



2020013614

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL

RECORDED: 12/17/2020 01:12 PM
REC FEE: 75.00

STATE OF ILLINOIS)
COUNTY OF DEKALB) SS
CITY OF DEKALB)

PAGES: 8

CERTIFICATION

I, **RUTH A. SCOTT**, am the duly qualified and appointed Executive Assistant of the City of DeKalb, DeKalb County, Illinois, as authorized by Local Ordinance 2019-059, and as such Executive Assistant, I maintain and am safe-keeper of the records and files of the Mayor and City Council of said City.

I do hereby certify that the attached hereto is a true and correct copy of:

ORDINANCE 2020-074

**ESTABLISHING CITY OF DEKALB, ILLINOIS SPECIAL SERVICE AREA
NUMBER 30 (HUNTER RIDGEBROOK PROPERTIES AND 912
EDGEBROOK DRIVE).**

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 14th day of December 2020.

WITNESS my hand and the official seal of said City this 17th day of December 2020.



RUTH A. SCOTT, Executive Assistant

Prepared by and Return to:

City of DeKalb
City Manager's Office
Attention: Ruth A. Scott
164 E. Lincoln Highway
DeKalb, Illinois 60115

ESTABLISHING CITY OF DEKALB, ILLINOIS SPECIAL SERVICE AREA NUMBER 30 (HUNTER RIDGEBROOK PROPERTIES AND 912 EDGEBROOK DRIVE).

BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

SECTION 1: Authority. City of DeKalb Special Service Area Number 30 is established pursuant to Article VII, Section 6(l) of the Illinois Constitution of 1970 and the Special Service Area Tax Law, 35 ILCS 200/27-5, *et seq.* (the "Special Service Area Tax Law").

SECTION 2: Findings. The Corporate Authorities of the City of DeKalb find as follows:

- (a) That the question of establishing Special Service Area Number 30 as hereinafter described was considered by the Corporate Authorities of the City of DeKalb (the "City") pursuant to Ordinance Number 2020-057, entitled "Proposing the Establishment of an Active Special Service Area (SSA) Number 30 (Hunter Ridgebrook Properties and 912 Edgebrook) and Providing for a Public Hearing and Other Proceedings in Connection Therewith" adopted on September 14, 2020.
- (b) That a true and accurate map of proposed Special Service Area Number 30 is attached hereto as Exhibit A.
- (c) That a legal description of the territory of Special Service Area Number 30 and the permanent tax index numbers of the parcels located within the territory are attached hereto as Exhibit B.
- (d) That the question of establishing Special Service Area Number 30 as described herein was considered by the City's Corporate Authorities at a public hearing held on October 12, 2020 at 6:00 p.m. pursuant to a notice duly published on September 25, 2020 in the Daily Chronicle, a newspaper of general circulation within the City of DeKalb, at least fifteen (15) days prior to the commencement of said public hearing, and pursuant to notice duly sent by 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. In the event the taxes for the last preceding year were not paid, the notice was sent by mail to the person last listed on the tax rolls prior to that year as the owner of said property. Said mail notice was given by placing a copy of same into a postage-prepaid envelope, properly addressed to said person or persons, and depositing same in the United States Mails not less than ten (10) days prior to commencement of the public hearing. Said notices and public hearing conformed in all respects to the requirements of the Special Service Area Tax Law, 35 ILCS 200/27-5, *et seq.* A copy of said notice is attached hereto and incorporated herein as Exhibit C.
- (e) That a public hearing on the questions set forth in the notice was duly held on October 12, 2020 at 6:00 p.m. in the City of DeKalb Public Library, Yusunas Meeting Room, 309 Oak St., DeKalb, Illinois. All interested persons were given an opportunity to be heard in respect to the issues embodied in the notice including: (1) the question of the creation of the special service area; (2) the proposal to provide the following special municipal services to the territory proposed for establishment as Special Service Area Number 30 consisting of the cost and expense of providing the special municipal services to the properties within the proposed Special Service Area Number 30 including, but not limited to, the construction, installation, maintenance, repair, replacement, reconstruction, and provision of public safety and security

improvements and services, lighting, landscaping, improved snow removal services, improved trash removal services, interior and exterior common area building improvements, sidewalk and parking lot paving and improvements, storm sewers, sanitary sewers, benches, trash receptacles, special events, seasonal decorations, program administration, and all contractor fees, construction supervision and inspection costs, temporary easement acquisition costs, insurance costs, and attorney's fees incurred in connection with the provision of such special services; (3) the proposal to levy a special tax at a maximum rate not to exceed five percent (5%) per annum of equalized assessed value upon all taxable property within the special service area; and (4) on the proposal to levy a special tax in an amount not to exceed One Hundred Thousand and 00/100 Dollars (\$100,000.00) for the initial year in which taxes will be levied and extended within the proposed special service area.

