

ORDINANCE NO. 19-2015

**AN ORDINANCE ESTABLISHING VILLAGE OF
EVERGREEN PARK SPECIAL SERVICE AREA NO. 2,
COOK COUNTY, ILLINOIS**

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Evergreen Park, Cook County, Illinois, as follows:

Section 1

Authority to Establish Special Service Areas. That the Village of Evergreen Park (the "Village") has the authority to establish special service areas under the provisions of Article VII, Section 7 of the Illinois Constitution of 1970, and pursuant to the provisions of the Special Service Area Tax Law, 35 ILCS 200/27-5, *et seq.*

Section 2

Findings. The Mayor and Board of Trustees, after hearing, considering, and determining all protests and objections, finds as follows:

(a) that the question of the establishment of the area hereinafter described as a special service area was considered by the Mayor and Board of Trustees pursuant to Ordinance No. 13-2015 at a public hearing held on July 13, 2015;

(b) that said public hearing was held by the Mayor and Board of Trustees pursuant to a notice duly published on June 25, 2015, in the *Evergreen Park Courier*, a newspaper of general circulation in the Village, at least fifteen (15) days prior to the hearing and pursuant to notice by mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the special service area. Said notice was given by depositing said notice in the United States mails not less than ten (10) days prior to the time set for the public hearing. In the event taxes for the last preceding year were not paid, the notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. The notices conformed in all respects to the requirements of the Special Service Area Tax Law;

(c) that at the public hearing all interested persons were given an opportunity to be heard on the question of the creation of the special service area, and on the issuance of general obligation bonds payable from a tax levied within the special service area in an amount not to exceed \$12,000,000 (the "Bonds") for the purpose of paying for the demolition of various structures therein; the construction of site improvements including grading, water service,

sanitary sewer service, storm sewer service, and storm water retention to service the SSA; engineering services, architectural services; and other services necessary to prepare a site for the construction of a new commercial shopping center (the "Project"). All questions that were raised by the public at the hearing regarding the formation of the special service area, the special municipal services, the issuance of general obligation bonds, and the Project were answered and no one requested that the Mayor and Board of Trustees not proceed immediately;

(d) that the sole owner of all of the property in the proposed special service area has executed a Waiver and Consent authorizing the Village to proceed with the formation of the special service area and the issuance of the Bonds;

(e) that it is in the public interest and in the interest of the property described in Section 3 that the special service area, as hereinafter described, be established;

(f) that said area is compact, contiguous and located in Village;

(g) that it is in the best interests of the special service area that the furnishing of the special municipal services proposed and the Project be considered for the common interests therein;

(h) that the proposed municipal services are unique and in addition to the municipal services generally provided to the Village as a whole; and

(i) that the right to file a petition signed by at least 51% of the electors residing within the special service area and by at least 51% of the owners of record of the land included within the boundaries of the special service area has been waived by the sole property owner pursuant to the Waiver and Consent.

Section 3

Village of Evergreen Park Special Service Area No. 2 Established. A special service area to be known and designated as "Village of Evergreen Park Special Service Area No. 2" is hereby established and shall consist of the following described territory and is depicted on the map attached hereto:

Lot A (except the Northerly 10 feet thereof taken for the widening of 95th Street, and also excepting therefrom the East 277.91 feet of the South 393.38 feet of said Lot A, but excluding from the immediately foregoing exception the East 18.89 feet of the South 46.66 feet of said Lot A) in the Consolidation of Arthur Rubloff's Evergreen Plaza, consisting of sundry parcels of land in the East ½ of the Northeast ¼ of Section 12, Township 37 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois; and all of 98th Street (a/k/a 98th Avenue) immediately south and adjacent to the aforesaid Lot A.

Lots 5 through 13 (and the vacated alleys adjacent thereto) in Frederick H. Bartlett's Beverly Highlands, a subdivision of part of the South ¾ of the East ½ of the Northeast ¼ of Section 12, Township 37 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

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|-------|---------------|---------------|
| PINs: | 24-12-236-002 | 24-12-214-020 |
| | 24-12-236-004 | 24-12-214-021 |
| | 24-12-236-007 | 24-12-214-022 |
| | 24-12-236-008 | 24-12-214-023 |
| | 24-12-214-017 | 24-12-214-033 |
| | 24-12-214-018 | 24-12-214-034 |
| | 24-12-214-019 | |

Section 4

Purpose of Area. The Village of Evergreen Park Special Service Area No. 2 is established to provide special municipal services consisting of the Project. Bonds of the Village, payable from the imposition of special service area taxes and from a pledge of the general obligation of the Village in an amount not to exceed \$12,000,000, may be issued for the purpose of paying for the Project and the costs of issuance of the Bonds.

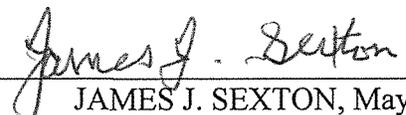
Section 5

Effective Date. This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

This Ordinance was passed and deposited in the office of the Village Clerk of the Village of Evergreen Park this 17th day of August, 2015.

