

CITY OF LEROY
COUNTY OF MC LEAN
STATE OF ILLINOIS

RESOLUTION NO. 97-3

A RESOLUTION CALLING FOR A PUBLIC HEARING TO
CONSIDER AMENDMENT OF A REDEVELOPMENT PLAN AND
REDEVELOPMENT PROJECT FOR THE CITY OF LEROY,
MCLEAN COUNTY, ILLINOIS,
FOR THE LEROY TAX INCREMENT FINANCING DISTRICT II

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY
THIS 17th DAY OF March, 1997

PRESENTED: March 17, 1997

PASSED: March 17, 1997

APPROVED: March 17, 1997

RECORDED: March 17, 1997

PUBLISHED: March 17, 1997

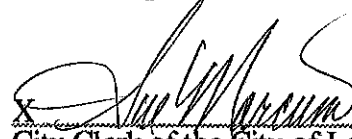
In Pamphlet Form

Voting "Aye" 5

Voting "Nay" 0

The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned resolution and that such resolution was presented, passed, approved, recorded and published as above stated.

(SEAL)


City Clerk of the City of LeRoy,
McLean County, Illinois

Dated March 17, 1997

A RESOLUTION CALLING FOR A PUBLIC HEARING TO
CONSIDER AMENDMENT OF A REDEVELOPMENT PLAN AND
REDEVELOPMENT PROJECT FOR THE CITY OF LEROY,
MCLEAN COUNTY, ILLINOIS,
FOR THE LEROY TAX INCREMENT FINANCING DISTRICT II

WHEREAS, the City of LeRoy, McLean County, Illinois (hereinafter referred to as "CITY"), is considering amending the Redevelopment Plan and Project within the boundaries of the CITY's Second Tax Increment Financing District, said amendment to be pursuant to the "Tax Increment Allocation Redevelopment Act," 65 ILCS 5/11-74.4-1, *et seq.*, as amended (hereinafter referred to as "Act"); and

WHEREAS, pursuant to Section 11-74.4-5 (a) of the Act, CITY must fix a time and place for a public hearing prior to the adoption of an ordinance amending the Redevelopment Plan and Project; and

WHEREAS, pursuant to Sections 11-74.4-5 and 11-74.4-6 of the Act, CITY must give certain notices prior to the aforesaid public hearing; and

WHEREAS, pursuant to Section 11-74.4-5 (b) of the Act, CITY must convene a Joint Review Board in order to consider the proposed amendments to the Redevelopment Plan and Project prior to the adoption of ordinances regarding those matters; and

WHEREAS, it is the desire of the mayor and city council to conduct a public hearing and to convene the board described above; and

WHEREAS, prior to the adoption of this resolution, CITY has made available for public inspection a separate report that provides in reasonable detail, the basis for the amendments to the Redevelopment Plan and Project;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of LeRoy, McLean County, Illinois, as follows:

Section 1: The statements set forth in the preambles to this Resolution are found to be true and correct and are adopted as part of this Resolution.

Section 2: The mayor and city council hereby fix the date of Monday, April 28, 1997, at the hour of 7:00 p.m. at the City of LeRoy, City Hall, 111 East Center Street, LeRoy,

Illinois, for the purpose of conducting a public hearing to hear from any interested persons, taxpayers, or affected tax districts regarding the proposed amendments to the Redevelopment Plan and Redevelopment Project of the LeRoy Second Tax Increment Financing District covering that area legally described in Exhibits A and B, which are attached to this resolution and are incorporated herein by reference. The public hearing shall be conducted in accordance with the Act. A copy of the proposed amendments shall be on file in the Office of the City Clerk and shall be available for public inspection, and have been available for public inspection, since March 14, 1997.

Section 3. Notice of the public hearing, described in Section 2 above, has been given to all taxing districts affected by mailing as required by the Act, and shall be given by publication and mailing to all taxpayers, as required by the Act. The notice was in the form as attached to this resolution as Exhibit C, and incorporated herein by reference. The city attorney is authorized and directed to take all actions necessary to provide such notice in accordance with the Act and all other notices necessary to achieve compliance with the Act.

