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KAREN A. YARBROUGH

COOK COUNTY CLERK

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Prepared by:

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111 East Irving Park Road

Roselle, IL 60172

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06-33-200-004-0000

06-33-201-014-0000

ORDINANCE 2022-76

AN ORDINANCE establishing Special Service Area Number One for the Grasslands Subdivision Phase 1 of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, and authorizing the levy of an annual maintenance tax, and the issuance of bonds to an amount not to exceed \$6,651,075 for the purpose of paying the cost of providing special services in, and for such Area.

**ADOPTED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF BARTLETT THIS 6TH DAY OF September, 2022**

Mail to:

Village of Bartlett

Village Clerk

228 S. Main St.

Bartlett, IL 60103

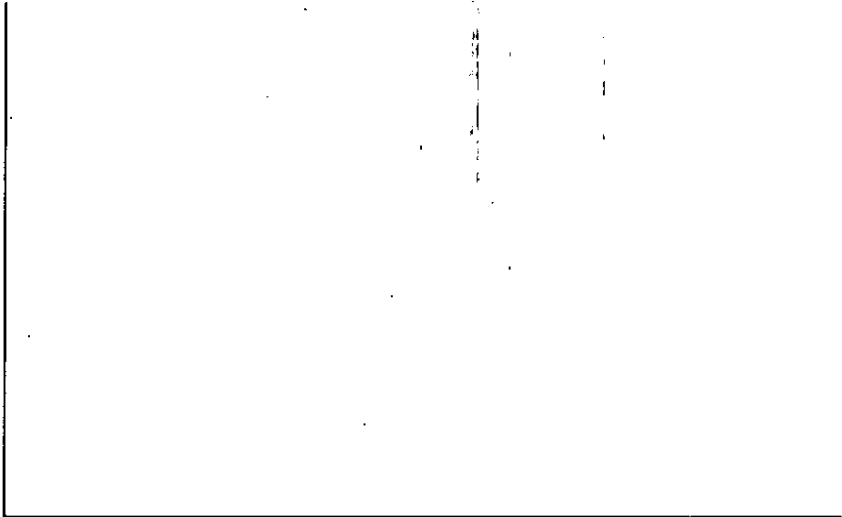
RECORDING FEE 81.00

DATE 11-1-22 COPIES 1X

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MAIL TO:
Village of Bartlett
Lorna Giless, Village Clerk
228 South Main Street
Bartlett, IL, 60103



ORDINANCE NO. 2022-76

AN ORDINANCE establishing Special Service Area Number One for the Grasslands Subdivision Phase 1 of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, and authorizing the levy of an annual maintenance tax, and the issuance of bonds to an amount not to exceed \$6,651,075 for the purpose of paying the cost of providing special services in and for such Area.

* * * * *

PREAMBLES

WHEREAS, pursuant to the provisions of the 1970 Constitution of the State of Illinois (the "Constitution"), the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois (the "Village"), is authorized to create special service areas in and for the Village; and,

WHEREAS, the Village of Bartlett is a municipality which has a population of more than 25,000 and is therefore a home rule unit of government pursuant to Section 6 of Article 7 of the Constitution, which provides:

"Except as limited by this Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt . . ."

and

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WHEREAS, special service areas are established by home rule units pursuant to Section 7(l)(2) of Article VII of the Constitution, which provides:

"(1) The General Assembly may not limit the power of home rule units . . .
 (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services."

and are established pursuant to the provisions of the Special Service Area Tax Law (35 ILCS 200/27-5, et seq.), as amended, and pursuant to the Revenue Act of 1939 of the State of Illinois, as amended; and

WHEREAS, it is in the public interest that the establishment of the area hereinafter described as a special service area for the purpose set forth herein and to be established as Special Service Area Number One for the Grasslands Subdivision Phase 1, lying within the corporate limits of the Village of Bartlett in Cook County, Illinois, located at the northwest and northeast corners of Illinois Route 59 and West Bartlett Road, and being approximately 94 +/- acres in size, which is legally described in Section Two of this Ordinance and is sometimes alternatively hereinafter referred to as the "Territory" or the Area"; and

WHEREAS, the Area is compact and contiguous and is totally within the corporate limits of the Village; and

