

Item #6:
Ordinance Proposing Amendments To IL 83 SSA

VILLAGE OF LONG GROVE

ORDINANCE NO. 2010-O-__

**AN ORDINANCE PROPOSING AMENDMENTS TO VILLAGE OF
LONG GROVE ORDINANCE NO. 2008-O-15 ESTABLISHING
VILLAGE OF LONG GROVE SPECIAL SERVICE AREA
FOR DEVELOPING A DEEP WELL WATER SUPPLY SYSTEM TO SERVE
VARIOUS PROPERTIES LOCATED WITHIN PORTIONS OF
THE B1-A PLANNING AREA (IL ROUTE 83 & IL ROUTE 53)**

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this ____ day of _____, 2010

Published in pamphlet form by direction
and authority of the Village of Long Grove,
Lake County, Illinois
this ____ day of _____, 2010

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WHEREAS, the Village of Long Grove (the "**Village**") is an Illinois municipal corporation that is authorized to establish special service areas for the purpose of providing special services to designated areas within its boundaries pursuant to Article VII, Section 6 of the Illinois Constitution and 35 ILCS 200/27-5 *et seq.* ("**SSA Law**"); and

WHEREAS, on July 8, 2008, the Board of Trustees of the Village (the "**Village Board**") adopted Ordinance No. 2008-O-15 (the "**Establishing Ordinance**"), which established a special service area (the "**Water SSA**") pursuant to the Special Service Area Tax Law, 35 ILCS 200/27-5 *et seq.*, for the construction of, and service from, a deep-well water system (the "**Special Services**"); and

WHEREAS, the Village Board has approved an initial levy of special taxes for the Water SSA pursuant to the special tax roll set forth in the Establishing Ordinance (the "**Initial Taxes**"); and

WHEREAS, certain properties within the Water SSA have failed to pay the Initial Taxes of the Water SSA; and

WHEREAS, although the Village Board has directed that the unpaid Initial Taxes be the subject of a foreclosure action, the Village Board desires to reduce the costs and inconveniences arising from such foreclosure actions by amending the special tax roll of the Water SSA pursuant to Section 27-75 of the SSA Law; and

WHEREAS, the Village Board has determined that it is in the best interest of the residents and the Village, as well as the owners of properties within the Water SSA, to conduct a public hearing pursuant to Section 27-35 of the SSA Law to consider the amendment to the special tax roll of the Water SSA and to establish special terms for properties within the Water SSA that have failed to pay the Initial Taxes (the "***Delinquent Parcels***") to receive the Special Services;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, AND STATE OF ILLINOIS, as follows:

SECTION ONE. **Recitals.** The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

SECTION TWO. **Proposal.**

Pursuant to Section 27-20 of the SSA Law, the Village Board hereby proposes the consideration of amending the special tax roll for the Water SSA and to establish special terms and conditions for the Delinquent Parcels to receive the Special Services.

SECTION THREE. **Public Hearing.**

(a) **In General.** Pursuant to Section 27-35 of the SSA Law, a public hearing shall be held on the 26th day of October 2010, at 7:00 p.m., in the Board Room of the Long Grove Village Hall, 3110 Old McHenry Road, Long Grove, Illinois, to consider amendments to the special tax roll of the Water SSA. At the hearing, the Village will consider the removal of the Delinquent Parcels from the special tax roll of the Water SSA with respect to the payment of future SSA Taxes and the provision of special terms and conditions for the Delinquent Parcels to receive the Special Services.

(b) Special Tax Roll. The special tax roll for the Water SSA will be amended by deferring the levy of SSA Taxes upon the Delinquent Parcels, but not releasing the Delinquent Parcels from the obligation to pay the maximum amount of SSA Taxes pursuant to the special tax roll under the Establishing Ordinance. In addition, the Village Board will consider terms and conditions that the Delinquent parcels will be required to satisfy in order to receive the Special Services, including (i) the payment of the full amount due for the allocated SSA Taxes for the Delinquent Parcels prior to accessing the Special Services, (ii) the payment of any costs, interests, and penalties that may be due on any unpaid SSA Taxes for the Delinquent Parcels prior to accessing the Special Services, (iii) the payment of connection fees associated with the receipt of water from the water system to be developed in connection with the Water SSA, and (iv) such other reasonable terms and conditions that the Village Board determines are necessary, desirable, or appropriate.

