



ORDINANCE NO. 910

**AN ORDINANCE APPROVING AN ALTERATION IN EXTERIOR
BOUNDARIES OF THE MACKINAW INDUSTRIAL PARK
BUSINESS DISTRICT**

Published in pamphlet form by authority of the Village President and
Board of Trustees of the Village of Mackinaw

MARCH 16, 2016

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS
VILLAGE OF MACKINAW)

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the **14TH day of MARCH 2016**, insofar as same relates to the adoption of **Ordinance No. 910**, entitled:

AN ORDINANCE APPROVING AN ALTERATION IN THE EXTERIOR BOUNDARIES OF THE MACKINAW INDUSTRIAL PARK BUSINESS DISTRICT

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of **Ordinance No.910**, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on **March 16, 2016** and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by six members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 26TH DAY OF March, 2016.

Village Clerk



ORDINANCE NO. 910

AN ORDINANCE APPROVING AN ALTERATION IN THE EXTERIOR BOUNDARIES OF THE MACKINAW INDUSTRIAL PARK BUSINESS DISTRICT

WHEREAS, Section 11-74.3-2 of the Business District Development and Redevelopment Act authorizes the Village to alter the exterior boundaries of a business district after the Village, by ordinance, fixes a time and place for a public hearing, gives notice by publication and conducts a public hearing pursuant to procedures set forth in that statutory section; and

WHEREAS, the corporate authorities of the Village of Mackinaw desire to alter the exterior boundaries of the Mackinaw Industrial Park Business District; and

WHEREAS, on January 25, 2016, the Village of Mackinaw adopted Ordinance No. 908 fixing a time and place for a public hearing on the proposed alteration of the exterior boundaries of the Mackinaw Industrial Park Business District to include the territory described more particularly in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, notice of the public hearing was given by publication at least twice, the first publication being not more than thirty nor less than ten days prior to the hearing, in a newspaper of general circulation within the Village. A copy of the notice of hearing is attached hereto to this Ordinance and incorporated herein by reference as Exhibit B. A copy of the proof of publication is attached to this Ordinance and incorporated herein by reference as Exhibit C; and

WHEREAS, on March 14, 2016, a public hearing was held pursuant to the procedures set forth in Section 11-74.3-2; and

WHEREAS, the Village of Mackinaw has complied with all prerequisites set forth in 65 ILCS 5/11-74.3-2 for the alteration of the exterior boundaries of the Mackinaw Industrial Park Business District.

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, as follows:

SECTION 1: The recitals contained in the preamble hereto are hereby found to be true and correct and are incorporated herein by reference.

SECTION 2: The Village of Mackinaw hereby makes the following findings and conclusions:

A. The alteration of the exterior boundaries of the Mackinaw Industrial Park Business District was considered at a public hearing held on March 14, 2016 ("public hearing") which was held pursuant to notices duly published in the Pekin Daily Times, a newspaper of general circulation within the Village.

B. Interested persons were given an opportunity to be heard at the public hearing on the matter of the alteration of the exterior boundaries of the Mackinaw Industrial Park Business District.

C. After considering the information presented at the public hearing and prior thereto by any and all interested persons, the corporate authorities find it is in the best interest of the Village and of the residents and property owners within the Mackinaw Industrial Park Business District that the land more particularly described in Exhibit A attached hereto be included within the bounds of the Mackinaw Industrial Park Business District.

D. The territory of the Mackinaw Industrial Park Business District as altered hereby is contiguous and includes only parcels of real property directly and substantially benefited by the proposed redevelopment plan.

E. The corporate authorities repeat and reaffirm the findings set forth in the original Mackinaw Industrial Park Business District prepared at the time the Mackinaw Industrial Park Business District was created. The findings set forth therein are unaffected by the alteration of the exterior boundaries of the territory of the Mackinaw Industrial Park Business District. The territory of the Mackinaw Industrial Park Business District, as amended hereby, remains a blighted area which, by reason of the predominance of defective, non-existent or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements and improper subdivisions or obsolete planning 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, an economic underutilization of the area, or a menace to the public health, safety, morals or general welfare of the Village and its residents.

F. The blighting factors as stated above are widely present throughout the territory of the Mackinaw Industrial Park Business District as altered hereby and the presence of these conditions has hindered growth and development of the area.

G. It is in the best interests of the Village that the territory of the Mackinaw Industrial Park Business District as amended hereby be designated for the financing of the Mackinaw Industrial Park Business District costs as set forth in the Mackinaw Industrial Park Business District Plan; that a retailer's occupation tax and a service occupation tax continue to be imposed in the territory of the Mackinaw Industrial Park Business District, including the territory added to the District hereby, for the planning, execution and implementation of the Mackinaw Industrial Park Business District Plan, and for the payment of Business District Project costs as set forth in the Mackinaw Industrial Park Business District Plan.

