

**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

ORDINANCE NO. 2005-0201B

**An Ordinance Establishing a
Special Service Area No. 8 for
Hannaford Farms in
the Village of Sugar Grove, Illinois**

Adopted by the
Board of Trustees and President
of the Village of Sugar Grove
this 1st day of February, 2005.

Published in Pamphlet Form
by authority of the Board of Trustees
of the Village of Sugar Grove, Kane County,
Illinois, this 1st day of February, 2005.

ORDINANCE NO. 2005-0201B

**AN ORDINANCE ESTABLISHING A
SPECIAL SERVICE AREA NO. 8 FOR
HANNAFORD FARMS 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 Hannaford Farms Special Service Area No. 8, 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

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 21st day of December, 2004, 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 "B" (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; and,

WHEREAS, a public hearing is being held at 6:00 p.m., on the 1st day of February, 2005, in the Municipal Building, 10 Municipal Drive, Sugar Grove, Illinois (the "Hearing"), to consider the establishment 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 "B" (the "Notice"); and

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. 8 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. 8 be and is hereby established for and with regard to the aforesaid territory.

SECTION THREE: PURPOSE OF SSA AND MAXIMUM LEVY

The purpose of the formation of Special Service Area No. 8 in general is to authorize the maintenance, repair and replacement of storm water detention basins, landscape buffers, 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 1st day of February, 2005.



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

Aye Nay Absent Abstain

Trustee Marie Williams	<u>✓</u>	—	—	—
Trustee Thomas Renk	<u>✓</u>	—	—	—
Trustee Marie Johnson	<u>✓</u>	—	—	—
Trustee Robert E. Bohler	<u>✓</u>	—	—	—
Trustee Joseph Wolf	<u>✓</u>	—	—	—
Trustee Kevin M. Geary	<u>✓</u>	—	—	—
President P. Sean Michels	<u>✓</u>	—	—	—

ATTEST:

Cynthia L. Welsch

Cynthia L. Welsch
Clerk, Village of Sugar Grove

EXHIBIT A
SSA NO. 8
HANNAFORD FARMS
LEGAL DESCRIPTION

Hannaford Farm, being a subdivision of part of the South Half of Section 4, and part of the North Half of Section 9, Township 38 North, Range 7 East of the Third Principal Meridian, Kane County, Illinois.

That part of the South Half of Section 4 and part of the North Half of Section 9, Township 38 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northeast corner of the Southeast $\frac{1}{4}$ of said Section 4; thence North 89 Degrees 09 Minutes 41 Seconds West along the North line of said Quarter 622.38 feet (9.43 chains) for a point of beginning; thence South 2 Degrees 44 Minutes 06 Seconds West 180.43 feet; thence South 4 Degrees 41 Minutes 05 Seconds West 2480.32 feet to a point on the South line of said Quarter that is 808.50 feet (12.25 chains) Westerly of the Southeast corner of said Quarter; thence continuing South 4 Degrees 41 Minutes 05 Seconds West 252.12 feet (3.82 chains) to an iron stake at angle in the West line of a tract of land conveyed to Sugar Grove Cemetery Association by Document 14901 recorded May 31, 1881; thence South 43 Degrees 57 Minutes 38 Seconds West 224.99 feet; thence North 61 Degrees 28 Minutes 34 Seconds West 506.27 feet; thence South 44 Degrees 53 Minutes 48 Seconds West 823.02 feet (12.47 chains) to an iron stake described in Document 360421; thence South 48 Degrees 04 Minutes 52 Seconds East 79.86 feet (1.21 chains); thence South 32 Degrees 48 Minutes 04 Seconds West 264.00 feet (4 chains) to a monumental stone; thence South 55 Degrees 07 Minutes 17 Seconds West 133.51 feet to a 9 inch concrete monument; thence North 58 Degrees 15 Minutes 00 Seconds West 1065.18 feet to a 6 inch concrete monument; thence North 31 Degrees 12 Minutes 26 Seconds West 79.86 feet (1.21 chains); thence North 83 Degrees 27 Minutes 26 Seconds West 330.00 feet (5 chains); thence North 4 Degrees 44 Minutes 23 Seconds West 477.28 feet to a point on the North line of the Northwest $\frac{1}{4}$ of said Section 9 that is 828.96 feet (12.56 chains) Westerly of the Northeast corner of said Northwest $\frac{1}{4}$; thence North 89 Degrees 14 Minutes 22 Seconds West along said North line 515.97 feet to the Southwest corner of the East Half of the Southwest $\frac{1}{4}$ of said Section 4; thence North 00 Degrees 55 Minutes 40 Seconds East along the West line of said East Half 2659.46 feet to the Northwest corner of said East Half; thence South 89 Degrees 09 Minutes 41 Seconds East along the North line of said South Half 3394.47 feet to the point of beginning (excepting therefrom that part thereof lying Southwesterly of the centerline of Merrill Road as it existed in 1936),

