



Legislation Text

File #: 2021-0230, Version: 1

Title

AN ORDINANCE ESTABLISHING VILLAGE OF ORLAND PARK SPECIAL SERVICE AREA NUMBER 7

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 7 is established pursuant to the provisions of Article VII, Section 7 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 7 in the Village of Orland Park and providing for a Public Hearing and Other Procedures in Connection Therewith," adopted March 15, 2021, and was considered pursuant to a hearing held on April 5, 2021, by the Village Board pursuant to a Newspaper Notice duly published in *Daily Southtown*, a newspaper of general circulation 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 April 5, 2021. 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 April 5, 2021, and there was final adjournment thereof on April 5, 2021, as part of the regular Orland Park Village Board meeting on said date.

- C. Unless a Waiver of Right to File an Objection Petition Opposing the Creation of Orland Park Special Service Area Number 7 has been received by the Village from the person or persons in whose name(s) the general taxes for the last preceding year were paid on the territory described below, more than sixty (60) days have passed since the public hearing, and no objections to the establishment of Special Service Area Number 7 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 7 that said special service area, as hereinafter described, be established.
- E. Said area is compact and contiguous and exists as Special Use Planned Development. 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 COR Mixed Use 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 7 ESTABLISHED.

A special service area to be known and designated as "Village of Orland Park Special Service Area Number 7" (hereinafter "Special Service Area Number 7") is hereby established and shall consist of the following-described territory:

THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, (EXCEPTING THEREFROM THE SOUTH 30.89 FEET AND THE EAST 33.00 FEET THEREOF AND EXCEPTING THEREFROM THE NORTH 460.0 FEET OF THE EAST 474.0 FEET THEREOF AND EXCEPTING THEREFROM THE NORTH 574.0 FEET OF THE WEST 380.0 FEET OF THE EAST 854.0 FEET THEREOF AND EXCEPTING THEREFROM THAT PART OF THE NORTH 466.70 FEET LYING WEST OF THE EAST 854.0 FEET THEREOF AND EXPECTING THAT PART TAKEN FOR HIGHWAY PER DOCUMENT 10155686 AND ALSO EXCEPTING THEREFROM THAT PART CONVEYED BY DOCUMENT 92907123, DESCRIBED AS FOLLOWS:

PARCEL 1: THE NORTH 19.11 FEET OF THE SOUTH 50 FEET OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPTING THEREFROM THOSE PARTS FALLING IN 96TH AVENUE AND 94TH AVENUE), IN COOK COUNTY, ILLINOIS: AND

PARCEL 2: THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, AFORESAID, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER, AFORESAID; THENCE EAST, ALONG THE SOUTH LINE THEREOF, 42.50 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 96TH AVENUE; THENCE NORTH, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, TO ITS INTERSECTION WITH A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE, AFORESAID, FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 15 FEET; THENCE SOUTHEASTERLY TO A POINT ON A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE, AFORESAID, SAID POINT BEING 15 FEET EAST OF THE POINT OF BEGINNING; THENCE

WEST 15 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS; AND

PARCEL 3: THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, AFORESAID, BOUNDED AND DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER, AFORESAID; THENCE WEST, ALONG THE SOUTH LINE THEREOF, 33 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 94TH AVENUE; THENCE NORTH, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, TO ITS INTERSECTION WITH A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE, AFORESAID, FOR A POINT OF BEGINNING, THENCE CONTINUING NORTH, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 15 FEET; THENCE SOUTHWESTERLY TO A POINT ON A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE, AFORESAID, SAID POINT BEING 15 FEET WEST OF THE POINT OF BEGINNING; THENCE EAST 15 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS;