- (f) That Steve Bauer, an attorney for Hunter Ridgebrook LLC, raised objections to the form of the notice and the waiver of objections by settlement agreement to Special Service Area Number 30 which were heard, considered, determined, and rejected by the City's Corporate Authorities at the October 12, 2020 public hearing held on the proposal to establish Special Service Area 30. No other objections were raised at said public hearing.
- (g) That the public hearing was finally adjourned on October 12, 2020.
- (h) That after considering the special services to be provided, the boundaries of the proposed special service area, the taxes proposed to be levied to provide the special services, the stated need and local support for the proposed special service area, and the data presented at the public hearing, the City's Corporate Authorities find that it is in the public interest and in the interest of City of DeKalb Special Service Area Number 30 that Special Service Area 30, as described herein, be established.
- (i) That said area is compact, contiguous and within the City's corporate limits.
- (j) That said area will receive a special benefit from the special municipal services to be provided as described herein.
- (k) That the proposed special municipal services are unique and in addition to the municipal services provided throughout the City of DeKalb as a whole.
- (l) That it is in the best interests of the City of DeKalb and of Special Service Area 30 that the special municipal services are provided for the common interest of Special Service Area 30.

SECTION 3: Establishment of City of DeKalb Special Service Area Number 30. A special service area to be known and designated as "City of DeKalb Special Service Area Number 30" is hereby established and shall consist of the territory legally described on Exhibits A and B attached hereto and incorporated herein.

SECTION 4: No Petition Objecting to Special Service Area Signed by at Least 51% of the Electors and Owners of Record. The City's Corporate Authorities find that sixty (60) days have elapsed since the public hearing to consider the proposed establishment of City of DeKalb Special Service Area Number 30 was finally adjourned on October 12, 2020, and that no petition signed by at least 51% of the electors residing within the Special Service Area and by at least 51% of the owners of record of the land included within the boundaries of the Special Service Area has been filed objecting to either: (1) the creation of said Special Service Area 30; (2) to the levy of a special annual tax at a maximum rate not to exceed five percent (5%) per annum of equalized assessed value upon all taxable property within Special Service Area 30 for the provision of said special services; (3) to the annual tax levy in an amount not to exceed One Hundred Thousand Dollars

(\$100,000.00) proposed to be levied within Special Service Area 30 for the initial year for which such Special Service Area taxes are to be levied.

SECTION 5: Purpose of Area; Nature of Services; Maximum Rate of Taxes. City of DeKalb Special Service Area Number 30 is established to provide special municipal services to Special Service Area Number 30 consisting of the cost and expense of providing the special municipal services to the properties within the proposed Special Service Area Number 30 including, but not limited to, the construction, installation, maintenance, repair, replacement, reconstruction, and provision of public safety and security improvements and services, lighting, landscaping, improved snow removal services, improved trash removal services, interior and exterior common area building improvements, sidewalk and parking lot paving and improvements, storm sewers, sanitary sewers, benches, trash receptacles, special events, seasonal decorations, program administration, and all contractor fees, construction supervision and inspection costs, temporary easement acquisition costs, insurance costs, and attorney's fees incurred in connection with the provision of such special services. City of DeKalb Special Service Area Number 30 is also established to authorize the levy of a special annual tax at a maximum rate not to exceed five percent (5%) per annum of equalized assessed value, upon all taxable property within the special service area, and to authorize the levy of a special annual tax in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for the initial year in which taxes will be levied and extended within Special Service Area 30.

SECTION 6: Recording Certified Copy of Ordinance. The City Clerk, Executive Assistant, and City Manager are hereby authorized and directed to file a certified copy of this Ordinance and an accurate map of the territory included within Special Service Area Number 30 for recording in the office of the DeKalb County Clerk and Recorder of Deeds not later than sixty (60) days after the date this Ordinance is adopted.

