2006K056959

State of Illinois)
) SS
County of Kane)

Prepared by:
Village of Sugar Grove
10 Municipal Drive
Sugar Grove, IL 60554

Return to:
Cynthia L. Welsch
Village Clerk
Sugar Grove, IL 60554

2006K056959
SANDY WEGMAN
RECORDER - KANE COUNTY, IL
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VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS

Ordinance No. 20060404A

An Ordinance Establishing a Special Service Area No. 11 SR
For Settler's Ridge in the Village of Sugar Grove, Illinois

Adopted by the
Board of Trustees and President
of the Village of Sugar Grove
the 4th day of April 2006

VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS

ORDINANCE NO. 20060404A

An Ordinance Establishing a
Special Service Area No. 1 for
Settler's Ridge in
the Village of Sugar Grove, Illinois

Adopted by the
Board of Trustees and President
of the Village of Sugar Grove
this 4th day of April, 2006.

Published in Pamphlet Form
by authority of the Board of Trustees
of the Village of Sugar Grove, Kane County,
Illinois, this 4th day of April, 2006.

ORDINANCE NO._____

AN ORDINANCE ESTABLISHING A SPECIAL SERVICE AREA NO. 11 FOR SETTLER'S RIDGE IN THE VILLAGE OF SUGAR GROVE, ILLINOIS

BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows;

WHEREAS, the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, pursuant to the provisions of the 1970 Constitution of the State of Illinois (the "Constitution"), the Village of Sugar Grove, Kane County, Illinois (the "Village"), is authorized to create special service areas in and for the Village; and

WHEREAS, special service areas are established by non-home rule units pursuant to Section 7(6) of Article VII of the Constitution, which provides that–

> [M]unicipalities...which are not home rule units shall have...powers...to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services;

and are established "in the manner provided by law" pursuant to the provisions of "AN ACT to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties," approved September 21, 1973, as amended, and pursuant to the Revenue Act of 1939 of the State of Illinois, as amended; and

WHEREAS, it is in the public interest that the area hereinafter described as a special service area for the purposes set forth herein and to be designated as the Settler's Ridge Special Service Area No. 11, of the Village (the "Area"), be established; and

WHEREAS, the Area is compact and contiguous, totally within the corporate limits of the Village; and

WHEREAS, the Area will benefit specially from the municipal services to be provided by the Village (the "Services"), and the Services are unique and in addition to the services provided to the Village as a whole, and it is, therefore, in the best interests of the Village that the establishment of the area be considered; and

WHEREAS, it is in the public interest that the levy of a direct annual *ad valorem* tax upon all taxable property within the Area be considered for the purpose of paying the cost of providing the Services; and

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WHEREAS, the revenue from such tax shall be used solely and only for Services for which the Village is authorized under the provisions of the Illinois Municipal Code, as amended, to levy taxes or special assessments or to appropriate the funds of the Village, all of the Services to be in and for the Area and all of the necessary construction and maintenance to be on property now owned or to be acquired by the Village, or property in which the Village will obtain an interest sufficient for the provision of the services; and

WHEREAS, a public hearing was held at 6:00 p.m., on the 7th day of March, 2006, in the Municipal Building, 10 Municipal Drive, Sugar Grove, Illinois (the "Hearing"), "), to consider the proposal of the Area for the purpose of providing the Services and the levy of an additional direct annual *ad valorem* tax for the purpose of paying the cost thereof, all as described in the Notice of Public Hearing attached hereto as Exhibit "C" (the "Notice"); and

WHEREAS, the Notice has been given by publication and mailing. Notice by publication was given by publication on a date, such date being not less than 15 days prior to the Hearing, in a newspaper of general circulation within the Village, there being no newspaper published therein. Notice by mailing was given by depositing the Notice in the United States Mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the Area. The Notice was mailed not less than 10 days prior to the time set for the Hearing. In the event taxes for the last preceding year not paid, the Notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

SECTION ONE: INCORPORATION OF PREAMBLES

The preambles of this ordinance are hereby incorporated into this text as if set out herein in full.

SECTION TWO: ESTABLISHMENT OF SSA

(a) That it is in the public interest that the territory hereinafter described in the Notice referred to in Section One hereof be established as Special Service Area No. 11 for the purposes set forth herein. An accurate map of said territory is attached hereto as Exhibit "B", and the said territory is legally described in the attached Exhibit "A".

(b) That said Area is compact and contiguous.

