



AGENDA
REGULAR VILLAGE BOARD MEETING
OCTOBER 25, 2022
7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

INVOCATION

3. APPROVAL OF MINUTES OF OCTOBER 11, 2022

4. MAYOR & BOARD OF TRUSTEES' REPORT

5. ACCOUNTS PAYABLE WARRANT: OCTOBER 25, 2022 \$ 433,217.28

6. CONSENT AGENDA

a. Consideration of the following requests from the Elk Grove Park District, 499 Biesterfield Road:

- To waive permit fees to remove and replace the basement floor due to a water main break in the amount of \$127.50; and
- To waive permit fees to repair a 6-inch water main in the basement in the amount of \$240.

(It has been past practice of the Village Board to grant fee waivers for governmental and non-profit organizations.)

(The Director of Community Development recommends approval.)

b. Consideration to grant a variation from Municipal Code Section 8-12B-1-1D, Easements, to allow the installation of fence pillars within the easement at 2055 Lunt Avenue.

(The property owner is seeking a variation to construct structural fence pillars within the front yard public utility and drainage easement along Lunt Avenue. Comcast, AT&T, Nicor, and ComEd have written letters granting permission to encroach upon the

easements.

(The Community Development Department has field checked these locations for conflicts with Village-owned utilities within the easement. There is a ten (10") inch Village-owned sanitary sewer within this easement which will not be affected and there will be no negative impact on drainage.

(The Director of Community Development recommends approval.)

- c. Consideration to grant a variation from Municipal Code, Section 8-12B-1-1D, Easements, to permit the construction of a shed, which will encroach two feet (2') into the ten-foot (10') rear yard public utility and drainage easement at 133 Essex Road.

(The property owner is seeking a variation to construct a shed within the rear yard public utility and drainage easement. Comcast, AT&T, Nicor, and ComEd have written letters granting permission to encroach upon the easement.

(Community Development staff has field checked this location for Village-owned utilities in the easement which will not be affected and there would be no negative impact on the existing drainage.

(The Director of Community Development recommends approval.)

- d. Consideration to accept the audited Annual Financial Report for the Fiscal Year ended April 30, 2022.

(The Annual Financial Report represents the findings of the annual audit as performed by the independent auditor Lauterbach & Amen, LLP.

(The audit was recently completed.)

(The Director of Finance recommends approval.)

- e. Consideration to adopt Ordinance No. 3784 annexing certain property to the village of Elk Grove Village and automatically zoning same in accordance with the Village's Comprehensive Plan and Zoning Map (Vulcan Lands Property).

(A public hearing was held at 7:00 p.m. on October 25, 2022 to consider the passage of an ordinance authorizing the annexation to the Village of Elk Grove Village, Illinois, of certain wholly bounded territory that is contiguous to the Village of Elk Grove Village and not within the corporate limits of any municipality.

(Pursuant to the Zoning Code of the Village of Elk Grove Village, the designated property shall be automatically zoned I-1 Industrial District upon annexation.)

- f. Final adoption of Ordinance No. 3785 approving the Midway Court Tax Increment Financing Redevelopment Plan and Project.

(First Reading at the June 30, 2021 Village Board Meeting.)

- g. Final adoption of Ordinance No. 3786 designating the Village of Elk Grove Village Midway Court TIF Redevelopment Project Area, in connection with the approval of the Midway Court Plan and Project.

(First Reading at the June 30, 2021 Village Board Meeting.)

- h. Final adoption of Ordinance No. 3787 adopting Tax Increment Financing for the Village of Elk Grove Village, Cook County, Illinois, in connection with the Designation of the Midway Court Redevelopment Project Area and Adoption of the Midway Court

Redevelopment Plan and Project.

(First Reading at the June 30, 2021 Village Board Meeting.)

7. REGULAR AGENDA

8. PLAN COMMISSION - Village Manager Roan

- a. Consideration of a petition from Elk Grove Village seeking for a text amendment to the Elk Grove Zoning Ordinance Section 7E-6 Prohibited Uses In All Industrial Districts by deleting the residential accessory facilities associated with a permitted primary use. (PH 11-07-22)
- b. Consideration of a petition submitted by Elk Grove Village for a Text Amendment to remove and replace Elk Grove Zoning Ordinance Section 5-5- Location of Planned Development, and to remove and replace Elk Grove Zoning Ordinance Section 5-2 Procedure, Subsection E. (PH 11-07-22)
- c. Consideration of a Petition for a one-lot Resubdivision and associated variations for the properties at 2001, 2045, and 2111 Pratt Boulevard. (A Public Hearing date is yet to be established.)
- d. Consideration of a petition submitted by Riverpoint Property Trust, LLC for Rezoning from I-2 to I-1 for property located at 751 Pratt Boulevard. (A Public Hearing date is yet to be established.)

9. ZONING BOARD OF APPEALS - Village Manager Roan

10. RECYCLING & WASTE COMMITTEE - Trustee Feichter

- a. Sustainability Plan

11. JUDICIARY, PLANNING AND ZONING COMMITTEE - Trustee Prochno

12. CAPITAL IMPROVEMENTS COMMITTEE - Trustee Schmidt

13. CABLE TELEVISION COMMITTEE - Trustee Lissner

14. YOUTH COMMITTEE - Trustee Franke

15. INFORMATION COMMITTEE - Trustee Miller

16. BUSINESS LEADERS FORUMS - Trustee Schmidt

17. HEALTH & COMMUNITY SERVICES - Trustee Prochno

18. PERSONNEL COMMITTEE - Trustee Franke

19. AIRPORT UPDATE - Mayor Johnson

20. PARADE COMMITTEE - Mayor Johnson

21. MID-SUMMER CLASSICS CONCERT SERIES UPDATE - Mayor Johnson

22. SPECIAL EVENTS COMMITTEE - Mayor Johnson

23. LIQUOR COMMISSION - Mayor Johnson

24. REPORT FROM VILLAGE MANAGER

25. REPORT FROM VILLAGE CLERK

26. UNFINISHED BUSINESS

27. NEW BUSINESS

28. PUBLIC COMMENT

29. ADJOURNMENT

In compliance with the Americans with Disabilities Act and other applicable Federal and State laws, the meeting will be accessible to individuals with disabilities. Persons requiring auxiliary aids and/or services should contact the Village Clerk, preferably no later than five days before the meeting.

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CERTAIN PROPERTY TO THE VILLAGE OF ELK GROVE VILLAGE AND AUTOMATICALLY ZONING SAME IN ACCORDANCE WITH THE VILLAGE'S COMPREHENSIVE PLAN AND ZONING MAP (VULCAN LANDS PROPERTY)

WHEREAS, a valid petition was filed with the Village of Elk Grove Village, Illinois ("Elk Grove Village"), requesting annexation of certain property located in unincorporated Cook County, Illinois, as legally described in Section 3 of this Ordinance ("Subject Property");

WHEREAS, said petition was signed by an officer of Vulcan Lands, Inc., the sole legal owner of record of the Subject Property, and no electors reside within such territory; and

WHEREAS, the Subject Property is not within the corporate limits of any municipality, but is contiguous to the Elk Grove Village, and wholly bounded by two or more municipalities; and

WHEREAS, the corporate authorities of the Elk Grove Village are desirous of annexing said property to Elk Grove Village; and

WHEREAS, the corporate authorities of Elk Grove Village have given notice of the contemplated annexation by publication on October 10, 2022, in the Daily Herald, a newspaper of general circulation in the territory hereinafter described; and

WHEREAS, any township official, fire protection district trustee, or other entity or person entitled to notice prior to the annexation of the Subject Property has been given such notice as is required by law, and the Village Clerk has recorded the affidavit of service of said notice to the trustees of the applicable fire protection district with the Cook County Recorder's Office; and

WHEREAS, the Mayor and Board of Trustees find and believe it to be in the best interest of the Elk Grove Village that said land and territory be annexed to the Elk Grove Village pursuant to the provisions of Article 7, Division 1 of the Illinois Municipal Code (65 ILCS 5/7-1-1, *et seq.*), and be automatically zoned upon annexation.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois as follows:

Section 1: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2: That certain contiguous and wholly bounded land and territory, which land is not within the limits of any other municipality, and legally described hereinafter in Section 3, be and the same is hereby annexed to the Village of Elk Grove Village, so that said territory shall be included within the boundary limits of said Village as is by law in such case made and provided.

Section 3: That the Subject Property is legally described as follows:

PIN 08-22-401-051:

THAT PART OF THE EAST $\frac{1}{2}$ OF THE SOUTH EAST $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTH EAST $\frac{1}{4}$; THENCE NORTHERLY ALONG THE EAST LINE OF SAID SOUTH EAST $\frac{1}{4}$ 438.15 FEET TO THE CENTER LINE OF OLD HIGGINS ROAD AS ORIGINALLY LAID OUT; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A LINE THAT FORMS AN ANGLE OF 41 DEGREES 11 MINUTES TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 785.85 FEET TO AN ANGLE IN SAID CENTER LINE FOR THE POINT OF BEGINNING; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SOUTH EAST $\frac{1}{4}$, 310.98 FEET TO THE SOUTHERLY LINE OF A 50.0 FEET WIDE STRIP OF LAND LYING SOUTHERLY OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE STATE OF ILLINOIS NORTHERN ILLINOIS TOLL HIGHWAY; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY LINE 93.4 FEET; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 50.0 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE STATE OF ILLINOIS NORTHERN TOLL HIGHWAY; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE 415.54 FEET TO A LINE 487.77 FEET EAST OF (MEASURED AT RIGHT ANGLES THERETO) AND PARALLEL WITH THE WEST LINE OF THE EAST $\frac{1}{2}$ OF SAID SOUTH EAST $\frac{1}{4}$; THENCE SOUTHERLY PARALLEL WITH SAID WEST LINE 646.90 FEET TO THE CENTER LINE OF OLD HIGGINS ROAD AS ORIGINALLY LAID OUT; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE 327.74 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PIN 08-22-401-053:

THAT PART OF THE EAST $\frac{1}{2}$ OF THE SOUTH EAST $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST $\frac{1}{4}$; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTH EAST $\frac{1}{4}$ 438.15 FEET TO THE CENTER LINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A LINE THAT FORMS AN ANGLE OF 41 DEGREES 11

MINUTES TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 547.45 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTER LINE 238.45 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTH EAST ¼ 310.98 FEET TO THE SOUTHERLY LINE OF A 50 FEET WIDE STRIP OF LAND LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID 50 FEET WIDE STRIP OF LAND 224.77 FEET TO A LINE PARALLEL WITH THE EAST LINE OF SAID SOUTH EAST ¼ FROM THE POINT OF BEGINNING; THENCE SOUTH ALONG SAID PARALLEL LINE 331.01 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 216,855.9 SQUARE FEET (4.98 ACRES), MORE OR LESS.

A plat of annexation accurately depicting the Subject Property is attached hereto as Exhibit A and made a part hereof. If applicable, the annexed boundary shall extend to the far side of any unincorporated adjacent highway and shall include all or every highway within the area annexed, and these highways shall be considered annexed even though not included in the property description.

Section 4: That pursuant to Chapter 6, Section 6-4 of the Zoning Code of Elk Grove Village, upon annexation to the Village, said property shall be automatically zoned I-1 Restricted Industrial District.

Section 5: That the Mayor is hereby authorized to execute and the Village Clerk is hereby authorized to attest to the plat of annexation of said property.

Section 6: That the Village Clerk of Elk Grove Village is directed to record a certified copy of this ordinance together with a plat of annexation of said territory, as appended hereto, with the Recorder of Deeds of Cook County, Illinois.

Section 7: That the Village Clerk is hereby directed to file with the County Clerk and the Cook County Election Department a certified copy of this ordinance together with a plat of annexation of said territory, as appended hereto, and to report the annexation of the territory to the proper postal service officials, within thirty (30) days of the adoption of this Ordinance.

Section 8: That the Village Clerk is directed to amend the official Village map in accordance with the provisions of this Ordinance.

Section 9: That the Village Clerk is authorized to publish this Ordinance in pamphlet form.

Section 10: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.

VOTE: AYES: _____ NAYS: _____ ABSENT: _____

PASSED this 25th day of October 2022.

APPROVED this 25th day of October 2022.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

PUBLISHED this _____ day of _____ 2022 in pamphlet form.

