



# Office of the City Clerk

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## Legislation Text

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### OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

November 18, 2015

TO THE HONORABLE, THE CITY COUNCIL OF THE CITY OF  
CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith ordinance terminating the 69<sup>th</sup> and Ashland TIF District.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

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### ORDINANCE

WHEREAS, the City Council of the City of Chicago (the "City") adopted ordinances in accordance with the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et seq. (the "Act") on November 3, 2004: (1) approving a tax increment redevelopment project and plan for the 69<sup>th</sup>/Ashland Redevelopment Project Area (the "Area"); (2) designating the Area as a tax increment financing district; and (3) adopting tax increment allocation financing for the Area; and

WHEREAS, pursuant to Section 8 of the Act, when redevelopment projects costs for a redevelopment project area, including without limitation all municipal obligations financing redevelopment project costs incurred under the Act, have been paid, all surplus funds then remaining in the special tax allocation fund for a redevelopment project area designated under the Act shall be distributed by being paid by the municipal treasurer to the State of Illinois Department of Revenue, the municipality and the county collector; first to the Department of Revenue and the municipality in direct proportion to the tax incremental revenue received from the State of Illinois and the municipality, but not to exceed the total incremental revenue received from the State or the municipality less any annual surplus distribution of incremental revenue previously made; with any remaining funds to be paid to the county collector who shall immediately thereafter pay said funds to the taxing districts in the redevelopment project area in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area; and

WHEREAS, furthermore, pursuant to Section 8 of the Act, upon the payment of all redevelopment project costs, the retirement of obligations, the distribution of any excess monies pursuant to Section 8 of the Act, and final closing of the books and records of the redevelopment project area, the municipality shall adopt an ordinance dissolving the special tax allocation fund for the redevelopment project area and terminating the designation of the redevelopment project area as a redevelopment project area under the Act; and

WHEREAS, furthermore, pursuant to Section 8 of the Act, municipalities shall notify affected taxing districts prior to November 1 if a redevelopment project area is to be terminated by December 31 of that same year; and

WHEREAS, the City has, prior to November 1, 2015, notified the affected taxing districts of the proposed termination of the Area as a redevelopment project area, in accordance with the provisions of the Act; and

WHEREAS, with respect to the Area, by December 31, 2015 all redevelopment projects for which redevelopment project costs have been paid or incurred shall be completed, all obligations relating thereto shall be paid and retired, and, subject to Section 3 of this Ordinance, all excess monies, if any, shall be distributed; and

WHEREAS, subject to Section 3 of this Ordinance, the City shall accomplish the final closing of the books and records of the Area; and

WHEREAS, in accordance with the provisions of Section 8 of the Act, the City desires to dissolve the special tax allocation fund for the Area (the "Special Fund") and terminate the

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designation of the Area as a redevelopment project area as of December 31, 2015; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

Section 1. The above recitals are incorporated herein and made a part hereof.

Section 2. The designation of the Area legally described on Exhibit A attached hereto and otherwise depicted on Exhibit B attached hereto shall be terminated as of December 31, 2015. The list of parcels comprising the Area is attached hereto as Exhibit C.

Section 3. Notwithstanding Section 2 hereof, it is anticipated that the City will continue to receive incremental property taxes for assessment year 2014/collection year 2015. Accordingly, although the designation of the Area is repealed by Section 2 hereof, the City will continue to maintain the Special Fund for the limited purpose of receiving any

remaining incremental property taxes for assessment year 2014/collection year 2015. Pursuant to the Act, upon receipt of such taxes, the City shall calculate and declare surplus revenue, and shall return surplus revenue to the Cook County Treasurer in a timely manner for redistribution to the local taxing districts that overlap the Area. Thereupon, the Special Fund shall be considered to be dissolved.

Section 4. The method of calculating and allocating property tax increment by the County of Cook pursuant to the Act for the parcels listed on Exhibit C shall be terminated from and after December 31, 2015.

Section 5. The Commissioner of the Department of Planning and Development (the "Commissioner"), or a designee thereof, is authorized to execute any documents and take any steps necessary to terminate the designation of the Area pursuant to this Ordinance and the Act on behalf of the City, and the previous execution of any documents and the previous taking of any steps necessary to terminate the designation of the Area pursuant to the Act by the Commissioner, or a designee thereof, on behalf of the City are hereby ratified. In connection with the termination of the designation of the Area the Commissioner is also authorized to amend or terminate any redevelopment agreements or similar obligations regarding properties in the Area as the Commissioner deems necessary or advisable.

