

STATE OF ILLINOIS)
) SS.
COUNTY OF KENDALL)

July 21, 2009

ORDINANCE 2009- 23

**AN ORDINANCE ESTABLISHING A BACK-UP SPECIAL
TAX SERVICE AREA NUMBER 2009-23 FOR
LOTUS RIDGE ESTATES SUBDIVISION**

BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL,
ILLINOIS, AS FOLLOWS:

SECTION 1: Authority to Establish Special Service Area.

Special Service Areas are established pursuant to Article VII, Section 7, of the Constitution of the State of Illinois, in force July 1, 1971, which provides:

"Counties and municipalities which are not home-rule units shall have only powers granted to them by law and the powers...(6) 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 an Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home-rule units and non-home-rule municipalities and counties and pursuant to the Revenue Act of 1939.

SECTION 2: Findings.

A. The question of the establishment of the Special Tax Service Area hereinafter

described as a Special Tax Service Area is considered by the County Board pursuant to an Ordinance entitled Enabling Ordinance to Create Special Service Area 2009- 23 for Lotus Ridge Estates Subdivision, in the Township of Bristol, Kendall County, Illinois and pursuant to a waiver and consent to the imposition of a Special Tax Service Area executed by the owner of 100% interest in said subdivision, without the necessity of any public hearing, or period for objection pursuant to 35 ILCS 200/27-5 (2002).

B. The special tax shall be levied and shall be assessed as follows on all of the real property included in the special service area:

A maximum rate of (percent of assessed valuation), not to exceed \$.50 per \$100.00 of equalized assessed valuation. Said assessments may be made at any time by County Ordinance for an indefinite period of time; or for a time determined in said Ordinance after all required public hearings. At the hearing, all persons affected will be given an opportunity to be heard. The assessment made at said hearing will only be for the purpose of accomplishing extraordinary and unique repairs and maintenance of private roads and other common area improvements as set out above in said subdivision. It is necessary to provide a back-up method to insure that signage, open space, and private road maintenance responsibilities of the Lotus Ridge Estates Lot Owners Association within the Common Areas (Lot 5 and Outlots A) of the Lotus Ridge Estates Subdivision, as indicated on the Final Plat of the Lotus Ridge Estates Subdivision, to provide to the County of Kendall a source of funding in the event said Lot Owners Association fails to maintain and repair said facilities in a safe and useable condition as is determined by the County Board of the County of Kendall. The County of Kendall shall further be reimbursed for any administrative costs incurred if any assessment is necessary to be made. This program is necessary for public safety and is in the

best interest of maintaining real property values within the Lotus Ridge Estates Subdivision as described in the attached Exhibit "A".

C. Prior to the assessments being made for any part of the work done listed above, the County of Kendall shall give the persons affected advance notice of a Public Hearing as per Illinois Compiled Statutes governing Special Tax Service Areas to be held so that input may be had as to said assessment

SECTION 3: This Special Tax Services Area shall run for an indefinite period of time.

SECTION 4: All Ordinances or parts of Ordinances in conflict with these provisions are repealed.

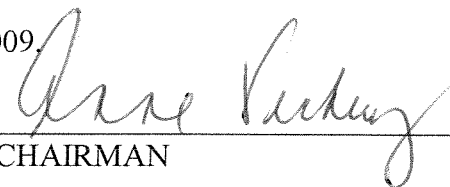
SECTION 5: This Ordinance shall become effective from and after its passage.

PASSED by the County Board of Kendall County, Illinois, this 21st day of July, A.D. 2009.