(c) That said Area is zoned for residential purposes and will benefit specially from the municipal services which may be provided and that said proposed municipal services are unique and in addition to municipal services provided by the Village of Sugar Grove as a whole; and it is, therefore, in the best interest of said Area and the Village of Sugar Grove as a whole that special taxes be levied against said Area for the services to be provided.

(d) That the Village of Sugar Grove Special Service Area No. 11 be and is hereby established for and with regard to the aforesaid territory.

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SECTION THREE: PURPOSE OF SSA AND MAXIMUM LEVY

The purpose of the formation of Special Service Area No. 11 in general is to authorize the maintenance, repair and replacement of storm water detention basins, landscape buffers, maintenance, common areas, subdivision monumentation, private roads, signage and any common areas of the Area of the Subdivision in the Special Service Area, as well as to authorize the implementation and continuation of a mosquito abatement program in the Special Service Area all in accordance with the final engineering plan and final plat of subdivision for the Area, and the proposed municipal services are unique and are in addition to the improvements provided and/or maintained by the Village generally.

Annual taxes shall be assessed and levied for said special municipal services in said Area, on property in said Area in addition to all other municipal taxes; provided that the special annual tax shall be levied upon the equalized assessed value of the property in said Area in an amount not to exceed an annual rate of one-hundred and ten one-hundredths percent (1.1%, being 110¢ per $100) of the equalized assessed valuation thereof. This tax shall be levied for an indefinite period of time commencing during and in the years subsequent to the date of this Ordinance, as hereinafter provided. Said taxes shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code. Notwithstanding the foregoing, taxes shall not be levied hereunder and said Area shall be "dormant", and shall take effect only if the applicable Homeowners Association fails to maintain, repair or replace the aforesaid required items and the Village chooses to assume some of all of said responsibilities. However, the Village may annually levy hereunder up to the maximum rate specified herein for the cost for the said services, as said services become necessary and are provided for.

SECTION FOUR:

That this ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

SECTION FIVE:

That all ordinances or parts of ordinances thereof in conflict therewith are hereby repealed to the extent of any such conflict.

SECTION SIX:

That any section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions which shall remain in full force and effect thereafter.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 4 day of April, 200__.

P. Sean Michels

P. Sean Michels
President of the Board of Trustees of the Village of Sugar Grove, Kane County, Illinois

Aye Nay Absent Abstain

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Trustee Mary Heineman	✓			
Trustee Thomas Renk	✓			
Trustee Mari Johnson	✓			
Trustee Robert E. Bohler	✓			
Trustee Joseph Wolf	✓			
Trustee Kevin M. Geary	✓			
President P. Sean Michels				

ATTEST: Cynthia L. Welsch

Cynthia L. Welsch
Clerk, Village of Sugar Grove

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EXHIBIT A
SSA NO. 11
SETTLER'S RIDGE
LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 14, AND THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 15, AND THAT PORTION OF SECTION 22, AND ALSO THAT PORTION OF THE WEST HALF OF SECTION 23, ALL IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE NORTH 00°12'35" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22, A DISTANCE OF 2506.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 56, ALSO KNOWN AS PART OF THE ILLINOIS TOLL HIGHWAY COMMISSION; THENCE EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR THE FOLLOWING EIGHT (8) COURSES: (1) THENCE NORTH 89°03'24" EAST, A DISTANCE OF 1155.23 FEET; (2) THENCE NORTH 89°10'28" EAST, A DISTANCE OF 484.10 FEET TO A POINT OF CURVATURE; (3) THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 4683.75 FEET AND A CHORD BEARING OF NORTH 75°45'12" EAST, AN ARC LENGTH OF 2197.62 FEET TO A NON-TANGENT LINE; (4) THENCE NORTH 63°40'58" EAST, A DISTANCE OF 130.14 FEET TO A POINT ON A NON-TANGENT CURVE; (5) THENCE EASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 4687.66 FEET AND A CHORD BEARING OF NORTH 59°37'29" EAST, AN ARC LENGTH OF 670.99 FEET TO A POINT OF REVERSE CURVATURE; (6) THENCE EASTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 703.94 FEET AND A CHORD BEARING OF NORTH 74°25'39" EAST, AN ARC LENGTH OF 464.50 FEET TO A POINT ON A NON-TANGENT LINE; (7) THENCE SOUTH 80°43'19" EAST, A DISTANCE OF 241.30 FEET TO A POINT ON A NON-TANGENT CURVE; (8) THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 578.46 FEET AND A CHORD BEARING OF NORTH 83°07'45" EAST, AN ARC LENGTH OF 206.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE SOUTH 00°02'29" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 850.99 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 89°42'02" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 749.95 FEET TO A FOUND STONE; THENCE NORTH 06°46'39" EAST ALONG AN OLD CLAIM LINE, A DISTANCE OF 476.43 FEET TO A POINT ON AN OLD CLAIM LINE; THENCE NORTH 06°25'26" EAST ALONG AN OLD CLAIM LINE, A DISTANCE OF 591.51 FEET TO A POINT ON THE SOUTHERLY LINE OF ILLINOIS ROUTE 30 ACCORDING TO WARRANTY DEED RECORDED AS DOCUMENT NUMBER 905248; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID ILLINOIS ROUTE 30 FOR THE FOLLOWING TWO (2) COURSES: (1) THENCE SOUTH 75°14'50" EAST, A DISTANCE OF 211.06 FEET TO A NON-TANGENT