AND ALSO EXCEPTING THEREFROM THAT PART CONVEYED BY DOCUMENT 00340393, DESCRIBED AS FOLLOWS: THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 83 FOOT 94TH AVENUE, SAID POINT BEING 65 FEET NORTH OF AND 33 FEET WEST OF THE SOUTHEAST CORNER OF SAID WEST HALF OF THE NORTHWEST QUARTER (AS MEASURED ALONG THE EAST LINE THEREOF AND ON A LINE AT RIGHT ANGLES THERETO); THENCE NORTH, ALONG SAID WESTERLY RIGHT-OF-WAY LINE 2119.65 FEET MORE OR LESS, TO A POINT, SAID POINT BEING 460 FEET SOUTH OF AND 33 FEET WEST OF THE NORTHEAST CORNER OF SAID WEST HALF OF THE NORTHWEST QUARTER (AS MEASURED ALONG THE EAST LINE THEREOF AND ON A LINE AT RIGHT ANGLES THERETO); THENCE WEST, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 17 FEET TO THE SOUTHEAST CORNER OF LOT 6 IN ROYAL RIDGE ESTATES, RECORDED FEBRUARY 23, 1990, AS DOCUMENT 90086955; THENCE SOUTH, ALONG A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER, 2134.65 FEET, MORE OR LESS, TO THE NORTHERLY RIGHT-OF-WAY LINE OF 171ST STREET; THENCE EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 2 FEET; THENCE NORTHEASTERLY TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

AND ALSO EXCEPTING THEREFROM THAT PART BEING CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION: TRACT 1: THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER: THENCE NORTH 1 DEGREE 47 MINUTES 38 SECONDS WEST (BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 1983) 50.00 FEET, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, TO THE NORTH LINE OF THE SOUTH 50 FEET OF SAID WEST HALF OF THE NORTHWEST QUARTER; THENCE NORTH 88 DEGREES 20 MINUTES 00 SECONDS EAST 42.37 FEET, ALONG SAID NORTH LINE, TO THE EAST RIGHT-OF-WAY LINE OF US ROUTE 45 ACCORDING TO DOCUMENT 10155686, RECORDED SEPTEMBER 24, 1928; THENCE NORTH 1 DEGREE 56 MINUTES 22 SECONDS WEST 15.00 FEET, ALONG SAID EAST RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 1 DEGREE MINUTES 22 SECONDS WEST 2113.31 FEET, ALONG SAID EAST RIGHT-OF-WAY LINE, TO THE SOUTH LINE OF THE NORTH 466.7 FEET OF SAID WEST HALF, SAID LINE ALSO BEING THE SOUTH LINE OF LOT 1 IN JACK DEVELOPMENT ACCORDING TO THE PLAT THEREOF RECORDED JUNE 18, 1998, AS DOCUMENT 98516981; THENCE NORTH 88 DEGREES 19 MINUTES 23 SECONDS EAST 49.00 FEET, ALONG SAID COMMON LINE; THENCE SOUTH 1 DEGREE 56 MINUTES 22 SECONDS EAST 2105.90 FEET; THENCE SOUTH 48 DEGREES 41 MINUTES 0 SECONDS EAST 32.87 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 171ST STREET ACCORDING TO DOCUMENT 92907123 RECORDED DECEMBER 3, 1992; THENCE SOUTH 88 DEGREES 20 MINUTES 00 SECONDS WEST 57.94 FEET, ALONG SAID NORTH RIGHT-OF-WAY LINE; THENCE NORTH 46 DEGREES 48 MINUTES 11

SECONDS WEST 21.26 FEET, ALONG SAID NORTH RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING), ALL IN TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 27-27-100-015 and -019

Street Location: 16727-16801 S. 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 7 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 7: maintenance, repair, reconstruction and/or replacement of the landscaping areas, lighting (including light fixtures and poles) and the roundabout on and along 169th Place in the event the owners of the Subject Property fail to maintain, repair, reconstruct and/or replace said landscaping areas, lighting (including light fixtures and poles) and the roundabout on and along 169th Place as required by:

(i) The "DEVELOPMENT AGREEMENT -ORLAND RIDGE (16727-16801 S. LAGRANGE ROAD)" recorded with the Cook County Recorder of Deeds on December 16, 2020, as document number 2035119052; and

(ii) The Final Plat of Subdivision for Orland Ridge, being a subdivision of part of Section 27, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded with the Cook County Recorder of Deeds on January 12, 2021, as document number 2101222044;

(hereinafter the "Special Services"), within said Special Service Area Number 7.

SECTION 5

TAX LEVIES/RATES.

The Village shall levy a direct annual tax at a rate not to exceed \$1.00 per \$100.00 of equalized assessed value of the property in Special Service Area Number 7, for each year during which the Village of Orland Park is required to expend funds relative to said Special Services, so long as the landscaping, lighting and roundabout, 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 7; 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 7.

The aforementioned tax, if any, is to be levied upon all taxable property within Special Service Area Number 7, 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, 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 Recording Division of the Cook County Clerk's Office, within sixty (60) days of the effective date hereof.