

ORDINANCE NO. 23-2013

**AN ORDINANCE DESIGNATING THE EVERGREEN
PARK PLACE BUSINESS DISTRICT UNDER THE
ILLINOIS BUSINESS DISTRICT DEVELOPMENT AND
REDEVELOPMENT ACT**

WHEREAS, the Business District Development and Redevelopment Act (65 ILCS 11-74.3-1 *et seq.*) (the "Act") allows municipalities to designate an area of the municipality as a business district and to adopt a business district redevelopment plan; and

WHEREAS, it is essential to the economic and social welfare of the Village of Evergreen Park (the "Village") that business districts be maintained and revitalized by assuring opportunities for development or redevelopment and attracting sound and stable commercial growth; and

WHEREAS, the Mayor and Board of Trustees have observed that certain property, located at the southwest corner of 95th Street and Western Avenue, is a blighted area that, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire or other causes, or any combination of those factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use; and on the whole has not been subject to growth and development through investment by private enterprises or would not reasonably be anticipated to be developed or redeveloped without the adoption of a business district development or redevelopment plan; and

WHEREAS, the Evergreen Park Place Business District Redevelopment Plan dated October 2013 (the "Redevelopment Plan"), which incorporates the Eligibility Report prepared by Hunden Strategic Partners, has been prepared by Louis F. Cainkar, Ltd. at the request of the Village and has been reviewed by the Mayor and Board of Trustees; and

WHEREAS, a Notice of Public Hearing (the "Notice") was published in the *Evergreen Park Courier* on October 10, 2013 and October 17, 2013; and

WHEREAS, a public hearing (the "Public Hearing") was held on November 4, 2013 at the Village Hall, 9418 South Kedzie Avenue, Evergreen Park, Illinois, concerning the designation of the Evergreen Park Place Business District (the "Business District") and the approval of the Redevelopment Plan, including the imposition of a Business District Retailers Occupation Tax and a Business District Service Occupation Tax at the rate of 1%; and

WHEREAS, all interested persons were given an opportunity at the Public Hearing to be heard in respect to any issues embodied in the Notice; and

WHEREAS, at the Public Hearing, the Mayor and Board of Trustees heard and determined all protests and objections in respect to any issues embodied in the Notice; and

WHEREAS, no written objections were filed at the Public Hearing; and

WHEREAS, the Redevelopment Plan has been prepared in conformity with the provisions of the Act; and

WHEREAS, the Mayor and Board of Trustees have passed Ordinance No. 22-2013 approving the Redevelopment Plan; and

WHEREAS, the Business District is a contiguous area and includes only parcels of real property directly and substantially benefited by the Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Evergreen Park, Cook County, Illinois, as follows:

Section 1

That the above preambles are hereby declared to be true and are adopted as findings of the Mayor and Board of Trustees.

Section 2

That the property described on Exhibit A is hereby designated a business district to be known as the Evergreen Park Place Business District.

Section 3

The Mayor and Board of Trustees further finds and determines that the Business District is a blighted area that, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire or other causes, or any combination of those factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use; and the Business District on the whole has not been subject to growth and development through investment by private enterprises or would not reasonably be anticipated to be developed or redeveloped without the adoption of the Redevelopment Plan.

Section 4

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

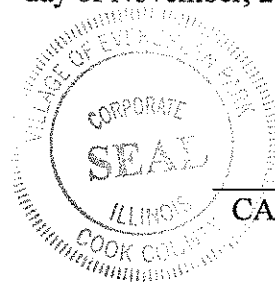
Section 5

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 6

This ordinance shall be in full force and effect after passage and approval.

This ordinance was passed and deposited in the office of the Village Clerk of the Village of Evergreen Park this 4th day of November, 2013.



Catherine T. Aparo

CATHERINE T. APARO, Village Clerk

APPROVED by me this 4th
day of November, 2013.

James J. Sexton

JAMES J. SEXTON, Mayor

EXHIBIT A

EVERGREEN PARK PLACE BUSINESS DISTRICT

LOT "A" (EXCEPT THE NORTHERLY 10 FEET THEREOF TAKEN FOR THE WIDENING OF 95TH STREET, AND ALSO EXCEPTING THEREFROM THE EAST 277.91 FEET OF THE SOUTH 393.38 FEET OF SAID LOT "A" (BUT EXCLUDING FROM THE IMMEDIATELY FOREGOING EXCEPTION THE EAST 18.89 FEET OF THE SOUTH 46.66 FEET OF SAID LOT "A")) IN THE CONSOLIDATION OF ARTHUR RUBLOFF'S EVERGREEN PLAZA, CONSISTING OF SUNDRY PARCELS OF LAND IN THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 25, 1963 AS DOCUMENT NUMBER 18727016.

LOTS 5 THROUGH 13, INCLUSIVE, IN FREDERICK H. BARTLETT'S BEVERLY HIGHLANDS, BEING A SUBDIVISION OF THE NORTHEAST ¼ OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 7, 1919 AS DOCUMENT NUMBER 6640692, IN COOK COUNTY, ILLINOIS.

THE 16-FOOT VACATED PUBLIC ALLEY ADJACENT TO AND LYING WESTERLY OF LOTS 5 THROUGH 13, INCLUSIVE, AND THE 16-FOOT VACATED PUBLIC ALLEY LYING ADJACENT AND SOUTHERLY OF LOT 13 IN FREDERICK H. BARTLETT'S BEVERLY HIGHLANDS, BEING A SUBDIVISION OF THE NORTHEAST ¼ OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.S. 24-12-214-017-0000
 24-12-214-018-0000
 24-12-214-019-0000
 24-12-214-020-0000
 24-12-214-021-0000
 24-12-214-022-0000
 24-12-214-023-0000
 24-12-214-033-0000
 24-12-214-034-0000
 24-12-236-002-0000
 24-12-236-004-0000
 24-12-236-007-0000
 24-12-236-008-0000