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CURVE; (2) THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 34467.48 FEET, AND A CHORD BEARING OF SOUTH 80°44'51" EAST, AN ARC LENGTH OF 601.45; THENCE NORTH 08°55'27" EAST, A DISTANCE OF 89.70 FEET TO THE CENTERLINE OF SAID ILLINOIS ROUTE 30 BEING A POINT ON A CURVE; THENCE EASTERLY ALONG SAID CENTERLINE FOR THE FOLLOWING TWO (2) COURSES; (1) THENCE EASTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 34377.48 FEET AND A CHORD BEARING OF SOUTH 81°29'22" EAST, AN ARC LENGTH OF 129.92 FEET TO A POINT ON A NON-TANGENT LINE; (2) THENCE SOUTH 81°24'14" EAST, A DISTANCE OF 367.78 FEET TO A POINT ON THE CENTERLINE OF GORDON ROAD; THENCE SOUTH 06°11'50" WEST ALONG THE CENTERLINE OF GORDON ROAD, A DISTANCE OF 2210.20 FEET; THENCE NORTH 85°16'23" WEST, A DISTANCE OF 206.26 FEET; THENCE SOUTH 06°19'37" WEST, A DISTANCE OF 268.82 FEET; THENCE SOUTH 83°27'29" EAST, A DISTANCE OF 206.80 FEET TO A POINT ON THE CENTERLINE OF GORDON ROAD; THENCE SOUTH 06°12'32" WEST ALONG THE CENTERLINE OF SAID GORDON ROAD, A DISTANCE OF 1220.88 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD; THENCE WESTERLY ALONG THE NORTHERLY LINE OF THE BURLINGTON NORTHERN RAILROAD FOR THE FOLLOWING FIVE (5) COURSES; (1) THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 5779.58 FEET AND A CHORD BEARING OF NORTH 87°17'00" WEST, AN ARC LENGTH OF 1687.43 FEET TO A POINT ON A NON-TANGENT LINE; (2) THENCE SOUTH 84°20'54" WEST, A DISTANCE OF 3416.50 FEET; (3) THENCE SOUTH 84°20'53" WEST, A DISTANCE OF 555.02 FEET TO A POINT ON A NON-TANGENT CURVE; (4) THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 5679.58 FEET AND A CHORD BEARING OF SOUTH 88°58'44" EAST, AN ARC LENGTH OF 1291.76 FEET TO A POINT ON A NON-TANGENT LINE; (5) THENCE NORTH 84°02'59" WEST, A DISTANCE OF 170.80 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE NORTH 00°27'40" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22, A DISTANCE OF 305.09 FEET TO THE POINT OF BEGINNING; ALL IN SUGAR GROVE TOWNSHIP, KANE COUNTY, ILLINOIS; CONTAINING 522.256 ACRES OF LAND, MORE OR LESS.

