

Ordinance No. 2016-02-10

**AN ORDINANCE OF THE CITY OF MOUNT CARROLL,
CARROLL COUNTY, ILLINOIS,
TO SET A DATE FOR A PUBLIC HEARING FOR THE
DOWNTOWN AND SOUTH CITY BUSINESS DEVELOPMENT DISTRICT**

BE IT ORDAINED by the Mayor and City Council of the City of Mount Carroll, Carroll County, Illinois (the "*City*"), as follows:

Section 1. It is necessary and in the best interests of the City that a public hearing be held prior to the adoption of an ordinance or ordinances by the City Council approving the Downtown and South City Business District Plan (the "*Business District Plan*"), establishing the Downtown and South City Business Development District (the "*Business District*"), and imposing retailers' and service occupation taxes (the "*Taxes*"), in accordance with the Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1, *et seq.* (the "*Act*").

Section 2. The proposed Business District includes the Downtown and South City areas of Mount Carroll, Illinois which are generally and legally described in *Exhibit A* attached hereto and depicted in the map attached hereto as *Exhibit B*.

Section 3. The Act grants the City the power to establish by ordinance procedures for the planning, execution and implementation of business district plans; and, pursuant to the Act, the City desires to set a date for a public hearing (the "*Public Hearing*") on the proposed Business District Plan, proposed Business District, and the imposition of Taxes therein, and the publication of notice thereof.

Section 4. It is hereby determined that the Public Hearing shall be held by the Mayor and City Council of the City of Mount Carroll on the 24th day of March, 2016, at 7:00 p.m., at the Mount Carroll City Hall, 302 North Main Street, Mount Carroll, IL 60153.

Section 5. Notice of the Public Hearing is hereby authorized to be given by publication in a newspaper of general circulation within the City on at least two (2) occasions, with the first publication occurring not more than thirty (30) nor less than ten (10) days prior to the Public Hearing, in the form attached hereto as *Exhibit C*.

Section 6. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

PASSED by the Mayor and City Council of the City of Mount Carroll, Carroll County, Illinois, this 23rd day of February, 2016, pursuant to a roll call vote, as follows:

APPROVED:



Carl R. Bates, Mayor

AYES: 6

NAYS: 0

ABSENT: 0

Attest:



Julie Cuckler, City Clerk

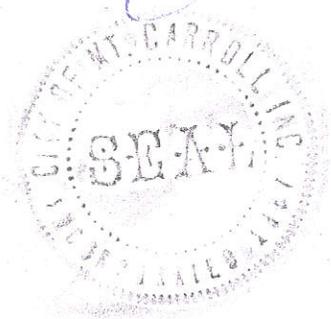


EXHIBIT A

The proposed BD District includes an area generally described as:

An area encompassing the downtown district parcels on both sides of Market Street, parcels generally on the west side of Main Street from Market Street to Benton Street, parcels on both sides of Clay Street from Benton Street to Broadway Street, parcels on the south side of Broadway Street between College Street to Madison Street and on both sides of Madison Street between Benton Street and Broadway Street, parcels on the east side of Clay Street from Seminary Street to the railroad tracks, parcels east of Jackson Street on generally both sides of Route 52/64 to the east end of the City corporate limits, and parcels west of Clay Street on generally both sides of Route 52/64 to the west end of the City corporate limits, and legally described as follows.

