



Legislation Text

File #: 2016-0408, **Version:** 2

Title/Name/Summary

AN ORDINANCE ESTABLISHING VILLAGE OF ORLAND PARK SPECIAL SERVICE AREA NUMBER 5

Body

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 5 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") of the Village of Orland Park (hereinafter the "Village") pursuant to an Ordinance entitled: "An Ordinance Proposing the Establishment of Special Service Area Number 5 in the Village of Orland Park and providing for a Public Hearing and Other Procedures in Connection Therewith," adopted November 2, 2015, and was considered pursuant to a hearing held on December 7, 2015, by the Village Board pursuant to a Newspaper Notice duly published in *The Orland Park Prairie*, a newspaper published in 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 December 7, 2015. All interested persons were given an opportunity to be heard on the question 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 December 7, 2015, and there was final adjournment thereof on December 7, 2015, as part of the regular Orland Park Village Board meeting on said date.

C. That more than sixty (60) days have passed since the public hearing, and no objections to the establishment of Special Service Area Number 5 have been filed with the Village.

D. 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 5 that said special service area, as hereinafter described, be established.

E. Said area is compact and contiguous and exists as Special Use/P.U.D. area within the Village.

F. 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.

G. Said area is zoned under the Village Center District (VCD) 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 5 ESTABLISHED.

A special service area to be known and designated as "Village of Orland Park Special Service Area Number 5" (hereinafter "Special Service Area Number 5") is hereby established and shall consist of the following-described territory:

ORLAND PARK CROSSING SECOND RESUBDIVISION, BEING A RESUBDIVISION OF LOTS 13, THE EASTERLY 130.0 FEET OF 14, 15, AND 16 IN ORLAND PARK CROSSING, BEING A SUBDIVISION OF PART OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 15, 2005 AS DOCUMENT NUMBER 0525845136, IN COOK COUNTY, ILLINOIS;

PINs: 27-03-300-027, part of -028, -029, -030;

Street Location: The northeast 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.

SECTION 4

PURPOSE OF THE AREA.

Special Service Area Number 5 is established to provide special municipal services to the Subject Property in addition to services provided to the Village generally. The special services to be provided by the Village shall consist of the following activities/items within Special Service Area Number 5: maintenance, repair, reconstruction and/or replacement of the private drives (cross access easements) located on Lots 1, 2, 3 and Outlot A, in the area described in Section 3, in the event that the owners of Lots 1, 2, 3 and Outlot A, in the area described in Section 3, fail to maintain, repair, reconstruct and/or replace said private drives (cross access easements) as required by:

(i) The "DEVELOPMENT AGREEMENT BETWEEN VILLAGE OF ORLAND PARK AND REVA DEVELOPMENT PARTNERS, LLC (NORTHEAST CORNER OF 143RD STREET AND LAGRANGE ROAD)"

recorded with the Cook County Recorder of Deeds on May 13, 2014, as document number 1413316056; and

(ii) The Final Plat of Subdivision of Orland Park Crossing Second Resubdivision, being a Resubdivision of Lots 13, the easterly 130.0 Feet of 14, 15 and 16, in Orland Park Crossing, being a Subdivision of Part of Section 3, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded with the Cook County Recorder of Deeds on May 28, 2015, as document number 1514819098;

(hereinafter the "Special Services"), within said Special Service Area Number 5.

SECTION 5

TAX LEVIES/RATES.

The Village shall levy 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 5, for each year during which the Village of Orland Park is required to expend funds relative to said Special Services, so long as the private drives (cross access easements), 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 5; 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 Special Service Area Number 5.

The aforementioned tax, if any, is to be levied upon all taxable property within Special Service Area Number 5, and shall be in addition to all other taxes provided by law.

SECTION 6

EFFECTIVE DATE.

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.