EXHIBIT "A"
PLAT OF ANNEXATION

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE VILLAGE OF ELK GROVE VILLAGE MIDWAY COURT TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND PROJECT

WHEREAS, the Mayor and Village Board (the “*Corporate Authorities*”) of the Village of Elk Grove Village, Cook and DuPage counties, Illinois (the “*Village*”), have heretofore determined that the stable economic and physical development of the Village is endangered by the presence of conservation factors, with a resulting decline of the Village which impairs the value of private investments and threatens the sound growth and the tax base of the Village and the taxing districts having the power to tax real property in the Village (the “*Taxing Districts*”) and threatens the health, safety, morals and welfare of the public; and

WHEREAS, the Corporate Authorities have heretofore determined that in order to promote and protect the health, safety, morals and welfare of the public, that there are conservation conditions in the Village that need to be eradicated so that redevelopment within the Village can be undertaken to remove and alleviate such conditions. The Village has determined it is necessary to encourage private investment and restore and enhance the tax base of the Village and the Taxing Districts by such redevelopment; and

WHEREAS, the Village has caused to be conducted and made available for public inspection an eligibility study to determine whether the proposed Village of Elk Grove Midway Court Redevelopment Project Area (the “*Area*”) qualifies as a “redevelopment project area” pursuant to the TIF Act, which study was conducted by Camiros, Ltd. (“*Camiros*”); and

WHEREAS, the Village has heretofore evaluated various lawfully available programs to provide such assistance and has determined that the use of tax increment allocation financing is necessary to achieve the redevelopment goals of the Village for the proposed Area; and

WHEREAS, Camiros is a planning firm having a national reputation for expertise in tax increment allocation and redevelopment financing in the State of Illinois; and

WHEREAS, Camiros has heretofore concluded and has advised the Village that the proposed Area qualifies as a “redevelopment project area” under 65 ILCS 65/11-74.4-3 of the Illinois Municipal Code; and

WHEREAS, the Village has further caused the preparation of, and on April 16, 2021, made available for public inspection the proposed Midway Court Redevelopment Plan and Project for the proposed Area (the “*Plan*” and “*Project*”) and on June 15, 2021, held a public hearing to hear comments on the Plan and Project; and

WHEREAS, the proposed Plan does not include the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, state, county, municipal government as public land for outdoor camping and hunting activities or for nature preserves and used for that purpose within 5 years prior to the adoption of this ordinance; and

WHEREAS, the Corporate Authorities have heretofore, and it hereby is, expressly determined that the proposed Plan will not result in displacement of residents from inhabited units; and

WHEREAS, none of the redevelopment project costs enumerated in the proposed Plan and Project would provide direct financial support to a retail entity initiating operations in the proposed Area while terminating operations at another Illinois location within 10 miles of the proposed Area but outside the boundaries of the Village; and

WHEREAS, the proposed Plan and Project sets forth in writing, *inter alia*: the program to be undertaken to accomplish the objectives of the Village and includes an itemized list of estimated redevelopment project costs that may be incurred within the proposed Area; evidence indicating that the proposed Area on the whole has not been subject to growth and development through investment by private enterprise; an assessment of the financial impact of the Area on or any increased demand for services from any taxing district affected by the Plan; any program to address

MIDWAY COURT TIF ORDINANCE ONE - ADOPTING PLAN AND PROJECT

such financial impact or increased demand; the sources of funds to pay costs; the nature and term of the obligations to be issued; the most recent equalized assessed valuation of the Area; an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the Area; a commitment to fair employment practices and an affirmative action plan; terms of annexation; and a certification that the Plan will not result in displacement of residents from inhabited units; and the Plan and Project accordingly complies in all respects with the requirements of the TIF Act; and

WHEREAS, the Village convened a joint review board meeting on May 20, 2021, by inviting a representative selected by each community college district, local elementary school district and high school district or each local community unit school district, park district, library district, township, fire protection district and county that have the authority to directly levy taxes on the property within the proposed Area at the time the proposed Area is designated, a representative selected by the City, and a public member (the “*JRB*”), as required by and in all respects in compliance with the provisions of the TIF Act; and

WHEREAS, at the JRB meeting, in conformance with the TIF Act, the members reviewed the public record, planning documents and the form of a proposed ordinance approving the proposed Plan and Project; and

WHEREAS, the JRB adopted by a majority vote an advisory, non-binding recommendation finding that the Plan and Project met the requirements and objectives of the TIF Act; and that the Area qualified as a conservation area; and that the proposed Plan satisfied the plan requirements, of the TIF Act for a redevelopment plan:

WHEREAS, pursuant to Section 11-74.4-5 of the Act, the Corporate Authorities adopted an ordinance calling for a public hearing (the “*Hearing*”) to hear comments and questions regarding the Plan and Project and the designation of the proposed Area as a redevelopment project

MIDWAY COURT TIF ORDINANCE ONE - ADOPTING PLAN AND PROJECT

area under the TIF Act and fixed the time and place for such Hearing, being the 15th day of June, 2021 at 6: 45 P.M., at the Village Hall, 901 Wellington, Elk Grove, Illinois 60007; and

WHEREAS, due notice of such Hearing was given pursuant to Section 11-74.4-5 of the TIF Act; said notice, a copy of the Plan and the name of a person to contact for further information, was given to taxing districts and to the Department of Commerce and Economic Opportunity of the State of Illinois by certified mail on April 28, 2021, in accordance with the Act.

WHEREAS, notice of the availability of the Report and the Plan, including how to obtain this information, was provided by mail on April 30, 2021 to all residential addresses that, after a good faith effort, the Village determined were located outside the boundaries of the proposed Area which are within 750 feet of the boundaries of the proposed Area; and

WHEREAS, the Village published notice of the Public Hearing in a newspaper of general circulation twice, once on June 1, 2021 and again on June 2, 2021.

WHEREAS, the Village held the Hearing on June 15, 2021, at the Village Hall, 901 Wellington, Elk Grove, Illinois 60007; and

WHEREAS, at the Hearing any interested person or affected taxing district was permitted to file with the Municipal Clerk written objections and was heard orally in respect to any issues embodied in the notice of said Hearing, and the Village heard and determined all protests and objections at the Hearing; and

WHEREAS, the Hearing was adjourned on the 15th day of June, 2021; and

WHEREAS, no changes have been made in the proposed Plan or in the parcels of property to be included in the proposed Area since the adjournment of the Hearing; and

WHEREAS, the Plan and Project set forth the factors which cause the proposed Area to be a conservation area and the Corporate Authorities have reviewed the information concerning such factors presented in the Plan reviewed other studies and are generally informed of the

MIDWAY COURT TIF ORDINANCE ONE - ADOPTING PLAN AND PROJECT

conditions in the Proposed Area which could cause the area to be a “conservation area” as defined in the TIF Act; and

WHEREAS, the Corporate Authorities have reviewed evidence indicating that the proposed Area on the whole has not been subject to growth and development through investment by private enterprise and have reviewed the conditions pertaining to lack of private investment in the proposed Area to determine whether private development would take place in the proposed Area as a whole without the adoption of the proposed Plan; and

WHEREAS, the Corporate Authorities have reviewed the conditions pertaining to real property in the proposed Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Area would be substantially benefited by the proposed Project improvements; and

WHEREAS, the Corporate Authorities have made an assessment of any financial impact of the proposed Area on or any increased demand for services from any taxing district affected by the Plan and Project and any program to address such financial impact or increased demand; and

WHEREAS, the Corporate Authorities have reviewed the proposed Plan and Project and along with the its comprehensive plan as a whole, as documented by the Village’s zoning and other municipal ordinances and the existing plans and land uses in the Area and neighboring properties to determine whether the proposed Plan and Project conforms to the Village’s comprehensive plan, as described herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Village Board of the Village of Elk Grove, Cook and DuPage counties, in the exercise of its home rule powers, as follows:

MIDWAY COURT TIF ORDINANCE ONE - ADOPTING PLAN AND PROJECT

Section 1: *Findings.* The Corporate Authorities hereby make the following findings:

(a) The proposed Area is described in EXHIBIT A attached hereto and incorporated herein as if set out in full by this reference. The street location (as near as practicable) for the proposed Area is described in EXHIBIT B attached hereto and incorporated herein. A map of the proposed Area is depicted on Exhibit C attached hereto and incorporated herein as if set out in full by this reference.

(b) There exist conditions that cause the proposed Area to be subject to designation as a redevelopment project area under the TIF Act and to be classified as a “conservation area” as defined in Section 11-74.4-3(b) of the TIF Act.

(c) The proposed 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 Plan.

(d) The Plan and Project conform to the comprehensive plan as a whole for the development of the Village as a whole as set forth herein

(e) As set forth in the Plan, the estimated date of completion of the Project is not later twenty-three years after the date of its adoption, and the estimated date of the retirement of all obligations incurred to finance redevelopment project costs as defined in the Plan is not later than December 31, 2045, being the year in which payment to the Municipal Treasurer as provided in subsection (b) of Section 11-74.4-5 of the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year in which this ordinance is adopted .

(f) The parcels of real property in the proposed Area are contiguous, and only those contiguous parcels of real property and improvements thereon which will be substantially benefited by the proposed Project improvements are included in the proposed Area.

Section 2: *Exhibits Incorporated by Reference.* The proposed Plan and Project, which were the subject matter of the public hearing held on the 15th day of June, 2021, are hereby adopted

MIDWAY COURT TIF ORDINANCE ONE - ADOPTING PLAN AND PROJECT

and approved. A copy of the Plan and Project is set forth in EXHIBIT D attached hereto and incorporated herein as if set out in full by this reference.

Section 3: *Invalidity of Any Section.* If any section, paragraph, or provision of this ordinance shall be 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.

Section 4: *Superseder and Effective Date.* All ordinances, resolutions, motions or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

Section 5: *Transmittal to County Clerk.* The Village Clerk is hereby expressly directed to transmit forthwith to the County Clerk of Cook County, Illinois, a certified copy of this ordinance.

VOTE: AYES: _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2022

APPROVED this _____ day of _____ 2022

APPROVED:

**Mayor Craig B. Johnson
Village of Elk Grove Village**

ATTEST:

Loretta M. Murphy, Village Clerk

EXHIBITS

EXHIBIT A: Legal Description

Exhibit B: Description of Street Location

Exhibit C: Map of Area

Exhibit D: Redevelopment Plan & Project

**EXHIBIT A
LEGAL DESCRIPTION
MIDWAY COURT TIF**

1. ALL THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
2. BEGINNING AT A POINT ON THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT, BEING A LINE THAT FORMS AN ANGLE OF 41 DEGREES 11 MINUTES TO THE LEFT FROM THE PROLONGATION OF THE EAST LINE OF SAID SOUTH EAST QUARTER, SAID POINT BEING 547.45 FEET NORTHWESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER;
3. THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE 238.45 FEET TO AN ANGLE IN SAID CENTER LINE;
4. THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE 327.74 FEET TO A LINE 487.77 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22 AFORESAID;
5. THENCE NORTH ALONG SAID LINE 487.77 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, A DISTANCE OF 646.90 FEET TO THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY;
6. THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY 415.54 FEET TO THE NORTHWESTERLY LINE OF A 50 FEET WIDE STRIP OF LAND LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY;
7. THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY 50.0 FEET TO THE SOUTHERLY LINE OF A 50 FEET WIDE STRIP OF LAND LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY;
8. THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF A 50 FEET WIDE STRIP OF LAND LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY 224.77 FEET TO A LINE PARALLEL WITH THE WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION

22 AFORESAID, SAID PARALLEL LINE BEING EXTENDED NORTH FROM AFORESAID POINT BEING 547.45 FEET NORTHWESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER, AS MEASURED ALONG THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT;

9. THENCE SOUTH ALONG SAID PARALLEL LINE BEING EXTENDED NORTH FROM AFORESAID POINT BEING 547.45 FEET NORTHWESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER, AS MEASURED ALONG THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT, 331.01 FEET TO THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT AND THE POINT OF BEGINNING,
10. ALL IN COOK COUNTY, ILLINOIS.

EXHIBIT B:
Description of Street Location
Midway Court Redevelopment Project Area

The Midway Court Redevelopment Project Area consists of two tax parcels located between Midway Court and Interstate I-90, west of Busse Road and east of Higgins Road.