SECTION 3: The Village of Mackinaw hereby alters and amends the exterior boundaries of the Mackinaw Industrial Park Business District to add all of the land set forth on Exhibit A attached hereto and incorporated herein by reference. Hereafter, the territory of the Mackinaw Industrial Park Business District shall include all that territory set forth on Exhibit D attached hereto and incorporated herein by reference, and outlined on a map of a portion of the Village and attached as Exhibit E hereto, which description and map are, by this reference, incorporated herein and made a part hereof.

SECTION 4: This amendment and alteration of the exterior boundaries of the Mackinaw Industrial Park Business District shall not be construed to increase the rate of any tax to be imposed pursuant to the Business District Development and Redevelopment Act. The amount of tax previously approved by the Village of Mackinaw for imposition within the Mackinaw Industrial


Park Business District was a tax of one percent (1%). That tax shall continue to be imposed within the territory of the Mackinaw Industrial Park Business District, as such territory was amended hereby. The tax shall be imposed upon the property added to the Mackinaw Industrial Park Business District hereby to the same nature and extent as such tax has been imposed heretofore on all other property within the territory of the Mackinaw Industrial Park Business District.

SECTION 5: A certified copy of this ordinance, together with a description of the boundaries of the Mackinaw Industrial Park Business District as amended hereby, shall be filed with the Department of Revenue as soon as possible following the execution of this ordinance.


SECTION 6: This ordinance shall be in full force and effect from and after its passage and approval in a manner provided by law.

PASSED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois this 14th day of March 2016.

APPROVED:


Craig Friend, President of the Board of Trustees of the Village of Mackinaw

ATTEST:


Lisa Spencer, Village Clerk

AYES:	<u>5</u>
NAYS:	<u>0</u>
ABSENT:	<u>1</u>

LEGAL DESCRIPTION

Lots 1, 2 and 3 in the First Addition to the Mackinaw Industrial Park, being a part of the Southeast ¼ of Section 17, Township 24 North Range 2 West of the Third Principal Meridian, Tazewell County, Illinois

PIN: 13-13-17-407-025
13-13-17-407-026
13-13-17-407-027

All of that portion of the King Road right of way which abuts and runs parallel to Lot 1 in the First Addition to the Mackinaw Industrial Park being a part of the Southeast ¼ of Section 17, Township 24 North Range 2 West of the Third Principal Meridian, Tazewell County, Illinois

PIN: None



NOTICE OF PUBLIC HEARING

Notice is hereby given that the President and Board of Trustees of the Village of Mackinaw will conduct a public hearing on March 14, 2016 at 7:05p.m. at 100 East East Avenue, Mackinaw, Illinois, on the proposed alteration of the exterior boundaries of the Downtown Business District. All interested persons will be given an opportunity to be heard at the public hearing. The rate of tax to be imposed within the Downtown Business District will continue to be one percent. The proposed alteration would add the following described property to the Downtown Business District:

Lots 1, 2 and 3 in the First Addition to the Mackinaw Industrial Park, being a part of the Southeast $\frac{1}{4}$ of Section 17, Township 24 North Range 2 West of the Third Principal Meridian, Tazewell County, Illinois

PIN: 13-13-17-407-025, 13-13-17-407-026, 13-13-17-407-027

All of that portion of the King Road right of way which abuts and runs parallel to Lot 1 in the First Addition to the Mackinaw Industrial Park being a part of the Southeast $\frac{1}{4}$ of Section 17, Township 24 North Range 2 West of the Third Principal Meridian, Tazewell County, Illinois

PIN: None

VILLAGE OF MACKINAW

By: S/ Lisa Spencer
Lisa Spencer, Village Clerk



CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS

SS.

Counties of Peoria/Tazewell/ Woodford

I, the undersigned, do hereby certify that we are the publishers of

Peoria County:

Chillicothe Times-Bulletin

Tazewell County:

Pekin Daily Times

East Peoria Times-Courier

Morton Times-News

Washington Times-Reporter

Woodford County:

Woodford Times

public and secular newspapers of general circulation, published weekly of in the cities indicated, and that the same has been a regularly published for at least one year prior to the date of the first publication of the notice or ad hereinafter mentioned, and is qualified as a newspaper as defined in Act- Chapter 100, Sections 1 and 5, Illinois Revised Statues.

I further certify that a notice or advertisement, of which the annexed is a true printed copy, has been regularly published in said newspapers, 2 times, once in each week for 2 successive weeks; the first publication having been made in the issues duly indicated below, on this 19th day of Feb. A.D. 20 16, and the last publication thereof having been made in the issues of said newspapers published on the 26th day of Feb. A.D. 20 16.

Fee: \$ 159.80

Peoria County:

Chillicothe Times-Bulletin

Tazewell County:

X Pekin Daily Times

East Peoria Times-Courier

Morton Times-News

Washington Times-Reporter

Woodford County:

Woodford Times

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of Feb. A.D. 20 16.

