

STATE OF ILLINOIS)
) SS.
COUNTY OF KENDALL)

ORDINANCE 2007- 44

**AN ORDINANCE ESTABLISHING A BACK-UP SPECIAL
TAX SERVICE AREA NUMBER 2007-____ FOR
MATLOCK 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 2007- ____ for Matlock Subdivision, in the Township of Fox, 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 (2004).

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 as set out above in said subdivision. It is necessary to provide a back-up method to insure that monuments, signage, and landscaping, stormwater facilities, and all related maintenance responsibilities of the Matlock Subdivision Homeowners Association within the common areas of the Matlock Subdivision, as well as any other common areas designated in the Declaration of Covenants and Restrictions dated _____ and Final Plats of the Matlock Subdivision, to provide to the County of Kendall a source of funding in the event said Homeowners 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 Matlock 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 may 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 18 day of Sept., A.D. 2007.



COUNTY CLERK

APPROVED by me, as Chairman of the County Board of Kendall County, Illinois, this 18th day of Sept., A.D. 2007.



CHAIRMAN

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