Section 4. At the public hearing described in Section 2 above, any interested person, taxpayer, or representative of an affected taxing district may file with the city clerk written comments and/or objections to, and may be heard orally with respect to, any issue embodied in the notice given for the public hearing.

Section 5. A Joint Review Board (hereinafter referred to as the "Board") shall be established for the purposes set forth in the Act. The Board shall consist of one representative selected by each affected community college district, each affected local elementary school district, and each affected high school district or each local community unit school district, each affected park district, each affected library district, and the county that has authority to directly levy taxes on the property within the Redevelopment Project area, a representative selected by the CITY, and a public member. The public member and the Board's chairperson shall be selected by a majority of other members of the Board. The Board shall first meet on Monday, March 24, 1997, at 7:00 p.m. at the LeRoy City Hall, 111 East Center Street, LeRoy, Illinois.

Section 6. The Board shall act in accordance with the Act. Its actions shall include, but shall not be limited to, the following:

- a. The Board shall decide whether to recommend that the CITY approve or deny the proposed amendments to the Redevelopment Plan and Project.

b. In making its decision, the Board shall review the public record, planning documents, and proposed ordinance(s) approving the Redevelopment Plan and Project to be adopted by CITY before concluding the deliberations of the Board.

c. As part of its deliberations, the Board may hold additional hearings on the proposed amendments to the Redevelopment Plan and Project.

d. The Board shall make its decision to recommend approval or denial of the proposed amendments to Redevelopment Plan and Project on the basis of whether or not the area at issue in the Redevelopment Plan and Project satisfies the eligible criteria defined in Section 11-74.4-3 of the Act.

e. The Board's recommendation shall be adopted by a majority of the Board.

f. The Board's recommendation shall be an advisory, non-binding recommendation.

g. The Board's recommendation shall be reduced to a written report. This report shall state, among other things, whether the proposed amendments to the Redevelopment Plan and Project fails to meet one or more of the criteria defined in Section 11-74.4-3 of the Act, and, if so, why it fails to meet such criteria.

h. The Board's report shall be submitted to the CITY a maximum of 30 days after the convening of the Board. Failure of the Board to submit its report on a timely basis shall not be cause to delay the public hearing described in Section 2 previously in this resolution, nor any other step in the process of establishing or amending the Redevelopment Plan and Project in the manner contemplated by this resolution. In the event the Board does not file the aforesaid report, it shall be presumed that the taxing bodies represented on the Board find the proposed amendments to the Redevelopment Plan and Project to satisfy the eligibility criteria defined in the Act.

Section 7. The CITY's representative on the Board shall be the mayor or his designee.

Section 8: This resolution shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by

Dave McClelland, seconded by Ron Litherland, by

roll call vote on the 17th day of March, 1997, as follows:

Aldermen elected 6

Aldermen present 5

VOTING AYE:

Ron Litherland, Dave McClelland, Fred Dodson, Dawn Thompson, Lois Parkin
(full names)


VOTING NAY:

None
(full names)

ABSENT, ABSTAIN, OTHER:

Bill Swindle, absent
(full names)

and deposited and filed in the office of the City Clerk in said municipality on the 17th day of March, 1997.

X 
Sue Marcum, Acting City Clerk of the City of
LeRoy, McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 17th day of March, 1997.