WHEREAS, the Area will benefit specially from the municipal services to be provided in the event the developer of the Area, and the master homeowner's association for the Grasslands Subdivision Phase 1 that comprises the Area, fail to maintain, repair, and replace the storm sewers and storm water management system which directly affect the Area, including (1) the cleaning and dredging of storm water detention and retention

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ponds and basins, drainage swales and ditches; (2) the maintenance and care, including erosion control, of the lands surrounding such detention and retention ponds and basins, drainage swales and ditches; (3) the maintenance, repair and replacement of storm sewers, drain tile, pipes and other conduit, and appurtenant structures; (4) the care, maintenance and restoration of wetland areas and naturalized detention basins and retention ponds areas; and (5) the administrative costs incurred by the Village in connection with the above, including, but not limited to, insurance premiums for liability insurance coverage (collectively, the "Services"); and,

WHEREAS, the 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 Area be established; and,

WHEREAS, it is hereby estimated that the annual cost of providing for the ordinary maintenance and care, including erosion control, of the lands surrounding such detention and retention ponds and basins, drainage swales and ditches and for the ordinary maintenance and repair of storm sewers, drain tile, pipes and other conduit, and appurtenant structures, and the ordinary care and maintenance of wetland areas and naturalized detention basins and retention ponds areas (the "Ordinary Services") is \$50,000 and that the annual cost of providing the Ordinary Services will increase each year with inflation; and,

WHEREAS, in the event the Ordinary Services are not adequately performed by either the developer of the Grasslands Subdivision Phase 1 or the master homeowner's association for the Grasslands Subdivision Phase 1 as determined by the Corporate Authorities of the Village of Bartlett in its sole discretion, it will be necessary to levy a direct annual tax not to exceed .04% per annum of the assessed value, as equalized, of

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all taxable property within the Area to pay the annual cost of providing the Ordinary Services; and

WHEREAS, it is hereby estimated that the cost of cleaning and dredging the storm water detention and retention ponds and basins, drainage swales and ditches and replacing storm sewers, drain tile, pipes and other conduit, and appurtenant structures and restoring wetland areas and naturalized detention basins and retention ponds areas which will serve the Area (the "Extraordinary Services") is \$1,662,768.75 based on current construction costs, and will in no event exceed \$6,651,075; and

WHEREAS, it is in the public interest that the issuance of bonds in the amount of \$1,662,768.75, adjusted for increases in the cost of construction as hereinafter provided, but in no event to exceed \$6,651,075, and secured by the full faith and credit of the Area be considered for the purpose of paying the cost of providing the Extraordinary Services (the "Bonds") in the event the Extraordinary Services are not properly performed by either the developer of the Grasslands Subdivision Phase 1 or by the master homeowner's association for the Grasslands Subdivision Phase 1 as determined by the Corporate Authorities of the Village of Bartlett in its sole discretion; and

WHEREAS, the proceeds of the Bonds shall be used solely and only for Services for which the Village is authorized under the provisions of the Illinois Municipal Code, as amended, to levy taxes or special assessments or to appropriate the funds of the Village, all of the Services to be in and for the Area and all of the necessary construction to be on existing public property or easements or property or easements to be acquired by the Village; and

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WHEREAS, the Bonds shall be retired over a period not to exceed 20 years from the issuance thereof and shall bear interest at a rate or rates not to exceed the lesser of (i) 10% per annum, or (ii) the maximum rate then permitted by law; and

WHEREAS, the Bonds shall be retired by the levy of a direct annual tax sufficient to pay the principal and interest on the Bonds as the same comes due, and to discharge any unpaid principal thereof at maturity; and

WHEREAS, said direct annual tax shall be levied upon all taxable property within the Area for said period of not to exceed 20 years and shall be unlimited as to rate or amount except as expressly provided in this Ordinance and shall be in addition to all other taxes permitted by law; and

WHEREAS, it is the intent of the Corporate Authorities that the proceeds of any taxes levied pursuant to this ordinance shall be used solely and only for the purposes of paying for the Ordinary Services and the Extraordinary Services in the Special Service Area, as hereinabove set forth, and that in no event shall funds accumulated for those purposes be used for any other purpose; and

