FILED FOR RECORD
KANE COUNTY, ILL.

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Sandy Wegman
RECORDER

VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS

ORDINANCE NO. 775

AN ORDINANCE
PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA 5
WATERFORD PLACE SUBDIVISION
IN THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS

WaterFDPL

ADOPTED BY THE
BOARD OF TRUSTEES AND PRESIDENT
OF THE VILLAGE OF SUGAR GROVE, ILLINOIS
THIS 20TH DAY OF FEBRUARY, 2001.

PUBLISHED IN PAMPHLET FORM
BY THE AUTHORITY OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF SUGAR GROVE,
KANE COUNTY, ILLINOIS
THIS 21ST DAY OF FEBRUARY, 2001

This Instrument Prepared by
The law firm of
Mickey, Wilson, Weiler and Renzi
2111 W. Plum Street
Aurora, Illinois 60506

Return to:
Village of Sugar Grove
10 Municipal Drive
PO Box 49
Sugar Grove, Illinois 60554

(12)

Document2

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VILLAGE OF SUGAR GROVE

ORDINANCE NO. 175
AN ORDINANCE PROPOSING THE ESTABLISHMENT OF
A SPECIAL SERVICE AREA 5
WATERFORD PLACE SUBDIVISION
(KANE COUNTY)
IN THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS
FOLLOWING NOTICE AND
PUBLIC HEARING IN CONNECTION THEREWITH

WHEREAS, the Village of Sugar Grove is not a home rule unit under Subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, special service areas are established pursuant to Subsection (1) of Section 6 of Article VII of the Illinois Constitution of 1970, and the Special Service Area Tax Law (35 ILCS 200/27-5, et seq.) and the Property Tax Code (35 ILCS 200/1-1, et seq.); and

WHEREAS, the Village of Sugar Grove desires to establish such an area as hereinafter described.

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:

(a) That it is in the public interest that the territory hereinafter described in the Notice referred to in Section Four hereof be established as Special Service Area No. 5 for the purposes set forth herein. An accurate map of said territory is attached hereto as Exhibit "A-1".

(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. 5 be and is hereby established for and with regard to the aforesaid territory.

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SECTION TWO:

That the purpose of the Village of Sugar Grove Special Service Area No.5 is to provide special municipal improvements to said Area which include the maintenance, repair and replacement of certain storm water retention areas within the 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 services provided 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 twenty-five one-hundredths percent (.030%, being .30¢ per $100) of 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. During the years of development in the Area and initially thereafter, said levies are intended to produce approximately $9,665.00 annually for the cost for said services. 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 THREE:

That a public hearing has been held on the 19th day of December, 2000, at 7:00 p.m. in the Municipal Building, 10 Municipal Drive, Sugar Grove, Illinois, with regard to the establishment of Village of Sugar Grove Special Service Area No. 5 for the territory described in the Notice referred to in Section Four hereof. At the hearing, there was considered the levy of an annual tax as described and limited in Section Two hereof.

SECTION FOUR:

That the notice of hearing was published on the 30th day of November, 2000, being not less than fifteen (15) days prior to the public hearing, in a newspaper in general circulation in the Village of Sugar Grove. In addition, notice by mailing was given by depositing said notice in the U.S. 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 proposed Special Service Area No. 5. Said notice was mailed on or before the 1st day of December, 2000, being not less than ten (10) days prior to the public hearing. In the event taxes for the last preceding year were not paid, the Notice was sent to the person last listed on the tax rolls

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prior to that year as the owner of said property. Notice was provided for in the form described by Exhibit "B" attached hereto.

SECTION FIVE:

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

SECTION SIX:

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

SECTION SEVEN:

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, on the 20th day of February, 2001.

P. Sean Michels

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

ATTEST: Cynthia L. Welsch

Acting Clerk, Village of Sugar Grove

	Aye	Nay	Absent
Bohler	X		
Geary	X		
Clark	X		
Johnson	X		
Michels	X		
Renk	X		

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EXHIBIT B

NOTICE OF HEARING
VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS
SPECIAL SERVICE AREA NO. 5
WATERFORD PLACE SUBDIVISION
(KANE COUNTY)

NOTICE IS HEREBY GIVEN that on the 19th day of December, 2000, at 7:00 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:

SEE ATTACHED EXHIBIT "A"

The approximate location is bounded by Bliss Road to the North, Park Avenue to the South, Capitol Drive to the West and Windsor Pointe Subdivision to the East, in the Village of Sugar Grove, Kane County, Illinois.

An accurate map of said territory is on file in the Office of the Village Clerk and available for public inspection, and is attached hereto as Exhibit "A-1".

All interested persons affected by the formation of Special Service Area No. 5 will be given an opportunity to be heard regarding the formation of the boundaries of the Area and may object to the formation of the Area and the levy of taxes affecting said Area.

The purpose of the formation of Special Service Area No. 5 in general is to authorize the maintenance, repair and replacement of the storm water detention basin, landscape buffers and entrance signage in said 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 twenty-five one-hundredths percent (.030%, being .30¢ per $100) of the equalized assessed value of the property in the proposed Special Service Area No. 5, 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. Said levies are intended to produce approximately $9,665.00 annually for the cost for said services. 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

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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. 5 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 27th day of November, 2000.