X 
Jerry O. Davis, Mayor of the City of LeRoy,
McLean County, Illinois

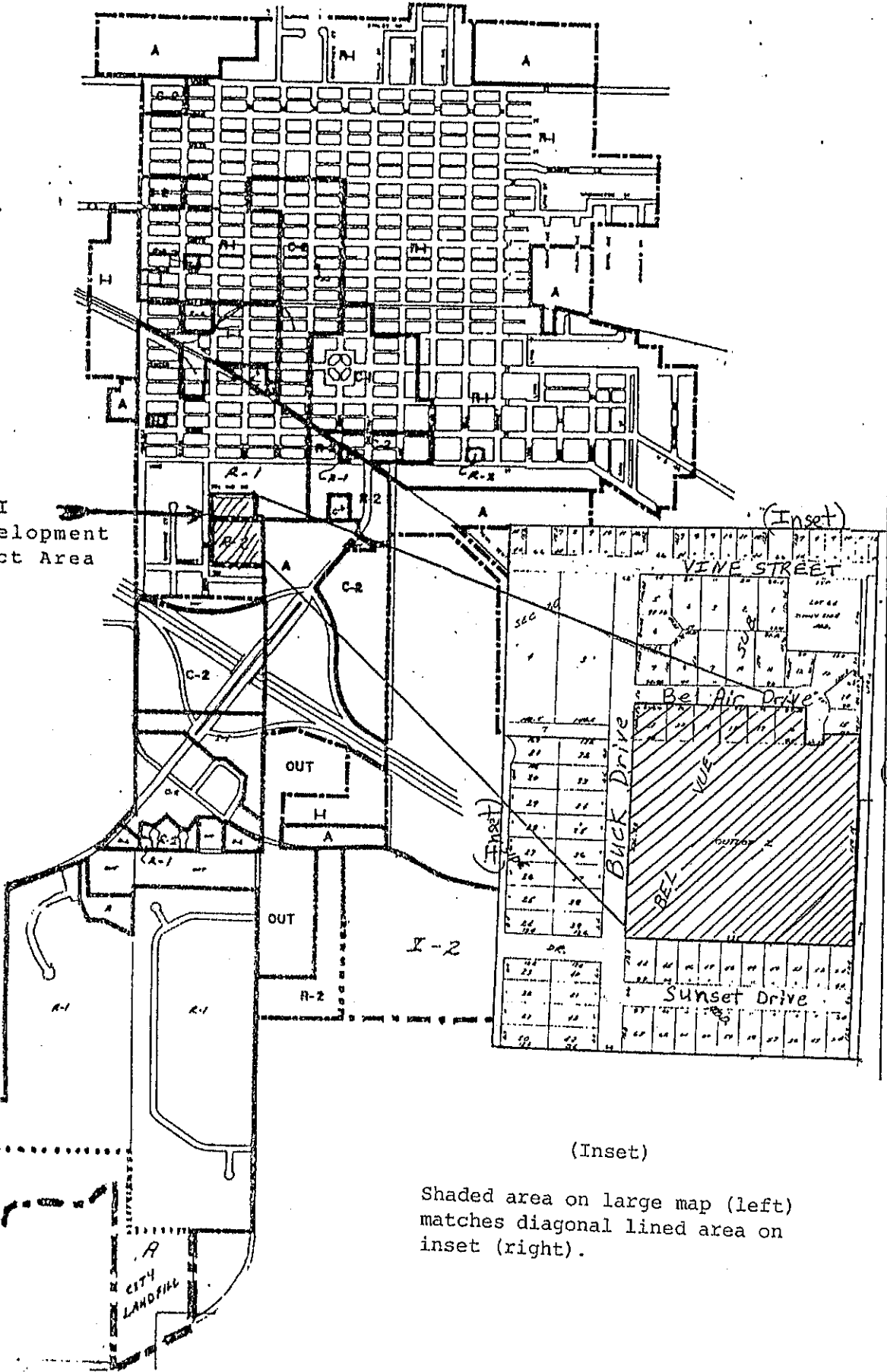
ATTEST: (SEAL)

X 
Sue Marcum, Acting City Clerk of the City
of LeRoy, McLean County, Illinois

A

(City of Le Roy)

LeRoy
TIF II
Redevelopment
Project Area



(Inset)

Shaded area on large map (left)
matches diagonal lined area on
inset (right).