WHEREAS, on June 21, 2022, the Corporate Authorities adopted Ordinance 2022-56, "AN ORDINANCE proposing the establishment of Special Service Area Number One for the Grasslands Subdivision Phase 1 of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, and the issuance of bonds to amount not to exceed \$6,651,075 for the purpose of paying the cost of providing special services in or for such Area" (hereinafter, "Ordinance 2022-56" or the "SSA Proposing Ordinance") and therein fixed the time and place of the public hearing to be held with respect to the creation of the said Special Service Area and the levy of taxes therein; and

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WHEREAS, notice of such public hearing to be held on September 6, 2022 (the "Notice") was duly given by publication in the Daily Herald, the same being a newspaper published and of general circulation within the Village, and notice by mailing was duly given by depositing the Notice in the United States mails addressed to the owner or owners of land lying within such area and 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 such area (except to those of such owners and persons who waived such Notice in writing have filed such waivers with the Village Clerk prior to the said hearing), which Notice was mailed not less than ten (10) days prior to the time set for the Hearing. In the event that the taxes for the last preceding year were not paid, the Notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property; and

WHEREAS, a public hearing has heretofore been held on September 6, 2022 at 7:00 P.M., Chicago time, at the Bartlett Municipal Building, 228 South Main Street, Bartlett, Illinois (the "Hearing"), to consider (1) the establishment of the Special Service Area in the territory described in Section Two hereof, (2) the necessity of providing the Services described in the Notice, (3) the levy of a direct annual tax not to exceed .04% per annum of the assessed value, as equalized, of all taxable property within the Special Service Area to pay the annual cost of providing the Ordinary Services described in the Notice, and (4) the issuance of the Bonds described in the Notice; and the Hearing was finally adjourned at 7:05 P.M. on September 6, 2022; and

WHEREAS, more than 60 days have elapsed since the adoption of Ordinance 2022-56, the SSA Proposing Ordinance, and either (i) more than 60 days have elapsed following the final adjournment of the Hearing and no petition signed by any of the electors

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residing within the Area or by any of the owners of record of the land included within the boundaries of the Area has been filed with the Village Clerk of the Village of Bartlett objecting to the creation of the Special Service Area, the levy or imposition of a tax or the issuance of bonds for the provision of special services to the Special Service Area, or to a proposed increase in the tax rate; or (ii) the owners of record of all the land included within the boundaries of the Special Service Area as of the date of this Ordinance has or have filed with the Village Clerk his, her, their or its waiver of objection to the creation of the Special Service Area, the levy or imposition of a tax or the issuance of bonds for the provision of Services to the Special Service Area as determined by the Corporate Authorities of the Village in its sole discretion, including Ordinary Services and Extraordinary Services, or either Ordinary Services or Extraordinary Services, or to the proposed increase in the tax rate;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bartlett, DuPage, Cook and Kane Counties, Illinois, as follows:

SECTION ONE: That the preambles of this Ordinance are hereby incorporated into this text as if set out herein in full.

SECTION TWO: That Special Service Area Number One for the Grasslands Subdivision Phase 1 is legally described as follows:

THE NORTHEAST 1/4 AND THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE DEED DATED MARCH 3, 1945 AND RECORDED IN THE COUNTY OR LESS. ALSO EXCEPTING THEREFROM RECORDER'S OFFICE IN COOK COUNTY, ILLINOIS AS DOCUMENT NUMBER 13490455 AND RECORDED IN BOOK 39843 ON PAGE 204, EXCEPTING THEREFROM;

THAT PART OF SAID PREMISES CONVEYED TO THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD, AS RECORDED BY DOCUMENT NUMBER 414744, ALSO EXCEPTING;