AND ALSO

THAT PART OF THE SOUTH HALF OF SECTION 14, AND THE NORTH HALF OF SECTION 23, IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF GORDON ROAD AND THE NORTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD; THENCE EASTERLY ALONG A CURVE ALONG THE NORTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD, BEING A CURVE CONCAVE SOUTHERLY AND HAVING A

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RADIUS OF 5779.58 FEET AND A CHORD BEARING OF SOUTH 78°13'19" EAST, AN ARC LENGTH OF 140.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 06°12'32" EAST, A DISTANCE OF 454.36 FEET; THENCE NORTH 04°51'10" WEST, A DISTANCE OF 260.60 FEET; THENCE NORTH 06°12'32" EAST, A DISTANCE OF 524.42 FEET; THENCE NORTH 06°11'50" EAST, A DISTANCE OF 275.88 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 4828.20 FEET, AN ARC LENGTH OF 147.63 FEET TO A POINT OF TANGENCY; THENCE NORTH 04°26'43" EAST, A DISTANCE OF 489.52 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 5944.65 FEET, AN ARC LENGTH OF 181.76 FEET TO A POINT OF TANGENCY; THENCE NORTH 06°11'50" EAST, A DISTANCE OF 1388.13 FEET; THENCE NORTH 81°24'14" WEST, A DISTANCE OF 10.01 FEET; THENCE NORTH 06°10'17" EAST, A DISTANCE OF 340.30 FEET; THENCE NORTH 81°24'14" WEST, A DISTANCE OF 60.05 FEET; THENCE SOUTH 06°10'17" WEST, A DISTANCE OF 340.30 FEET; TO A POINT ON THE CENTERLINE OF GORDON ROAD; THENCE SOUTH 06°11'50" WEST, A DISTANCE OF 2210.20 FEET; THENCE NORTH 85°16'23" WEST, A DISTANCE OF 33.01 FEET; THENCE SOUTH 06°11'50" WEST, A DISTANCE OF 274.31 FEET; THENCE SOUTH 83°27'29" EAST, A DISTANCE OF 33.00 FEET; THENCE SOUTH 06°12'32" WEST, A DISTANCE OF 1220.88 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF BURLINGTON NORTHERN RAILROAD; THENCE WESTERLY ALONG A CURVE ALONG THE NORTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD BEING A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 5779.58 FEET AND A CHORD BEARING OF NORTH 79°05'00" WEST, AN ARC LENGTH OF 33.10 FEET; THENCE SOUTH 06°12'30" WEST, A DISTANCE OF 100.32 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD; THENCE EASTERLY ALONG A CURVE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD BEING A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 5679.58 FEET AND A CHORD BEARING OF SOUTH 78°17'26" EAST, AN ARC LENGTH OF 173.80 FEET; THENCE NORTH 06°12'30" EAST, A DISTANCE OF 100.61 FEET TO A POINT OF BEGINNING, CONTAINING 8.57 ACRES OF LAND, MORE OR LESS.