REDEVELOPMENT PROJECT AREA
FOR THE CITY OF LEROY, ILLINOIS
TAX INCREMENT FINANCING DISTRICT NUMBER TWO

Lots 15 through 21, both inclusive, and Out Lot z in Bel Vue Subdivision as platted in the City of LeRoy, McLean County, Illinois,

The aforesaid Out Lot Z having been partially subdivided and a part of said Out Lot Z now being described more particularly as follows:

Commencing at the North West corner of said Out Lot Z as the point of beginning of the tract to be described; thence North 88 degrees -39 minutes -30 seconds East along the North line of said Out Lot Z, a distance of 477.02 feet; thence South 00 degrees -00 minutes -41 seconds East, a distance of 7.02 feet; thence South 18 degrees -14 minutes -54 seconds East, a distance of 47.06 feet; thence South 00 degrees -00 minutes -41 seconds East, a distance of 136.46 feet; thence South 45 degrees -00 minutes West, a distance of 55.73 feet; thence South 00 degrees -00 minutes -41 seconds East, a distance of 45.00 feet; thence South 89 degrees -47 minutes -32 seconds West, a distance of 452.52 feet to a point on the East Right-of-Way line of Buck Road; thence North 00 degrees -00 minutes along the East Right-of-Way line of Buck Road, a distance of 262.97 feet to the Point of Beginning, in the City of LeRoy, in McLean County, Illinois.

EXHIBIT B

TO: *ALL TAXING DISTRICTS AND DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS OF THE STATE OF ILLINOIS AND TO THE DEPARTMENT OF REVENUE OF THE STATE OF ILLINOIS*

NOTICE OF PUBLIC HEARING

THE CITY OF LEROY, McLean County, Illinois, an Illinois municipal corporation, hereby gives notice of a public hearing to be held at 7:00 p.m. (CDT), Monday, April 28, 1997, at the LeRoy City Hall, 111 East Center Street, LeRoy, Illinois, to consider amendments to the Tax Increment Finance Redevelopment Plans and Project adopted and established November 5, 1984, as amended by ordinance passed and approved December 23, 1986, for the LeRoy 2nd Tax Increment Financing District.

Each taxing district, and the Department of Commerce and Community Affairs, is invited to submit comments to the city concerning the subject matter of the hearing prior to the date of the hearing. In addition, all interested persons will be given an opportunity to be heard at the public hearing.

REDEVELOPMENT AREA:

- (1) Street location -Exhibit A (attached hereto)
- (2) Legal Description -Exhibit B (attached hereto)

REDEVELOPMENT PLAN AND PROJECT - Amendments thereof:

The proposed plan and project approved in November, 1984, were necessitated by the loss of business, jobs, housing starts and tax revenues, all vital to the City of LeRoy and other taxing districts. A Tax Increment Financing Plan and Project was proposed and adopted at that time for the aforesaid reasons.

Changes to the Tax Increment Financing Plan legislation adopted in calendar years 1985 and 1986 by the State of Illinois expanded the range of development opportunities and types of assistance that could be rendered through a Tax Increment Financing District (TIF) to induce a desired development to take place and to expedite the development of the blighted or conservation area property. The City of LeRoy amended its plan and all necessary and related ordinances, after appropriate notice and hearing regarding said amendments, to provide to the fullest extent possible for the range of added inducements and development opportunities made available through the legislative amendments in calendar years 1985 and 1986. The life of the district at that time was extended to the fullest length allowed by law.

The city now proposes to make certain changes of a technical nature in the proposed Project as certain types of development over the years have become more likely and other portions of the Plan and Project have become less likely in the remaining few years of the lifetime of the district. A copy of the Amended Redevelopment Plan is available at City Hall for examination during regular working hours, as well as a copy being available of the amendments to the plan. Enclosed please find a summary of the proposed amendments to the Redevelopment Plan and Project.

The proposed amendments to the Redevelopment Plan and Project provide for the City of LeRoy to implement in an expanded manner a set of actions to facilitate retail, commercial and residential development within the Redevelopment Plan and Project area. The contemplated City of LeRoy actions include, but are not limited to, land acquisition, site preparation, demolition, construction of public improvements, such as infrastructure, related professional costs, as well as providing inducements as permitted under the Act to

Exhibit C

private developers to acquire land, prepare sites, demolish existing structures, construct public improvements such as infrastructure and pay related professional costs and interest as permitted under the Act. The City of LeRoy would realize the goals and objectives of the Redevelopment Plan through public finance techniques, including, but not limited to, tax increment allocation financing. A draft of the proposed Redevelopment Plan is on file with the City Clerk for the City of LeRoy, and available at the Office of the City Clerk for public inspection as of March 14, 1996, between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. The Office of the City Clerk is located at the City Hall at 111 East Center Street, LeRoy, Illinois.

