

**AN ORDINANCE PROPOSING THE
ENLARGEMENT OF THE NORTHEAST
LAKE FPA SPECIAL SERVICE AREA
AND PROVIDING FOR A PUBLIC HEARING
AND OTHER PROCEDURES IN CONNECTION THEREWITH
(White Tower Farm Property)**

WHEREAS, the County Board of Lake County, State of Illinois (the "County Board"), has created Lake County Special Service Area No. 9, being the Northeast Lake Facilities Planning Area Special Service Area (the "NEFPA SSA"), to provide special sanitary sewerage services pursuant to Section 7(6) of Article VII of the Illinois Constitution of 1970; Section 5-15010 of the Counties Code, 55 ILCS 5/1-1001 et seq.; the provisions of 35 ILCS 200/27-5 et seq. (the "Special Service Area Act"); and the Lake County Ordinance approved on December 2, 1994, entitled "An Ordinance Establishing the Northeast Lake FPA Special Service Area" (the "Establishing Ordinance"); and

WHEREAS, the record and/or beneficial owner (the "Applicant") of the real property legally described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof (the "Annexation Tract"), has requested that the Annexation Tract be annexed to the NEFPA SSA in order to receive sanitary sewer service from Lake County; and

WHEREAS, the Annexation Tract lies within unincorporated Lake County, is contiguous to the territory of the NEFPA SSA, and has an equalized assessed valuation ("EAV") that is less than 5% of the EAV of the existing territory within the NEFPA SSA; and

WHEREAS, in response to Applicant's request, the County Board has determined that it is necessary to conduct a public hearing pursuant to 35 ILCS 200/27-5 et seq. to consider the enlargement of the NEFPA SSA by the annexation of the Annexation Tract for the purpose of providing sanitary sewer services therein; and

WHEREAS, in furtherance of the Applicant's request and the Special Service Area Act, a public notice shall be both published and mailed to the Applicant and the last taxpayers of record for the Annexation Tract regarding such public hearing on the requested annexation to the NEFPA SSA;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF LAKE COUNTY, ILLINOIS, as follows:

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

SECTION TWO: Enlargement of the NEFPA SSA. In response to Applicant's request for annexation of the Annexation Tract to the NEFPA SSA, the County Board hereby proposes the enlargement of NEFPA SSA by annexation of the Annexation Tract.

SECTION THREE: Public Hearing. Pursuant to 35 ILCS 200/27-5 et seq., a public hearing shall be held at 9:00 a.m. on October 10, 2006 at the County Board Room, Lake County Building, 10th Floor, Waukegan, Illinois to consider enlarging NEFPA SSA by the annexation of the Annexation Tract.

SECTION FOUR: Notice of Hearing. Pursuant to the Special Service Area Act, the County Board hereby directs that a notice of such public hearing be published in the Waukegan News-Sun, a newspaper of general circulation within the County of Lake (the "Notice"). Such Notice shall be published at least 15 days prior to the date scheduled for the commencement of the public hearing. In addition, the County Board directs that the Notice be sent via the United States mail not less than 10 days prior to the time set for public hearing, addressed to the Applicant and the person or persons in whose name the general taxes for each parcel within the Annexation Tract were paid during the last preceding year. In the event taxes for the last preceding year were not paid, said notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. The Notice shall be in substantially the following form:

NOTICE OF HEARING
COUNTY OF LAKE
ENLARGEMENT OF NORTHEAST
LAKE FPA SPECIAL SERVICE AREA

Notice is hereby given that on October 10, 2006 at 9:00 a.m. at the Lake County Board Room, Lake County Building, 10th Floor, 18 N. County Street, Waukegan, Illinois, a hearing will be held by the County Board of Lake County, Illinois, to consider the enlargement of the Northeast Lake FPA Special Service Area (the "NEFPA SSA") by the annexation of the following described territory:

[INSERT EXHIBIT A]

Which parcels being referred to as P.I.N.s 02-11-300-005, and 02-11-400-005 all in Lake County, Illinois (the "Annexation Tract"). The Annexation Tract is located on the west side of U.S. Route 45 approximately two-thirds mile north of Illinois Route 173, Antioch, Illinois.

The purpose of the public hearing is to consider enlarging the NEFPA SSA to provide special services in the nature of sanitary sewer service to the Annexation Tract.

Pursuant to Subsection 6.D of an "Ordinance Establishing the Northeast Lake FPA Special Service Area" (the "Establishing Ordinance"), newly annexed tracts or parcels shall be assigned a zero share of the Special Tax Rolls, (as defined in Section 5 of the Establishing Ordinance), and the addition of such newly annexed tracts or parcels to the NEFPA SSA shall not reduce the amount of SSA Taxes to be levied and extended against the Original SSA Tracts (as defined in Section 5 of the Establishing Ordinance). The Annexation Tract will, however, be subject to the payment of an annexation fee and other costs pursuant to Section 11.A of the Establishing Ordinance.

All interested persons owning taxable property located within the NEFPA SSA affected by the proposed annexation of the Annexation Tract to the NEFPA SSA will be given an opportunity to be heard, and to file objections, regarding the annexation of such area to the NEFPA SSA, and the NEFPA SSA's boundaries, as enlarged, and the taxes to be levied upon the Annexation Tract. Those persons wishing to be heard at the hearing should contact the Lake County Administrator's Office, 18 N. County Street, Waukegan, Illinois 60085 (847-377-2250), to schedule such presentations. Those persons unable to attend the hearing may file written presentations with the County Clerk, 18 N. County Street, Waukegan, Illinois 60085, by the close of business on October 9, 2006 for entry upon the hearing minutes. The hearing may be adjourned by the Board to another date without further notice other than a motion to be entered upon the minutes of said meeting fixing the time and place of its adjournment.

If a petition signed by at least 51% of the electors residing within the NEFPA SSA and by at least 51% of the owners of record of the land included within the boundaries of the NEFPA SSA, or by at least 51% of the electors residing within the Annexation Tract and by at least 51% of the owners of record of the land included within the boundaries of the Annexation Tract is filed with the County Clerk within 60 days following the final adjournment of the public hearing, objecting to the enlargement of the NEFPA SSA by the annexation of the Annexation Tract, then no such enlargement of the NEFPA SSA shall occur.

DATED: This ___th day of _____, 2006.

Willard Helander
County Clerk
Lake County, Illinois

SECTION FIVE: Objections. If a petition signed by at least 51% of the electors residing within the NEFPA SSA and at least 51% of the owners of record of properties in the NEFPA SSA, or by at least 51% of the electors residing within the Annexation Tract and at least 51% of the owners of record of properties in the Annexation Tract, is filed with the County Clerk within sixty (60) days following the final adjournment of the October 10, 2006 public hearing, objecting to the enlargement of the NEFPA SSA described in this Ordinance, then the NEFPA SSA shall not be enlarged by the annexation of the Annexation Tract.

SECTION SIX: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

ADOPTED THIS 12th DAY OF SEPTEMBER, 2006.

AYES:

NAYS:

ABSENT:

APPROVED THIS 12th DAY OF SEPTEMBER, 2006.

Chairman, Lake County Board

ATTEST:

County Clerk