CITY OF MOUNT CARROLL, ILLINOIS BD DISTRICT LEGAL DESCRIPTION

A part of the Sections 1 and 12 in Township 24 North, Range 4 East, and part of Sections 6 and 7 in Township 24 North, Range 5 East of the Fourth Principal Meridian, Carroll County, Illinois, more particularly described as follows: Beginning at the Northeast corner of the Southwest Quarter of said Section 7; Thence South along the East line of the said Southwest Quarter to the point in which it intersects with the Northerly Right of Way line of the Canadian Pacific Railway property; Thence Westerly along the said Northerly Right of Way line, to the Southwesterly corner of the property conveyed to Thomas Cravatta described in a Warranty Deed in Book 950 of Deeds at Page 384 and recorded as Document No. 2008R-2500 in the Carroll County Recorder's; Thence Southerly, across the said Canadian Pacific Railway property, to the Northeast corner of the property conveyed to Konrad Sack described in a warranty deed in Book 719 of Deeds at Page 83 recorded in the said Recorder's Office; Thence Southerly, along the East line of said property, a distance of 160.42 feet, more or less to the Southeast corner of said property; Thence Westerly, along the South line of said property, a distance of 341.06 feet, more or less to a point on the East line of Jackson Street in the City of Mt. Carroll; Thence Northerly, along the said East line, to the point in which it intersects with the Northerly Right of Way line of the said Canadian Pacific Railway property; Thence Southwesterly, along the said Northerly Right of Way line, to the Southwesterly corner of the property conveyed to Highland Chemical, Inc. by a Special Warranty Deed recorded as Document No. 2009R-3200 in the Office of the Carroll County Recorder; Thence Northwesterly, along the Westerly line of said property, to the point in which it intersects the Southerly Right of Way line of West Commercial Street (old SBI Route 27/ State Route 64); Thence Westerly, along the said Southerly Right of Way line, to the point in which it intersects with the Southerly Right of Way line of U.S. Route 52/Illinois Route 64 (Relocated SBI Rte 27); Thence Southwesterly, along the said Southerly Right of Way line, to the point in which it intersects with the West line of the Southeast Quarter of Section 12; Thence North, along the said West line, to the point in which it intersects with the Northerly Right of Way line of U.S. Route 52/Illinois 64 (Relocated SBI Rte 27); Thence Southwesterly, along the said Northerly Right of Way line, to the Southwesterly corner of the property conveyed to Richard and Carol Frey in a Corporation Deed described in Book 264 of Deeds at Page 335 in the Office of the Carroll County Recorder; Thence Northwesterly, along the Westerly line of said property, 545.29 feet, more or less, to the Northwest corner of said property; Thence Northeasterly, along the Northerly line of said property, a distance of 523.68 feet, more or less, to the Northeast corner of said