Pursuant to the Act, a Joint Review Board (the "Board") has been established to review eligibility criteria for amendment of the Redevelopment Plan and Project within the Redevelopment Project area of the LeRoy First Tax Increment Financing District. Pursuant to the Act, the Board consists of one representative selected by each community college district, each community unit school district, each park district, each library district, and the county that has authority to directly levy taxes on the property within the proposed Redevelopment Project area, as well as a representative selected by the City of LeRoy and a public member. The public member and the Board chairperson shall be selected by a majority of other Board members.

Pursuant to the Act, the first meeting of the Joint Review Board must be held within 14 days of this notice being sent. The first meeting of the Joint Review Board has been scheduled for Monday, March 24, 1997, at 7:00 p.m., in the City of LeRoy City Hall, 111 East Center Street, LeRoy, Illinois. The Board's recommendation on the proposed amendments to the Redevelopment Plan and Project shall be advisory and non-binding and shall be adopted by majority vote of the Board and submitted to the City of LeRoy within 30 days after convening. Failure of the Board to submit its report on a timely basis shall not delay the holding of the public hearing described above, nor shall it delay any other step in the process of amending the Redevelopment Plan and Project.

At the aforesaid public hearing, any interested person or affected taxing district may file with the city clerk written objections to, and may be heard orally with respect to, any issues embodied in this notice. Written comments are invited and can be sent in advance of the hearing to the City Clerk, City of LeRoy, 111 East Center Street, LeRoy, Illinois 61752. The city shall hear and determine all protests and objections at this public hearing. This public hearing may be adjourned by the mayor and city council without further notice other than a motion to be entered upon the minutes of the hearing fixing the time and place of the subsequent hearing.