**EXHIBIT C:
Map of Area**



Figure 1 : Redevelopment Project Area Boundary
Elk Grove Village
Midway Court TIF Redevelopment Plan and Project

MIDWAY COURT TIF REDEVELOPMENT PLAN AND PROJECT

Prepared for:

The Village of Elk Grove Village

By:

Camiros, Ltd.

Date: April 2021

This plan is subject to review and may be revised after comment and public hearing.

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1. INTRODUCTION

This document presents a Tax Increment Redevelopment Plan and Project (the "Plan") under the requirements of the *Tax Increment Allocation Redevelopment Act* (65 ILCS 5/11-74.4-1 et seq.), as amended (the "Act") for the Midway Court TIF Redevelopment Project Area (the "Project Area") located in the Village of Elk Grove Village, Illinois (the "Village").

The Project Area boundaries are delineated on *Figure 1: Redevelopment Project Area Boundary in Appendix A* and legally described in *Appendix B*. The Project Area consists of two tax parcels located between Midway Court and Interstate I-90, west of Busse Road and east of Higgins Road. The Project Area is approximately 4.9 acres in size.

This Plan responds to problem conditions within the Project Area as discussed herein and reflects a commitment by the Village to improve and revitalize the Project Area. The purpose of this Plan is to encourage private redevelopment and reinvestment by making the public infrastructure available and providing other assistance allowed under the Act to support private reinvestment, thereby stabilizing the tax base of the Village and other taxing districts.

The Plan summarizes the analyses and findings of the Consultant's work which, unless otherwise noted, is the responsibility of Camiros, Ltd. (the "Consultant"). The Village is entitled to rely on the findings and conclusions of this Plan in designating the Project Area as a redevelopment project area under the Act. The Consultant has prepared this Plan and the related eligibility study with the understanding that the Village would rely: 1) on the findings and conclusions of the Plan and the related eligibility study in proceeding with the designation of the Project Area and the adoption and implementation of the Plan, and 2) on the fact that the Consultant has prepared the Plan and the related eligibility study in compliance with the Act.

The Plan presents certain conditions, research and analysis undertaken to document the eligibility of the Project Area for designation as a tax increment financing ("TIF") district. The need for public intervention, goals and objectives, land use policies and other policy materials are presented in this Plan. The results of a study documenting the eligibility of the Project Area as a conservation area is presented in *Appendix C: Midway Court TIF Redevelopment Project Area Eligibility Study* (the "Eligibility Study").

Tax Increment Financing

In adopting the Act, the Illinois State Legislature found at Section 5/11-74.4-2(a) that:

... there exist in many municipalities within this State blighted, conservation and industrial park conservation areas, as defined herein; that the conservation areas are rapidly deteriorating and declining and may soon become blighted areas if their decline is not checked;

and also found at Section 5/11-74.4-2(b) that:

... in order to promote and protect the health, safety, morals, and welfare of the public, that blighted conditions need to be eradicated and conservation measures instituted, and that redevelopment of such areas be undertaken; that to remove and alleviate adverse

conditions it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts in such areas by the development or redevelopment of project areas. The eradication of blighted areas and treatment and improvement of conservation areas and industrial park conservation areas by redevelopment projects is hereby declared to be essential to the public interest.

In order to use the tax increment financing technique, a municipality must first establish that the proposed redevelopment project area meets the statutory criteria for designation as a "blighted area," or a "conservation area." A redevelopment plan must then be prepared that describes the development or redevelopment program intended to be undertaken to reduce or eliminate those conditions which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof, and thereby enhance the tax bases of the taxing districts which extend into the redevelopment project area. The statutory requirements are set out at 65 ILCS 5/11-74.4-3, et seq.

The Act provides that, in order to be adopted, the Plan must meet the following conditions under 5/11-74.4-3(n):

- (1) the 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;
- (2) the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality;
- (3) the redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (which dates shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in Section 8 (b) of the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted);
- (4) in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area;
- (5) if any incremental revenues are being utilized under Section 8 (a) (1) or 8 (a) (2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986 the municipality finds (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area; and

- (6) certification that a housing impact study need not be performed if less than 10 residential units will be displaced (see 5/11-74.4-3 (n)(5) of the Act).

Redevelopment projects are defined as any public or private development projects undertaken in furtherance of the objectives of the redevelopment plan in accordance with the Act. The Act provides a means for municipalities, after the approval of a redevelopment plan and project, to redevelop blighted, conservation, or industrial park conservation areas and to finance eligible "redevelopment project costs" with incremental property tax revenues. "Incremental Property Tax" or "Incremental Property Taxes" are derived from the increase in the current equalized assessed value ("EAV") of real property within the redevelopment project area over and above the "Certified Initial EAV" of such real property. Any increase in EAV is then multiplied by the current tax rate to arrive at the Incremental Property Taxes.

To finance redevelopment project costs, a municipality may issue obligations secured by Incremental Property Taxes to be generated within the redevelopment project area. In addition, a municipality may pledge towards payment of such obligations any part or any combination of the following:

- (a) net revenues of all or part of any redevelopment project;
- (b) taxes levied and collected on any or all property in the municipality;
- (c) the full faith and credit of the municipality;
- (d) a mortgage on part or all of the redevelopment project; or
- (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Tax increment financing does not generate tax revenues. This financing mechanism allows the municipality to capture, for a certain number of years, the new tax revenues produced by the enhanced valuation of properties resulting from the municipality's redevelopment program, improvements and activities, various redevelopment projects, and the reassessment of properties. This revenue is then reinvested in the area through rehabilitation, developer subsidies, public improvements and other eligible redevelopment activities. While tax increment financing is in place, all taxing districts continue to receive property taxes levied on the initial valuation of properties within the redevelopment project area. Additionally, taxing districts can receive distributions of "surplus" Incremental Property Taxes when annual Incremental Property Taxes received exceed principal and interest obligations for that year and redevelopment project costs necessary to implement the redevelopment plan have been paid and such excess Incremental Property Taxes are not otherwise required, pledged or otherwise designated for other redevelopment projects as determined by the Village. Taxing districts also benefit from the increased property tax base after redevelopment project costs and obligations are paid in full.

The Village authorized an evaluation to determine whether certain real property in the Village, to be known as the Midway Court TIF Redevelopment Project Area (the "Project Area"), qualifies for designation as a redevelopment project area under the provisions contained in the Act. If the Project Area so qualifies, the Village has authorized the preparation of a redevelopment plan (the "Plan") for the Project Area in accordance with the requirements of the Act.

As described in the *Eligibility Study*, attached as *Appendix C*, the Project Area is experiencing deterioration and lack of private investment. The analysis of conditions within the Project Area indicates that it is appropriate for designation as a "conservation area" as defined in the Act. The Plan has been formulated in compliance with the provisions of the Act and will serve as a guide for proposed public and private development in the Project Area.

2. PROJECT AREA DESCRIPTION

The Project Area includes only contiguous tax parcels that are anticipated to substantially benefit from the proposed redevelopment project area improvements.

Community Context

Elk Grove Village is home to the largest business park in the United States with over 3,600 businesses located in a 5.4-square-mile area. The Elk Grove Business Park ("Business Park") is adjacent to O'Hare International Airport and served by several Interstate highways. It has always comprised the major portion of the Village's tax base and that of the overlapping taxing districts. It is critical that the Business Park remain viable and modern so that it will continue to attract new and growing businesses and private investment.

The Project Area was recently annexed to the Village. This redevelopment project area is being created to facilitate the redevelopment of obsolete and deteriorated properties that have an adverse impact on adjacent Business Park uses that are located within the Village's Busse/Elmhurst Road TIF.

Current Land Use

The Project Area includes two tax parcels improved with a concrete recycling facility. The Project Area was developed under Cook County zoning and does not meet Village development standards.

Transportation Characteristics

The Project Area is located on a dead-end street that can only be accessed via Higgins Road. This portion of Higgins Road carries approximately 27,000 vehicles per day. The Midway Court-Higgins Road intersection is located at a curve with difficult site lines.

3. ELIGIBILITY OF THE PROJECT AREA FOR DESIGNATION AS A REDEVELOPMENT PROJECT AREA

The Project Area on the whole has not been subject to growth and development through investment by private enterprise. Based on the conditions present, the Project Area is not likely to attract private sector investment without the creation of the Redevelopment Project Area and adoption of this Plan. Studies were undertaken to establish whether the proposed Project Area is eligible for designation as a “blighted area” or “conservation area” in accordance with the requirements of the Act. This analysis concluded that the Project Area qualifies for designation as a redevelopment project area because it is a conservation area consistent with the definitions contained in the Act.

In order to be designated as a conservation area, 50% or more of the buildings within the improved portion of the Project Area must be 35 years of age or older. The Project Area currently contains two permanent buildings. According to Cook County property records, both buildings are more than 35 years of age.

Once the age requirement has been met, the presence of at least three of the 13 conditions stated in the Act is required for designation as a conservation area. The eight conditions listed below are meaningfully present and reasonably distributed in the Project Area with respect to improved property:

- Obsolescence
- Deterioration
- Presence of structures below minimum code standards
- Inadequate utilities
- Excessive land coverage and overcrowding of community facilities
- Deleterious land use or layout
- Lack of community planning
- Lagging or declining equalized assessed valuation (“EAV”)

Need for Public Intervention

Besides establishing eligibility of the Project Area for designation as a redevelopment project area under the Act, the presence of these conditions help to demonstrate the need for public intervention to attract private investment to the Project Area and achieve economic growth that will benefit all taxing districts through implementation of the Plan. For more details on the basis for eligibility, refer to [Appendix C: Eligibility Study](#).

The Project Area on the whole has not been subject to growth and investment by private enterprise and is not reasonably likely to attract new development without adoption of a Redevelopment Plan and Project. A variety of impediments, which are described in the *Eligibility Study*, will need to be addressed to achieve the community’s development vision.

4. REDEVELOPMENT PLAN GOALS AND OBJECTIVES

This Plan is guided by a series of goals and objectives that describe how the Plan can help improve the Project Area. These goals and objectives are consistent with community vision, goals and objectives for the Elk Grove Business Park and the Village Comprehensive Plan. The delineation of these goals and objectives are also supported through research performed within the Project Area to document the presence of conditions that qualify the area for designation as a conservation area under the Act.

General Goals

The following general goals describe broad statements indicating how the Plan can help improve the Project Area.

1. Reduce or eliminate those conditions that qualify the Project Area for designation as a tax increment finance district while maintaining the economic vitality of the Project Area.
2. Create an attractive environment that encourages new industrial development and increases the tax base of the Project Area, thereby fostering confidence in new real estate investment.
3. Upgrade public utilities, infrastructure and streets, including providing stormwater detention to alleviate flooding.
4. Create an environment which will preserve or enhance the value of properties within and adjacent to the Project Area, improving the tax base for the Village and other taxing districts that have jurisdiction over the Project Area.

Redevelopment Objectives

The following redevelopment objectives describe how the Plan can be used to help foster particular types of redevelopment needed within the Project Area.

1. Encourage redevelopment of underutilized property within the Project Area to enhance the identity and economic contribution of the Elk Grove Business Park to the community and underlying taxing districts.
2. Attract new businesses and retain appropriate existing businesses.

The preceding goals and objectives provide initial direction regarding priorities for making the public infrastructure improvements and investments to support private investment activity. It is anticipated that the Plan's goals and objectives will be reviewed throughout the life of the Plan and adjusted as required to successfully implement the Plan.

5. REDEVELOPMENT PLAN

The Village proposes to achieve the Plan's goals through the use of public financing techniques, including tax increment financing, and by undertaking some or all of the following actions:

Property Assembly and Site Preparation

To meet the goals and objectives of this Plan, the Village may acquire and assemble property throughout the Project Area. Land assemblage by the Village may be by purchase, exchange, donation, lease, or other available means of land acquisition. The purposes of land assemblage are to be able to (a) sell, lease or convey property to private developers committed to locating in the Project Area, or to (b) sell, lease, or convey or dedicate the land for the construction of public improvements or facilities. The Village may enter into written redevelopment agreements with developers before acquiring or conveying land to ensure that properties are developed in accordance with the goals of this Plan, the Village's design objectives and land use goals. As appropriate, the Village may devote acquired property to temporary uses until such property is scheduled for disposition and development.