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EXHIBIT B
SSA NO. 11
SETTLER'S RIDGE
LOCATION MAP

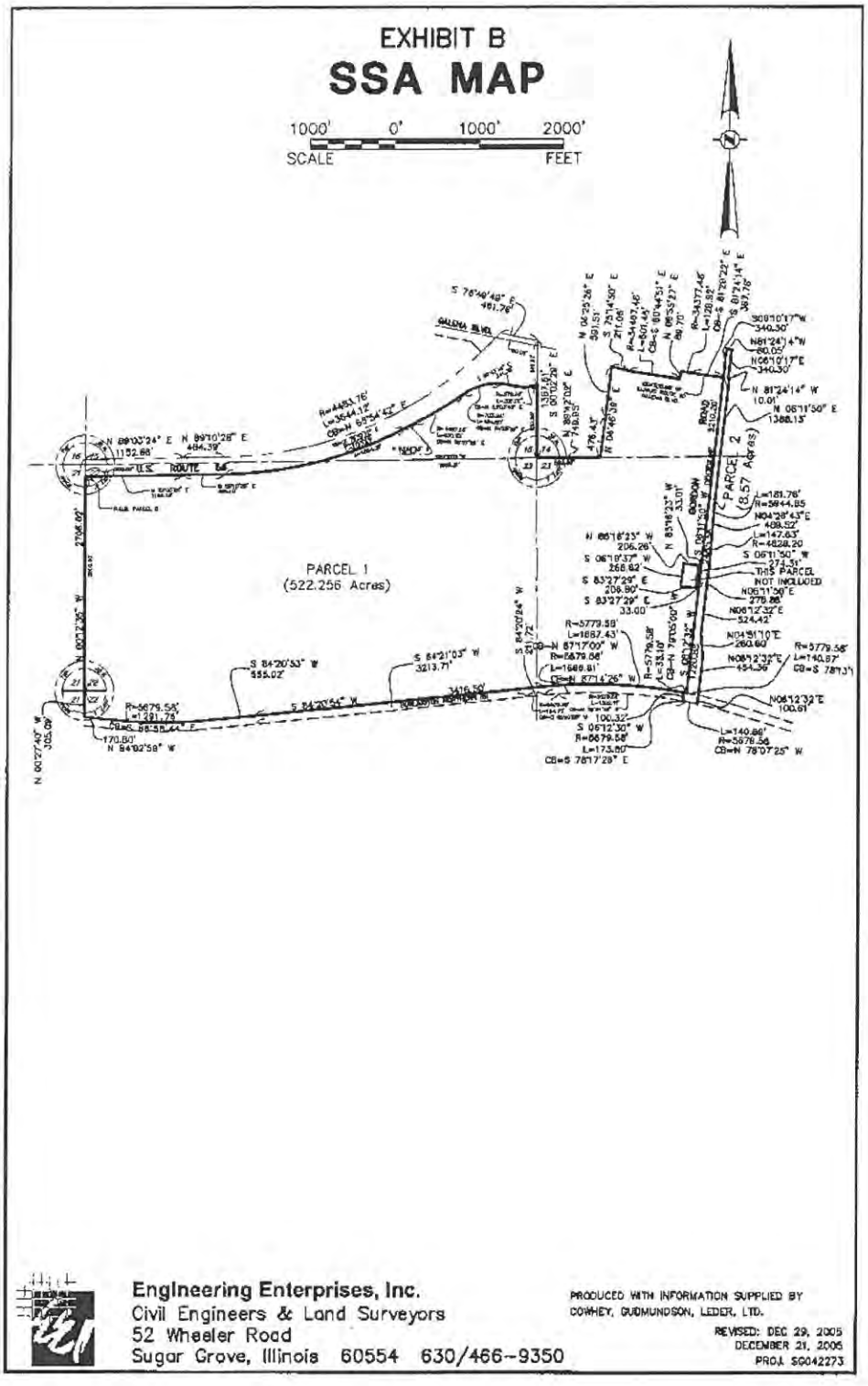

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EXHIBIT C
SSA No. 11
SETTLER'S RIDGE
NOTICE OF HEARING
VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS
SPECIAL SERVICE AREA NO. 11
SETTLER'S RIDGE SUBDIVISION

NOTICE IS HEREBY GIVEN that on the 7th day of March, 2006, at 6:00 p.m., in the Municipal Building, 10 Municipal Drive, Sugar Grove, Illinois, a hearing will be held by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, to consider the establishment of a Special Service Area consisting of the following described territory:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 14, AND THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 15, AND THAT PORTION OF SECTION 22, AND ALSO THAT PORTION OF THE WEST HALF OF SECTION 23, ALL IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE NORTH 00°12'35" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22, A DISTANCE OF 2506.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 56, ALSO KNOWN AS PART OF THE ILLINOIS TOLL HIGHWAY COMMISSION; THENCE EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR THE FOLLOWING EIGHT (8) COURSES: (1) THENCE NORTH 89°03'24" EAST, A DISTANCE OF 1155.23 FEET; (2) THENCE NORTH 89°10'28" EAST, A DISTANCE OF 484.10 FEET TO A POINT OF CURVATURE; (3) THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 4683.75 FEET AND A CHORD BEARING OF NORTH 75°45'12" EAST, AN ARC LENGTH OF 2197.62 FEET TO A NON-TANGENT LINE; (4) THENCE NORTH 63°40'58" EAST, A DISTANCE OF 130.14 FEET TO A POINT ON A NON-TANGENT CURVE; (5) THENCE EASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 4687.66 FEET AND A CHORD BEARING OF NORTH 59°37'29" EAST, AN ARC LENGTH OF 670.99 FEET TO A POINT OF REVERSE CURVATURE; (6) THENCE EASTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 703.94 FEET AND A CHORD BEARING OF NORTH 74°25'39" EAST, AN ARC LENGTH OF 464.50 FEET TO A POINT ON A NON-TANGENT LINE; (7) THENCE SOUTH 80°43'19" EAST, A DISTANCE OF 241.30 FEET TO A POINT ON A NON-TANGENT CURVE; (8) THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 578.46 FEET AND A CHORD BEARING OF NORTH 83°07'45" EAST, AN ARC LENGTH OF 206.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE SOUTH 00°02'29" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 850.99 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 89°42'02" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE

