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AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA NUMBER 1 IN THE VILLAGE OF ORLAND PARK, AND PROVIDING FOR A PUBLIC HEARING AND OTHER PROCEDURES IN CONNECTION THEREWITH

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BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1: AUTHORITY TO ESTABLISH SPECIAL SERVICE AREAS.

Special Service Areas within home rule municipalities are established pursuant to Article VII, Section 6 of the Constitution of the State of Illinois, and pursuant to the provisions of the Special Service Area Tax Law, 35 ILCS 200/27-5 *et seq.*

SECTION 2: FINDINGS.

The Village Board finds:

- A. It is in the public interest that the creation of the area hereinafter described as a special service area, for the purposes set forth herein, be considered.
- B. That the area hereinafter described is compact and contiguous, and constitutes a Special Use/P.U.D. area under the Village Center (VC) zoning classification in the Village of Orland Park (hereinafter the "Village").
- C. That the area hereinafter described will benefit specifically from the municipal services to be provided, and that the proposed municipal services are unique and in addition to municipal services provided to the Village as a whole, and it is, therefore, in the best interests of the Village that the expenditure of funds by the Village, and the levy of special taxes against said area, for the services to be provided, be considered.
- D. That the special services to be provided by the Village shall consist of the maintenance, repair, reconstruction and/or replacement of the stormwater management improvements located on Lot 4, and the roadway/sidewalk improvements located on Lots 6 and 7, in the area described in Section 4 below, in the event that the owners of Lots 1, 2, 4, 5, 6 and 7, in the area described in Section 4 below, fail to maintain, repair, reconstruct and/or replace said stormwater management improvements and/or roadway/sidewalk improvements as required by:
  - (i) The "Development Agreement (Marquette Bank – Southeast Corner of LaGrange Road and 143<sup>rd</sup> Street)," recorded with the Cook County Recorder of Deeds on December 7, 2012, as document number 123423199;
  - (ii) The Plat of Subdivision for Marquette Bank Subdivision of part of the West Half of the Northwest Quarter of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded with the Cook County Recorder of Deeds on December 27, 2012 as document number 1236229025; and

- (iii) The "Declaration of Covenants, Conditions, restrictions and Easements, Lots 1-7 of Marquette Bank Subdivision, Orland Park, Illinois (Cook County)" recorded with the Cook County Recorder of Deeds on January 16, 2013 as document number 1301626021;

(hereinafter the "Special Services").

### SECTION 3: PUBLIC HEARING - TAX RATES.

- A. That a public hearing shall be held on the 15<sup>th</sup> day of April, 2013, at 7:00 p.m., in the Orland Park Village Hall, Board Room, 14700 South Ravinia Avenue, Orland Park, Illinois, to consider the creation of Special Service Area Number 1 of the Village in the area described in the notice of public hearing set forth in Section 4 hereof (hereinafter the "Public Hearing").
- B. At said Public Hearing, the levy of a direct annual tax at a rate not to exceed \$8.75 per \$100.00 of equalized assessed value of the property in Special Service Area Number 1, for each year during which the Village is required to expend funds relative to said Special Services, so long as the stormwater management improvements and roadway/sidewalk improvements, as referenced above, exist, will be considered.
- C. As taxes will not be levied until such time, if any, as the Village actually expends funds for said Special Services, it is currently unknown as to the actual amount of the taxes that will be levied for the initial year, if any, for which taxes will be levied within Special Service Area Number 1; however, any such initial tax levy shall not exceed the maximum tax rate as set forth in B. above.
- D. The aforementioned 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 (35 ILCS 200/1-1 *et seq.*), as amended.