If the Village elects to exercise its power to acquire real property under the Act in implementing the Plan, the Village will follow its customary procedures. Acquisition of such real property as may be authorized by the Village Board does not constitute a change in the nature of this Plan.

Intergovernmental and Redevelopment Agreements

The Village may enter into redevelopment agreements or intergovernmental agreements with private entities or other public entities to construct, rehabilitate, renovate or restore private or public improvements on one or several parcels (collectively referred to as "Redevelopment Projects").

Terms of redevelopment as part of a redevelopment project may be incorporated in appropriate redevelopment agreements. For example, the Village may agree to reimburse a developer for incurring certain eligible redevelopment project costs under the Act. Such agreements may contain specific development controls as allowed by the Act.

Analysis, Professional Services and Administrative Activities

The Village may undertake or engage professional consultants, engineers, architects, attorneys, and others to conduct various analyses, studies, administrative legal services or other professional services to establish, implement and manage the Plan.

Provision of Public Improvements and Facilities

Adequate public improvements and facilities are required to support future development in the Project Area. Public improvements and facilities may include, but are not limited to construction and extension of new stormwater management facilities, sanitary sewer facilities, domestic water service, upgrading streets, signalization improvements, provision of streetscape amenities, parking

improvements, utility improvements, property access improvements, roadway lighting, sidewalk construction and rehabilitation, and other multi-modal transportation improvements.

Financing Costs Pursuant to the Act

Interest on any obligations issued under the Act accruing during the estimated period of construction of the redevelopment project and other financing costs may be paid from the incremental tax revenues pursuant to the provisions of the Act.

Interest Costs Pursuant to the Act

Pursuant to the Act, the Village may allocate a portion of the incremental tax revenues to pay or reimburse developers for a portion of interest costs incurred in connection with redevelopment activities in order to enhance the redevelopment potential of the Project Area.

Terms of Annexation

The Village plans to annex the Project Area prior to establishment of a redevelopment project area under the provisions of the Act. The terms of annexation may include the usual and customary annexation provisions, including tax rates, public improvements, zoning changes and continuing uses.

6. REDEVELOPMENT PROJECT DESCRIPTION

This Plan seeks to encourage private investment by reducing blighting conditions, such as deterioration, inadequate utilities, obsolescence, deleterious land use or layout, and other conditions that have hindered such investment. The Plan recognizes that new private investment is needed to improve and revitalize the Project Area and support needed public infrastructure investments. The redevelopment of the Project Area is expected to encourage economic revitalization within the Project Area and the surrounding area.

Public Infrastructure Improvements

In order to support the development of property within the Project Area, the Village may upgrade and expand utilities to adequately serve new private development. This public improvement work will support redevelopment to meet the needs of future users.

Property Acquisition and New Development

In order to facilitate redevelopment project activities, the acquisition of property may be required. Property acquisition will be limited to properties needed to support new industrial/commercial development.

7. GENERAL LAND USE PLAN AND MAP

Figure 3: General Land Use Plan, in Appendix A, identifies land uses expected to result from implementation of the Plan. The land use designation is industrial mixed use in keeping with the historic development character of the Elk Grove Business Park. The mixed use designation provides guidance and flexibility in future land use policy where a variety of commercial support uses may be appropriate.

The land use plan is intended to direct development toward the most appropriate land use pattern for the Project Area and enhance the overall development of the Project Area in accordance with the goals and objectives of the Plan. Locations of specific uses, or public infrastructure improvements, may vary from the General Land Use Plan as a result of more detailed planning and site design activities. Such variations are permitted without amendment to the Plan as long as they are consistent with the Plan's goals and objectives and the land uses and zoning approved by the Elk Grove Plan Commission and Village Board.

8. REDEVELOPMENT PLAN FINANCING

Tax increment financing is an economic development tool designed to facilitate the redevelopment of blighted areas and to arrest decline in conservation areas that may become blighted without public intervention. It is expected that tax increment financing will be an important means, although not necessarily the only means, of financing improvements and providing development incentives in the Project Area throughout its 23-year life.

Tax increment financing can only be used when private investment would not reasonably be expected to occur without public assistance. The Act sets forth the range of public assistance that may be provided. It is anticipated that expenditures for redevelopment project costs will be carefully staged in a reasonable and proportional basis to coincide with expenditures for redevelopment by private developers and the projected availability of tax increment revenues.

The various redevelopment expenditures that are eligible for payment or reimbursement under the Act are reviewed below. Following this review is a list of estimated redevelopment project costs that are deemed to be necessary to implement this Plan (the "Redevelopment Project Costs" or "Project Budget").

In the event the Act is amended after the date of the approval of this Plan by the Elk Grove Village Board to a) include new eligible redevelopment project costs, or b) expand the scope or increase the amount of existing eligible redevelopment project costs (such as, for example, by increasing the amount of incurred interest costs that may be paid under 65 ILCS 5/11-74.4-3(q)(11)), this Plan shall be deemed to incorporate such additional, expanded or increased eligible costs as Redevelopment Project Costs under the Plan, to the extent permitted by the Act. In the event of such amendment(s) to the Act, the Village may add any new eligible redevelopment project costs as a line item in *Table 1: Estimated Redevelopment Project Costs* or otherwise adjust the line items in *Table 1* without amendment to this Plan, to the extent permitted by the Act. In no instance, however, shall such additions or adjustments result in any increase in the total Redevelopment Project Costs without a further amendment to this Plan, in accordance with the provisions of the Act.

Eligible Redevelopment Costs

Redevelopment project costs include the sum total of all reasonable or necessary costs incurred, estimated to be incurred, or incidental to this Plan pursuant to the Act. Such costs may include, without limitation, the following:

- a) Costs of studies, surveys, development of plans and specifications, implementation and administration of the Plan including but not limited to, staff and professional service costs for architectural, engineering, legal, financial, planning or other services (excluding lobbying expenses), provided that no charges for professional services are based on a percentage of the tax increment collected;
- b) The costs of marketing sites within the Project Area to prospective businesses, developers and investors;
- c) Property assembly costs, including but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site

improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

- d) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the costs of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment; including any direct or indirect costs relating to Green Globes or LEED certified construction elements or construction elements with an equivalent certification;
- e) Costs of the construction of public works or improvements, including any direct or indirect costs relating to Green Globes or LEED certified construction elements or construction elements with an equivalent certification subject to the limitations in Section 11-74.4-3(q)(4) of the Act;
- f) Costs of job training and retraining projects including the cost of welfare to work programs implemented by businesses located within the Project Area;
- g) Financing costs including, but not limited to, all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued thereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for a period not exceeding 36 months following completion and including reasonable reserves related thereto;
- h) To the extent the Village by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the Plan.
- i) An elementary, secondary or unit school district, or public library district's increased costs attributable to assisted housing units will be reimbursed as provided in the Act;
- j) Relocation costs to the extent that the Village determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or state law or by Section 74.4-3(n)(7) of the Act;
- k) Payment in lieu of taxes, as defined in the Act;
- l) Costs of job training, retraining, advanced vocational education or career education, including but not limited to, courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs; (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in the Project Area; and (ii) when incurred by a taxing district or taxing districts other than the Village, are set forth in a written agreement by or among the Village and the taxing district or taxing districts, which agreement describes the program to be undertaken including but not limited to, the number of employees to be trained, a description

of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40, and 3-40.1 of the Public Community College Act, 110 ILCS 805/3-37, 805/3-38, 805/3-40 and 805/3-40.1, and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of the School Code, 105 ILCS 5/10-22.20a and 5/10-23.3a;

- m) Interest costs incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:
 - 1) such costs are to be paid directly from the special tax allocation fund established pursuant to the Act;
 - 2) such payments in any one year may not exceed 30 percent of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;
 - 3) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this provision, then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;
 - 4) the total of such interest payments paid pursuant to the Act may not exceed 30 percent of the total: (i) cost paid or incurred by the redeveloper for such redevelopment project; (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by the Village pursuant to the Act; and
 - 5) up to 75 percent of the interest cost incurred by a redeveloper for the financing of rehabilitated or new housing for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act.
- n) Instead of the eligible costs provided for in (m) 2, 4 and 5 above, the Village may pay up to 50 percent of the cost of construction, renovation and/or rehabilitation of all low- and very low-income housing units (for ownership or rental) as defined in Section 3 of the Illinois Affordable Housing Act. If the units are part of a residential redevelopment project that includes units not affordable to low- and very low-income households, only the low- and very low-income units shall be eligible for benefits under the Act;
- o) The costs of daycare services for children of employees from low-income families working for businesses located within the Project Area and all or a portion of the cost of operation of day care centers established by Project Area businesses to serve employees from low-income families working in businesses located in the Project Area if the Project Area is located within a municipality with a population of more than 100,000. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80 percent of the City, county or regional median income as determined from time to time by the United States Department of Housing and Urban Development.
- p) Unless explicitly provided in the Act, the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost;

- q) The Act contains limitations on eligible redevelopment project costs related to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within ten miles of the redevelopment project area, but outside of the boundaries of the redevelopment project area municipality.
- r) No cost shall be an eligible project cost if used to demolish, remove, or substantially modify a historic resource, unless no prudent and feasible alternative exists. This provision does not apply to a place or structure for which demolition, removal or modification is subject to review by the preservation agency of a designated Certified Local Government.
- s) If a special service area has been established pursuant to the Special Service Area Tax Act, 35 ILCS 235/0.01 et seq., then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act may be used within the Project Area for the purposes permitted by the Special Service Area Tax Act as well as the purposes permitted by the Act.

Redevelopment Project Cost Budget

The eligible project cost line items that constitute the project budget of the Plan are listed in *Table 1: Estimated Redevelopment Project Costs*. Costs may be allocated among lines items, as long as the total costs do not exceed the total set forth in this Plan or are expressly authorized under the Act.

The maximum estimated gross eligible project cost over the life of the Project Area is \$20 million. All project cost estimates are in 2021 dollars. Any bonds issued to finance portions of the redevelopment project may include an amount of proceeds sufficient to pay customary and reasonable charges associated with issuance of such obligations, as well as to provide for capitalized interest and reasonably required reserves.

Additional funding from other sources such as federal, state, county, or local grant funds may be utilized to supplement the Village's ability to finance Redevelopment Project Costs identified above. In the event there are costs savings in certain line items, the Village reserves the right to re-allocate dollars among the line items listed below. The total reflects the maximum amount the Village could spend over the 23 year life of the TIF; it does not reflect any expenditures or commitments the Village has made.

Table 1:
Estimated Redevelopment Project Costs

Eligible Expense	Estimated Cost
Analysis, Planning, Engineering, Surveys, Legal, etc.	\$500,000
Marketing Costs	\$500,000
Property Assembly including Acquisition, Demolition, Site Preparation, Relocation and Environmental Remediation	\$12,000,000
Public Works and Improvements	\$4,000,000
Financing Costs and Required Payments (pursuant to the provisions of the Act)	\$2,000,000
Interest Costs	\$1,000,000
TOTAL REDEVELOPMENT PROJECT COSTS	\$20,000,000

Sources of Funds

Funds necessary to pay for Redevelopment Project Costs and secure municipal obligations issued for such costs are to be derived primarily from Incremental Property Taxes. Other sources of funds which may be used to pay for Redevelopment Project Costs or secure municipal obligations are land disposition proceeds, state and federal grants, investment income, private financing and other legally permissible funds the Village may deem appropriate. The Village may incur redevelopment project costs which are paid for from funds of the Village other than incremental taxes, and the Village may then be reimbursed from such costs from incremental taxes. Also, the Village may permit the utilization of guarantees, deposits and other forms of security made available by private sector developers. Additionally, the Village may utilize revenues, other than State sales tax increment revenues, received under the Act from one redevelopment project area for eligible costs in another redevelopment project area that is either contiguous to, or is separated only by a public right-of-way from, the redevelopment project area from which the revenues are received.

The Project Area is contiguous to the Busse/Elmhurst Road TIF, which was created in 2014. The Project Area may be contiguous to or separated by only a public right-of-way from other redevelopment project areas created under the Act. The Village may utilize net incremental property taxes received from the Project Area to pay eligible redevelopment project costs, or obligations issued to pay such costs, in other contiguous redevelopment project areas or project areas separated only by a public right-of-way, and vice versa pursuant to the provisions of the Act.