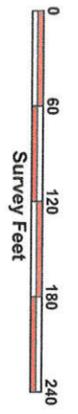
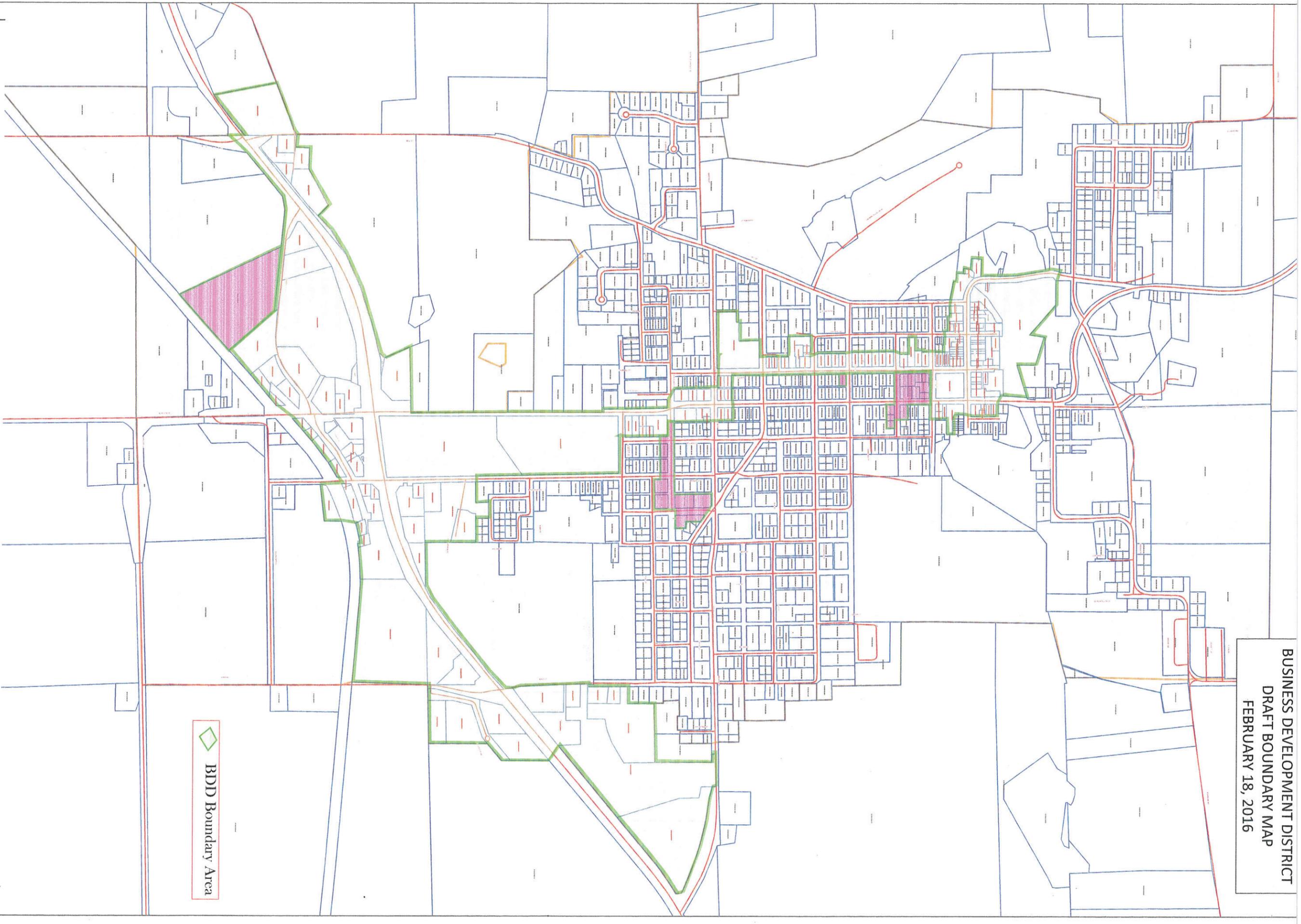
in Block 6 of Rinewald and Halderman's First Addition to the City of Mt. Carroll, according to the plat thereof recorded September 28, 1854 in Plat Book 9 at Page 49 in the Office of the Carroll County Recorder; Thence Northerly, along the West line of said Lots and the Southerly extension thereof, to the Northwest corner of Lot 1 in said Block 6, said corner being on the South line of West Center Street; Thence Northerly, across said West Center Street, to the Southwest corner of Lot 9 in Block 14 of the N. Halderman Plat of the Town, now city, of Mt. Carroll; Thence Northerly, along the West line of Lots 9, 8, 5, 4, & 1 in said Block 14, to the Northwest corner of Lot 1 in said Block, said corner being on the South line of West Pleasant Street; Thence Northeasterly, across said West Pleasant Street, to the Southwest corner of parcel conveyed to Douglas P. and Laurel L. Bergren by a Warranty Deed recorded as Document No. 443997 in Book 314 at 251 in the Office of the Carroll County Recorder; Thence Northerly, along the West line of said parcel to a point on the Southerly line of Lot 5 in Block 9 of the Original Town of Mt. Carroll; Thence Westerly, along the said South line of Lot 5 and the South line of Lot 6 in said Block 9, to the Southwest corner of said Lot 6; Thence Northerly, along the West line thereof, to the Northwest corner of said Lot 6; Thence Easterly, along the North line of said Lot 6, to the Southwest corner of the property conveyed to Pins4Cruisin' LLC by a Warranty Deed recorded as Document No. 2013R-2537 in the Office of the Carroll County Recorder; Thence Northerly, along the West line of said property, to the Northwest corner thereof, being on the North line of Lot 3 in said Block 9; Thence Easterly, along the North line of said Lot 3, a distance of 10.00 feet, more or less, to the Southwest corner of lot 1 in said Block 9; Thence Northerly, along the West line of said Lot 1, to the Northwest corner of said Lot 1, also being the South line of East Rapp Street; Thence Northerly, across said East Rapp Street, to the Southwest corner of Lot 7 in Block 6 of the Original Town of Mt. Carroll; Thence Northerly, along the West line of said Lot, a distance of 66 feet 4 and one quarter inches, more or less, to the Northwest corner of said Lot 7, said corner being the Northwest corner of the property conveyed to the Carroll County Senior Services Organization, Inc. by a Corporation Deed recorded as Document No. 474502 in Book 641 at Page 175 in the Office of the Carroll County Recorder, said corner also being the Northeast corner of Lot 8 in said Block 6; Thence Westerly, along the Southerly line of the parcel conveyed to Charlotte A. Eagleton by a Quit Claim Deed recorded as Document No. 471679 in Book 601 at Page 215 in said Recorder's Office, being a part of Lots 3, 4, & 5 in said Block 6, and the Westerly extension of the South line of said parcel, to the point in which it intersects with the West line of North Carroll Street, also being the East line of Block 7 of the Original Town (N. Halderman) Plat of Mt. Carroll; Thence Northerly, along the said East line, to the Southeast corner of the property conveyed to Richard C. and Norma Floming recorded as Document No. 386227 in Book 1 at Page 68 in the said Recorder's Office, said point being 21 feet, more or less, Southerly of the Northeast corner of Lot 6 in said Block 7; Thence Westerly, along the South line of said property conveyed to Flomings, a distance of 137 feet, more or less, to the West line of said Lot 6, and the Southwest corner of the said Floming Property; Thence Northerly, along the said West line, a distance of 21 feet, more or less, to the Southeast corner of Lot 4 in said Block 7; Thence Westerly, along the South line thereof, a distance of 100 feet, more or less, to the Southwest corner of said Lot 4, said corner being on the East line of Mill Street; Thence Westerly, across said Street, to the Southeast corner of the parcel conveyed to Robert and Ginger Law by a Warranty Deed recorded as Document 456728 in Book 430 at Page 350 in the said Recorder's Office, and having a parcel identification number of 05-08-01-400-06; Thence Westerly, along the Meandering Southerly line of said parcel, to the Southeast corner of the parcel conveyed to Sonny K. Westphal by a Warranty Deed recorded as Document No. 2012R-1828, and having a parcel identification number of 05-08-01-400-005; Thence Westerly and Northerly along the boundary of said parcel, to a