Cynthia L Welsch

CYNTHIA WELSH, Acting Village Clerk
for the Village of Sugar Grove

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EXHIBIT A
SSA 5
WATERFORD PLACE SUBDIVISION
LEGAL DESCRIPTION

Being a resubdivision of Lot 14 of Sugar Grove Corporate Center Unit 2
in the Village of Sugar Grove, Kane County, Illinois

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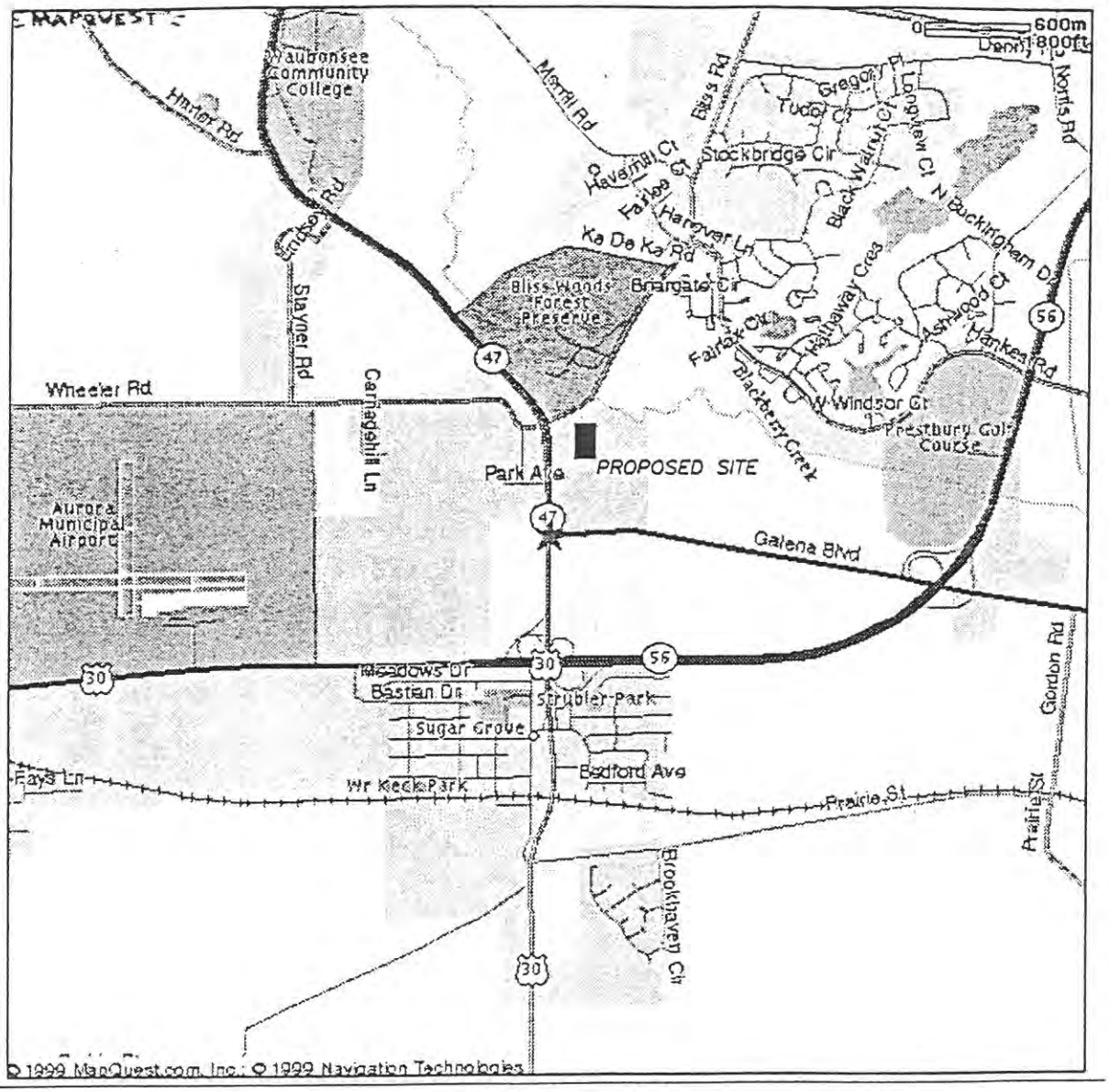
EXHIBIT A-1
SSA 5
WATERFORD PLACE SUBDIVISION
LOCATION MAP



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CERTIFICATE OF MAILING

AFFIDAVIT

The undersigned, Alayne M. Weingartz, being first duly sworn on oath states as follows:

1. That she is the agent for Mickey, Wilson, Weiler & Renzi, Attorneys for the Village of Sugar Grove, which is the public entity before whom the Public Hearing will be held as specified in the attached Public Notice.