SECTION FOUR. Notice of Hearing. Pursuant to the SSA Law, notice of the public hearing will published at least 15 days prior to the date scheduled for the commencement of the public hearing in the *Daily Herald*, a newspaper of general circulation within the Village ("**Notice**"). In addition, notice by public mailing in the United States mail will be given not less than 10 days prior to the time set for public hearing in the manner required by the SSA Law. The Village Board hereby authorizes the Village Attorney to prepare such notices consistent with this Ordinance.

SECTION FIVE. Objections. If a petition signed by at least 51 percent of the electors residing within the Water SSA and at least 51 percent of the owners of record of property within the Water SSA, is filed with the Village Clerk within sixty days following the adjournment of the public hearing, objecting to the amendments herein contemplated, then amendments shall not be enacted.

SECTION SIX. Effective Date. This Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED this ____day of _____, 2010.

AYES: ()

NAYS: ()

ABSENT: ()

APPROVED this ____day of _____, 2010.

Village President

ATTEST:

Village Clerk

9792160_v1

EXHIBIT 1

LEGAL DESCRIPTION OF PROPOSED SPECIAL SERVICE AREA

Beginning at a point being the southwest corner of the parcel identified as PIN No. 15-30-200-002 in the NE 1/4 of the NE 1/4 of Section 30, Township 43 North, Range 11 East of the 3d P.M. in Lake County, Illinois; thence easterly to the southeast corner of said parcel; thence northerly to the intersection of the northeast corner of said parcel and the southerly right-of-way line of Aptakisic Road; thence westerly along the southerly right-of-way line of Aptakisic Road to its intersection with the easterly right-of-way line of Illinois Route 83; thence southerly along the easterly right-of-way line of Illinois Route 83 to its intersection with the southerly right-of-way line of Robert Parker Coffin Road extended easterly; thence westerly along southerly right-of-way line of Robert Parker Coffin Road so extended to its intersection with the westerly right-of-way line of Illinois Route 83; thence southerly along the westerly right-of-way line of Illinois Route 83 to its intersection with the northeasterly corner of the parcel identified as PIN No. 15-30-205-019 located in the NE 1/4 of said Section 30; thence westerly to the northwesterly corner of said parcel; thence southerly along the westerly border of said parcel to the northerly right-of-way line of Old McHenry Road/Hicks Road; thence easterly along said right-of-way line to its intersection with the easterly right-of-way line of Illinois Route 83 and the southerly line of the parcel identified as PIN No. 15-30-200-027 located in the NE 1/4 of said Section 30; thence easterly along the southerly line of said parcel to its southeasterly corner; thence northerly along the east line extended of said parcel to the point of beginning; all in the NE 1/4 of Section 30, Township 43 North, Range 11 East of the 3d P.M. in Lake County, Illinois.

PIN Nos. 15-30-200-002
 15-30-200-030
 15-30-200-031
 15-30-200-032
 15-30-200-036
 15-30-200-022
 15-30-200-024
 15-30-200-027
 15-30-205-019

