

STATE OF ILLINOIS        )  
  ) ss.  
COUNTY OF KENDALL    )

July 21, 2009

ORDINANCE NO. 2009-22

**ENABLING ORDINANCE TO CREATE SPECIAL SERVICE AREA 2009-22 FOR  
WILLIAM J. STEPAN AND BONNIE J. STEPAN  
(LOTUS RIDGE ESTATES SUBDIVISION)**

NOW COMES, WILLIAM J. STEPAN AND BONNIE J. STEPAN , the Owners of 100% and Developers of LOTUS RIDGE ESTATES SUBDIVISION and the COUNTY OF KENDALL herein after referred to as COUNTY who agree to create a Back-Up Special Service area upon the following terms and conditions:

WHEREAS, WILLIAM J. STEPAN AND BONNIE J. STEPAN wish to provide additional security to the COUNTY OF KENDALL for purposes of guaranteeing unique and special maintenance services to the Lotus Ridge Estates; and

WHEREAS, the owners of 100% of the subject real property hereinafter described in the attached Exhibit "A" have entered into a Declaration of Covenants and Restrictions for Lotus Ridge Estates Subdivision Lot Owners Association dated July 21, 2009 including but not limited to the repair and maintenance of common signage, open space, private road, and administrative expenses for said Development; and

WHEREAS, the Declaration of Covenants and Restrictions of record dated

7/21/09 have provided a primary duty with the Lot Owners Association of the Lotus Ridge Estates Subdivision to have maintenance and repair responsibility for the above specified purposes; and

WHEREAS, the COUNTY is desirous of providing a back-up mechanism providing for the payment of any cost of maintenance and repair of the above-described purposes to the Lotus Ridge Estates Subdivision and if the Lot Owners Association of the Lotus Ridge Estates Subdivision does not satisfactorily, in the opinion of the COUNTY OF KENDALL, maintain and repair those items above listed up to a safe and functional standard for the Lot Owners of said Lotus Ridge Estates Subdivision that a mechanism be established in order to provide that services are provided, which shall not become a tax burden on the general citizenry of the COUNTY OF KENDALL; and

WHEREAS, pursuant to 35 ILCS 200\27-5 (2002) et. seq. provides for the creation of Special Tax Service Areas for the provision of governmental service responsibility to be assessed to a given area to finance those maintenance and improvements to the specifically designated area, providing unique and special services contained in said Service Area; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL AS FOLLOWS:

#### SECTION I

That a Special Service Area is created for tax purposes in the Lotus Ridge Estates Subdivision covering all platted lots within said SUBDIVISION, known as Lotus Ridge Estates.

That the area designated for coverage by said Special Service Area is as set out in the attached Exhibit "A" to this Ordinance.

#### SECTION II

That said Special Service Area is being created as a secondary source of financing to provide

for any maintenance and repair of common signage, open space areas and private roads not carried out by the Lotus Ridge Estates Lot Owners Association, as well as the associated administrative expenses incurred by the County.

SECTION III

That prior to the imposition of any levy of taxes pursuant to an act creating a Special Service Area Tax Act, 35 ILCS 200\27-5 (2002) et seq., a hearing shall be held in accordance with said Statute providing for the amount of taxes to be levied, the purposes for which said taxes are levied, and the necessity of levying said tax against the Lotus Ridge Estates Subdivision only in the event that the Lot Owners Association of said Subdivision does not maintain the above specified improvements in a safe and useable manner.

SECTION IV

That any tax so levied shall be levied based on the assessed value of each of the taxable units located within said Subdivision. Notification of said levy shall be given in accordance with said Statute above cited in conformance with Illinois Compiled Statutes as to each individual dwelling unit owner on any platted lot in said Subdivision.

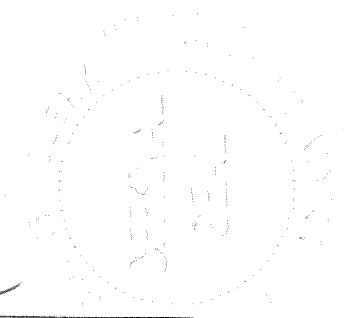
SECTION V

The COUNTY OF KENDALL shall have power to issue Bonds pursuant for said Special Service Area Tax Act to complete said work and to levy repayment on an annual real estate tax bill basis against each Lot within the Lotus Ridge Estates Subdivision.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.

PASSED by the County Board of the County of Kendall, Illinois, this 21<sup>st</sup> day of

July, A.D. 2009.

  
Debra Gillette  
COUNTY CLERK

APPROVED by me, as County Board Chairman of Kendall County, Illinois, this 21<sup>st</sup> day  
of July, A.D. 2009.

Anne Veckung  
CHAIRMAN