### SECTION 4: NOTICE OF PUBLIC HEARING.

Notice of the Public Hearing shall be published at least once not less than fifteen (15) days prior to the Public Hearing in one (1) or more newspapers of general circulation in the Village, and notice by mailing shall be 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 the proposed Special Service Area Number 1, with said notice by mailing being mailed not less than ten (10) days prior to the time set for the Public Hearing (hereinafter collectively the "Notice"). In the event taxes for the last preceding year were not paid, the Notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of said property. The Notice shall be in substantially the following form:

"NOTICE OF PUBLIC HEARING  
VILLAGE OF ORLAND PARK  
SPECIAL SERVICE AREA NUMBER 1

NOTICE IS HEREBY GIVEN that on April 15, 2013, at 7:00 p.m. in the Orland Park Village Hall, Board Room, 14700 South Ravinia Avenue, Orland Park, Illinois, a public hearing will be held by

the President and Board of Trustees of the Village of Orland Park to consider forming a special service area consisting of the following described property:

Lots 1, 2, 4, 5, 6 and 7 in the Marquette Bank Subdivision of part of the West Half of the Northwest Quarter of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded on December 27, 2012 as document number 1236229025;

PINs: 27-10-100-010, -011, -016, -101, -102 and Pt. 27-10-100-019;

Street Location: The Southeast corner of 143<sup>rd</sup> Street and LaGrange Road, Orland Park, Illinois.

All interested persons affected by the formation of Orland Park Special Service Area Number 1 will be given an opportunity to be heard regarding the formation of and the boundaries of Special Service Area Number 1 and may object to the formation of Special Service Area Number 1 and the levy of taxes affecting said Special Service Area Number 1.

The purpose of the formation of Orland Park Special Service Area Number 1 is to fund the Village of Orland Park's cost of maintaining, repairing, reconstructing and/or replacing the stormwater management improvements on Lot 4, and the roadway/sidewalk improvements on Lots 6 and 7, of the above-described property, in the event that the owners of Lots 1, 2, 4, 5, 6 and 7 of the above-described property fail to maintain, repair, reconstruct and/or replace said stormwater management improvements and/or roadway improvements as required by:

- (i) The "Development Agreement (Marquette Bank – Southeast Corner of LaGrange Road and 143<sup>rd</sup> Street)," recorded with the Cook County Recorder of Deeds on December 7, 2012, as document number 123423199;
- (ii) The Plat of Subdivision for Marquette Bank Subdivision of part of the West Half of the Northwest Quarter of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded with the Cook County Recorder of Deeds on December 27, 2012 as document number 1236229025; and
- (iii) The "Declaration of Covenants, Conditions, restrictions and Easements, Lots 1-7 of Marquette Bank Subdivision, Orland Park, Illinois (Cook County)" recorded with the Cook County Recorder of Deeds on January 16, 2013 as document number 1301626021;

(hereinafter the "Special Services"), within said Special Service Area Number 1.

A tax levy at a rate not to exceed \$8.75 per \$100.00 of equalized assessed valuation of property in Special Service Area Number 1, for each year during which the Village of Orland Park is required to expend funds relative to said Special Services, so long as the stormwater management improvements and/or roadway/sidewalk improvements, as referenced above, exist, will be considered at the public hearing. As taxes will not be levied until such time, if any, as the Village actually expends funds for said Special Services, it is currently unknown as to the actual amount of the taxes that will be levied for the initial year, if any, for which taxes will be levied within Special Service Area Number 1; however, any such initial tax levy shall not exceed the maximum tax rate as set forth above. Said tax is to be levied upon all taxable property within the proposed Special Service Area Number 1.

At the public hearing, all persons affected by the formation of said Special Service Area Number 1, including all persons owning taxable real estate therein, will be given an opportunity to be heard. The public 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 and/or as otherwise required by law.

If a petition signed by at least fifty-one (51%) of the electors residing within Special Service Area Number 1 and by at least fifty-one (51%) of the owners of record of the land included within the boundaries of Special Service Area Number 1 is filed with the Village Clerk, within sixty (60) days following the final adjournment of the public hearing, objecting to the creation of Special Service Area Number 1, the enlargement thereof, the levy or imposition of a tax for the provision of the Special Services to the area, or to a proposed increase in the tax rate, said Special Service Area Number 1 may not be created or enlarged, and no tax may be levied or imposed nor the rate increased.

DATED this 28<sup>th</sup> day of March, 2013.

David P. Maher  
Village Clerk  
Village of Orland Park”

#### SECTION 5:

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.