(Also except that part conveyed by deed Document 2000K059659 to Dennis L. Nickels and Sharon Nickels described as follows:

That part of the Southwest Quarter of Section 4, Township 38 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of said Quarter; thence North 89 Degrees 09 Minutes 41 Seconds West along the North line of said Quarter 1156.98 feet to the centerline of Merrill Road, as it existed in 1936, for a point of beginning; thence South 51 Degrees 24 Minutes 11 Seconds East along said centerline 335.39 feet; thence North 38 Degrees 35 Minutes 49 Seconds East at right angles to said centerline 259.76 feet to the North line of said Quarter; thence North 89 Degrees 09 Minutes 41 Seconds West along said North line 424.22 feet to the point of beginning)

in Sugar Grove Township, Kane County, Illinois.

EXHIBIT A-1
SSA NO. 8
HANNAFORD FARMS
LOCATION MAP

LOCATION MAP

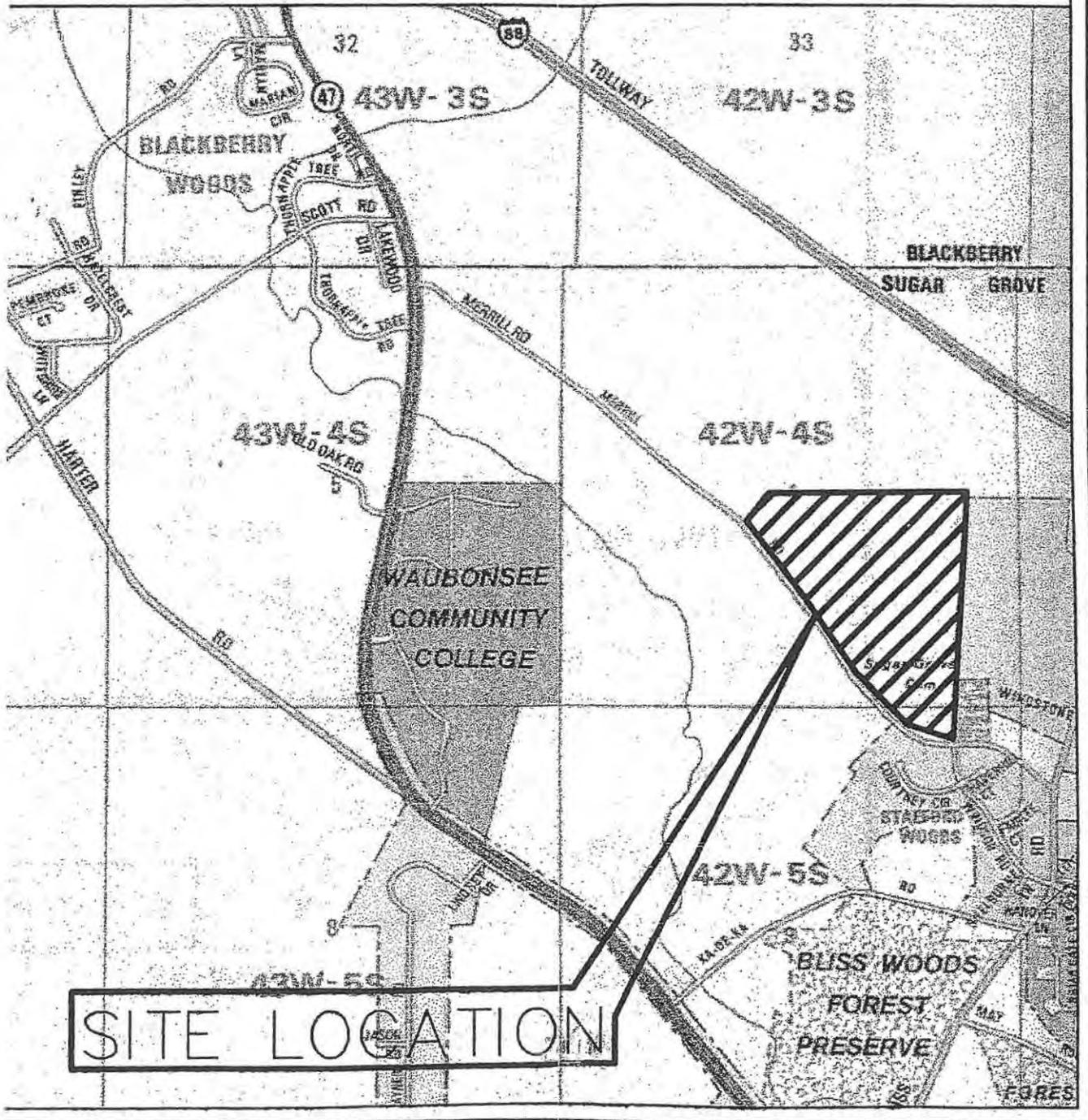


EXHIBIT B
SSA No. 8
HANNAFORD FARMS
NOTICE OF HEARING

NOTICE OF HEARING
VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS
SPECIAL SERVICE AREA NO. 8
HANNAFORD FARMS SUBDIVISION
(KANE COUNTY)

NOTICE IS HEREBY GIVEN that on the 21st day of December, 2004, 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:

Hannaford Farm, being a subdivision of part of the South Half of Section 4, and part of the North Half of Section 9, Township 38 North, Range 7 East of the Third Principal Meridian, Kane County, Illinois.

That part of the South Half of Section 4 and part of the North Half of Section 9, Township 38 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northeast corner of the Southeast $\frac{1}{4}$ of said Section 4; thence North 89 Degrees 09 Minutes 41 Seconds West along the North line of said Quarter 622.38 feet (9.43 chains) for a point of beginning; thence South 2 Degrees 44 Minutes 06 Seconds West 180.43 feet; thence South 4 Degrees 41 Minutes 05 Seconds West 2480.32 feet to a point on the South line of said Quarter that is 