The Project Area may become contiguous to, or be separated only by a public right-of-way from, redevelopment project areas created under the Industrial Jobs Recovery Law (65 ILCS 5/11-74.6-1 et seq.). If the Village finds that the goals, objectives and financial success of such contiguous redevelopment project areas, or those separated only by a public right-of-way, are interdependent with those of the Project Area, the Village may determine that it is in the best interests of the Village, and in furtherance of the purposes of the Plan, that net revenues from the Project Area be made available to

support any such redevelopment project areas and vice versa. The Village therefore proposes to utilize net incremental revenues received from the Project Area to pay eligible redevelopment project costs (which are eligible under the Industrial Jobs Recovery Law referred to above) in any such areas, and vice versa pursuant to the provisions of the Act.

Issuance of Obligations

The Village may issue obligations secured by Incremental Property Taxes pursuant to Section 11-74.4-7 of the Act. To enhance the security of a municipal obligation, the Village may elect to pledge its full faith and credit through the issuance of general obligations bonds, but is not required to do so. Additionally, the Village may provide other legally permissible credit enhancements to any obligations issued pursuant to the Act.

The redevelopment project shall be completed, and all obligations issued to finance redevelopment costs shall be retired, no later than December 31st of the year in which the payment to the Village treasurer as provided in the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year following the year in which the ordinance approving the Project Area is adopted.

Also, although the life of the Project Area is 23 years, the final maturity date of any such obligations which are issued may not be later than 20 years from their respective dates of issue. One or more series of obligations may be sold at one or more times in order to implement this Plan. Obligations may be issued on a parity or subordinated basis.

In addition to paying Redevelopment Project Costs, Incremental Property Taxes may be used for the scheduled retirement of obligations, mandatory or optional redemptions, establishment of debt service reserves and bond sinking funds. To the extent that Incremental Property Taxes are not needed for these purposes, and are not otherwise required, pledged, earmarked or otherwise designated for the payment of Redevelopment Project Costs, any excess Incremental Property Taxes shall then become "surplus" as that term is defined in the Act and shall be distributed annually on a pro rata basis to taxing districts having the authority to levy property taxes in the Project Area as provided by the Act.

NOTHING HEREIN SHALL BE CONSTRUED AS A COMMITMENT OF THE VILLAGE TO USE ITS FULL FAITH AND CREDIT TO SUPPORT ANY TIF OBLIGATIONS ISSUED OR ANY AGREEMENTS ENTERED INTO WITHOUT THE EXPRESS APPROVAL OF THE VILLAGE BOARD GIVEN IN COMPLIANCE WITH ILLINOIS LAW.

Most Recent Equalized Assessed Valuation (EAV)

The purpose of identifying the most recent equalized assessed valuation ("EAV") of the Project Area is to provide an estimate of the initial EAV which the Cook County Clerk will certify for the purpose of annually calculating the incremental EAV and incremental property taxes of the Project Area. The 2019 EAV of all taxable parcels in the Project Area was approximately \$1,564,524. This total EAV amount, listed by parcel, is summarized in [Appendix D](#). The EAV is subject to verification by the Cook County Clerk. After verification, the final figure shall be certified by the Cook County Clerk, and shall become the Certified Initial EAV from which all incremental property taxes in the Project Area will be calculated by Cook County. The Plan has utilized the EAVs for the 2019 tax year which is the most recent ascertainable EAV. If the 2020 EAV shall become available prior to the date of the adoption of the Plan

by the Elk Grove Village Board, the Village may update the Plan by replacing the 2019 EAV with the 2020 EAV.

Anticipated Equalized Assessed Valuation

Once the redevelopment project has been completed and the property is fully assessed, the estimated EAV of real property within the Project Area is expected to be in the range of \$18 to \$24 million. This estimate has been calculated assuming that the Project Area will be developed in accordance with *Figure 2: General Land Use Plan* presented in Appendix A.

The estimated EAV assumes that the assessed value of property within the Project Area will increase substantially as a result of new development and public improvements. Calculation of the estimated EAV is based on the following assumptions: 1) the redevelopment of the Project Area will occur in a timely manner, and 2) an average annual appreciation rate of 2.5% is assumed throughout the life of the TIF.

Financial Impact on Taxing Districts

The Act requires an assessment of any financial impact of the Project Area on, or any increased demand for services from, any taxing district affected by the Plan and a description of any program to address such financial impacts or increased demand.

The following taxing districts presently levy taxes on properties located within the Project Area:

Cook County. The County has principal responsibility for the protection of persons and property, the provision of public health services and the maintenance of County highways. The Cook County Consolidated Elections levy supports local elections in Cook County.

Cook County Forest Preserve District. The Forest Preserve District is responsible for acquisition, restoration and management of lands for the purpose of protecting and preserving open space in the Village and County for the education, pleasure and recreation of the public.

Metropolitan Water Reclamation District of Greater Chicago. The Water Reclamation District provides the main trunk lines for the collection of wastewater from cities, villages and towns, and for the treatment and disposal thereof.

Elk Grove Township. Elk Grove Township is a basic division of a County with powers to levy taxes, pass local ordinances and regulations, and provide various services as authorized by state statutes and elected officials. The Elk Grove Township Supervisor is also the Supervisor of General Assistance. The general assistance levy covers operating expenses and support for the needy that qualify under the general assistance guidelines. The Elk Grove Township Road and Bridge levy covers administrative costs, highway department employee salaries and costs to construct, maintain and repair township roads and bridges, and is the responsibility of the Township Highway Commissioner.

Village of Elk Grove Village. The Village is responsible for the provision of a wide range of municipal services, including police and fire protection; capital improvements and maintenance; water supply and distribution; sanitation service; and building, housing and zoning codes, etc.

Village of Elk Grove Village Library. The Elk Grove Village Public Library is a component unit of the Village of Elk Grove Village. The Library's mission is to facilitate the sharing of knowledge among

people of all ages by providing various format in an organized, accessible collection for the purpose of enriching lives through accurate information, reading and entertainment within an inviting facility.

Community Consolidated School District 59. General responsibilities of School District 59 include the provision, maintenance and operations of educational facilities and the provision of educational services for kindergarten through eighth grade. The district covers 24 square miles and serves a population of approximately 75,000 residents.

Arlington Heights Township High School District 214. District 214 is the second largest high school district in Illinois, providing secondary education (9th to 12th grades) in parts of Wheeling, Elk Grove and Palatine townships. The District serves more than 280,000 residents in Arlington Heights, Buffalo Grove, Elk Grove Village, Mt. Prospect, Prospect Heights, Rolling Meadows, Wheeling and Des Plaines.

Harper Community College District 512. The Community College District is a unit of the State of Illinois' system of public community colleges, whose objective is to meet the educational needs of residents of the Village and other students seeking higher education programs and services.

Elk Grove Park District. The Park District is responsible for the provision, maintenance and operation of park and recreational facilities within its jurisdiction and for the provision of recreation programs.

Elk Grove Rural Fire Protection District. The Fire Protection District serves the unincorporated areas of Arlington Heights, Des Plaines, Elk Grove Village and Mt. Prospect.

Northwest Mosquito Abatement District. The District serves an area of approximately 242 square miles to abate mosquito nuisances using integrated pest management methods.

The proposed revitalization of the Project Area may create an increase in demand on public services and facilities as properties within the Project Area are redeveloped, which may be supported in part through user fees. New buildings will be built in accordance with current building and life safety codes and meet Cook County stormwater management requirements. No residential units are contemplated within the Project Area. Although the specific nature and timing of the private investment expected to be attracted to the Project Area cannot be precisely quantified at this time, a general assessment of financial impact can be made based upon the level of development and timing anticipated by the proposed Plan.

The land use plan anticipates that the Project Area will be developed entirely with commercial uses. Thus, there will be no service impacts for local school districts. It is expected that any increases in demand for the services and programs of the aforementioned taxing districts can be adequately addressed by the existing services and programs maintained by these taxing districts. A portion of the Project Budget has been allocated for public works and improvements, which may be used to address potential public service demands associated with implementing the Plan.

Upon completion of the Plan, all taxing districts are expected to share the benefits of a substantially improved tax base. When completed, developments in the Project Area will generate property tax revenues for all taxing districts. Other revenues may also accrue to the Village in the form of sales tax, business fees and licenses, and utility user fees.

Real estate tax revenues resulting from increases in the EAV, over and above the Certified Initial EAV established with the adoption of the Plan, will be used to pay eligible redevelopment costs in the Project Area. Following termination of the Project Area, the real estate tax revenues, attributable to the increase in the EAV over the certified initial EAV, will be distributed to all taxing districts levying taxes

against property located in the Project Area. Successful implementation of the Plan is expected to result in new development and private investment on a scale sufficient to overcome blighted conditions and substantially improve the long-term economic value of the Project Area.

Completion of the Redevelopment Project and Retirement of Obligations to Finance Redevelopment Project Costs

The Plan will be completed, and all obligations issued to finance redevelopment costs shall be retired, no later than December 31st of the year in which the payment to the Village treasurer as provided in the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year following the year in which the ordinance approving the Plan is adopted (assuming adoption in 2021, by December 31, 2045).

9. HOUSING IMPACT STUDY APPLICABILITY

As set forth in the Act, if the redevelopment plan for a redevelopment project area would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and a municipality is unable to certify that no displacement will occur, the municipality must prepare a housing impact study and incorporate the study in the redevelopment project plan.

The Project Area does not include any residential units. Consequently, the Act does not require a housing impact study be included in this Plan.

10. PROVISIONS FOR AMENDING THE PLAN

The Plan may be amended in accordance with the provisions of the Act.

11. COMMITMENT TO FAIR EMPLOYMENT PRACTICES AND AFFIRMATIVE ACTION

The Village is committed to and will affirmatively implement the following principles with respect to this Plan:

- A) The assurance of equal opportunity in all personnel and employment actions, with respect to the Redevelopment Project, including, but not limited to hiring, training, transfer, promotion, discipline, fringe benefits, salary, employment working conditions, termination, etc., without regard to race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, or housing status.
- B) This commitment to affirmative action and nondiscrimination will ensure that all members of the protected groups are sought out to compete for all job openings and promotional opportunities.
- C) Redevelopers will meet the requirements of the Illinois Prevailing Wage Act if determined to be applicable by the Illinois Department of Labor.

APPENDIX A

**MIDWAY COURT TIF
REDEVELOPMENT PROJECT AREA**

FIGURES 1-2



Figure 1 : Redevelopment Project Area Boundary
 Elk Grove Village
 Midway Court TIF Redevelopment Plan and Project

