

ORDINANCE

WHEREAS, pursuant to ordinances the City Council (the "City Council") of the City of Chicago (the "City") adopted on July 20, 2022 and published in the Journal of the Proceedings of the City Council (the "Journal") for such date at pages 51342 to 51420 (as amended, the "TIF Ordinances"), and under the provisions of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4.1 et seq., as amended (the "Act"), the City Council: (i) approved a redevelopment plan and project (the "Plan") for a portion of the City known as the "Cicero/Stevenson Redevelopment Project Area" (the "Area"); (ii) designated the Area as a "redevelopment project area" within the requirements of the Act; and (iii) adopted tax increment financing for the Area; and

WHEREAS, to induce certain redevelopment pursuant to the Act, the City Council adopted ordinances on February 16, 2000, which were published in the Journal for such date at pages 24918 to 25062, to accomplish the following: approve and adopt a tax increment financing redevelopment project and plan for the Midway Industrial Corridor Redevelopment Project Area; designate the Midway Industrial Corridor Redevelopment Project Area as a tax increment financing district; and adopt tax increment financing for the Midway Industrial Corridor Redevelopment Project Area (the aforesaid ordinances, as amended, are collectively referred to herein as the "Midway TIF Ordinances," the redevelopment plan approved by the Midway TIF Ordinances is referred to herein as the "Midway Plan," the redevelopment project area created by the Midway TIF Ordinances is referred to herein as the "Midway Redevelopment Area," and incremental taxes collected from the Midway Redevelopment Area shall be known as the "Midway Incremental Taxes"); and

WHEREAS, pursuant to Section 5/11-74.4-4(q) of the Act, the City can use incremental taxes from one redevelopment project area for eligible redevelopment project costs in another redevelopment project area that is either contiguous to, or is separated only by a public right of way from, the redevelopment project area from which the incremental taxes is received so long as the applicable redevelopment plans permit such use (the "Transfer Rights"); and

WHEREAS, the Area is either contiguous to, or is separated only by a public right of way from, the Midway Redevelopment Area; and

WHEREAS, the Midway Plan permits the exercise of Transfer Rights with respect to the Midway Incremental Taxes and the Plan permits the receipt of incremental taxes pursuant to Transfer Rights; and

WHEREAS, it is anticipated that the City may, in its discretion, exercise its Transfer Rights pursuant to the Act, the Plan and the Midway Plan to allocate and use a portion of the Midway Incremental Taxes as part of and not in addition to the Incremental Taxes (as defined below) for various portions of the Project (as defined below); and

WHEREAS, to induce certain redevelopment pursuant to the Act, the City Council adopted ordinances on May 17, 2000, which were published in the Journal for such date at pages 31380 to 31518, to accomplish the following: approve and adopt a tax increment financing redevelopment project and plan for the Cicero/Archer Redevelopment Project Area; designate the Cicero/Archer Redevelopment Project Area as a tax increment financing district; and adopt tax increment financing for the Cicero/Archer Redevelopment Project Area (the aforesaid ordinances, as amended, are collectively referred to herein as the "Cicero/Archer TIF Ordinances," the

redevelopment plan approved by the Cicero/Archer TIF Ordinances is referred to herein as the "Cicero/Archer Plan," the redevelopment project area created by the Cicero/Archer TIF Ordinances is referred to herein as the "Cicero/Archer Redevelopment Area," and incremental taxes collected from the Cicero/Archer Redevelopment Area shall be known as the "Cicero/Archer Incremental Taxes"); and

WHEREAS, the Area is either contiguous to, or is separated only by a public right of way from, the Cicero/Archer Redevelopment Area; and

WHEREAS, the Cicero/Archer Plan permits the exercise of Transfer Rights with respect to the Cicero/Archer Incremental Taxes and the Plan permits the receipt of incremental taxes pursuant to Transfer Rights; and

WHEREAS, it is anticipated that the City may, in its discretion, exercise its Transfer Rights pursuant to the Act, the Plan and the Cicero/Archer Plan to allocate and use a portion of the Cicero/Archer Incremental Taxes as part of and not in addition to the Incremental Taxes (as defined below) for various portions of the Project; and

WHEREAS, the City, through its Department of Housing and Department of Planning and Development anticipate that a project commonly known as the LeClaire Courts North will be built generally at 4400 S. Cicero Avenue, Chicago, Illinois and will include approximately 138 market-rate, low- and moderate-income residential housing units in two separate elevator-serviced buildings, of which approximately 124 residential housing units will be reserved for households with incomes at or below 80% of area median income, along with common areas and parking (the "Project"); and

WHEREAS, the Project is necessary for the redevelopment of the Area; and

WHEREAS, separate City Council approval would be required to designate one or more developers for the Project (the "Developer") and authorize the terms and conditions of a proposed redevelopment agreement with the Developer (the "Redevelopment Agreement"); and

WHEREAS, the Developer would be obligated to undertake the Project in accordance with the Plan and the Redevelopment Agreement to be executed by the Developer and the City, with the Project to be financed in part by certain pledged incremental taxes deposited from time to time in the Special Tax Allocation Fund for the Area (the "TIF Fund") pursuant to Section 5/11-74.4-8(b) of the Act, including the Midway Incremental Taxes and the Cicero/Archer Incremental Taxes deposited therein as a result of the City exercising its Transfer Rights (the "Incremental Taxes"); now, therefore,

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

SECTION 1. The above recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

SECTION 2. Pursuant to the TIF Ordinances, the City has created the TIF Fund. The Chief Financial Officer, as defined in Section 1-4-090(k) of the Municipal Code of Chicago (the "Municipal Code"), or a designee or successor thereof, is hereby directed to maintain the TIF Fund as a segregated interest-bearing account, separate and apart from the City's Corporate Fund or any other fund of the City. Pursuant to the TIF Ordinances, all Incremental Taxes received

by the City for the Area shall be deposited into the TIF Fund. The City is authorized to exercise its Transfer Rights and deposit Midway Incremental Taxes in the amount up to \$2,000,000 and Cicero/Archer Incremental Taxes in the amount up to \$3,500,000 into the TIF Fund to be used to support the Project pursuant to the Redevelopment Agreement.

SECTION 3. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. 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.

SECTION 4. This ordinance shall take effect upon its passage and approval.