2. That the attached Public Notice, marked as Exhibit "A", was served on all of the parties whose names and addresses are identified on the attached Certificate of Mailing listing, marked as Exhibit "B", by mailing a copy of said Notice to all of the parties identified on Exhibit "B", at the addresses identified on Exhibit "B", by depositing said Notice in the United States Mail at Aurora, Illinois, with proper postage on the 1st day of December, 2000.

Village of Sugar Grove
BY: Mickey, Wilson, Weiler & Renzi, its Attorneys

Alayne M Weingartz

Alayne M. Weingartz

Subscribed and Sworn before me
this 1st day of December, 2000.

Darlene M. Janulis

Notary Public

OFFICIAL SEAL
DARLENE M. JANULIS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 4-3-2003

2001K032723

EXHIBIT B

CERTIFICATE OF MAILING

Waterford Homes, Incorporated
Robert C. Nelson, President
P.O. Box 139
1N303 La Fox Road
La Fox, Illinois 60147

NOTICE OF HEARING
VILLAGE OF
SUGAR GROVE
KANE COUNTY, ILLINOIS
SPECIAL SERVICE AREA
NO. 5
WATERFORD PLACE
SUBDIVISION
(KANE COUNTY)

NOTICE IS HEREBY GIVEN that on the 19th day of December, 2000, at 7:00 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:

EXHIBIT A
SSA 5
WATERFORD PLACE
SUBDIVISION
LEGAL DESCRIPTION

Being a resubdivision of Lot 14 of Sugar Grove Corporate Center Unit 2 in the Village of Sugar Grove, Kane County, Illinois

The approximate location is bounded by Bliss Road to the North, Park Avenue to the South, Capital Drive to the West and Windsor Pointe Subdivision to the East, in the Village of Sugar Grove, Kane County, Illinois.

An accurage map of said territory is on file in the Office of the Village clerk and available for public inspection, and is attached hereto as Exhibit "A-1".

All interested persons affected by the formation of Special Service Area No. 5 will be given an opportunity to be heard regarding the formation of the boundaries of the Area and may object to the formation of the Area and the levy of taxes affecting said Area.

The purpose of the formation of Special Service Area No. 5 in general is to authorize the maintenance, repair and replacement of the storm water detention basin, landscape buffers and entrance signage in said 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 thirty one-hundredths percent (.030%, being .30¢ per $100) of the equalized assessed value of the property in the proposed Special Service Area No. 5, 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 provision of the Property Tax Code. Said levies are intended to produce approximately $9,665.00 annually for the cost for said services. 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. 5 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 27th day of November, 2000.

Cynthia Welsh, Acting Village Clerk for the Village of Sugar Grove.

Published 11/30/00
295236

Certificate of Publication in THE BEACON-NEWS

STATE OF ILLINOIS }
COUNTY OF KANE } SS

THE COPLEY PRESS, INC., DOES HEREBY CERTIFY:

That it is a corporation duly organized and existing under the laws of the State of Illinois;

That it is the publisher of The Beacon-News, a secular daily newspaper published in the City of Aurora, in Kane County, Illinois, and of general circulation in said City, County and State; and in DuPage, Kendall, DeKalb Counties, and in other Cities in Kane County; and that it is a newspaper as defined in "An Act to Revise the Law in Relation to Notices"–Ill. Revised Statutes, Chap. 100, Sections 1, 5 and 10.

That a notice of which the annexed is a true copy has been regularly published in said newspaper ..One..... time ..... each ..Day..... for ..One..... ~~successive~~ ....Day..... ; that the first publication of said notice was on the .... 30th day of ..November 2000.. and the last publication thereof was on the ..... day of ....., 19 ..... that the face of type in which each publication of said notice was printed was the same as the body of type used in the classified advertising in the newspaper in which said publication was made;

That said The Beacon-News has been regularly published in said City, County and State for at least one year prior to the first publication of said notice.

In WITNESS WHEREOF, said The Copley Press, Inc., publisher as aforesaid, has executed this Certificate of Publication by its officer or Agent thereunto duly authorized this .....6th.. day of ..December 2000..

THE COPLEY PRESS, INC.
By ..E. Fabrick.....
.....

Printer's Fee $. 311.05 .. Paid ....., 19 .....

No. ..295236..... Folio .6000026962

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For Reproductions

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CERTIFICATE

I, Cynthia L. Welsch, certify that I am the appointed Acting Municipal Clerk of the Village of Sugar Grove, Kane County, Illinois.

I further certify that on the 20th day of February, 2001 the President and Board of Trustees of the Village of Sugar Grove passed and approved Ordinance No. 775 Entitled An Ordinance Proposing the Establishiment of a Special Service Area 3, Waterford Place Subdivision Subdivision in the Village of Sugar Grove, Kane County, Illinois

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Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 775 including the Ordinance and cover sheet thereof was prepared, and a copy of such Ordinance was posted in the Municipal building, commencing on the 30th day of November, 2000 and continuing thru February 20th, 2001. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Sugar Grove, Illinois this 21st day of February, 2001.

Cynthia L. Welsch

Cynthia L. Welsch ,

Acting Village Clerk

2001K032723