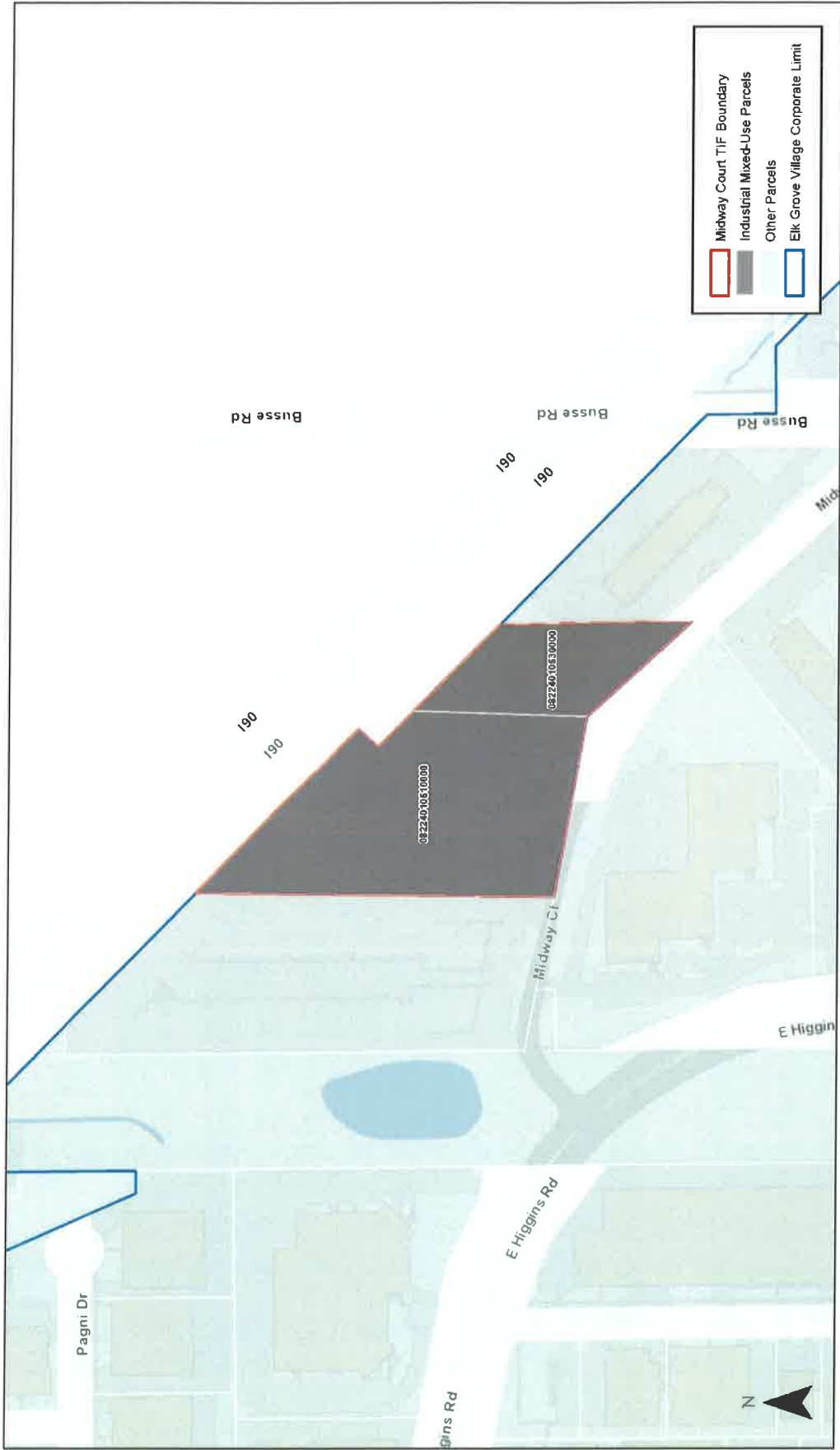


Figure 2 : General Land Use Plan
 Elk Grove Village
 Midway Court TIF Redevelopment Plan and Project

APPENDIX B

MIDWAY COURT TIF REDEVELOPMENT PROJECT AREA LEGAL DESCRIPTION

1. ALL THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
2. BEGINNING AT A POINT ON THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT, BEING A LINE THAT FORMS AN ANGLE OF 41 DEGREES 11 MINUTES TO THE LEFT FROM THE PROLONGATION OF THE EAST LINE OF SAID SOUTH EAST QUARTER, SAID POINT BEING 547.45 FEET NORTHWESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER;
3. THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE 238.45 FEET TO AN ANGLE IN SAID CENTER LINE;
4. THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE 327.74 FEET TO A LINE 487.77 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22 AFORESAID;
5. THENCE NORTH ALONG SAID LINE 487.77 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, A DISTANCE OF 646.90 FEET TO THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY;
6. THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY 415.54 FEET TO THE NORTHWESTERLY LINE OF A 50 FEET WIDE STRIP OF LAND LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY;
7. THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY 50.0 FEET TO THE SOUTHERLY LINE OF A 50 FEET WIDE STRIP OF LAND LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY;
8. THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF A 50 FEET WIDE STRIP OF LAND LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY 224.77 FEET TO A LINE PARALLEL WITH THE WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 22 AFORESAID, SAID PARALLEL LINE BEING EXTENDED NORTH FROM AFORESAID POINT BEING 547.45 FEET NORTHWESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER, AS MEASURED ALONG THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT;
9. THENCE SOUTH ALONG SAID PARALLEL LINE BEING EXTENDED NORTH FROM AFORESAID POINT BEING 547.45 FEET NORTHWESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER, AS MEASURED ALONG THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT, 331.01 FEET

TO THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT AND THE POINT OF
BEGINNING,

10. IN COOK COUNTY, ILLINOIS.

APPENDIX C

MIDWAY COURT TIF REDEVELOPMENT PROJECT AREA ELIGIBILITY STUDY

Introduction

On March 23, 2021, the Elk Grove Village Board adopted Resolution No. 21-21 authorizing preparation of an eligibility study related to the designation of an area known as the Midway Court Redevelopment Project Area as a redevelopment project area pursuant to the definitions set forth under (65 ILCS 5/11-74.4.1 et seq.), as amended (the "Act"). This legislation focuses on the elimination of blighted or rapidly deteriorating areas through the implementation of a redevelopment plan. Pursuant to the notice requirements contained in the Act, a copy of the ordinance was sent to affected tax districts on March 24, 2021.

This report summarizes the analyses and findings of the Consultant's work, which is the responsibility of Camiros, Ltd. ("the Consultant"). The Consultant has prepared this report with the understanding that the Village would rely 1) on the findings and conclusions of this report in proceeding with the designation of the Study Area as a redevelopment project area under the Act, and 2) on the fact that the Consultant, in determining the eligibility of the Project Area, has evaluated the Study Area in compliance with the eligibility requirements set forth in the Act.

The Tax Increment Allocation Redevelopment Act (the "Act") permits municipalities to induce redevelopment of eligible "blighted," "conservation" or "industrial park conservation areas" in accordance with an adopted redevelopment plan. The Act authorizes the use of tax increment revenues derived in a redevelopment project area for the payment or reimbursement of eligible Redevelopment Project Costs as set forth in the Act.

The Act stipulates specific procedures, which must be adhered to, in designating a redevelopment project area. One of those procedures is the determination that the area meets the statutory eligibility requirements. At 65 Sec 5/11-74.-3(p), the Act defines a "redevelopment project area" as follows:

"... an area designated by the municipality, which is not less in the aggregate than 1-1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or combination of both blighted areas and conservation areas."

In adopting this legislation, the Illinois General Assembly found:

1. (at 65 Sec 5/11-74.4-2(a)) ...there exist in many municipalities within the State blighted, conservation and industrial park conservation areas...; and
2. (at 65 Sec 5/11-74.4-2(b)) ...the eradication of blighted areas and the treatment and improvement of conservation areas by... redevelopment projects is hereby declared to be essential to the public interest.

The legislative findings were made on the basis that the presence of blight, or conditions that lead to blight, is detrimental to the safety, health, welfare and morals of the public. The Act specifies certain requirements, which must be met, before a municipality may proceed with implementing a redevelopment project in order to ensure that the exercise of these powers is proper and in the public interest.

Blighted Areas

Pursuant to the Act, a “blighted area” refers to either an improved or vacant area within the boundaries of a redevelopment project area where certain defined conditions are meaningfully present and reasonably distributed.

Improved Areas

Improved areas meet the requirements for designation as a blighted area through documentation of the presence of a combination of five or more of the following factors that are detrimental to the public safety, health or welfare:

1. Dilapidation
2. Obsolescence
3. Deterioration
4. Presence of structures below minimum code standards
5. Illegal use of individual structures
6. Excessive vacancies
7. Lack of ventilation, light or sanitary facilities
8. Inadequate utilities
9. Excessive land coverage and overcrowding of structures and community facilities
10. Deleterious land use or layout
11. Environmental clean-up requirements
12. Lack of community planning
13. Lagging or declining equalized assessed value (“EAV”)

Vacant Land

There are two sets of factors that determine whether vacant land meets the requirements for designation as a “blighted area” under the Act. The sound growth and development of the area may be impaired by the meaningful presence and reasonable distribution of two or more of the following factors:

- A. Obsolete platting
- B. Diversity of ownership
- C. Tax or special assessment delinquencies
- D. Deterioration of structures or site improvements in neighboring areas
- E. Environmental clean-up requirements
- F. Lagging or declining equalized assessed value (“EAV”)

Vacant land may also qualify for designation if the sound growth of the proposed redevelopment project area is impaired by one of the following factors:

- a. Area consists of one or more unused quarries, mines or strip mine ponds
- b. Area consists of unused rail yards, rail tracks or railroad rights-of-way
- c. Area is subject to chronic flooding pursuant to definitions contained in the Act
- d. Area consists of an unused or illegal disposal site as defined in the Act

- e. Area was designated as a town or village center prior to November 1, 1999, but not developed for that purpose
- f. Area qualified as a blighted improved area immediately prior to becoming vacant

Conservation Areas

A “conservation area” is an improved area located within the territorial limits of the municipality in which at least 50% of the structures have an age of 35 years or more. Such areas are not yet blighted but, because of a combination of three or more of the following conditions that are detrimental to the public safety, health, morals or welfare, may become a blighted area:

1. Dilapidation
2. Obsolescence
3. Deterioration
4. Presence of structures below minimum code standards
5. Illegal use of individual structures
6. Excessive vacancies
7. Lack of ventilation, light or sanitary facilities
8. Inadequate utilities
9. Excessive land coverage and overcrowding of structures and community facilities
10. Deleterious land use or layout
11. Lack of community planning
12. Environmental clean-up requirements
13. Lagging or declining equalized assessed value (“EAV”)

Industrial Park Conservation Areas

To be designated as an “industrial park conservation area” the municipality must be a “labor surplus municipality, as defined in the Act. The property contained in the redevelopment project area must be zoned as industrial no later than the date the TIF designation ordinances are adopted. The area must include both vacant land suitable for use as an industrial park and a blighted area or a conservation area contiguous to such vacant land.

Midway Court TIF Study Area

The Midway Court TIF Study Area, shown in *Figure A: Study Area*, is approximately 4.89 acres in size. The Project Area is located north of Midway Court, south of Interstate I-90 generally between Busse and Higgins Road. The Study Area consists of improved property pursuant to the definitions contained in the Act.

The Project Area includes two improved industrial tax parcels. A concrete recycling facility currently operates on the site. There are three building structures on the two tax parcels, including a brick office building, a construction trailer and a metal building that appears to have been constructed using shipping containers that have been welded together. Piles of construction materials occupy most of the land within the Study Area.



Figure A : Study Area
Elk Grove Village
Midway Court TIF Redevelopment Plan and Project

Eligibility Analysis Overview

An analysis was undertaken to determine whether any or all of the eligibility factors listed in the Act are present in the Study Area, and if so, to what extent and in which locations. In order to accomplish this evaluation the following tasks were undertaken:

1. Exterior survey of the condition and use of each building;
2. Field survey of environmental conditions involving parking facilities, public infrastructure, site access, fences and general property maintenance;
3. Analysis of existing land uses and their relationships;
4. Comparison of surveyed buildings to zoning regulations;
5. Analysis of the current platting, building size and layout;
6. Analysis of building floor area and site coverage;
7. Review of previously prepared plans, studies, inspection reports and other data;
8. Analysis of real estate assessment data;
9. Review of available building permit records to determine the level of development activity in the area; and
10. Review of building code violation and fire suppression system information.

Improved Property Condition Evaluation

This section summarizes the process used for assessing improved property conditions in the Study Area. These standards and criteria were used to evaluate the existence of dilapidation or deterioration of buildings and structures.

Building Components Evaluated

During the field survey, buildings were examined to determine whether they were in sound condition or had minor, major, or critical defects. Building components examined were of two types:

Primary Structural Components

These include the basic elements of any building: foundation walls, load-bearing walls and columns, roof, roof structures and facades.

Secondary Components

These are components generally added to the primary structural components and are necessary parts of the building, including exterior and interior stairs, windows and window units, doors and door units, interior walls, chimney, and gutters and downspouts.

Each primary and secondary component was evaluated separately as a basis for determining the overall condition of individual buildings. This evaluation considered the relative importance of specific components within a building and the effect that deficiencies in components will have on the remainder of the building.

Building Component Classification

The four categories used in classifying building components and systems and the criteria used in evaluating structural deficiencies are described below.

Sound

Building components that contain no defects, are adequately maintained, and require no treatment outside of normal ongoing maintenance.

Minor Deficient

Building components containing minor defects (loose or missing material or holes and cracks over a limited area), which often may be corrected through the course of normal maintenance. Minor defects have no real effect on either the primary or secondary components and the correction of such defects may be accomplished by the owner or occupants. Examples include tuck pointing masonry joints over a limited area or replacement of less complicated components. Minor defects are not considered in rating a building as structurally substandard.

Major Deficient

Building components that contain major defects over a widespread area that would be difficult or costly to correct through normal maintenance. Buildings in the major deficient category would require replacement or rebuilding of components by people skilled in the building trades.