SECTION 7: Home Rule. This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of DeKalb that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 8: Effective Date. This ordinance shall be in full force and effect upon its passage and approval and shall subsequently be published in pamphlet form as provided by law, except that the levy for Special Service Area Number 30 shall not be effective until after the recording provided by Section 6 of this Ordinance has occurred.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 14th day of December 2020 and approved by me as Mayor on the same day. Passed on First Reading by a 7-0-1 roll call vote. Aye: Morris, Finucane (Remote), Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Second Reading waived by a 6-1-1 roll call vote. Aye: Finucane (Remote), Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: Morris. Absent: Faivre.

ATTEST:


RUTH A. SCOTT, Executive Assistant


JERRY SMITH, Mayor



EXHIBIT A
(Map and PINS for Special Service Area 30)

0815128004
0815128009
0815128010
0815128011
0815128012
0815176025



EXHIBIT B
(Legal Description)

The territory of Special Service Area 30 is legally described as follows:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BLOCK 1A OF THE 8TH ADDITION TO ROLLING MEADOWS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "N" OF PLATS, PAGE 48, AS DOCUMENT NO. 327651 IN THE DEKALB COUNTY RECORDER'S OFFICE; BLOCK 2, EXCEPTING LOT 1, AND BLOCK 3, LOTS 14, 15, 16, EXCEPTING THE EASTERLY 44.22 FEET OF SAID LOT 16, OF THE 6TH ADDITION TO ROLLING MEADOWS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28, 1964 IN BOOK "N" OF PLATS, PAGE 7, AS DOCUMENT 323083 IN THE DEKALB COUNTY RECORDER'S OFFICE; THAT PART OF HAWTHORNE LANE AS SHOWN ON THE PLATS OF THE 6TH ADDITION TO ROLLING MEADOWS SUBDIVISION, HEREINABOVE REFERENCED, AS VACATED BY THE CITY OF DEKALB, BY DOCUMENT NO. 348950; ALL IN DEKALB COUNTY, ILLINOIS.

Common Addresses: 808 Ridge Drive, 832 Ridge Drive, 832 Edgebrook Drive, and 912 Edgebrook Drive, DeKalb, IL 60115

PINs: 0815128004; 0815128009; 0815128010; 0815128011; 0815128012; 0815176025

PARCEL 0815128004

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: LOT 2 OF BLOCK 2 OF THE 6TH ADDITION TO ROLLING MEADOWS SUBDIVISION RECORDED IN BOOK "N" OF PLATS, PAGE 7, AS DOCUMENT 323083, AND THE EAST 30 FEET OF THE NORTH 250 FEET OF THE VACATED HAWTHORNE LANE AS SHOWN ON THE PLATS OF THE 6TH ADDITION TO ROLLING MEADOWS REFERENCED ABOVE, AND THE 8TH ADDITION TO ROLLING MEADOWS RECORDED IN BOOK "N" OF PLATS, PAGE 48 AS DOCUMENT 327651, AS VACATED BY THE CITY OF DEKALB BY DOCUMENT 348950, IN DEKALB COUNTY, ILLINOIS.

PARCEL 0815128009

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: THE SOUTH 250 FEET OF THE EAST 30 FEET AND THE SOUTH 122 FEET OF THE WEST 30 FEET OF THE VACATED HAWTHORNE LANE AS SHOWN ON THE PLATS OF THE 6TH ADDITION TO ROLLING MEADOWS RECORDED IN BOOK "N" OF PLATS, PAGE 7, AS DOCUMENT 323083, AND THE 8TH ADDITION TO ROLLING MEADOWS RECORDED IN BOOK "N" OF PLATS, PAGE 48 AS DOCUMENT 327651, AS VACATED BY THE CITY OF DEKALB BY DOCUMENT 348950, IN DEKALB COUNTY, ILLINOIS.

PARCEL 0815128010

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: THE NORTH 378 FEET OF THE WEST 30 FEET OF THE VACATED HAWTHORNE LANE AS SHOWN ON THE PLATS OF THE 6TH ADDITION TO ROLLING MEADOWS RECORDED IN BOOK "N" OF PLATS, PAGE 7, AS DOCUMENT 323083, AND THE 8TH ADDITION TO ROLLING MEADOWS RECORDED IN BOOK "N" OF PLATS, PAGE 48 AS DOCUMENT 327651, AS

VACATED BY THE CITY OF DEKALB BY DOCUMENT 348950, IN DEKALB COUNTY, ILLINOIS.