COUNTY CLERK

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



CHAIRMAN

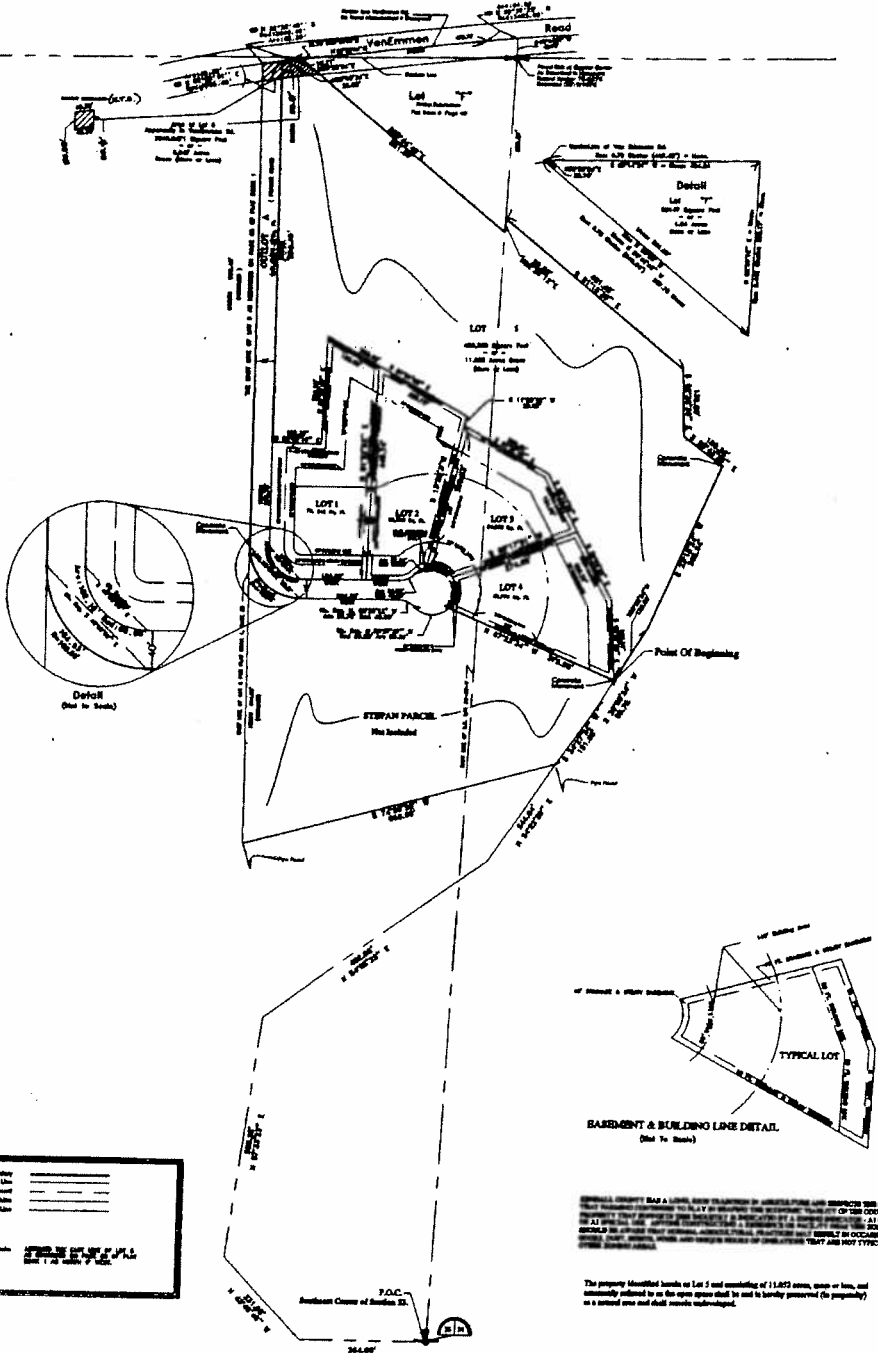
EXHIBIT A

Legal Description for Lotus Ridge

Being a subdivision of part of the east half of Section 33 and part of the southwest quarter of section 34, township 37 north, range 7, east of the third principal meridian in Kendall County, Illinois.

PLAT OF SUBDIVISION FOR LOTUS RIDGE ESTATES

BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 33 AND PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN IN KENDALL COUNTY, ILLINOIS.



Surveyor	_____
Building Line	_____
Survey Date	_____
Scale	_____
County	_____
City	_____
State	_____

THE PROPERTY IDENTIFIED HEREIN IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE CONSIDERED AS A WARRANTY OF TITLE OR A GUARANTEE OF ACCURACY. THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE SURVEY AND NOT TO THE MERCHANTABILITY OF THE PROPERTY. THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE SURVEY AND NOT TO THE MERCHANTABILITY OF THE PROPERTY.

The property identified herein as Lot 2 and consisting of 1.825 acres, more or less, and adjacent thereto is an open space that is not to be surveyed (for property) as a natural area and shall remain undisturbed.

SIEBERT ENGINEERS, INC.

Professional Engineer
No. 00123456
State of Illinois
1234 East Main Street
Springfield, IL 62761
Phone: (618) 123-4567
Fax: (618) 123-4568
www.siebert-engineers.com

No.	Description	Date
1	Original Survey	2009
2	Revised Survey	2010
3	Revised Survey	2011
4	Revised Survey	2012
5	Revised Survey	2013
6	Revised Survey	2014

WILLIAM J. STEPHAN
 FOUR LOTUS RIDGE
 Yorkville, Illinois 60560

LOTUS RIDGE ESTATES
 SUBDIVISION

2011	P
6/2/2011	
1" = 80'	1 of 2