Dilapidated

Building components that contain severe defects (bowing, sagging, or settling to any or all exterior components causing the structure to be out-of-plumb, or broken, loose or missing material and deterioration over a widespread area) so extensive that the cost of repair would be excessive. The cost of repairs needed to bring such buildings into sound condition would likely exceed the value of the building and would not represent a prudent use of funds.

Final Building Rating

Based on the evaluation of building components, buildings were classified as follows:

Sound

Sound buildings can be kept in a standard condition with normal maintenance. Buildings so classified have no minor defects.

Deteriorated

Deteriorated buildings contain defects that collectively are not easily correctable and cannot be accomplished in the course of normal maintenance. Buildings classified as deteriorated have more than one minor defect, but no major defects.

Dilapidated

Structurally substandard buildings contain defects that are so serious and so extensive that the building may need to be removed. Buildings classified as dilapidated or structurally substandard have two or more major defects.

Each condition identified in the Act for establishing eligibility of an improved area for designation as a redevelopment project area was considered. Only factors whose presence could be documented as being meaningfully present and reasonably distributed within the Study Area were used to establish eligibility for designation of the Study Area as a redevelopment project area under the Act.

Presence and Distribution of Eligibility Factors

The Study Area qualifies for designation as a conservation area under the criteria contained in the Act.

Age

The Study Area contains three building structures. These structures are more 35 years of age according to Cook County property assessment records. Thus, the required age threshold is met with 100% of structures being 35 years of age or older.

Conservation Area Eligibility Factors

The presence and distribution of eligibility factors related to the qualification of the the Study Area for designation as a conservation area are discussed below.

1. Dilapidation

As defined in the Act, “dilapidation” refers to an advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that rehabilitation is not practical or economically feasible. Such structures typically exhibit major structural fatigue such as leaning or warped walls, severe cracking in walls and foundations, and bowed or sagging roofs.

None of the buildings were determined to be dilapidated.

Conclusion: This condition was not found to be present and was not used to establish eligibility of the Study Area as a conservation area under the Act.

2. Obsolescence

As defined in the Act, “obsolescence” refers to “the condition or process of falling into disuse, or where structures have become ill suited for the original use.” Obsolescence can occur in response to a variety of factors. Most often, the standard of improvement for given uses becomes higher, over the course of time. Uses that are not improved or upgraded periodically often become obsolete. Market forces play a large role in the process of obsolescence. When the market for particular uses declines, there is little or no financial incentive to upgrade properties. In the absence of improvements made over the course of time, properties fall further and further behind current standards and become obsolete.

Obsolete improved properties contain characteristics or deficiencies that limit their long-term sound use or reuse. Obsolescence in improved properties is typically difficult and expensive to correct. Obsolete building types have an adverse effect on nearby and surrounding development and detract from the physical, functional and economic vitality of the area.

The concrete recycling facility has existed on this site for several decades, but is no longer consistent with the surrounding land use pattern, which consists of a mix of office, hospitality and light industrial uses. Its current operation is inconsistent with Elk Grove Village’s zoning and

environmental requirements. It would be difficult to bring this facility into compliance with contemporary standards for such facilities.

Conclusion: This condition is meaningfully present reasonably distributed and was used to qualify the Study Area for designation as a conservation area, impacting both tax parcels.

3. Deterioration

Based on the definition given by the Act, deterioration refers to any physical deficiencies or disrepair in buildings or site improvements requiring treatment or repair. As defined in the Act, "deterioration" refers to (with respect to buildings) defects including but not limited to major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas may evidence deterioration, including but not limited to surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

Site deterioration was observed on both tax parcels. Additionally, the main office building, trailer structure and utility shed all exhibit varying levels of deterioration.

Conclusion: This condition is meaningfully present and reasonably distributed, and was used to qualify the Study Area for designation as a conservation area under the Act.

4. Presence of Structures Below Minimum Code Standards

As defined in the Act, the "presence of structures below minimum code standards" refers to all structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

As referenced in the definition above, the principal purposes of governmental codes applicable to properties are to require buildings to be constructed in such a way as to sustain safety of loads expected from the type of occupancy; to be safe for occupancy against fire and similar hazards; and/or to establish minimum standards essential for safe and sanitary habitation. Structures below minimum code standards are characterized by defects or deficiencies that threaten health and safety.

The Study Area was developed under Cook County zoning regulations many years ago. These standards are generally less rigid than current Village zoning and life safety codes. For example, the use of a trailer as a building is not permitted under the Village's zoning code. The Village also requires that all operations take place in completely enclosed buildings, which is not the case with the current use.

The Study Area is characterized by uncovered mounds of crushed concrete, unpaved surfaces and lack of on-site parking for employees or customers. The Elk Grove Village zoning code does not permit the storage of material that could become windborne. The open storage of crushed concrete was observed on both tax parcels, which violates this standard. A dust control system would be required to reduce the potential for air-borne particles impacting adjacent properties.

The presence of a fence in at the front of the main office building and the use of concrete blocks as fencing also violate the Village's zoning standards. Additionally, the recycling facility lacks paved parking areas and drive aisles that are also required.

Conclusion: This condition is meaningfully present and reasonably distributed within the Study Area and was used to establish eligibility as a conservation area under the Act

5. Illegal Use of Structures

There is an illegal use of a structure when structures are used in violation of federal, state or local laws.

Conclusion: This condition was not found to be present within the Study Area and was not used to establish eligibility as a conservation area under the Act.

6. Excessive Vacancies

As defined in the Act, "excessive vacancies" refers to the presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

All buildings are currently in use.

Conclusion: This condition was not determined to be present and was not used to qualify the Study Area for designation as a conservation area under the Act.

7. Lack of Ventilation, Light, or Sanitary Facilities

As defined in the Act, "lack of ventilation, light, or sanitary facilities" refers to the absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms, and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refer to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

This condition applies to buildings rather than the current type of open air operation. Based on the eligibility analysis, the presence of this condition could not be determined.

Conclusion: This condition was not used to establish eligibility as a conservation area under the Act.

8. Inadequate Utilities

As defined in the Act, "inadequate utilities" refers to underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

The Study Area was developed under Cook County zoning regulations. There is a water well that currently serves the Study Area. There is no evidence of on-site provision for storm water detention and the Study Area is not currently connected to the Village's sanitary sewer system. In addition there is no site lighting that would be required under the Village's zoning code.

Conclusion: This condition is meaningfully present and reasonably distributed within the Study Area. Therefore, it was used to establish eligibility as a conservation area under the Act.

9. Excessive Land Coverage and Overcrowding of Structures and Community Facilities

As defined in the Act, "excessive land coverage and overcrowding of structures and community facilities" refers to the over-intensive use of property and the crowding of buildings and accessory facilities within a given area. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel.

The Study Area includes multiple examples of temporary, semi-permanent structures that are located within required set-backs. Additionally, employee parking is primarily located along Midway Court outside of the two Study Area tax parcels. During a site visit, a dump truck was observed blocking Midway Court, which is a further illustration of the presence of this condition.

Conclusion: This condition is present to a meaningful extent and reasonably distributed and was used to qualify the Study Area for designation as a conservation area under the Act.

10. Deleterious Land Use or Layout

As defined in the Act, "deleterious land use or layout" refers to the existence of incompatible land use relationships, buildings occupied by an inappropriate mix of uses, uses considered to be noxious, offensive, or unsuitable for the surrounding area, uses which are non-conforming with respect to current zoning, platting which does not conform to the current land use and infrastructure pattern, parcels of inadequate size or shape for contemporary development, and single buildings located on multiple parcels which have not been consolidated into a single building site.

As previously noted, the Village's zoning code requires all operations to take place within completely enclosed buildings. The concrete crushing operations occur in a partially open building and both the concrete blocks and resulting gravel are stored in open-air piles, without an effective dust control system. The use of large, uneven concrete blocks as fencing to separate the recycling facility from an adjacent hotel use is a further example of the Study Area's land use incompatibility.

Conclusion: This condition is present to a meaningful extent and impacts the entire Study Area. Thus, it was used to qualify the improved portion of the Study Area as a conservation area under the Act.

11. Environmental Clean-Up Requirements

As defined in the Act, "environmental clean-up" means that the area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or Federal law, provided that the

remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

No existing environmental surveys were conducted or found that identify sites within the Study Area as environmentally contaminated.

Conclusion: This factor was not found to be present within the Study Area.

12. Lack of Community Planning

As defined in the Act, “lack of community planning” means that the proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area’s development. This condition must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

The Elk Grove Business Park was developed as a planned manufacturing district more than 50 years ago, and as a result was developed in accordance with a community plan. As noted previously, the current development pattern includes obsolete building types that are ill-suited for adaptive reuse, the area is inadequately served by utility infrastructure and the current structures do not meet Village building and development code requirements. Additionally, the current concrete recycling use is not consistent with either the current land use pattern of the surrounding area or the Village’s future Business Park development objectives.

Conclusion: This condition was used to qualify the improved portion of the Study Area as a conservation area under the Act because it is meaningfully present and reasonably distributed as required by the Act.

13. Lagging or Declining Equalized Assessed Value

As defined in the Act, this condition is present when the Study Area can be described by one of the following three conditions 1) the total equalized assessed value (“EAV”) has declined in three of the last five years; 2) the total EAV is increasing at an annual rate that is less than the balance of the municipality for three of the last five calendar years; or 3) the total EAV is increasing at an annual rate that is less than the Consumer Price Index for all Urban Consumers published by the United States Department of Labor or successor agency for three of the last five calendar years for which information is available.

As shown in *Table A: Comparative Increase in Equalized Assessed Value (EAV)*, the EAV of the Study Area declined in two of the last five years. and grew at a slower rate than the balance of the Village in one additional year. Thus, the necessary standard for establishing the presence of this factor has been met.

Table A: Comparative Increase in Equalized Assessed Value (EAV)					
	2019 EAV	2018 EAV	2017 EAV	2016 EAV	2015 EAV
All Study Area PINs	\$1,564,524	\$1,344,207	\$1,368,127	\$1,294,473	\$1,119,316
% Change from Prior Year	16.4%	-1.7%	5.7%	15.6%	-2.1%
Elk Grove Village, Excluding Study Area					
Elk Grove Village, Excluding Study Area	\$2,113,998,165	\$1,793,880,414	\$1,783,010,624	\$1,774,438,023	\$1,588,639,164
% Change from Prior Year	17.8%	0.6%	0.5%	11.7%	-2.0%
CPI % Calendar Year Change from Prior Year					
CPI % Calendar Year Change from Prior Year	2.2%	1.1%	1.7%	1.9%	0.0%

Source: Cook County Clerk, U.S. Bureau of Labor Statistics

Conclusion: This factor was used to qualify the Study Area as a conservation area under the Act.

Conclusion

On the basis of the above review of current conditions, the Study Area meets the criteria for qualification as a conservation area. More than 50% of the buildings within the Study Area are 35 years of age or older.

A minimum of three of the thirteen eligibility factors are required to qualify as a conservation area under the Act, once this age threshold is met. The Study Area exhibits the presence of eight conservation area eligibility factors that are meaningfully present and reasonably distributed within the Study Area, as determined in the individual analysis of each eligibility factor. The prevalence of the applicable conservation area eligibility factors are summarized in *Table B: Conservation Area Eligibility Factor Summary*.