808.50 feet (12.25 chains) Westerly of the Southeast corner of said Quarter; thence continuing South 4 Degrees 41 Minutes 05 Seconds West 252.12 feet (3.82 chains) to an iron stake at angle in the West line of a tract of land conveyed to Sugar Grove Cemetery Association by Document 14901 recorded May 31, 1881; thence South 43 Degrees 57 Minutes 38 Seconds West 224.99 feet; thence North 61 Degrees 28 Minutes 34 Seconds West 506.27 feet; thence South 44 Degrees 53 Minutes 48 Seconds West 823.02 feet (12.47 chains) to an iron stake described in Document 360421; thence South 48 Degrees 04 Minutes 52 Seconds East 79.86 feet (1.21 chains); thence South 32 Degrees 48 Minutes 04 Seconds West 264.00 feet (4 chains) to a monumental stone; thence South 55 Degrees 07 Minutes 17 Seconds West 133.51 feet to a 9 inch concrete monument; thence North 58 Degrees 15 Minutes 00 Seconds West 1065.18 feet to a 6 inch concrete monument; thence North 31 Degrees 12 Minutes 26 Seconds West 79.86 feet (1.21 chains); thence North 83 Degrees 27 Minutes 26 Seconds West 330.00 feet (5 chains); thence North 4 Degrees 44 Minutes 23 Seconds West 477.28 feet to a point on the North line of the Northwest $\frac{1}{4}$ of said Section 9 that is 828.96 feet (12.56 chains) Westerly of the Northeast corner of said Northwest $\frac{1}{4}$; thence North 89 Degrees 14 Minutes 22 Seconds West along said North line 515.97 feet to the Southwest corner of the East Half of the Southwest $\frac{1}{4}$ of said Section 4; thence North 00 Degrees 55 Minutes 40 Seconds East along the West line of said East Half 2659.46 feet to the Northwest corner of said East Half; thence South 89 Degrees 09 Minutes 41 Seconds East along the North line of said South Half 3394.47 feet to the point of beginning (excepting therefrom that part thereof lying Southwesterly of the centerline of Merrill Road as it existed in 1936),

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in Sugar Grove Township, Kane County, Illinois.