Section 6. This Ordinance shall be in full force and effect upon its passage.

Section 7. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 8. All ordinances (including but not limited to the three ordinances identified in the first recital hereof), resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent of their conflict.

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improved part or vacant part, as applicable, of the Area as required pursuant to Section 5/11-74.4-3(a) of the Act.

SECTION 4. Area Designated. The Area is hereby designated as a redevelopment project area pursuant to Section 5/11-74.4-4 of the Act.

SECTION 5. Invalidity Of Any Section. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this ordinance.

SECTION 6. Superseder. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 7. Effective Date. This ordinance shall be in full force and effect immediately upon its passage.

*[Exhibit "C" referred to in this ordinance printed on page 34539 of this Journal]*

Exhibits "A" and "B" referred to in this ordinance read as follows:

*Exhibit "A".*

*69<sup>th</sup>/Ashland T.I.F. Legal Description.*

All that part of the east half of the southeast quarter of Section 19, the west half of the southwest quarter of Section 20, the west half of the northwest quarter of Section 29 and the east half of the northeast quarter of Section 30, all in Township 38 North, Range 14 East of the Third Principal Meridian bounded and described as follows:

beginning at the southeast corner of Lot 24 in Block 6 of E. O. Lanphere's Addition to Englewood, a subdivision of Blocks 1 to 15 and the north half of Block 16 in George Sea's Subdivision of the east half of the southeast quarter of

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**Section 19, Township 38 North, Range 14 East of the third Principal Meridian, said 'southeast corner of Lot 24' being also the point of intersection of the north line, of West 70\* Street with the west line of South Marshfield Avenue;; thetice northalong said westlirie of South Marshfield Avenue to.thenq^ 69<sup>th</sup> Street; thence east along said north line ofWest"69<sup>h</sup> Street to the hprtherly c^ensipn "of the west line of Lot 10 in Block 3 ofMaxston. and\* Augers**

**Subdivisiph o^ of the southwest ,quarfeir of Section 20, TTpWi^hip38' NoVth; Range 14 East Ofthe Third Principal MeridiEW-; said^estlfiae of'^t^b6ing' also the east line of South Justine Street;..ttienc^ saidnoriherry; e^ensib^aiid the eastline ofSouthJustine "S^et.t0^^^teth/ e^ensidri offnenor^lfoe of Lot 46 in Block 4 of sai^i\M§^toH""i^<j. AU{^9 \$Ubd]visipn, said north line of Lot 46 being also the south^Uhf tof i^fi ^ey-soti^th of West69Street; thence west along said easterly extension arid^rjie north line pf]Ut4'6ihBlock 4 of Marston and tomewestj^^ said west line of Lot 46 being also the east line ofthe alley east ofSbuth Ashland Avenue; thence south along said east line ofthe alley east of South Ashland Avenue to the south line of West 71" Street, thence west along said south line of West 71\*' Street to the southerly extension**

of the east line of Lot "A" in Block 3 of the subdivision of Lots 42 to 48, both inclusive, of Block 13\* Lots 1 to 7, both inclusive, of Blocks 14 and 15, Lots 1 to 7 and 18 to 24, all inclusive, in Block 16, Lots 18 to 31, both inclusive, in Blocks 9, 10 and 11, Lots 1 to 7 and 42 to 48, all inclusive, in Blocks 6, 7 and 8, Lots 18 and 31 in Blocks 1...2. and 3 and Lots 25 to 31, both inclusive, in Block 4 of E. O. Lanphere's Addition to Englewood aforesaid, said east line of Lot "A" being also the west line of South Marshfield Avenue; thence north along said southerly extension and the west line of South Marshfield Avenue to the point of beginning at the southeast corner of Lot 24 in Block 6 of E. O. Lanphere's Addition to Englewood, aforesaid, all in the City of Chicago, Cook County, Illinois.

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Exhibit B, Area Map (see attached)

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*Boundary Map.*

Exhibit C, List of Parcels within the Area (see attached)

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**69th Ashland PINs**