East Pleasant Street, to the Northeast corner of the parcel of land conveyed to Eina J.L. Schroeder by a Warranty Deed recorded as Document No. 479172 in Book 703 at Page 117 in the Office of the Carroll County Recorder, said point being 60 feet west of the Northeast corner of Lot 1 in Block 12 of the said Original Town of Mount Carroll; Thence Southerly, along the Easterly line of said parcel, 72.67 feet, more or less, to the Southeast corner of said parcel, being a point on the South line of said Lot 1; Thence Westerly, along the South line of said Lot 1 and the South line of Lot 2 in said Block 12, to the Southwest corner of said Lot 2, said corner being on the Easterly Right of Way line of F.A. Route 642 (Illinois Route 78); Thence Northerly, along the said Right of Way line, to the Southwest corner of Lot 7 in Block 11 in said Original Town of Mt. Carroll; Thence Westerly, across said F.A. Route 642, to the Southeast corner of Lot 8 in Block 10 of the Resurvey of the N. Halderman Plat of the Original Town (now City) of Mount Carroll; Thence Westerly, along the South line of said Lot 8 and Lot 7 in said Block 10, to the Southwest corner of said Lot 7, said corner being on the Easterly line of North Main Street in said Mount Carroll; Thence Southerly, along the said Easterly line, to the Northwest corner of Lot 10 in Block 4 of Rinewalt and Halderman's Third Addition to the City of Mount Carroll; Thence Easterly, along the North line of said Lot 10 and the North line of Lot 9 in said Block 4, to the Northeast corner of said Lot 9, said corner being on the Westerly Right of Way line of F.A. Route 642 (Illinois Route 78); Thence Easterly, across said F.A. Route 642, to the Northwest corner of Lot 10 in Block 3 of said Rinewalt and Halderman's Third Addition; Thence Easterly, along the North line of said Lot 10, to the Northeast corner thereof; Thence Southerly, along the Easterly line of said Lot 10 and Lot 11 in said Block 3, and the Southerly extension thereof along the Easterly line of Lots 2, 3, 7, & 10 in Block 8 of said Rinewalt and Halderman's Third Addition, to the Southeast corner of said Lot 10, said corner being on the North line of West Broadway Street in said Mount Carroll; Thence Easterly, along the said North line, to the Southwest corner of Lot 9 in Block 10 of said Rinewalt and Halderman's Third Addition; Thence Northerly, along the West line of Lots 9, 8, 5, 4, & 1 in said Block 10, to the Northwest corner of said Lot 1, said point being on the South line of East Benton Street in said Mount Carroll; Thence Easterly, along the North line of said Lot 1, to the point in which it intersects with the Southerly Right of Way line of East State Road; Thence Southeasterly, along the said Southerly Right of Way line, to the Northeast corner of the property conveyed to Jan Morgan by a Warranty Deed recorded as Document No. 465499 in Book 521 at Page 299 in the Office of the Carroll County Recorder, said point being on the Northerly line of Lot 2 in Block 11 in said Rinewalt and Halderman's Third Addition; Thence Southerly, along the East line of said property, to a point 100 feet, more or less, from the Southerly line of Lot 6 in said Block 11; Thence Easterly, along the boundary of said property, to a point on the Easterly line of Lot 5 in said Block 11; Thence Southerly, along the Easterly line of said Lot 5 and Lot 6, a distance of 100 feet, more or less, to the Southeast corner of said Lot 6, being the Southeast corner of said property in Book 521 at Page 299 in the Office of the Carroll County Recorder; Thence Westerly, along the Southerly line of said property and the South line of Lot 6, and the Westerly extension thereof, to the Southeast corner of Lot 9 in Block 4 of said Rinewalt and Halderman's Third Addition; Thence Southerly, along the Westerly line of South Madison Street, to the point in which it intersects with the North line of Ridge Street in said Mount Carroll; Thence Westerly, along the said North line, to a point on the Westerly line of Lot 3 in Block 13 of said Rinewalt and Halderman's Third Addition, said point being 120 feet, more or less, Southerly of the Northwest corner of Lot 2 in said Block 13; Thence Westerly, across South Jackson Street, to the Southeast corner of Lot 1 in Block 14 of said Rinewalt and Halderman's Third Addition; Thence Westerly, along the Southerly line of said Lot 1 and Lot 2 in said Block 14, and the Westerly extension thereof, to the Southeast corner of Lot 1 in Block 3 of said Rinewalt and Halderman's Third Addition; Thence