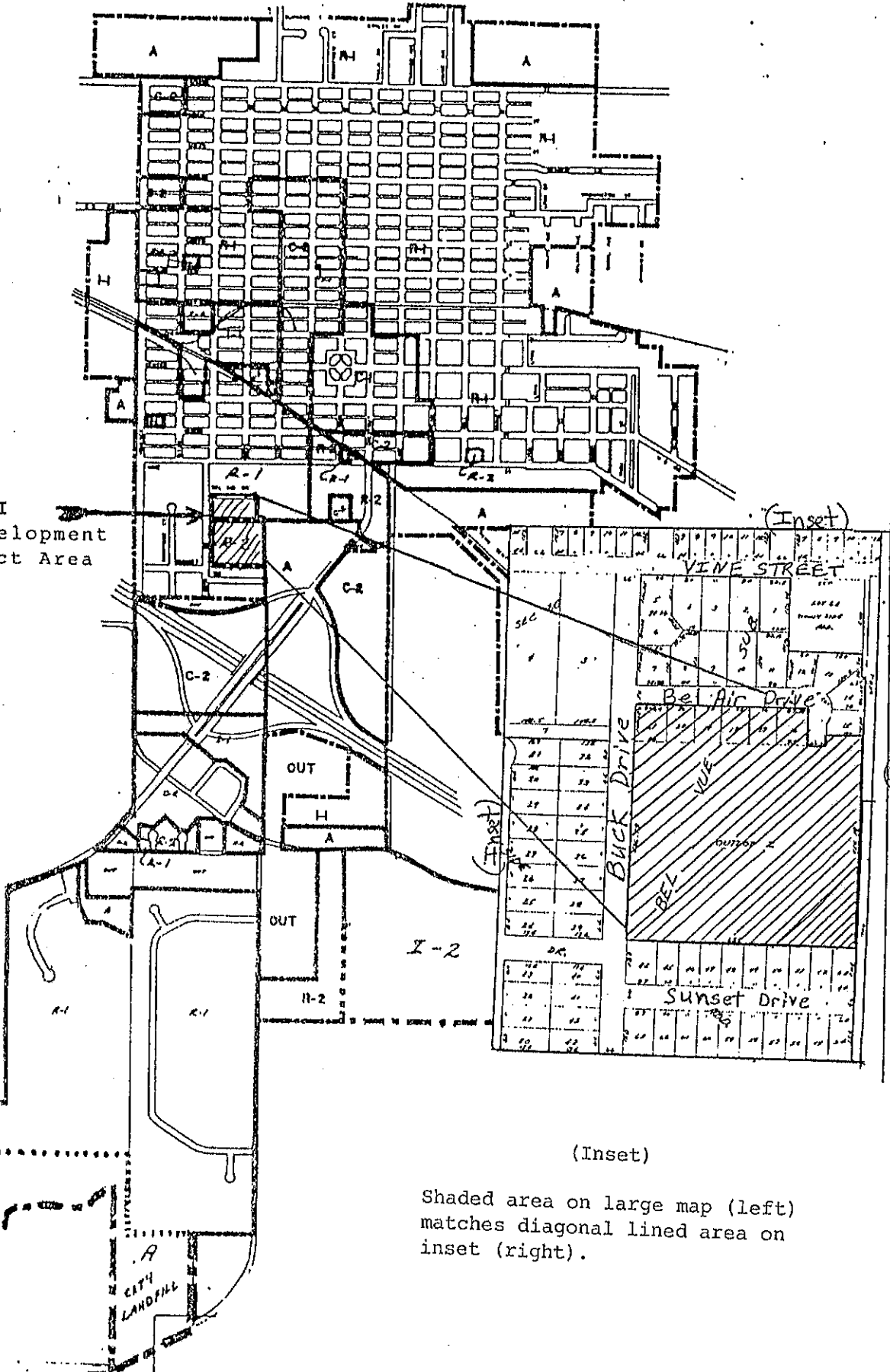
Dated this 12th day of March, 1997

CITY OF LEROY,


Sue Marcum, City Clerk

(City of Le Roy)

LeRoy
TIF II
Redevelopment
Project Area



REDEVELOPMENT PROJECT AREA
FOR THE CITY OF LEROY, ILLINOIS
TAX INCREMENT FINANCING DISTRICT NUMBER TWO

Lots 15 through 21, both inclusive, and Out Lot z in Bel Vue Subdivision as platted in the City of LeRoy, McLean County, Illinois,

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EXHIBIT B

SUMMARY OF AMENDED REDEVELOPMENT PLAN
AND REDEVELOPMENT PROJECTS FOR
LEROY TAX INCREMENT FINANCING DISTRICT II

I

On August 1, 1988, the Redevelopment Plan and Redevelopment Project were adopted by the City of LeRoy for its LeRoy Tax Increment Financing District II which incorporate a designated Redevelopment Plan and Redevelopment Projects as set forth in the Plan. The original Plan envisioned development which, though it has occurred for the most part as originally anticipated, has not been the catalyst for further development in the Redevelopment Project Area as had initially been expected by the City and by the Developer. The opportunity for further development has presented itself, although that development would not take place without further inducement by the City and the further use of Tax Increment Financing Incentives.

II

SUMMARY TO REDEVELOPMENT
PLAN ADOPTED August 1, 1988

The redevelopment project area, through the implementation of the current Redevelopment Plan and Redevelopment Project(s), has experienced some investment and development in portions of that area. Most of that investment has been induced by the efforts of the city through public/private partnerships using tax increment financing. To date, the implementation of the current plan and current project(s) have not resulted in the substantial development first envisioned by the city in 1988 when the LeRoy Tax Increment Financing District II was created. Thus, the city believes it is necessary to broaden the Plan and Project to include an emphasis on a variety of redevelopment activities rather than the emphasis on the specific redevelopment activities which were part of the 1988 and current Plan.

Specifically, the city intends to substitute a new plan containing many elements similar to the current Plan, especially in the public improvement area, but providing for a broader range of redevelopment possibilities to encourage the development of the redevelopment project area, including encouragement of private investment in group and individual residential development through public finance techniques, including, but not limited to, tax increment financing, and incorporating public/private partnerships where appropriate, and including public development either solely on the part of the city through the use of tax increment financing funds as the same are received in future years, or bringing about some public developments through public/private partnerships relying on at least some, if not a majority of, private investment to facilitate the development of the public facility or improvement.