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THAT PART CONVEYED TO HENRY A. SCANDREL T, WALTER J. CUMMINGS AND GEORGE I. HAIGHT, TRUSTEES OF THE PROPERTY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, THEIR SUCCESSORS AND ASSIGNS AND RECORDED AS DOCUMENT NUMBER 12905600, FILED FOR RECORD JUNE 8, 1942, RECORD BOOK 37528, PAGE 311 CONTAINING 9.7153 ACRES, MORE OR LESS, AND THAT PART CONVEYED FROM JENNIE ALPERIN AND NORMAN ALPERIN TO THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION RECORDED AS DOCUMENT NUMBER 92087412 CONTAINING 0.126 ACRES, MORE OR LESS, AND THAT PART CONVEYED TO THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION RECORDED AS DOCUMENT NUMBER 92087414, CONTAINING 0.673 ACRES, MORE OR LESS, AND THAT PART CONVEYED TO THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION RECORDED AS DOCUMENT NUMBER 92087416, CONTAINING 1.772 ACRES, MORE OR LESS ALSO EXCEPTING THEREFROM:

TRACT 1:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4, THENCE WEST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 62.5 FEET FOR A PLACE OF BEGINNING; THENCE WEST ALONG SAID NORTH LINE 400.0 FEET; THENCE SOUTH 4 DEGREES 24 MINUTES WEST, 182.5 FEET; THENCE SOUTH 8 DEGREES 57 MINUTES WEST, 89.5 FEET; THENCE SOUTH 11 DEGREES 28 MINUTES WEST, 86.5 FEET; THENCE SOUTH 13 DEGREES 24 MINUTES WEST, 100.0 FEET; THENCE SOUTH 18 DEGREES 9 MINUTES WEST 80.0 FEET; THENCE SOUTH 19 DEGREES 42 MINUTES WEST, 92.8 FEET; THENCE SOUTH 22 DEGREES 20 MINUTES WEST, 89.5 FEET; THENCE SOUTH 24 DEGREES 48 MINUTES WEST, 92.8 FEET; THENCE SOUTH 32 DEGREES 33 MINUTES WEST, 62.5 FEET; THENCE SOUTH 26 DEGREES 42 MINUTES WEST, 272.4 FEET; THENCE SOUTH 68 DEGREES 9 MINUTES EAST, 398.9 FEET TO THE WESTERLY LINE OF THE PUBLIC HIGHWAY (ROUTE 59); THENCE NORTH 26 DEGREES 19 MINUTES EAST, 357.5 FEET ALONG SAID WESTERLY LINE TO A POINT OF CURVE; THENCE ON A CURVE TO THE LEFT, TANGENT TO LAST DESCRIBED COURSE AND HAVING A RADIUS OF 2171.68 FEET, FOR A DISTANCE OF 942.5 FEET TO THE PLACE OF BEGINNING, CONTAINING 13 ACRES, MORE OR LESS ALSO EXCEPTING THEREFROM:

TRACT 2:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID NORTHEAST 1/4 WITH THE CENTER LINE OF STATE ROUTE 59; THENCE ALONG SAID CENTER LINE 498.9 FEET; THENCE ALONG A LINE THAT FORMS AN ANGLE OF 90 DEGREES 0 MINUTES TO THE LEFT WITH THE PROLONGATION OF SAID CENTER LINE, 50.0 FEET TO THE WESTERLY LINE OF AFORESAID STATE ROUTE 59, FOR A PLACE OF BEGINNING; THENCE NORTH 26 DEGREES 19 MINUTES EAST ALONG THE AFORESAID WESTERLY LINE OF STATE ROUTE 59, 235.1 FEET; THENCE NORTH 22 DEGREES 10 MINUTES EAST ALONG SAID WESTERLY LINE, 328.0 FEET TO A POINT IN A LINE OF 25.0 FEET SOUTHERLY FROM AND PARALLEL WITH THE SOUTHERLY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD; THENCE NORTH 63 DEGREES 44 MINUTES WEST ALONG SAID PARALLEL LINE, 462.33 FEET; THENCE SOUTH 17 DEGREES 22 MINUTES WEST, 397.0 FEET; THENCE SOUTH 5 DEGREES 11 MINUTES EAST, 200.0 FEET; THENCE SOUTH 63 DEGREES 44 MINUTES EAST, 319.5 FEET TO THE PLACE OF BEGINNING, CONTAINING 5.465 ACRES, MORE OR LESS ALSO EXCEPTING THEREFROM;