[Redacted Signature] Associate Publisher

Received Payment [Redacted]

230955

NOTICE OF PUBLIC HEARING.

Notice is hereby given that the President and Board of Trustees of the Village of Mackinaw will conduct a public hearing on March 14, 2016 at 7:05p.m. at 100 East East Avenue, Mackinaw, Illinois, on the proposed alteration of the exterior boundaries of the Downtown Business District. All interested persons will be given an opportunity to be heard at the public hearing. The rate of tax to be imposed within the Downtown Business District will continue to be one percent. The proposed alteration would add the following described property to the Downtown Business District:

Lots 1, 2 and 3 in the First Addition to the Mackinaw Industrial Park, being a part of the Southeast 1/4 of Section 17, Township 24 North Range 2 West of the Third Principal Meridian, Tazewell County, Illinois

PIN: 13-13-17-407-025, 13-13-17-407-026, 13-13-17-407-027

All of that portion of the King Road right of way which abuts and runs parallel to Lot 1 in the First Addition to the Mackinaw Industrial Park being a part of the Southeast 1/4 of Section 17, Township 24 North Range 2 West of the Third Principal Meridian, Tazewell County, Illinois

PIN: None

VILLAGE OF MACKINAW
By: S/ Lisa Spencer
Lisa Spencer, Village Clerk
2/19, 2/26

230955

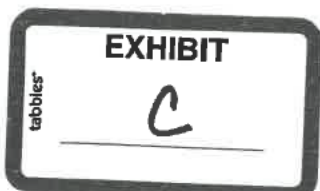


EXHIBIT D

Legal Description of Mackinaw Industrial Park Business District

Tract 1:

The entire subdivision of Mackinaw Industrial Park which is more particularly described as follows: Lots 1 through and including 4 in Mackinaw Industrial Park as set forth in the Plat recorded in Plat Book GG at Page 5 in the Recorder's Office of Tazewell County, Illinois

Tract 2:

The entire subdivision of Dietrich Extension Number 1 to Mackinaw Industrial Park which is more particularly described as follows: Lots 5 through and including 10 in Dietrich Extension Number 1 to Mackinaw Industrial Park, being a subdivision of part of the Southeast Quarter of Section 17, and part of the Southwest Quarter of Section 16, Township 24 North, Range 2 West of the Third P.M., as recorded in a Plat recorded in Plat Book GG at Page 63 in the Recorder's Office of Tazewell County, Illinois

Tract 3:

A part of the East Half of the Southeast Quarter, Section 17, Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois, and being further described as follows: Commencing at the Northwest corner of the East Half of the Southeast Quarter of said Section 17; thence South 01 degrees 18 minutes 02 seconds East, (bearings assumed for descriptive purposes) along the West line of said East Half a distance of 564.02 feet to the East R.O.W. line of the abandoned N & W Railroad, also being the West property line of Lot 1 of Mackinaw Industrial Park Subdivision, as recorded in Plat Book "GG", page 5, in the Tazewell County Recorder's Office said point also being the point of beginning of the tract to be described; thence South 35 degrees 36 minutes 04 seconds East, along the East R.O.W. line of said railroad, a distance of 474.01 feet; thence South 88 degrees 41 minutes 16 seconds West, a distance of 257.14 feet to the East R.O.W. line Leopold Street, as recorded in Plat Book "II", page 222, in the Tazewell County Recorder's Office; thence North 01 degrees 18 minutes 44 seconds West, along the East R.O.W. line of Leopold Street, a distance of 235.11 feet to the West R.O.W. line of the abandoned N & W Railroad; thence North 35 degrees 36 minutes 04 seconds West, along the West R.O.W. line of said railroad a distance of 17.62 feet to the West line of the East Half of the Southeast Quarter of said Section 17; thence North 01 degrees 18 minutes 02 seconds West, along the West line of said East Half, a distance of 141.96 feet to the point of beginning as set forth in Plat Book "VV" at page 34 in the Recorder's Office of Tazewell County, Illinois

Tract 4:

Lots 1, 2 and 3 in the First Addition to the Mackinaw Industrial Park, being a part of the Southeast ¼ of Section 17, Township 24 North Range 2 West of the Third Principal Meridian, Tazewell County, Illinois

Tract 5:

All of that portion of the King Road right of way which abuts and runs parallel to Lot 1 in the First Addition to the Mackinaw Industrial Park being a part of the Southeast ¼ of Section 17, Township 24 North Range 2 West of the Third Principal Meridian, Tazewell County, Illinois

Mackinaw Industrial Park Business District Proposed Improvements



Legend

- First Street Industrial Park Boundary
- Property Lines
- Rehabilitated Roadway
- Proposed Water Improvements
- Proposed Sewer Improvements

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EXHIBIT
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