

STATE OF ILLINOIS)
) SS.
COUNTY OF KENDALL)

ORDINANCE 2005- 50

**AN ORDINANCE ESTABLISHING A BACK-UP SPECIAL
TAX SERVICE AREA NUMBER 2005-____ FOR
HENNEBERRY WOODS 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 2005-____ for Henneberry Woods Subdivision, in the Township of Kendall, 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 as set out above in said subdivision. It is necessary to provide a back-up method to insure that monuments, signage, and landscaping, maintenance of trailways, for maintenance and repair of stormwater facilities within areas being conveyed to Oswegoland Park District and all related maintenance responsibilities of the Henneberry Woods Subdivision Homeowners Association within the common areas and trailways of the Henneberry Woods Subdivision, as well as any other common areas designated in the Declaration of Covenants and Restrictions dated 8-15-2005 and Final Plats of the Henneberry Woods 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 Henneberry Woods 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.

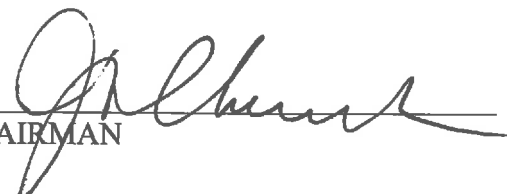
SECTION 4: All Ordinances or parts of Ordinances in conflict with these provisions are repealed.

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

PASSED by the County Board of Kendall County, Illinois, this 20th day of SEPTEMBER, A.D. 2005.


COUNTY CLERK

APPROVED by me, as Chairman of the County Board of Kendall County, Illinois, this 20th day of SEPTEMBER, A.D. 2005.


CHAIRMAN

Prepared by:
Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630.553.9500

LEGAL DESCRIPTION

Parcel One – Henneberry Parcel

06-05-300-001

06-05-400-001

06-06-400-001

part of 06-06-400-001

06-07-200-001

THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE CENTER LINE OF GROVE ROAD, IN KENDALL COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE WAISH-KEE-SHAW RESERVATION; THENCE NORTHERLY, ALONG THE EAST LINE OF THE WAISH-KEE-SHAW RESERVATION, 1737.98 FEET TO ITS POINT OF INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, FOR A POINT OF BEGINNING; THENCE NORTHERLY, ALONG SAID EAST LINE 111.84 FEET TO AN EXISTING FENCE; THENCE EASTERLY, ALONG SAID EXISTING FENCE LINE, WHICH FORMS AN ANGLE OF 89 DEGREES 36 MINUTES 07 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE, THEREFROM, 2324.21 FEET, TO THE CENTERLINE OF GROVE ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, 51.80 FEET, TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE WESTERLY ALONG SAID NORTH LINE, 2296.96 FEET, TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

AND

THAT PART OF THE WAISH-KEE-SHAW RESERVATION IN SECTIONS 5, 6, 7 AND 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID RESERVATION; THENCE NORTH, ALONG THE EAST LINE THEREOF 49.38 CHAINS, TO THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION; THENCE WEST, ALONG SAID NORTH LINE 87.98 CHAINS, TO A POINT 10 CHAINS EAST OF THE WEST LINE OF SAID RESERVATION; THENCE SOUTH, PARALLEL WITH THE WEST LINE OF SAID RESERVATION, 18.653 CHAINS; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION, 10 CHAINS; THENCE SOUTH, ALONG SAID WEST LINE 23.907 CHAINS; THENCE EAST, PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION, 31.497 CHAINS; THENCE SOUTH, PARALLEL WITH THE WEST LINE OF SAID RESERVATION, 6.33 CHAINS, TO THE SOUTH LINE OF SAID RESERVATION; THENCE EAST, ALONG THE SOUTH LINE OF SAID RESERVATION, TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

EXHIBIT "A"

AND
LOTS 1, 2, 3, 12, 13 AND 14, IN TOWNSENDS' SUBDIVISION OF THE NORTH HALF OF
FRACTIONAL SECTION 7, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY,
ILLINOIS.

LEGAL DESCRIPTION

06-05-400-004

06-08-200-001

THAT PART OF THE SOUTH HALF OF SECTION 5 AND PART OF THE NORTHEAST
QUARTER OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD
PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE
SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY,
ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 479.16 FEET, TO THE
CENTER LINE OF GROVE ROAD, FOR A POINT OF BEGINNING; THENCE
NORTHERLY, ALONG SAID WEST LINE 1738.67 FEET, TO THE SOUTH LINE OF THE
FORMER WAISH-KEE-SHAW RESERVATION; THENCE EASTERLY, ALONG SAID
SOUTH LINE, 137.70 FEET, TO THE SOUTHEAST CORNER THEREOF; THENCE
NORTHERLY, ALONG THE EAST LINE OF SAID RESERVATION 691.68 FEET; THENCE
EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF $81^{\circ}-25'-00''$, WITH THE
LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM,
435.60 FEET; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF $11^{\circ}-51'-$
 $00''$, WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE
THEREFROM, 854.0 FEET; THENCE WESTERLY, AT RIGHT ANGLES TO THE LAST
DESCRIBED COURSE, 25.0 FEET; THENCE SOUTHERLY, PARALLEL WITH THE SAID
WEST LINE, 713.98 FEET, TO THE CENTER LINE OF GROVE ROAD; THENCE
SOUTHWESTERLY, ALONG SAID CENTER LINE, 904.60 FEET, TO THE POINT OF
BEGINNING IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.



SCALE: 1" = 300'



INTECH CONSULTANTS, INC. 6415 WALNUT AVE. DOWNERS GROVE, IL. <small>INCORPORATED IN THE STATE OF ILLINOIS</small>	ENGINEERS SURVEYORS	HENNEBERRY WEST, L.L.C. 300 EAST 5TH AVENUE, STE. 430 NAPERVILLE, ILLINOIS 60563	HENNEBERRY WOODS SUBDIVISION KENDALL COUNTY, ILLINOIS	EXHIBIT	DATE:	REVISION:	DRAWN BY:	CHECKED BY:	SCALE:	SHEET NO.	OF
					3-14-05	2001-036	LGG	17	1" = 300'	1	1