolff	x			
3	Hohmann	x				Chanzit	x			
4	Mueller			x		Stark			x	
5	Botterman	x				Thelin Atac	x			
6	Cerone	x				Russotto	x			
7	McFadden	x				Brown	x			
Mayor Schielke										
VOTE:		12 Ayes	0 Nays	2 Absent	Abstention(s)					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

Heidi Wetz
Heidi Wetz, City Clerk

City of Batavia
Ordinance 16-03

EXHIBIT A

**WEST TOWN REDEVELOPMENT PROJECT AREA
LEGAL DESCRIPTION**

THAT PART OF THE EAST HALF OF SECTION 21 AND THE WEST HALF OF SECTION 22, ALL IN TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN BLOCK 13 OF JOHN VAN NORTWICK'S SECOND ADDITION TO BATAIVA; THENCE NORTH, ALONG THE EAST LINE OF SAID BLOCK 13 TO THE NORTHEAST CORNER THEREOF; THENCE EAST, ALONG THE SOUTH LINE OF LOT 4 IN BLOCK VI OF WM. M. AND J.S. VAN NORTWICK'S ADDITION TO BATAVIA TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 4, TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE EAST, ALONG THE SOUTH LINE OF WILSON STREET TO THE NORTHWEST CORNER OF LOT 2 IN BLOCK 5 IN JOHN VAN NORTWICK'S THIRD ADDITION TO BATAVIA; THENCE SOUTH, ALONG THE WEST LINE OF LOTS 2 AND 1 IN SAID BLOCK 5 TO THE SOUTHWEST CORNER OF LOT 1 IN SAID BLOCK 5; THENCE EAST, ALONG THE SOUTH LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF BLOCK 11 OF JOHN W. NORTWICK'S SECOND ADDITION TO BATAVIA; THENCE SOUTH, ALONG THE WEST LINE OF SAID BLOCK 11, TO THE SOUTHWEST CORNER OF SAID BLOCK 11; THENCE EAST, ALONG THE SOUTH LINE OF SAID BLOCK 11 TO THE NORTHERLY LINE OF LOT 1 IN BLOCK VIII OF WM. AND J.S. VAN NORTWICK'S ADDITION TO BATAVIA; THENCE EASTERLY, ALONG THE NORTHERLY LINE OF SAID LOT 1 AND SAID NORTHERLY LINE EXTENDED, TO THE EASTERLY RIGHT OF WAY LINE OF HARRISON STREET; THENCE SOUTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE, TO THE SOUTHERLY RIGHT OF WAY LINE OF FIRST STREET; THENCE WESTERLY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, TO THE NORTHEAST CORNER OF BLOCK IX OF SAID WM. & J.S. VAN NORTWICK'S ADDITION; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID BLOCK IX TO A POINT THAT IS 10 FEET SOUTHERLY OF THE SOUTHEAST CORNER OF SAID BLOCK IX; THENCE EASTERLY, ALONG A LINE THAT IS 10 FEET SOUTHERLY OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID BLOCK IX TO THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF LOT 4 IN A. BENSON AND SON'S RESUBDIVISION; THENCE SOUTHERLY, ALONG SAID NORTHERLY EXTENSION AND ALONG THE EASTERLY LINE OF SAID LOT 4 AND ITS SOUTHERLY EXTENSION, TO THE SOUTHERLY RIGHT OF WAY LINE OF MAIN STREET; THENCE WESTERLY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE EASTERLY RIGHT OF WAY LINE OF S. HARRISON STREET; THENCE SOUTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF WALNUT STREET; THENCE WESTERLY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY LINE WITH THE FORMER CENTER LINE OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY; THENCE

NORTHEASTERLY, ALONG SAID FORMER CENTER LINE, TO THE EAST LINE OF SAID SECTION 21; THENCE NORTHERLY, ALONG SAID EAST LINE TO THE NORTH LINE OF LOT 16 OF WHIPPLE SUBDIVISION; THENCE WESTERLY, ALONG SAID NORTH LINE TO A SOUTHEAST LARSON COMMONS, P.U.D.; THENCE NORTHEASTERLY, ALONG A SOUTHEASTERLY LINE OF SAID P.U.D., TO THE EAST LINE OF SAID, P.U.D; THENCE NORTHERLY, ALONG THE EAST LINE OF SAID P.U.D. TO THE NORTHEAST CORNER SAID P.U.D.; THENCE WESTERLY, ALONG THE NORTH LINE OF SAID P.U.D., TO THE NORTHWEST CORNER OF LOT 12 OF SAID P.U.D.; THENCE NORTHERLY, ALONG THE EAST LINE OF BLOCK 1 OF J.H. WHIPPLE ADDITION TO BATAVIA TO THE SOUTHWEST CORNER OF LOT 1 OF SAID BLOCK 1; THENCE WESTERLY, ALONG THE SOUTH LINE OF LOTS 1 AND 2 OF SAID BLOCK 1 AND THEIR WESTERLY EXTENSION TO THE WESTERLY RIGHT OF WAY LINE OF WHIPPLE ROAD; THENCE NORTHERLY, ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE NORTHERLY RIGHT OF WAY LINE OF SAID MAIN STREET; THENCE EASTERLY, ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE WESTERLY RIGHT OF WAY LINE OF S. VAN NORTWICK AVENUE; THENCE NORTHERLY, ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE NORTHERLY RIGHT OF WAY LINE OF FIRST STREET; THENCE EASTERLY, ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE WESTERLY RIGHT OF WAY LINE OF S. MALLORY AVENUE; THENCE NORTHERLY, ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF LOT 1 IN BLOCK 13 IN JOHN VAN NORTWICK'S SECOND ADDITION; THENCE EASTERLY, ALONG SAID WESTERLY EXTENSION AND SAID NORTHERLY LINE, TO THE POINT OF BEGINNING, ALL IN THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

5