Table B: Conservation Area Eligibility Factor Summary			
Conservation Area Eligibility Factors		Present to a Major Extent	Present to a Limited Extent
<i>(At least three factors must be meaningfully present and reasonably distributed)</i>			
1	Dilapidation		
2	Obsolescence	√	
3	Deterioration	√	
4	Presence of structures below minimum code standards	√	
5	Illegal use of structures		
6	Excessive vacancies		
7	Lack of ventilation, light or sanitary facilities		
8	Inadequate Utilities	√	
9	Excessive land coverage or overcrowding of community facilities	√	
10	Deleterious land use or layout	√	
11	Lack of community planning	√	
12	Environmental clean-up requirements		
13	Lagging or declining equalized assessed valuation	√	

APPENDIX D

MIDWAY COURT TIF REDEVELOPMENT PROJECT AREA INITIAL EQUALIZED ASSESSED VALUE BY PIN

PIN	2019 EAV
08-22-401-051-0000	\$1,009,712
08-22-401-053-0000	\$554,813
Total	\$1,564,524

ORDINANCE NO. _____

**AN ORDINANCE DESIGNATING THE VILLAGE OF ELK GROVE VILLAGE
MIDWAY COURT TIF REDEVELOPMENT PROJECT AREA, IN CONNECTION
WITH THE APPROVAL OF THE MIDWAY COURT PLAN AND PROJECT**

WHEREAS, it is desirable and for the best interests of the citizens of the Village of Elk Grove, Cook and DuPage counties, Illinois (the "*Village*"), for the Village to implement tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4 of the Illinois Municipal Code, as amended (the "*Act*"), for a redevelopment plan and redevelopment project (the "*Plan*" and "*Project*") within the municipal boundaries of the Village and within a proposed redevelopment project area (the "*Area*") described in Section 1 of this ordinance; and

WHEREAS, the Mayor and Village Board (the "*Corporate Authorities*") have heretofore by ordinance adopted and approved the Plan and Project, which Plan and Project were identified in such ordinance and were the subject, along with the Area designation hereinafter made, of a public hearing held on the 15th day of June, 2021, and it is now necessary and desirable to designate the Area as a redevelopment project area pursuant to the Act:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Village Board of the Village of Elk Grove, Cook and DuPage counties, Illinois, in the exercise of its home rule powers, as follows:

Section 1: *Area Designated.* The Area, as described in *Exhibit A* attached hereto and incorporated herein as if set out in full by this reference, is hereby designated as a redevelopment project area pursuant to Section 11-74.4-4 of the Act. The street location (as near as practicable) for the Area is described in *Exhibit B* attached hereto and incorporated herein as if set out in full by this reference. The map of the Area is depicted on *Exhibit C* attached hereto and incorporated herein as if set out in full by this reference.

Section 2: *Invalidity of Any Section.* If any section, paragraph or provision of this ordinance shall be 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.

Section 3: *Determination of Total Initial Equalized Assessed Valuation; Parcel Identification Numbers Identified.* It is hereby expressly found and determined that the most recent assessed value of the Area as determined by the County Clerk of Cook County, Illinois (the "County Clerk") is \$1,564,524. It is further hereby expressly found and determined that the list of the parcel tax identification numbers for each parcel of property included in the Area is attached hereto as EXHIBIT D and included herein by this reference is a true, correct and complete list of said numbers for said parcels of property.

Section 4: *Superseder and Effective Date.* All ordinances, resolutions, motions or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

Section 5: *Transmittal to County Clerk.* The Village Clerk is hereby expressly directed to transmit forthwith to the Clerk of Cook County a certified copy of this ordinance, which is hereby expressly found to include a legal description of the Area, a map of the Area, identification of the year that the County Clerk shall use for determining the total initial equalized assessed value of the Area and a list of the parcel of tax identification number of each parcel of property included in the Area.

VOTE: AYES: _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2022

APPROVED this _____ day of _____ 2022

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

EXHIBITS

Exhibit A: Legal Description

Exhibit B: Description of Street Location

Exhibit C: Map of Area

Exhibit D: List of PINs in Area

**EXHIBIT A
LEGAL DESCRIPTION
MIDWAY COURT TIF**

1. ALL THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
2. BEGINNING AT A POINT ON THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT, BEING A LINE THAT FORMS AN ANGLE OF 41 DEGREES 11 MINUTES TO THE LEFT FROM THE PROLONGATION OF THE EAST LINE OF SAID SOUTH EAST QUARTER, SAID POINT BEING 547.45 FEET NORTHWESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER;
3. THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE 238.45 FEET TO AN ANGLE IN SAID CENTER LINE;
4. THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE 327.74 FEET TO A LINE 487.77 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22 AFORESAID;
5. THENCE NORTH ALONG SAID LINE 487.77 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, A DISTANCE OF 646.90 FEET TO THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY;
6. THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY 415.54 FEET TO THE NORTHWESTERLY LINE OF A 50 FEET WIDE STRIP OF LAND LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY;
7. THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY 50.0 FEET TO THE SOUTHERLY LINE OF A 50 FEET WIDE STRIP OF LAND LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY;
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22 AFORESAID, SAID PARALLEL LINE BEING EXTENDED NORTH FROM AFORESAID POINT BEING 547.45 FEET NORTHWESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER, AS MEASURED ALONG THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT;

9. THENCE SOUTH ALONG SAID PARALLEL LINE BEING EXTENDED NORTH FROM AFORESAID POINT BEING 547.45 FEET NORTHWESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER, AS MEASURED ALONG THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT, 331.01 FEET TO THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT AND THE POINT OF BEGINNING,
10. ALL IN COOK COUNTY, ILLINOIS.

EXHIBIT B:
Description of Street Location
Midway Court Redevelopment Project Area

The Midway Court Redevelopment Project Area consists of two tax parcels located between Midway Court and Interstate I-90, west of Busse Road and east of Higgins Road.

**EXHIBIT C:
Map of Area**



Figure 1 : Redevelopment Project Area Boundary
Elk Grove Village
Midway Court TIF Redevelopment Plan and Project

EXHIBIT D:
List of PINs in Area
Midway Court Redevelopment Project Area

PIN	2019 EAV
08-22-401-051-0000	\$1,009,712
08-22-401-053-0000	\$554,813
Total	\$1,564,524

ORDINANCE NO. _____

AN ORDINANCE ADOPTING TAX INCREMENT FINANCING FOR THE VILLAGE OF ELK GROVE, COOK AND DUPAGE COUNTIES, ILLINOIS, IN CONNECTION WITH THE DESIGNATION OF THE MIDWAY COURT REDEVELOPMENT PROJECT AREA AND ADOPTION OF THE MIDWAY COURT REDEVELOPMENT PLAN AND PROJECT

WHEREAS, it is desirable and for the best interests of the residents of the Village of Elk Grove, Cook and DuPage counties, Illinois (the "*Village*"), for the Village to adopt tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Division 74.4 of Article 11 of the Illinois Municipal Code, as amended (the "*Act*"); and

WHEREAS, the Mayor and Village Board (the "*Corporate Authorities*") have heretofore approved a redevelopment plan and project (the "*Plan*" and "*Project*") as required by the Act by passage of an ordinance, and have heretofore designated the Midway Court Redevelopment Project Area (the "*Area*") as required by the Act by the passage of an ordinance, and the Village has otherwise complied with all other conditions precedent required by the Act:

NOW THEREFORE, BE IT ORDAINED by the Mayor and the Village Board of the Village of Elk Grove, Cook and DuPage counties, Illinois, in exercise of its home-rule authority as follows:

Section 1: *Tax Increment Financing Adopted.* Tax increment allocation financing is hereby adopted to pay redevelopment project costs as defined in the Act and as set forth in the Plan and Project within the Area as described in Exhibit A attached hereto and incorporated herein as if set out in full by this reference. The street location (as near as practicable) for the Area is described in Exhibit B attached hereto and incorporated herein as if set out in full by this reference. The map of the Area is depicted on Exhibit C attached hereto and incorporated herein as if set out in full by this reference.

Section 2: *Allocation of Ad Valorem Taxes.* Pursuant to the Act, the *ad valorem* taxes, if any, arising from the levies upon taxable real property in the Area by taxing districts and tax rates determined in the manner provided in Section 11-74.4-9(c) of the Act each year after the

effective date of this ordinance until the Project 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 the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the 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 Area over and above the initial equalized assessed value of each property in the Area shall be allocated to and when collected shall be paid to the municipal treasurer or to her designee pursuant to Section 207A of the Revenue Act of 1939 of the State of Illinois, as amended, who shall deposit said taxes into a special fund, hereby created, and designated the “2021 Village of Elk Grove, Midway Court Redevelopment Project Area Special Tax Allocation Fund” of the Village, and such taxes shall be used for the purpose of paying Project costs and obligations incurred in the payment thereof.

Section 3: *Invalidity of Any Section.* If any section, paragraph or provision of this ordinance shall be 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.

Section 4: *Superseder and Effective Date.* All ordinances, resolutions, motions or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

Section 5: *Transmittal to County Clerk.* The Village Clerk is hereby expressly directed to transmit forthwith to the County Clerk of Cook County, Illinois, a certified copy of this ordinance.

VOTE: AYES: _____ **NAYS:** _____ **ABSENT:** _____

PASSED this _____ day of _____ 2022

APPROVED this _____ day of _____ 2022

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

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Map of Area**

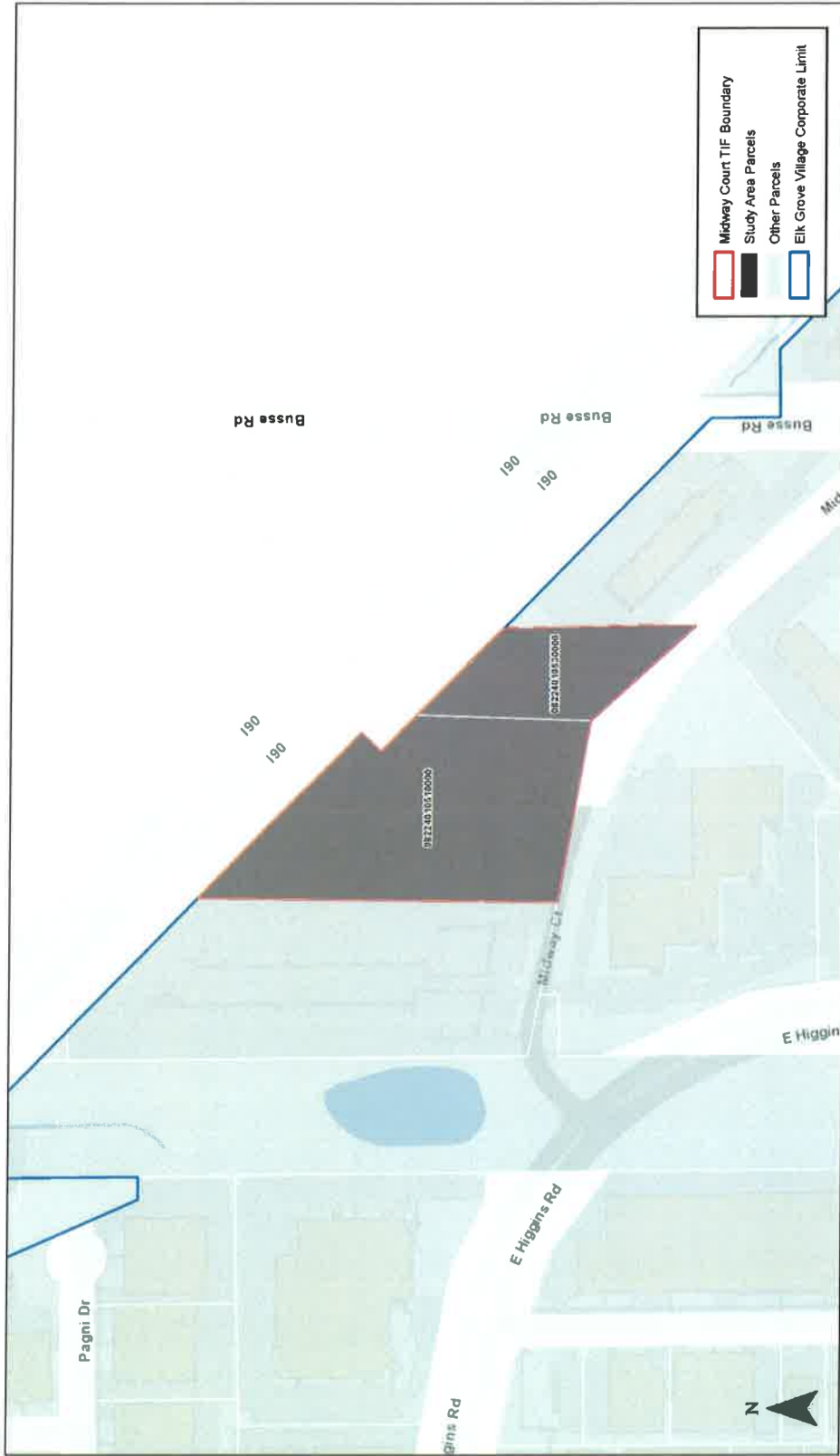


Figure 1 : Redevelopment Project Area Boundary
Elk Grove Village
Midway Court TIF Redevelopment Plan and Project