The approximate location is bounded by the East-West Tollway (I-88) to the North, Merrill Road to the South, and Bliss Woods Club, Units 1 and 2 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. 8 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. 8, 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. 8 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 25th day of November, 2004.



Steven A. Andersson, Village Attorney
for the Village of Sugar Grove

NOTICE OF HEARING
VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS
SPECIAL SERVICE AREA NO. 8
HANNAFORD FARMS SUBDIVISION
(KANE COUNTY)

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in Sugar Grove Township, Kane County, Illinois.

The approximate location is bounded by the East-West Tollway (I-88) to the North, Merrill Road to the South, and Bliss Woods Club, Units 1 and 2 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. 8 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. 8, 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. 8 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 25th day of November, 2004.



Steven A. Andersson, Village Attorney
for the Village of Sugar Grove

STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

Waiver of Objection to Special Service Area No. 8

NOW COMES the affiant, Hannaford Farms, LLC, an Illinois Limited Liability Company by and through its President, TIMOTHY B. LUNN, and for its LANDOWNER WAIVER OF OBJECTION TO CREATION OF SSA, states as follows:

1. That it has received the Notice of Hearing, a copy of which is attached hereto as Exhibit A, on or before the 11th day of December, 2004.
2. That it is aware the Board of Trustees of the Village of Sugar Grove is considering the creation of a backup Special Service Area, designated as Hannaford Farms SSA No. 8, for the purposes described on the attached Exhibit A, and further that the Board of Trustees of the Village of Sugar Grove are holding a public hearing on December 21st, 2004 for the purpose of discussing the said proposed backup Special Service Area.
3. That it is the owner of the property legally described in the attached Exhibit A as the territory subject to the backup Special Service Area No. 8.
4. That, having been ably represented by its own counsel and having been fully apprised of its right and ability to object to the creation of the backup Special Service Area No. 8, it seeks to formally waive any such objection to the creation and imposition of the backup Special Service Area No. 8, according to the terms and purposes announced in the attached Exhibit A, and further affirmatively indicate its consent to those terms and any other reasonable terms which may be required to create and implement the backup Special Service Area No. 8.
5. That it has submitted this Landowner Waiver of Objection to Creation of SSA to the Board of Trustees of the Village of Sugar Grove, by and through one of their attorneys, Steven A. Andersson, for the purpose of waiving any objection it, as the sole landowner of the properties described in the attached Exhibit A which shall be subject to the Special Service Area No. 8 upon creation, may otherwise have.

FURTHER, AFFLIANT SAYETH NAUGHT.

Hannaford Farm LLC

By: 

Its: Managing Member

SUBSCRIBED AND SWORN
to before me this 13th day of
December, 2004


NOTARY PUBLIC



Exhibit A
Legal Description

Hannaford Farm, being a subdivision of part of the South Half of Section 4, and part of the North Half of Section 9, Township 38 North, Range 7 East of the Third Principal Meridian, Kane County, Illinois.

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in Sugar Grove Township, Kane County, Illinois.

MICKEY, WILSON, WEILER, RENZI & ANDERSSON, P.C.

ATTORNEYS AT LAW

2111 PLUM STREET, 2ND FLOOR

P.O. BOX 787

AURORA, ILLINOIS 60507-0787

www.mickeywilson.com

GARY K. MICKEY
PETER K. WILSON, JR.
BERNARD K. WEILER
CONSTANCE BURNETT RENZI
STEVEN A. ANDERSSON
DEAN M. FRIEDERS

TELEPHONE: (630) 801-9699

FAX: (630) 801-9715

dmf@mickeywilson.com

November 30, 2004

Via Certified Mail

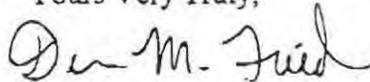
James E. Saloga
Law Offices of James Saloga
475 River Bend Road
Suite 201
Naperville, IL 60540

RE: Hannaford Farms SSA No. 8

Dear James:

Enclosed, please find a copy of the Notice of Hearing and Waiver of Objection for your client, Hannaford Farms, LLC. Please have your client execute the Waiver of Objection, and return a copy to us at your earliest convenience.

Yours Very Truly,



Dean M. Frieders

NOTICE OF HEARING
VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS
SPECIAL SERVICE AREA NO. 8
HANNAFORD FARMS SUBDIVISION
(KANE COUNTY)

NOTICE IS HEREBY GIVEN that on the 21st day of December, 2004, 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:

Hannaford Farm, being a subdivision of part of the South Half of Section 4, and part of the North Half of Section 9, Township 38 North, Range 7 East of the Third Principal Meridian, Kane County, Illinois.