TO: ALL TAXPAYERS OWNING PROPERTY WITHIN THE SECOND LEROY TAX
INCREMENT FINANCING DISTRICT

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All interested persons will be given an opportunity to be heard at the public hearing, and may submit comments in writing to the City concerning the subject matter of the hearing prior to the date of the hearing.

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The city now proposes to make certain changes of a technical nature in the proposed Project as certain types of development over the years have become more likely and other portions of the Plan and Project have become less likely in the remaining few years of the lifetime of the district. A copy of the Amended Redevelopment Plan is available at City Hall for examination during regular working hours, as well as a copy being available of the amendments to the plan. Enclosed please find a summary of the proposed amendments to the Redevelopment Plan and Project.

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private developers to acquire land, prepare sites, demolish existing structures, construct public improvements such as infrastructure and pay related professional costs and interest as permitted under the Act. The City of LeRoy would realize the goals and objectives of the Redevelopment Plan through public finance techniques, including, but not limited to, tax increment allocation financing. A draft of the proposed Redevelopment Plan is on file with the City Clerk for the City of LeRoy, and available at the Office of the City Clerk for public inspection as of March 14, 1996, between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. The Office of the City Clerk is located at the City Hall at 111 East Center Street, LeRoy, Illinois.

At the aforesaid public hearing, any interested person or affected taxing district may file with the city clerk written objections to, and may be heard orally with respect to, any issues embodied in this notice. Written comments are invited and can be sent in advance of the hearing to the City Clerk, City of LeRoy, 111 East Center Street, LeRoy, Illinois 61752. The city shall hear and determine all protests and objections at this public hearing. This public hearing may be adjourned by the mayor and city council without further notice other than a motion to be entered upon the minutes of the hearing fixing the time and place of the subsequent hearing.

