
ORDINANCE NO. 19-20-26

An Ordinance Adopting Tax Increment Financing

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON NOVEMBER 19, 2019
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Tom Curry
Beth Foreman
Kyle Frost
Josh Hagen
Greg Klemstein
Kevin McEvoy

Village Administrator

Claudett E. Peters

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WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, et seq., as amended (the “Act”), on November 19, 2019, the President and Board of Trustees (the “Corporate Authorities”) of the Village of Johnsburg, McHenry County, Illinois (the “Village”), adopted Ordinance No. 19-20-24, entitled “An Ordinance Approving the Tax Increment Financing District Eligibility Study and Redevelopment Plan and Project for the Bush School Redevelopment Project Area,” which approved a “redevelopment plan” and “redevelopment project,” as those terms are defined in the Act, for the real property legally and commonly described in Exhibit A, attached hereto and incorporated herein, and generally depicted on a boundary map attached hereto and incorporated herein as Exhibit B (the “Area”); and

WHEREAS, on November 19, 2019, the Corporate Authorities adopted Ordinance No. 19-20-25, entitled “An Ordinance Designating the Bush School Redevelopment Project Area,” pursuant to which the Area was designated as a “redevelopment project area,” as that term is defined in the Act; and

WHEREAS, the Corporate Authorities desire and find it necessary to adopt tax increment financing, as such term is used in the Act, for the Area having been designated as a “redevelopment project area,” and that it is in the Village’s best interests to do so; and

WHEREAS, all legal prerequisites to the adoption of such tax increment financing for the Area have been fulfilled.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF JOHNSBURG, ILLINOIS, as follows:

SECTION 1. The foregoing recitals as contained in the preambles to this Ordinance are true and correct and are hereby incorporated in this Ordinance as if set out in full by this reference.

SECTION 2. Pursuant to the Act, tax increment financing is hereby adopted with respect to the Tax Increment Financing District Eligibility Study, Redevelopment Plan and Project for the Bush School Redevelopment Project Area, approved and adopted by the Corporate Authorities pursuant to Ordinance No. 19-20-24, and the Area, which was designated by the Corporate Authorities pursuant to Ordinance No. 19-20-25.

SECTION 3. After the total equalized assessed valuation of taxable real property in the Area exceeds the total *initial* equalized assessed value of all taxable real property in the Area, the ad valorem taxes, if any, arising from the levies upon real property in the Area by taxing districts and the rates determined in the manner provided in Section 11-74.4-9(b) of the Act each year after the effective date of this Ordinance, until the Area costs and obligations issued in respect thereto have been paid, shall be divided as follows:

- a. That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the existing equalized assessed value

or the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the 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 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 Village Treasurer who shall deposit said funds in a special fund called "the Special Tax Allocation Fund for the Bush School Redevelopment Project Area" of the Village for the purpose of paying the Area costs and obligations incurred in the payment thereof, pursuant to such appropriations which may be subsequently made.

SECTION 4. The provisions and sections of this Ordinance shall be deemed to be separable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION 5. All ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded.

SECTION 6. A full, true and complete copy of this Ordinance shall be published in pamphlet form as provided by the Illinois Municipal Code, as amended. The Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and approval, and publication as required by law.

SECTION 8. The County Clerk shall utilize 2019 for determining the total initial equalized assessed value of the Area consistent with subsection (a) of Section 11-74.4-9 of the Act.

Voting Aye: Trustees Foreman, Curry, Hagen, Frost and Klemstein

Voting Nay: None

Abstain: None

Absent: Trustee McEvoy


APPROVED:



Village President Edwin P. Hettermann

(SEAL)

ATTEST:


Village Clerk Claudett E. Peters

Passed: November 19, 2019

Approved: November 19, 2019

Published: November 19, 2019

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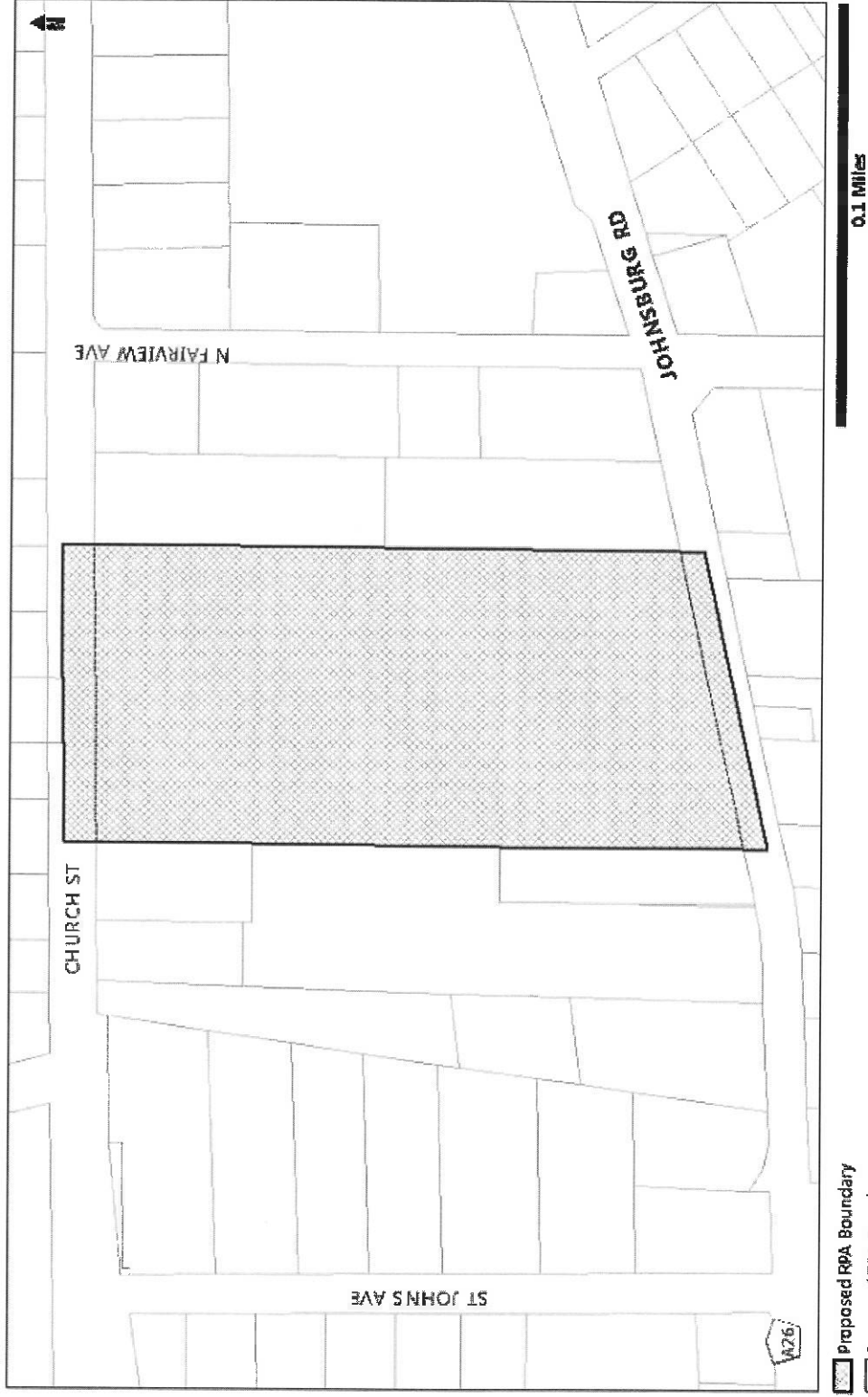
EXHIBIT A – LEGAL AND COMMON DESCRIPTION OF THE AREA

That part of the Northeast Quarter of Section 13, Township 45 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the southwest corner of Sub Lot 1 of Lot 18 of the County Clerk's Plat of Section 13, also known as Plat No. 3 McHenry according to the plat thereof recorded May 6, 1902 as Document No. 14079, said southwest corner being on the centerline of Johnsburg Road according to said County Clerk's Plat of Section 13; thence northerly along the west line of said Sub Lot 1 of Lot 18, to the north line of Church Street according to said County Clerk's Plat of Section 13; thence easterly along the north line of Church Street also being the southerly lines of parcels of land described in Document No's 1990R0015331, 2016R0029302, 1989R0002441, 2019R0005019, 2013R0008866, and 2005R0049281, to the northerly extension of the easterly line of the parcel of land described in Document No. 1949R0221808; thence southerly along said northerly extension and said easterly line, to the southeast corner of said parcel of land being on the centerline of said Johnsburg Road; thence southwesterly along said centerline, also being the southerly lines of parcels of land described in Document No's 1949R0221808, 1949R0221807, and 1949R0221809 to the said southwest corner of said Sub Lot 1 of Lot 18 and the Point of Beginning, in McHenry County, Illinois. (the "Area").

The Area is assigned property identification number 09-13-276-038, and a street address of 2117 W. Church Street. The Redevelopment Project Area is bounded by Church Street to the north and Johnsburg Road to the south and is west of North Prairie Avenue and east of St. Johns Avenue.

EXHIBIT B
Boundary Map of the Area

Map 2: Proposed RPA Boundary



Source: Esri, McHenry County, SB Friedman, Village of Johnsburg

CERTIFICATION

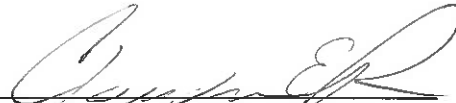
I, CLAUDETT E. PETERS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 19th day of November, 2019 the foregoing Ordinance entitled *An Ordinance Adopting Tax Increment Financing* was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 19-20-26, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 19th day of November 2019, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 19th day of November, 2019.



Claudett E. Peters, Village Clerk
Village of Johnsburg,
McHenry County, Illinois

(SEAL)