EXHIBIT B

(See attached Downtown and South City BD District Map)

BUSINESS DEVELOPMENT DISTRICT
DRAFT BOUNDARY MAP
FEBRUARY 18, 2016



Streets



Property Boundaries



Municipalities



BDD Boundary Area

This product is the County Clerk's Department on 02/18/2016.
The user is responsible for the accuracy of the data.
All data believed to be accurate but may not be without error.

EXHIBIT C

PUBLIC NOTICE

Public Notice is hereby given of a Public Hearing to be held on the 24th day of March, 2016 at 7:00 p.m. before the Mayor and City Council of the City of Mount Carroll (the "City") at the Mount Carroll City Hall, 302 North Main Street, Mount Carroll, IL 60153 on the proposed Downtown and South City Business District Plan (the "*Business District Plan*") and Eligibility Report, establishing the proposed Downtown and South City Business District (the "*Business District*") and imposing a retailers' occupation tax, a service occupation tax, and a hotel operators' occupation tax, all in accordance with the Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1 *et seq.* (the "*BDD Act*").

The proposed Business District includes the Downtown and South City areas of Mount Carroll, Illinois which are generally and legally described in *Exhibit 1* attached hereto.

The objectives of the Business District are to reduce or eliminate blighting conditions and to enhance the tax base of the City by assuring opportunities for development or redevelopment and attracting sound and stable commercial growth, all in accordance with the provisions of the BDD Act.

The City may impose a retailers' occupation tax, a service occupation tax, and a hotel operators' occupation tax in the Business District for the planning, execution, and implementation of the Business District Plan and to pay for project costs as set forth therein in an amount up to one percent (1.0%). The City may issue obligations to finance project costs in accordance with the Business District Plan, which obligations may be secured by the Business District Tax Allocation Fund.

At the Public Hearing, the Business District Plan, designation of the Business District, and the imposition of a retailers' occupation tax, a service occupation tax, and a hotel operators' occupation tax in the Business District will be reviewed and discussed. All interested persons will be given an opportunity to be heard.

Copies of the Business District Plan are available at the Mount Carroll City Hall, 302 North Main Street, Mount Carroll, IL 60153.

Julie Cuckler, City Clerk

PUBLIC NOTICE

The pamphlet form of Ordinance No. 2016-02-10, AN ORDINANCE OF THE CITY OF MOUNT CARROLL, CARROLL COUNTY, ILLINOIS, TO SET A DATE FOR A PUBLIC HEARING FOR THE DOWNTOWN AND SOUTH CITY BUSINESS DEVELOPMENT DISTRICT, and the cover sheet thereof was prepared. The copies of said ordinance was posted in City Hall, 302 North Main Street commencing on March 11, 2016 and continuing for ten days thereafter. Copies of such ordinances are available for public inspection upon request in the office of the city clerk located in the Mount Carroll City Hall. Any questions may be directed to the City Hall at (815) 244-4424.

Dated this 11th day of March 2016.

Julie A. Cuckler
City Clerk & Collector
City of Mount Carroll