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OF 749.95 FEET TO A FOUND STONE; THENCE NORTH 06°46'39" EAST ALONG AN OLD CLAIM LINE, A DISTANCE OF 476.43 FEET TO A POINT ON AN OLD CLAIM LINE; THENCE NORTH 06°25'26" EAST ALONG AN OLD CLAIM LINE, A DISTANCE OF 591.51 FEET TO A POINT ON THE SOUTHERLY LINE OF ILLINOIS ROUTE 30 ACCORDING TO WARRANTY DEED RECORDED AS DOCUMENT NUMBER 905248; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID ILLINOIS ROUTE 30 FOR THE FOLLOWING TWO (2) COURSES: (1) THENCE SOUTH 75°14'50" EAST, A DISTANCE OF 211.06 FEET TO A NON-TANGENT CURVE; (2) THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 34467.48 FEET, AND A CHORD BEARING OF SOUTH 80°44'51" EAST, AN ARC LENGTH OF 601.45; THENCE NORTH 08°55'27" EAST, A DISTANCE OF 89.70 FEET TO THE CENTERLINE OF SAID ILLINOIS ROUTE 30 BEING A POINT ON A CURVE; THENCE EASTERLY ALONG SAID CENTERLINE FOR THE FOLLOWING TWO (2) COURSES; (1) THENCE EASTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 34377.48 FEET AND A CHORD BEARING OF SOUTH 81°29'22" EAST, AN ARC LENGTH OF 129.92 FEET TO A POINT ON A NON-TANGENT LINE; (2) THENCE SOUTH 81°24'14" EAST, A DISTANCE OF 367.78 FEET TO A POINT ON THE CENTERLINE OF GORDON ROAD; THENCE SOUTH 06°11'50" WEST ALONG THE CENTERLINE OF GORDON ROAD, A DISTANCE OF 2210.20 FEET; THENCE NORTH 85°16'23" WEST, A DISTANCE OF 206.26 FEET; THENCE SOUTH 06°19'37" WEST, A DISTANCE OF 268.82 FEET; THENCE SOUTH 83°27'29" EAST, A DISTANCE OF 206.80 FEET TO A POINT ON THE CENTERLINE OF GORDON ROAD; THENCE SOUTH 06°12'32" WEST ALONG THE CENTERLINE OF SAID GORDON ROAD, A DISTANCE OF 1220.88 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD; THENCE WESTERLY ALONG THE NORTHERLY LINE OF THE BURLINGTON NORTHERN RAILROAD FOR THE FOLLOWING FIVE (5) COURSES; (1) THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 5779.58 FEET AND A CHORD BEARING OF NORTH 87°17'00" WEST, AN ARC LENGTH OF 1687.43 FEET TO A POINT ON A NON-TANGENT LINE; (2) THENCE SOUTH 84°20'54" WEST, A DISTANCE OF 3416.50 FEET; (3) THENCE SOUTH 84°20'53" WEST, A DISTANCE OF 555.02 FEET TO A POINT ON A NON-TANGENT CURVE; (4) THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 5679.58 FEET AND A CHORD BEARING OF SOUTH 88°58'44" EAST, AN ARC LENGTH OF 1291.76 FEET TO A POINT ON A NON-TANGENT LINE; (5) THENCE NORTH 84°02'59" WEST, A DISTANCE OF 170.80 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE NORTH 00°27'40" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22, A DISTANCE OF 305.09 FEET TO THE POINT OF BEGINNING; ALL IN SUGAR GROVE TOWNSHIP, KANE COUNTY, ILLINOIS; CONTAINING 522.256 ACRES OF LAND, MORE OR LESS.

