

VILLAGE OF ORLAND PARK

**14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us**

Ordinance No: 4816

File Number: 2013-0274

**AN ORDINANCE ESTABLISHING VILLAGE OF ORLAND PARK SPECIAL SERVICE AREA
NUMBER 1**

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 7th day of May, 2013 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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Ordinance No: 4816

AN ORDINANCE ESTABLISHING VILLAGE OF ORLAND PARK SPECIAL SERVICE AREA NUMBER 1

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.

Special Service Area Number 1 is established pursuant to the provisions of 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. The question of the establishment of the area hereinafter described as a special service area was considered by the President and Board of Trustees (hereinafter the "Village Board") pursuant to an Ordinance entitled: "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," adopted February 4, 2013, and was considered pursuant to a hearing held on April 15, 2013, by the Village Board pursuant to a Newspaper Notice duly published in The Orland Park Prairie, a newspaper published in the Village of Orland Park (hereinafter the "Village"), at least fifteen (15) days prior to the hearing, and pursuant to Personal Notice by 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 special service area. Said Personal Notice by mail was given by depositing said Personal Notice in the United States mails not less than ten (10) days prior to the time set for the public hearing. In the event taxes for the last preceding year were not paid, the said Personal Notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. A Certificate of Publication of said Newspaper Notice and an Affidavit of Mailing of said Personal Notice are attached to this Ordinance as Exhibit 1 and Exhibit 2, respectively, and made part hereof. Said Newspaper Notice and Personal Notice conformed in all respects to the requirements of Section 27-25 of the Special Service Area Tax Law (35 ILCS 200/27-25).

B. That a public hearing on the question set forth in the Newspaper Notice and Personal Notice was held on April 15, 2013. All interested persons were given an opportunity to be heard on the question

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of the creation of the special service area, and the levy of an annual tax to pay for the proposed Special Services (as defined in Section 4 below), as set forth in the Newspaper Notice and Personal Notice. The public hearing was opened on April 15, 2013, and there was final adjournment thereof on April 15, 2013, as part of the regular Orland Park Village Board meeting on said date.

C. That after considering the data, as presented at the public hearing, the Village Board finds that it is in the public interest and in the interest of the Village of Orland Park Special Service Area Number 1 that said special service area, as hereinafter described, be established.

D. Said area is compact and contiguous and exists in a Special Use/P.U.D. area under the Village Center (VC) zoning classification in the Village.

E. It is in the best interest of said special service area that the furnishing of the municipal services proposed be considered for the common interests of said area.

F. Said area is zoned for Special Use/P.U.D. under the Village Center (VC) zoning classification and will benefit specially from municipal services proposed to be provided. The proposed municipal services are unique and in addition to the municipal services provided to the Village as a whole.

SECTION 3

VILLAGE OF ORLAND PARK SPECIAL SERVICE AREA NUMBER 1 ESTABLISHED.

A special service area to be known and designated as “Village of Orland Park Special Service Area Number 1” (hereinafter “Special Service Area Number 1”) is hereby established and shall consist of the following-described territory:

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 143rd Street and LaGrange Road, Orland Park, Illinois; (hereinafter the “Subject Property”).

An accurate map of the Subject Property is attached hereto as Exhibit 3, and made part hereof.

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SECTION 4

PURPOSE OF THE AREA.

Special Service Area Number 1 is established to provide special municipal services to the Subject Property in addition to services provided to the Village generally. Included in said services shall be the funding of the Village'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 Subject Property, in the event that the owners of Lots 1, 2, 4, 5, 6 and 7 of the Subject 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 143rd 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.

In the event that the Village is required to expend funds relative to said Special Services, the Village shall levy a direct annual tax 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 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. 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 Special Service Area Number 1, and shall be in addition to all other taxes provided by law.

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SECTION 5

EFFECTIVE DATE.

The Village is in receipt of a "Waiver of Right to File an Objection Petition Opposing the Creation of Orland Park Special Service Area Number 1 (Marquette Bank Subdivision Project) - Marquette Bank," a copy of which is attached hereto as Exhibit 4 and made part hereof. As such, and as there are no electors residing within the Subject Property, and as Marquette Bank is one (1) of only two (2) owners of the Subject Property, and owns four (4) of the six (6) parcels comprising the Subject Property, this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as required by law. The Village Clerk is hereby directed and ordered to file a certified copy of this Ordinance with the Cook County Clerk, and record a certified copy of this Ordinance with the Cook County Recorder's Office, within sixty (60) days of the effective date hereof.

PASSED this 6th day of May, 2013

/s/ John C. Mehalek

John C. Mehalek, Village Clerk

Aye: 7 Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

DEPOSITED in my office this 6th day of May, 2013

/s/ John C. Mehalek

John C. Mehalek, Village Clerk

APPROVED this 6th day of May, 2013

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 7th day of May, 2013

/s/ John C. Mehalek

John C. Mehalek, Village Clerk