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TRACT 3:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF WEST BARTLETT ROAD AS ORIGINALLY DEDICATED WITH THE CENTER LINE OF STATE ROUTE NO. 59 AS SHOWN ON THE PLAT OF DEDICATION RECORDED MAY 7, 1935 AS DOCUMENT NUMBER 11611940; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF SAID ROUTE NO. 59, 473.8 FEET FOR A PLACE OF BEGINNING; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF SAID ROUTE NO. 59, 300.0 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO LAST MENTIONED CENTER LINE 340.4 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE CENTER LINE OF SAID ROUTE NO. 59, 300.0 FEET; THENCE NORTHWESTERLY ALONG A LINE AT RIGHT ANGLES TO LAST MENTIONED CENTER LINE 340.4 FEET TO THE PLACE OF BEGINNING (EXCEPTING THEREFROM THAT PART THEREOF FALLING IN THE RIGHT OF WAY OF SAID ROUTE NO. 59) IN COOK COUNTY, ILLINOIS, CONTAINING 2 ACRES, MORE OR LESS.

ALSO EXCEPTING THEREFROM;

THAT PART AS SHOWN IN THE PLAT OF DEDICATION RECORDED MAY 7, 1935 AS DOCUMENT 11611340. ALSO EXCEPTING: THAT PART OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES, 15 MINUTES, 38 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 697.50 FEET TO THE INTERSECTION OF SAID EAST LINE WITH THE EASTERLY RIGHT-OF-WAY LINE OF ILLINOIS STATE ROUTE 59 PER WARRANTY DEED RECORDED FEBRUARY 11, 1992 AS DOCUMENT NUMBER 92087416 FOR THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES, 15 MINUTES 38 SECONDS EAST ALONG SAID EAST LINE, 1152.33 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE (100 FEET WIDE) OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD PER DOCUMENT NUMBER 414744; THENCE NORTH 65 DEGREES, 05 MINUTES, 32 SECONDS WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 430.54 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID ILLINOIS STATE ROUTE 59; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) NORTH 28 DEGREES, 47 MINUTES, 55 SECONDS EAST, 288.63 FEET TO A NONTANGENT CURVE: (2) ALONG AN ARC OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 2968.51 FEET, HAVING A CHORD BEARING OF NORTH 25 DEGREES 01 MINUTES 17 SECONDS EAST, 207.24 FEET TO A NONTANGENT LINE: (3) NORTH 18 DEGREES, 17 MINUTES, 43 SECONDS EAST, 207.09 FEET TO A NONTANGENT CURVE: (4) ALONG AN ARC OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 2958.65 FEET; HAVING A CHORD BEARING OF NORTH 15 DEGREES, 39 MINUTES, 47 SECONDS EAST, 346.76 FEET (347.30 FEET RECORD) TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO EXCEPTING THAT PART TAKEN FOR BARTLETT AND NAPERVILLE ROADS.

ALSO EXCEPTING THEREFROM THAT PART ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS IN CONDEMNATION PROCEEDINGS CASE NO. 2015L 050263 PER ORDER ENTERED MAY 21, 2015 AND PER FINAL JUDGMENT ORDER ENTERED DECEMBER 5, 2017 AND RECORDED DECEMBER 14, 2017 AS DOCUMENT NO. 1734806066.

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ALSO EXCEPTING THEREFROM THAT PART LYING NORTH OF THE NORTH LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD.