EXHIBIT 2

MAP OF PROPOSED SPECIAL SERVICE AREA

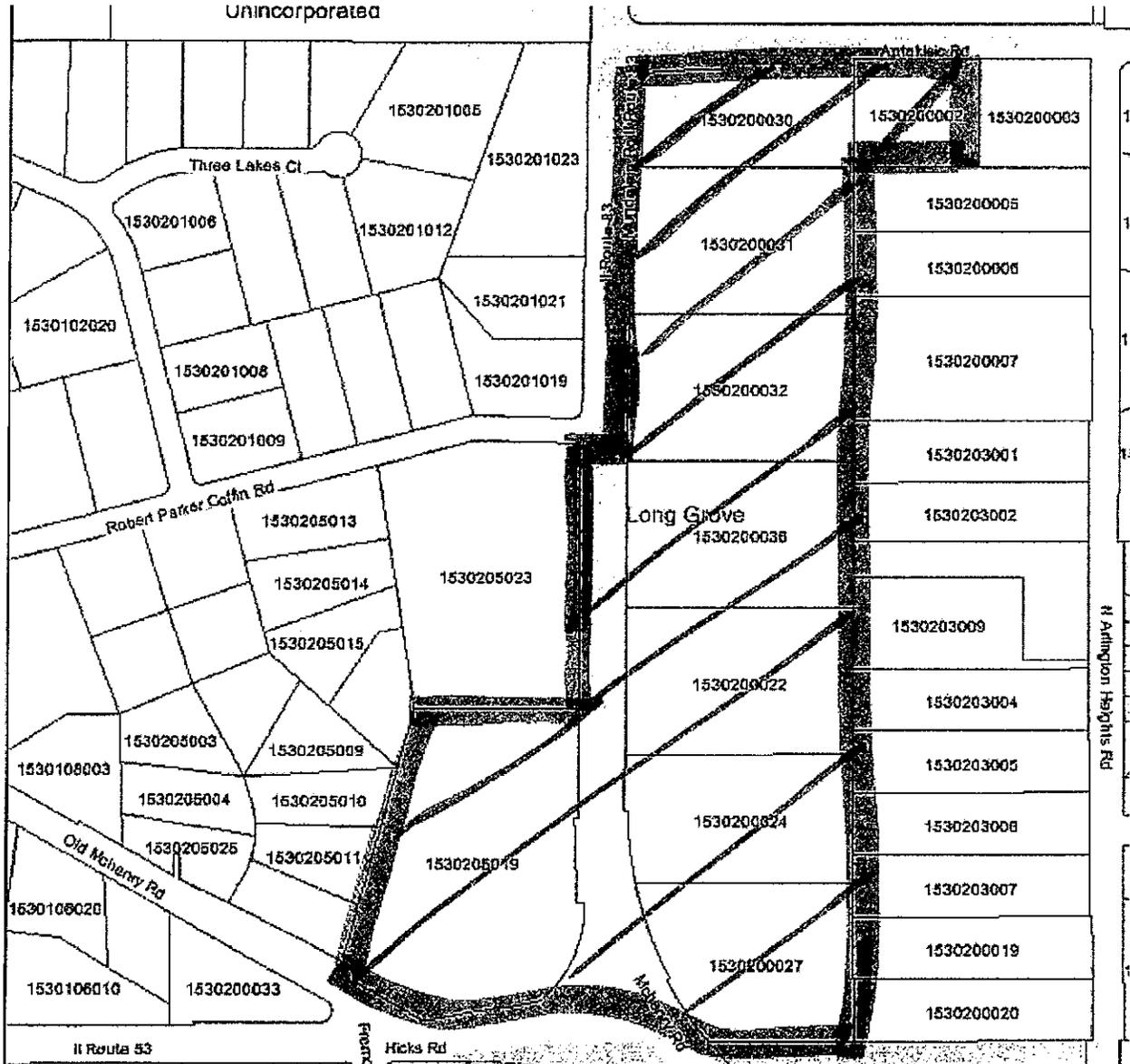


EXHIBIT 3

SPECIAL TAX ROLL ALTERNATIVE METHOD [PER §4(d)(iii)]

**WATER SYSTEM COST ALLOCATION ANALYSIS
VARIOUS PROPERTIES ALONG RTE 83
18-Dec-07**

PROPERTY	PROPERTY AREA (Acres)	GROSS BUILDING AREA (Sq.-ft.)	Fire Flow Requirement			Water Supply and Treatment			TOTAL COST ALLOCATION	
			LARGEST BUILDING (Sq.-ft.)	CONSTRUCTION TYPE (ICC Code)	NEEDED FIRE FLOW (NFF) (gpm)	NFF AS % OF TOTAL	AVERAGE DAILY WATER USE (gallons)	MAX DAILY WATER USE (gallons)		WATER USE % OF TOTAL
Mid-America	16.46	112,000	49,371	IIB	1,187	30.16%	12,828	19,242	32.95%	32.03%
Glazer	5.7	39,000	14,350	IIB	625	15.88%	3,900	6,860	10.02%	11.95%
Promenade	9.72	85,000	41,500	IIB	1,062	26.98%	10,200	15,300	28.20%	26.46%
Bluebird	15.02	120,000	40,000	IIB	1,062	26.88%	12,000	18,000	30.83%	29.56%
TOTAL	49.9	356,000	---	---	3,936	100.00%	35,928	59,392	100.00%	100.00%

Notes:

1. Total Cost Allocation is based on 1/3 of cost due to fire protection needs and 2/3 of cost due to water supply and treatment
2. Average Daily Water Use based on 0.035gpa/sf for retail uses, 0.13gpa/sf Sunset Foods (User supplied), 0.25gpa/sf Restaurant, 0.10gpa/sf Office, 0.12 Medical Office.
3. Construction Type assumed to be non-combustible construction
4. Needed Fire Flow based on International Fire Code Table B105.1 with a 75% reduction due to sprinkler system.
5. Property Area based on Lake County Tax Maps.