



VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Ordinance No: 4297

File Number: 2007-0600

AN ORDINANCE APPROVING AN AMENDMENT TO THE VILLAGE OF ORLAND PARK,
MAIN STREET TRIANGLE TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND
PROJECT.

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 16th day of October, 2007 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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AN ORDINANCE APPROVING AN AMENDMENT TO THE VILLAGE OF ORLAND PARK, MAIN STREET TRIANGLE TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND PROJECT.

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

WHEREAS, on September 7, 2004, the Corporate Authorities approved the Main Street Triangle Redevelopment Plan and Project (“Plan” and “Project”) to promote and protect the health, safety, morals and welfare of the public that blighting conditions in the Municipality need to be eradicated and that redevelopment of the Municipality be undertaken; and

WHEREAS, the Municipality has heretofore caused to be conducted and made available for public inspection an eligibility study to determine whether the additional property which the Village of Orland Park is contemplating adding to the Main Street Redevelopment Project Area (the “Area”) qualifies to be included in a “redevelopment project area” pursuant to the TIF Act; the study was conducted by Camiros & Associates, Ltd. (“Camiros”); and

WHEREAS, Camiros has heretofore concluded and has advised the Municipality that the proposed additional property qualified as a “redevelopment project area” under Section 11-74.4-3 of the TIF Act; and

WHEREAS, the Municipality has now determined that to implement the Plan, as that term is defined in the Act, additional parcels of property (“Added Property”) must be added to the “redevelopment project area.” The Added Property is legally described in Exhibit A attached hereto;

WHEREAS, the Municipality has further caused the preparation of and made available for public inspection a the Amendment to the Main Street Triangle Redevelopment Project Area; 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

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

WHEREAS, none of the redevelopment project costs enumerated in the Amended 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 Municipality; and

WHEREAS, the Municipality has heretofore convened a joint review board consisting of 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 will 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 Municipality, and a public member (the "JRB"), as required by and in all respects in compliance with the provisions of the TIF Act; and

WHEREAS, the JRB has met at the times and as required by the TIF Act and has reviewed the public record, planning documents and a form of proposed ordinance approving the Amended Plan and Project; and

WHEREAS, the JRB has adopted by a majority vote an advisory, non-binding recommendation that the Municipality proceed to implement the Plan and Project and to designate the proposed Area as a redevelopment project area under the TIF Act; and

WHEREAS, the JRB based its decision to approve the Added Property and the expansion of the Plan and the designation of the proposed Area on the basis of the proposed Area's and the proposed Plan's satisfying the plan requirements, the eligibility criteria defined in Section 11-74.4-3 of the TIF Act, and the objectives of the TIF Act, all as provided in Section 11-74.4-5(b) of the TIF Act; and

WHEREAS, pursuant to Section 11-74.4-5 of the Act, the Corporate Authorities heretofore called a public hearing (the "Hearing") relative to the Plan and Project and the designation of the proposed Area as a redevelopment project area under the TIF Act and fixed the time and place for such Hearing, being the 1st day of October, 2007, at 7:00 P.M., at the Village Hall, 14700 Ravinia, Orland Park, Illinois 60467; and

WHEREAS, due notice in respect to such Hearing was given pursuant to Section 11-74.4-5 of the TIF Act, said notice, together with a copy of the Plan, and the name of a person to contact for further information, being given to taxing districts and to the Department of Commerce and Community Affairs of the State of Illinois by certified mail on August 14, 2007, by publication in the Daily Southtown Newspaper

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on September 9th and on September 16, 2004, and by certified mail to taxpayers within the proposed Area on September 6, 2007; and

WHEREAS, notice of the availability of the Report and the Plan, including how to obtain this information, was provided by mail on the 4th day of September, 2007, to all residential addresses that, after a good faith effort, the Municipality determined are located outside the boundaries of the proposed Area which are within 750 feet of the boundaries of the proposed Area; and

WHEREAS, the Municipality held the Hearing on October 1, 2007, at the Village Hall, 14700 Ravinia Avenue, Orland Park, Illinois 60467; 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 Municipality heard and determined all protests and objections at the Hearing; and

WHEREAS, the Hearing was adjourned on the 1st day of October, 2007; 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 Amended Plan and Project set forth the factors which cause the Added Property and therefore eligible under the Act to be added to the Area, and the Corporate Authorities have reviewed the information concerning such factors presented at the Hearing and have reviewed other studies and are generally informed of the conditions in the Added Property which could cause the Added Property and the Area as amended to be a "blighted area" as defined in the TIF Act; and

WHEREAS, the Corporate Authorities have reviewed evidence indicating that the Added Property and the 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 amended Area would be substantially benefited by the inclusion of the Added Property in the Area; and

WHEREAS, the Corporate Authorities have made an assessment of any financial impact of the proposed

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Area on or any increased demand for services from any taxing district affected by the Amended 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 also the existing comprehensive plan for development of the Municipality as a whole to determine whether the proposed Plan and Project conform to such comprehensive plan of the Municipality:

NOW, THEREFORE, Be It Ordained by the Mayor and Village Council of the Village of Orland Park, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1

Findings. The Corporate Authorities hereby make the following findings:

- (a) The Added Property 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 as if set out in full by this reference. The 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 in the Added Property 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 “blighted area” as defined in Section 11-74.4-3 of the TIF Act.
- (c) The Added Property 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 as amended conform to the comprehensive plan for the development of the Municipality as a whole.
- (e) As set forth in the Plan, the estimated date of completion of the Project is not later than July 1, 2027 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, 2028, being the year in which payment to the Municipal Treasurer as provided in subsection (b) of Section 11-74.4-8 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

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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 1st day of October, 2007, are hereby adopted 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 Municipal Clerk is hereby expressly directed to transmit forthwith to the County Clerk of The County of Cook, Illinois, a certified copy of this ordinance

PASSED this 15th day of October, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

Aye: 7 Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler,
Trustee Gira, and Village President McLaughlin

Nay: 0

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DEPOSITED in my office this 15th day of October, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

APPROVED this 15th day of October, 2007

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 16th day of October, 2007

/s/ David P. Maher

David P. Maher, Village Clerk