ALSO EXCEPTING THAT PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER: THENCE NORTH 00 DEGREES 22 MINUTES 27 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 704.87 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD; THENCE NORTH 64 DEGREES 27 MINUTES 27 SECONDS WEST ALONG SAID SOUTH RIGHT OF WAY LINE, 687.40 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE 59 WITH SAID SOUTH RIGHT OF WAY LINE, SAID INTERSECTION BEING THE POINT OF BEGINNING; THENCE SOUTH 21 DEGREES 21 MINUTES 10 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, 25.07 FEET TO THE NORTH LINE OF A TRACT OF LAND CONVEYED PER DOCUMENT NO. 00029399; THENCE NORTH 64 DEGREES 27 MINUTES 27 SECONDS WEST ALONG SAID NORTH LINE, 462.33 FEET TO THE WEST LINE OF SAID TRACT; THENCE SOUTH 16 DEGREES 31 MINUTES 17 SECONDS WEST ALONG SAID WEST LINE, 17.25 FEET; THENCE NORTH 67 DEGREES 32 MINUTES 06 SECONDS WEST 497.81 FEET; THENCE SOUTH 27 DEGREES 25 MINUTES 23 SECONDS WEST 221.57 FEET; THENCE SOUTH 66 DEGREES 09 MINUTES 29 SECONDS WEST 38.77 FEET; THENCE SOUTH 32 DEGREES 50 MINUTES 08 SECONDS WEST 147.46; THENCE SOUTH 16 DEGREES 31 MINUTES 13 SECONDS WEST 73.88 FEET; THENCE SOUTH 83 DEGREES 24 MINUTES 49 SECONDS WEST 115.05 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 13 SECONDS WEST 164.00 FEET; THENCE NORTH 85 DEGREES 04 MINUTES 47 SECONDS WEST 70.18 FEET; THENCE SOUTH 09 DEGREES 54 MINUTES 13 SECONDS WEST 117.00 FEET; THENCE NORTHWESTERLY 14.35 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 567.00 FEET, THE CHORD OF SAID CURVE BEARS NORTH 79 DEGREES 22 MINUTES 18 SECONDS WEST 14.35 FEET; NORTH 78 DEGREES 38 MINUTES 48 SECONDS WEST 213.20 FEET; THENCE NORTHWESTERLY 16.07 FEET ON A CURVE TO THE LEFT HAVING A RADIUS OF 783.00 FEET, THE CHORD OF SAID CURVE BEARS NORTH 79 DEGREES 14 MINUTES 05 SECONDS WEST 16.07 FEET; THENCE NORTH 10 DEGREES 10 MINUTES 39 SECONDS EAST 54.20 FEET; THENCE NORTH 01 DEGREES 11 MINUTES 21 SECONDS WEST 51.00 FEET; THENCE NORTH 09 DEGREES 00 MINUTES 16 SECONDS EAST 51.48 FEET; THENCE NORTH 01 DEGREES 11 MINUTES 21 SECONDS WEST 102.00 FEET; THENCE NORTH 73 DEGREES 31 MINUTES 05 SECONDS EAST 166.14 FEET; THENCE NORTH 18 DEGREES 31 MINUTES 37 SECONDS WEST 474.66 FEET TO THE AFOREMENTIONED SOUTH RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD; THENCE SOUTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE, 494.47 ON A CURVE TO THE RIGHT HAVING A RADIUS OF 4,323.97 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 68 DEGREES 44 MINUTES 14 SECONDS EAST 494.20 FEET; THENCE NORTH 24 DEGREES 32 MINUTES 20 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 20.01 FEET; THENCE SOUTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE, 76.11 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 956.47 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 64 DEGREES 57 MINUTES 33 SECONDS EAST 76.09 FEET; THENCE SOUTH 64 DEGREES 27 MINUTES 27 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 995.94 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO EXCEPTING THAT PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID

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NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 22 MINUTES 27 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 50.02 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 48 MINUTES 31 SECONDS WEST ALONG THE NORTH LINE OF WEST BARTLETT ROAD, 917.25 FEET TO THE EASTERLY LINE OF ILLINOIS ROUTE 59 PER DOCUMENT NUMBERS 92087412 AND 92087416; THENCE NORTHEASTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE, 324.83 FEET ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2221.83 FEET, THE CHORD OF SAID CURVE BEARS NORTH 24 DEGREES 21 MINUTES 26 SECONDS EAST 324.54 FEET; THENCE NORTH 27 DEGREES 31 MINUTES 58 SECONDS EAST ALONG SAID EASTERLY RIGHT OF WAY LINE, 65.91 FEET TO THE SOUTH LINE OF A TRACT OF LAND CONVEYED PER DOCUMENT NO. 1333622060; THENCE SOUTH 64 DEGREES 31 MINUTES 43 SECONDS EAST ALONG SAID SOUTH LINE 273.89 FEET TO THE EAST LINE OF SAID TRACT; THENCE NORTH 25 DEGREES 28 MINUTES 17 SECONDS EAST ALONG SAID EAST LINE, 300.00 FEET TO THE NORTH LINE OF SAID TRACT; THENCE NORTH 64 DEGREES 31 MINUTES 43 SECONDS WEST ALONG SAID NORTH LINE, 263.09 FEET; TO THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE ILLINOIS ROUTE 59; THENCE NORTH 42 DEGREES 14 MINUTES 25 SECONDS EAST ALONG SAID EASTERLY RIGHT OF WAY LINE, 236.07 FEET; THENCE NORTH 28 DEGREES 32 MINUTES 19 SECONDS EAST ALONG SAID EASTERLY RIGHT OF WAY LINE, 88.95 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD; THENCE SOUTH 64 DEGREES 27 MINUTES 27 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 462.22 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 22 MINUTES 27 SECONDS WEST ALONG SAID EAST LINE, 654.85 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO EXCEPTING THAT PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF WEST BARTLETT ROAD WITH THE WEST RIGHT OF WAY LINE OF ILLINOIS ROUTE 59 PER DOCUMENT NO. 1734806066; THENCE SOUTH 88 DEGREES 48 MINUTES 31 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE, 237.47 FEET; THENCE NORTH 01 DEGREES 11 MINUTES 29 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE, 10.00 FEET; THENCE WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE, 398.64 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 6,385.00 FEET, THE CHORD OF SAID CURVE BEARS NORTH 89 DEGREES 24 MINUTES 09 SECONDS WEST 398.57 FEET; THENCE NORTHWESTERLY ALONG SAID NORTH RIGHT OF WAY LINE, 7.29 FEET ON A CURVE TO THE LEFT HAVING A RADIUS OF 6,525.00 FEET, THE CHORD OF SAID CURVE BEARS NORTH 87 DEGREES 40 MINUTES 05 SECONDS WEST 7.29 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 47 SECONDS WEST 390.73 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 13 SECONDS EAST 100.59 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 47 SECONDS EAST 117.00 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 13 SECONDS EAST 91.96 FEET; THENCE NORTH 72 DEGREES 23 MINUTES 02 SECONDS EAST 116.56 FEET; THENCE NORTH 56 DEGREES 53 MINUTES 04 SECONDS EAST 109.15 FEET; THENCE NORTH 41 DEGREES 18 MINUTES 46 SECONDS EAST 109.16 FEET; THENCE NORTH 25 DEGREES 54 MINUTES 09 SECONDS EAST 112.02 FEET; THENCE SOUTH 89 DEGREES 15 MINUTES 56 SECONDS EAST 73.20 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED PER DOCUMENT NO. 00029399; THENCE SOUTH 64 DEGREES 27 MINUTES 35 SECONDS EAST ALONG THE SOUTH LINE OF SAID TRACT, 294.26 FEET TO THE WEST RIGHT OF WAY LINE OF ILLINOIS ROUTE 59 PER DOCUMENT NO'S. 92087412, 92087414 AND 92087418; THENCE SOUTH 25 DEGREES 28

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MINUTES 17 SECONDS WEST ALONG SAID WEST RIGHT OF WAY LINE, 116.93 FEET TO THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF ILLINOIS ROUTE 59 PER DOCUMENT NO. 1734806066; THENCE NORTH 62 DEGREES 08 MINUTES 56 SECONDS WEST ALONG SAID WEST RIGHT OF WAY LINE, 17.14 FEET; THENCE SOUTHWESTERLY 366.31 FEET ON CURVE TO THE LEFT HAVING A RADIUS OF 2,377.50 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 23 DEGREES 26 MINUTES 17 SECONDS WEST 365.95 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

and further identified as parts of PINS: 06-33-101-001-0000
06-33-200-004-0000
06-33-201-014-0000

which property lies within the corporate limits of the Village of Bartlett, Illinois, was rezoned by Ordinance 2021-69, and was approved to be subdivided by the passage of Ordinance 2022-31, and is ALSO DESCRIBED AS FOR FUTURE SUBDIVISION PURPOSES upon the recording of the proposed Final Plat of Subdivision for the Grasslands Subdivision Phase 1 as approved by Ordinance 2021-69 as follows:

LOTS 1 THROUGH 196, 199 AND 200 INCLUSIVE OF THE GRASSLANDS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST $\frac{1}{4}$ AND THE EAST $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED _____, 2022 AS DOCUMENT NO. _____;

(alternatively referred to as the "Area", the "Territory", or the "Special Service Area") is hereby established.