Dated this 12th day of March, 1997

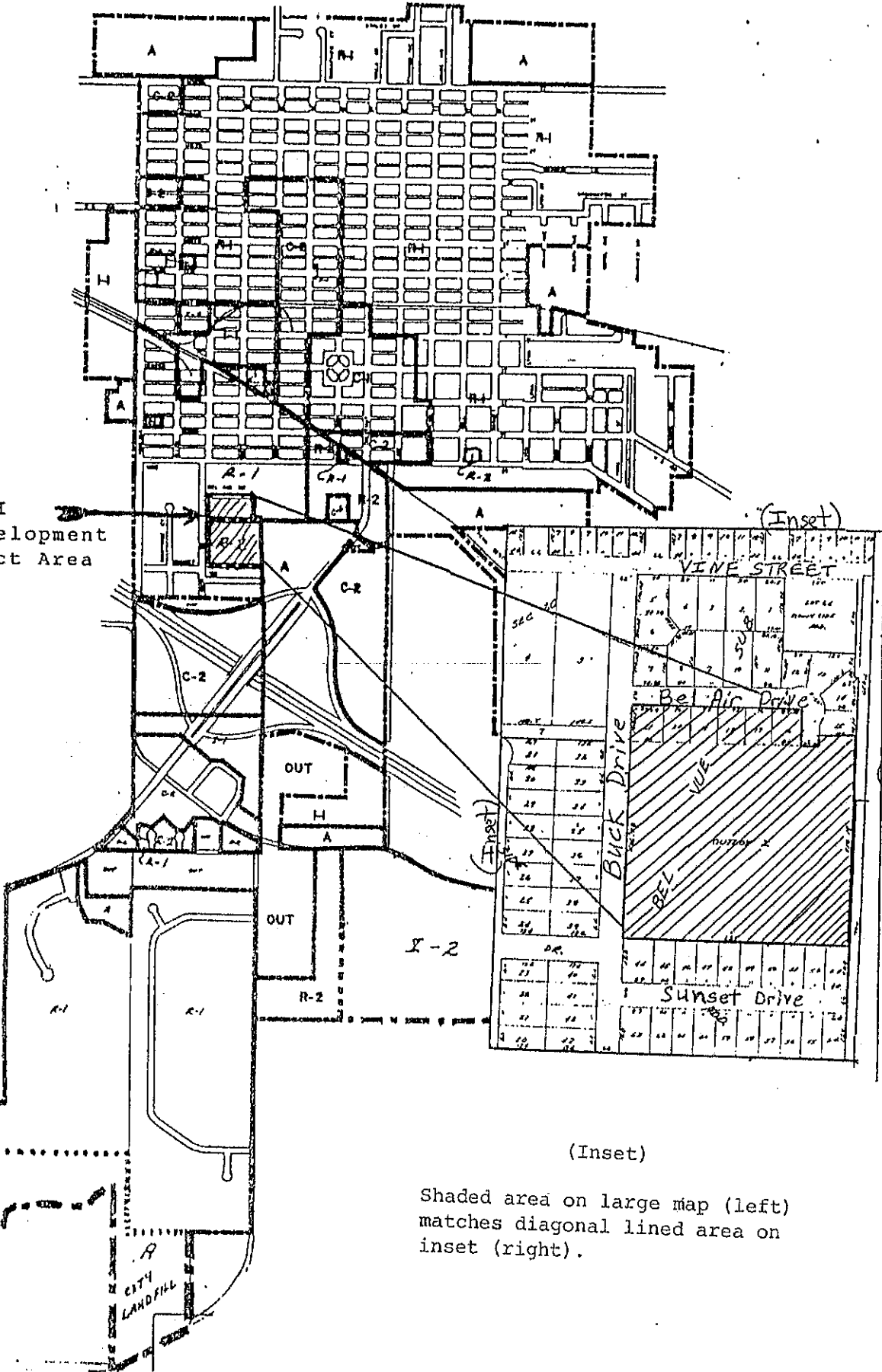
CITY OF LEROY,



Sue Marcum, City Clerk

(City of Le Roy)

LeRoy
TIF II
Redevelopment
Project Area



(Inset)

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FOR THE CITY OF LEROY, ILLINOIS
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AND REDEVELOPMENT PROJECTS FOR
LEROY TAX INCREMENT FINANCING DISTRICT II

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PLAN ADOPTED August 1, 1988

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Specifically, the city intends to substitute a new plan containing many elements similar to the current Plan, especially in the public improvement area, but providing for a broader range of redevelopment possibilities to encourage the development of the redevelopment project area, including encouragement of private investment in group and individual residential development through public finance techniques, including, but not limited to, tax increment financing, and incorporating public/private partnerships where appropriate, and including public development either solely on the part of the city through the use of tax increment financing funds as the same are received in future years, or bringing about some public developments through public/private partnerships relying on at least some, if not a majority of, private investment to facilitate the development of the public facility or improvement.

CERTIFICATE

I, Sue Marcum, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on March 17, 1997, the Corporate Authorities of such municipality passed and approved Resolution No. 97-3, entitled:


A RESOLUTION CALLING FOR A PUBLIC HEARING TO
CONSIDER AMENDMENT OF A REDEVELOPMENT PLAN AND
REDEVELOPMENT PROJECT FOR THE CITY OF LEROY,
MCLEAN COUNTY, ILLINOIS,
FOR THE LEROY TAX INCREMENT FINANCING DISTRICT II,

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 97-3, including the Resolution and a cover sheet thereof, was prepared, and a copy of such Resolution was posted at the municipal building, commencing on March 17, 1997, and continuing for at least ten days thereafter. Copies of such Resolution were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 17th day of March, 1997.

(SEAL)


Municipal Clerk

STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)


I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an resolution entitled:

A RESOLUTION CALLING FOR A PUBLIC HEARING TO
CONSIDER AMENDMENT OF A REDEVELOPMENT PLAN AND
REDEVELOPMENT PROJECT FOR THE CITY OF LEROY,
MCLEAN COUNTY, ILLINOIS,
FOR THE LEROY TAX INCREMENT FINANCING DISTRICT II.

I do further certify said resolution was adopted by the City Council of the City of LeRoy at a regular meeting on the 17th day of March, 1997, and prior to the making of this certificate the said resolution was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said resolution in the record books.

Dated this 17th day of March, 1997.

X 
City Clerk

(SEAL)