That part of the South Half of Section 4 and part of the North Half of Section 9, Township 38 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northeast corner of the Southeast $\frac{1}{4}$ of said Section 4; thence North 89 Degrees 09 Minutes 41 Seconds West along the North line of said Quarter 622.38 feet (9.43 chains) for a point of beginning; thence South 2 Degrees 44 Minutes 06 Seconds West 180.43 feet; thence South 4 Degrees 41 Minutes 05 Seconds West 2480.32 feet to a point on the South line of said Quarter that is 808.50 feet (12.25 chains) Westerly of the Southeast corner of said Quarter; thence continuing South 4 Degrees 41 Minutes 05 Seconds West 252.12 feet (3.82 chains) to an iron stake at angle in the West line of a tract of land conveyed to Sugar Grove Cemetery Association by Document 14901 recorded May 31, 1881; thence South 43 Degrees 57 Minutes 38 Seconds West 224.99 feet; thence North 61 Degrees 28 Minutes 34 Seconds West 506.27 feet; thence South 44 Degrees 53 Minutes 48 Seconds West 823.02 feet (12.47 chains) to an iron stake described in Document 360421; thence South 48 Degrees 04 Minutes 52 Seconds East 79.86 feet (1.21 chains); thence South 32 Degrees 48 Minutes 04 Seconds West 264.00 feet (4 chains) to a monumental stone; thence South 55 Degrees 07 Minutes 17 Seconds West 133.51 feet to a 9 inch concrete monument; thence North 58 Degrees 15 Minutes 00 Seconds West 1065.18 feet to a 6 inch concrete monument; thence North 31 Degrees 12 Minutes 26 Seconds West 79.86 feet (1.21 chains); thence North 83 Degrees 27 Minutes 26 Seconds West 330.00 feet (5 chains); thence North 4 Degrees 44 Minutes 23 Seconds West 477.28 feet to a point on the North line of the Northwest $\frac{1}{4}$ of said Section 9 that is 828.96 feet (12.56 chains) Westerly of the Northeast corner of said Northwest $\frac{1}{4}$; thence North 89 Degrees 14 Minutes 22 Seconds West along said North line 515.97 feet to the Southwest corner of the East Half of the Southwest $\frac{1}{4}$ of said Section 4; thence North 00 Degrees 55 Minutes 40 Seconds East along the West line of said East Half 2659.46 feet to the Northwest corner of said East Half; thence South 89 Degrees 09 Minutes 41 Seconds East along the North line of said South Half 3394.47 feet to the point of beginning (excepting therefrom that part thereof lying Southwesterly of the centerline of Merrill Road as it existed in 1936),

(Also except that part conveyed by deed Document 2000K059659 to Dennis L. Nickels and Sharon Nickels described as follows:

That part of the Southwest Quarter of Section 4, Township 38 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of said Quarter; thence North 89 Degrees 09 Minutes 41 Seconds West along the North line of said Quarter 1156.98 feet to the centerline of Merrill Road, as it existed in 1936, for a point of beginning; thence South 51 Degrees 24 Minutes 11 Seconds East along said centerline 335.39 feet; thence North 38 Degrees 35 Minutes 49 Seconds East at right angles to said centerline 259.76 feet to the North line of said Quarter; thence North 89 Degrees 09 Minutes 41 Seconds West along said North line 424.22 feet to the point of beginning)

in Sugar Grove Township, Kane County, Illinois.

The approximate location is bounded by the East-West Tollway (I-88) to the North, Merrill Road to the South, and Bliss Woods Club, Units 1 and 2 to the East in the Village of Sugar Grove, Kane

County, Illinois.

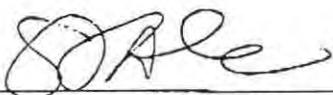
All interested persons, including all persons owning taxable real property located within the Special Service Area, will be given an opportunity to be heard at the hearing regarding 1) the tax levy and an opportunity to file objections to the amount of the levy, 2) formation of the boundaries of the 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. 8 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. 8, 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. 8 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 25th day of November, 2004.



Steven A. Andersson, Village Attorney
for the Village of Sugar Grove