

STATE OF ILLINOIS)
) ss.
COUNTY OF KENDALL)

Revised July 20, 2005
 July 26, 2005
 January 18, 2006

ORDINANCE NO. 2006- 07

**ENABLING ORDINANCE TO CREATE SPECIAL SERVICE AREA 2006- 07 FOR
LEGACY FARM, LLC**

NOW COMES, LEGACY FARM, LLC, an Illinois Limited Liability Corporation, the Owner of 100% and Developer of EQUESTRIAN ESTATES AT LEGACY FARM 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, LEGACY FARM, LLC wishes to provide additional security to the COUNTY OF KENDALL for purposes of guaranteeing unique and special maintenance services to the Equestrian Estates at Legacy Farm Subdivision; 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 Equestrian Estates at Legacy Farm Subdivision Homeowners Association dated including but not limited to the repair and maintenance of subdivision monuments, signage, landscaping, other common area maintenance responsibilities, stormwater facilities, maintenance of any trailways or private roads within said subdivision, and administrative expenses for said

Development; and

WHEREAS, the Declaration of Covenants and Restrictions of record dated _____ have provided a primary duty with the Homeowners Association of the Equestrian Estates at Legacy Farm 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 as well as any common elements, any trailways or private roads within said subdivision, and subdivision entrance monumentation and signage to the Equestrian Estates at Legacy Farm Subdivision and if the Homeowners Association of the Equestrian Estates at Legacy Farm Subdivision does not satisfactorily, in the opinion of the COUNTY OF KENDALL, maintain those items above listed up to a safe and useable standard for the residents of said Equestrian Estates at Legacy Farm 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 Equestrian Estates at Legacy

Farm Subdivision covering all platted lots within said SUBDIVISION, known as Equestrian Estates at Legacy Farm Subdivision.

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 landscaping, any trailways or private roads within said subdivision, subdivision entrance monumentation, detention facilities, and signage within common areas and trailways not carried out by the Equestrian Estates at Legacy Farm Subdivision Homeowners 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 Equestrian Estates at Legacy Farm Subdivision only in the event that the Homeowners Association of said Subdivision does not maintain the above specified improvements, any trailways or private roads within said subdivision, subdivision entrance monumentation, detention facilities, and signage of said Subdivision 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 dwelling unit within the Equestrian Estates at Legacy Farm 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 day of February, A.D. 2006.


COUNTY CLERK

APPROVED by me, as County Board Chairman of Kendall County, Illinois, this 21 day of February, A.D. 2006.


CHAIRMAN

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