AND ALSO

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THAT PART OF THE SOUTH HALF OF SECTION 14, AND THE NORTH HALF OF SECTION 23, IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF GORDON ROAD AND THE NORTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD; THENCE EASTERLY ALONG A CURVE ALONG THE NORTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD, BEING A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 5779.58 FEET AND A CHORD BEARING OF SOUTH 78°13'19" EAST, AN ARC LENGTH OF 140.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 06°12'32" EAST, A DISTANCE OF 454.36 FEET; THENCE NORTH 04°51'10" WEST, A DISTANCE OF 260.60 FEET; THENCE NORTH 06°12'32" EAST, A DISTANCE OF 524.42 FEET; THENCE NORTH 06°11'50" EAST, A DISTANCE OF 275.88 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 4828.20 FEET, AN ARC LENGTH OF 147.63 FEET TO A POINT OF TANGENCY; THENCE NORTH 04°26'43" EAST, A DISTANCE OF 489.52 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 5944.65 FEET, AN ARC LENGTH OF 181.76 FEET TO A POINT OF TANGENCY; THENCE NORTH 06°11'50" EAST, A DISTANCE OF 1388.13 FEET; THENCE NORTH 81°24'14" WEST, A DISTANCE OF 10.01 FEET; THENCE NORTH 06°10'17" EAST, A DISTANCE OF 340.30 FEET; THENCE NORTH 81°24'14" WEST, A DISTANCE OF 60.05 FEET; THENCE SOUTH 06°10'17" WEST, A DISTANCE OF 340.30 FEET; TO A POINT ON THE CENTERLINE OF GORDON ROAD; THENCE SOUTH 06°11'50" WEST, A DISTANCE OF 2210.20 FEET; THENCE NORTH 85°16'23" WEST, A DISTANCE OF 33.01 FEET; THENCE SOUTH 06°11'50" WEST, A DISTANCE OF 274.31 FEET; THENCE SOUTH 83°27'29" EAST, A DISTANCE OF 33.00 FEET; THENCE SOUTH 06°12'32" WEST, A DISTANCE OF 1220.88 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF BURLINGTON NORTHERN RAILROAD; THENCE WESTERLY ALONG A CURVE ALONG THE NORTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD BEING A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 5779.58 FEET AND A CHORD BEARING OF NORTH 79°05'00" WEST, AN ARC LENGTH OF 33.10 FEET; THENCE SOUTH 06°12'30" WEST, A DISTANCE OF 100.32 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD; THENCE EASTERLY ALONG A CURVE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD BEING A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 5679.58 FEET AND A CHORD BEARING OF SOUTH 78°17'26" EAST, AN ARC LENGTH OF 173.80 FEET; THENCE NORTH 06°12'30" EAST, A DISTANCE OF 100.61 FEET TO A POINT OF BEGINNING, CONTAINING 8.57 ACRES OF LAND, MORE OR LESS.

The approximate location is bounded by Burlington Northern Railroad Tracks to the South, Illinois Route 56 to the North and Gordon Road to the East, in the Village of Sugar Grove, Kane County, Illinois.

All interested persons, including all persons owning taxable real property located within the Special Service Area, will be given an opportunity to be heard at the hearing regarding 1) the tax levy and an opportunity to file objections to the amount of the levy, 2) formation of the boundaries of the Area and may object to the formation of the Area and 3) the levy of taxes affecting said Area.

The purpose of the formation of Special Service Area No. 11 in general is to authorize the maintenance, repair and replacement of storm water detention basins, landscape buffers, maintenance, common areas, subdivision monumentation, private roads, signage and any common areas of the Area of the Subdivision in the Special Service Area, as well as to authorize the implementation and continuation of a mosquito abatement program in the Special Service Area all in accordance with the final engineering plan and final plat of subdivision for the Area, and the proposed municipal services are unique and are in addition to the improvements provided and/or maintained by the Village generally.

At the hearing, all persons affected will be given an opportunity to be heard. At the hearing, there will be considered the levy of an annual tax of not to exceed an annual rate of one and one tenths percent (1.10%, being $1.10 per $100) of the equalized assessed value of the property in the proposed Special Service Area No. 11, said tax to be levied for an indefinite period of time from and after the date of the Ordinance establishing said Area. Said taxes shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code. Notwithstanding the foregoing, taxes shall not be levied hereunder and said Area shall be "dormant", and shall take effect only if the applicable required Homeowners Association fails to maintain, repair or replace the aforesaid required items and the Village chooses to assume some or all of said responsibilities. The hearing may be adjourned by the President and Board of Trustees to another date without further notice other than a motion to be entered upon the minutes of its meeting fixing the time and place of its adjournment.

If a petition signed by at least fifty-one percent (51%) of the electors residing within the proposed Special Service Area No. 11 and by at least fifty-one (51%) of the owners of record of the land included within the boundaries of the proposed Area is filed with the Village Clerk within sixty (60) days following the final adjournment of the public hearing objecting to the establishment of the Area, the enlargement thereof, or the levy or imposition of a tax for the provision of special services to the Area, no such Area may be established or enlarged, or tax levied or imposed.

Dated: this 9th day of February, 2006.

Dean M. Frieders, Village Attorney
for the Village of Sugar Grove

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