PARCEL 0815128011

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: LOT 2 OF BLOCK 1A OF THE 8TH ADDITION TO ROLLING MEADOWS SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "N" OF PLATS, PAGE 48 AS DOCUMENT 327651, IN DEKALB COUNTY, ILLINOIS.

PARCEL 0815128012

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: LOT 1 OF BLOCK 1A OF THE 8TH ADDITION TO ROLLING MEADOWS SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "N" OF PLATS, PAGE 48 AS DOCUMENT 327651, IN DEKALB COUNTY, ILLINOIS.

PARCEL 0815176025

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BLOCK 3, LOTS 14, 15, 16, EXCEPTING THE EASTERLY 44.22 FEET OF SAID LOT 16, OF THE 6TH ADDITION TO ROLLING MEADOWS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28, 1964 IN BOOK "N" OF PLATS, PAGE 7, AS DOCUMENT 323083 IN THE DEKALB COUNTY RECORDER'S OFFICE, IN DEKALB COUNTY, ILLINOIS.

EXHIBIT C
(Notice for 10-12-20 Hearing)

Daily Chronicle

**DAILY
CHRONICLE**

Publication Name:
Daily Chronicle

Publication URL:
www.daily-chronicle.com

Publication City and State:
DeKalb, IL

Publication County:
DeKalb

Notice Popular Keyword Category:

Notice Keywords:
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Notice Authentication Number:
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Notice URL:

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Notice Publish Date:
Friday, September 25, 2020

Notice Content

PUBLIC NOTICE NOTICE OF HEARING CITY OF DEKALB, DEKALB COUNTY, ILLINOIS SPECIAL SERVICE AREA NO. 30 NOTICE is hereby given that on the 12th day of October, 2020 at 6:00 p.m., the City of DeKalb Public Library, Yusunas Meeting Room, 309 Oak Street, DeKalb, Illinois 60115, a hearing will be held by the Mayor and City Council of the City of DeKalb to consider formation of a Special Service Area to be called City of DeKalb Special Service Area Number 30 (SSA 30) consisting of the following Parcel Identification Numbers. 0815128004 0815128009 0815128010 0815128011 0815128012 0815176025 An accurate map of said territory is on file in the office of the City Manager and available for public inspection. The purpose of the formation of City of DeKalb Special Service Area Number 30 is to provide special municipal services to the territory proposed for establishment as SSA 30 consisting of the necessary cost and expense of the construction, installation, maintenance, repair, replacement, reconstruction, and provision of public safety and security improvements and services, lighting, landscaping, improved snow removal services, improved trash removal services, interior and exterior common area building improvements, sidewalk and parking lot paving and improvements, storm sewers, sanitary sewers, benches, trash receptacles, special events, seasonal decorations, program administration, and all contractor fees, construction supervision and inspection costs, temporary easement acquisition costs, insurance costs, and attorney's fees incurred in connection with the provision of such special services. A special tax will also be considered at the public hearing which special tax is proposed to be levied at a maximum rate not to exceed five percent (5%) of the equalized assessed value, upon all taxable property within the special service area, said tax to be in addition to all other taxes provided by law. It is proposed that that an initial annual tax levy in amount of \$100,000.00 will be levied within the special service area for the initial year for which such special service area taxes will be levied. All interested persons affected by the formation of City of DeKalb Special Service Area Number 30, including all persons owning taxable real property located within SSA 30, will be given an opportunity to be heard regarding the formation and boundaries of the special service area, and the taxes to be levied, and may object to the formation of the area, its boundaries, the taxes to be levied, and any other issues embodied in this notice. The hearing may be adjourned by the City Council 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 is filed with the City Clerk within sixty (60) days following the final adjournment of the public hearing, signed by at least fifty-one percent (51%) of the electors residing within the special service area and by at least fifty-one percent (51%) of the owners of record of land included within the boundaries of the special service area, objecting to the creation of the Special Service Area Number 30 or the levy or imposition of a special tax for the provision of special services to the area, no such special service area may be created or tax be levied or imposed. DATED this 25th day of September, 2020. /s/ Ruth Scott, Executive Assistant (Published in the Daily Chronicle September 25, 2020.) 1819448

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