SECTION THREE: That there may be levied in such years as the corporate authorities may hereafter determine to be appropriate, a direct annual tax not to exceed .04% per annum of the assessed value, as equalized, of all taxable property within the Special Service Area above described to pay the annual cost of providing the Ordinary Services for such Special Service Area after a determination by the Village President and Board of Trustees of the Village of Bartlett (the "Corporate Authorities") in its sole and absolute discretion that the Ordinary Services have not been adequately performed by (1) Forestar USA Real Estate Group, Inc., a Delaware corporation; (2) D. R. Horton, Inc.

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– Midwest, a California corporation; or (3) other developer of the Grasslands Subdivision Phase 1 (the “Developer”), or (4) (a) by the Grasslands Homeowners Association, (b) its successors and assigns, whether a limited liability company or an Illinois not-for-profit corporation, or (c) another master homeowner’s association with Development Area as defined in its Declaration that is subject to all or parts of the Area (the “HOA”).

SECTION FOUR: That there may be issued hereafter bonds in such amounts as the Corporate Authorities may hereafter determine to be appropriate, to pay the cost of cleaning and dredging the storm water detention and retention ponds and basins, lakes, drainage swales and/or replacing ditches and storm sewers, drain tile, pipes and other conduit, and appurtenant structures, and restoring wetland areas and/or naturalized detention basins and retention ponds areas which will serve the Special Service Area (the “Extraordinary Services”) in the amount of \$1,662,678.75, adjusted for increases or decreases in the cost of construction from January 1, 2022 based on changes in the construction cost index published monthly in the Engineering News Record, or, if that index ceases to be published, based on such other published construction cost index as is then generally recognized, or, if no such generally recognized construction cost index is then published, based on changes in the Consumer Price Index published by the U.S. Department of Labor, or, if that index ceases to be published, the amount of the bonds that may be issued shall be increased at the rate of 4% per annum from January 1, 2022. In no event shall the amount of such bonds exceed \$6,651,075. Such bonds shall only be issued in the event that (1) the Corporate Authorities determine, in its sole and absolute discretion, that the Extraordinary Services are necessary to be performed; and (2) the Developer and the HOA, and their respective successor in interest (if any), have failed to perform the Extraordinary Services within

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ninety (90) days after having been served with a written demand to complete the Extraordinary Services without regard to whether the Developer, its successor in interest (if any), and the HOA, its successor in interest (if any), or any of them, is or are legally obligated to perform the Extraordinary Services. Notice shall be sufficient if mailed by certified mail, return receipt requested, or delivered by overnight courier to the address of the registered agent or address then on file for the entity with the office of the Secretary of State of the state in which the applicable entity is incorporated or organized, and the obligation to provide said notice shall be waived as to any party that is legally dissolved. Such bonds, if issued, shall be retired by the levy of a direct annual tax sufficient to pay the principal and interest thereon, said tax to be levied upon all the taxable property within the Special Service Area for said period of not to exceed 20 years and to be unlimited as to rate or amount and in addition to all other taxes permitted by law.

SECTION FIVE: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION SIX: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SEVEN: EFFECTIVE DATE. This Ordinance shall be in full force and effect ten days after its passage and approval.

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ROLL CALL VOTE:

AYES: Trustees Deyne, Gandsey, Gunsteen, Hopkins, Suwanski

NAYS: None

ABSENT: None

PASSED: September 6, 2022

APPROVED: September 6, 2022

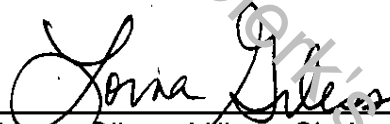

Kevin Wallace, Village President

ATTEST:


Lorna Gilles, Village Clerk

CERTIFICATION

I, Lorna Gilles, do hereby certify that I am the Village Clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 2022-76 enacted on September 5, 2022 and approved on September 6, 2022 as the same appears from the official records of the Village of Bartlett.


Lorna Gilles, Village Clerk