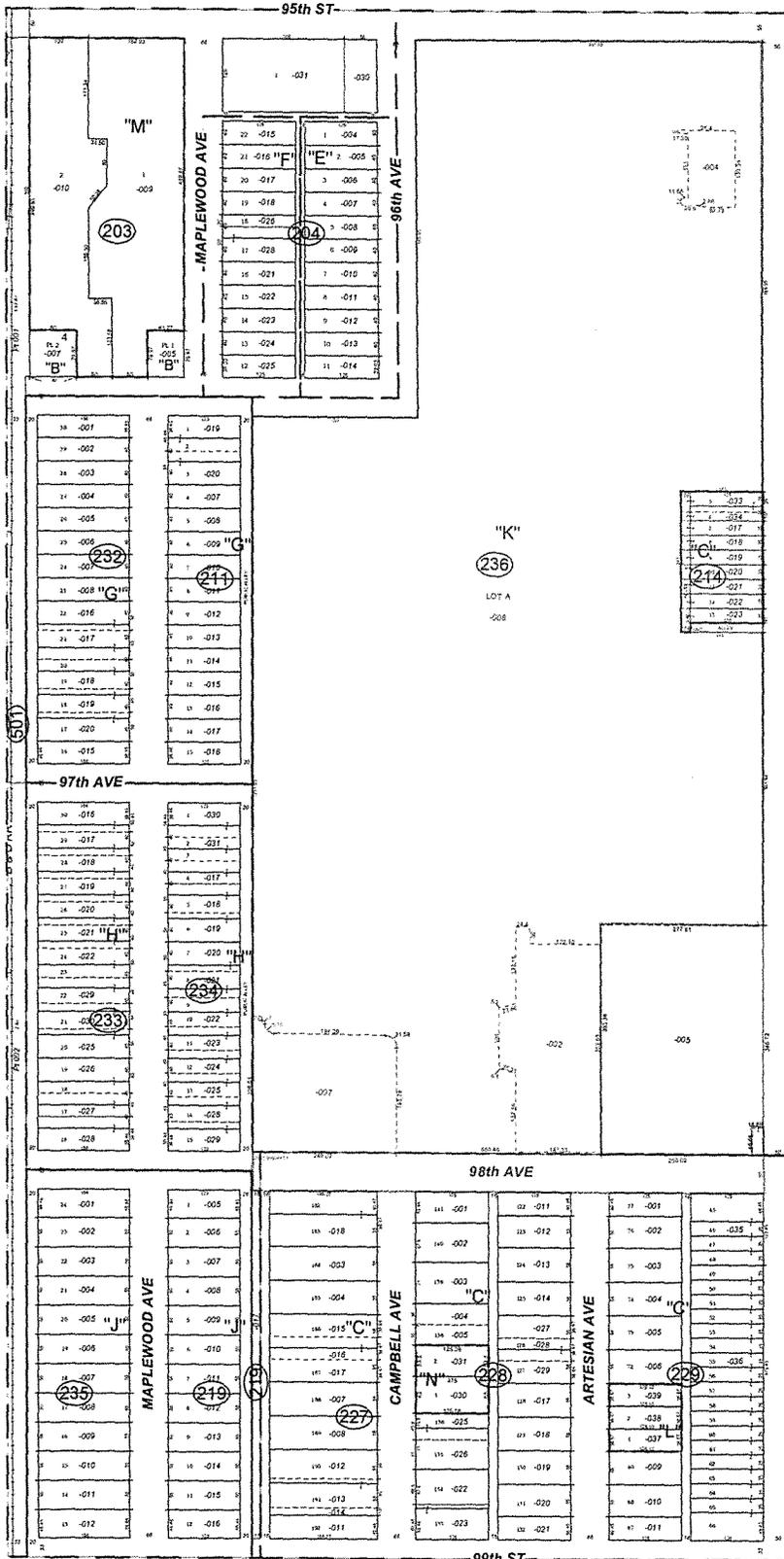

CATHERINE T. APARO, Village Clerk

APPROVED by me this 17th
day of August, 2015.


JAMES J. SEXTON, Mayor

E 1/2 NE 1/4 SEC 12-37-13
WORTH

37-13-12B
24-12



- "A"
HARRY H. HONORE JR.'S SUB. of the N. 1/4 of the E. 1/2 of the N.E. 1/4 and the N. 3/8 of the W. 1/2 of the N.E. 1/4 of Sec. 12-37-13. Rec. May 28, 1874 Doc. 170754.
- "B"
PETERSON & WESTERFORDS SUB. of Bks. 1, 2, 3, & 4 together with the vacated streets between Bks. 1 & 2 and 2 & 3 and the vacated E. 14 ft. of the streets adjoining Bks. 4, etc. Rec. Jul 23, 1918 Doc. 636376.
- "C"
FREDK. H. BARTLETT'S BEVERLY HIGHLANDS, a sub. of part of the S. 3/4 of the E. 1/2 of the N.E. 1/4 of Sec. 12-37-13. Rec. Oct 7, 1919 Doc. 664092.
- "D"
O. RUETER & CO.'S FIFTH ADD. TO BEVERLY HILLS, a sub. in the N.E. 1/4 of Sec. 12-37-13. Rec. Dec 18, 1925 Doc. 9129343.
- "E"
EVERGREEN HEIGHTS, a sub. of Lot 2 in Bk. 3 in Peterson & Westford's Sub. (see "B"). Rec. Aug 3, 1938 Doc. 12194051.
- "F"
FIRST ADD. TO EVERGREEN HEIGHTS, a sub. of Lot 3 in Bk. 3 in Peterson & Westford's Sub. (see "B"). Rec. Feb 8, 1940 Doc. 12433008.
- "G"
JAMES McKEOWN'S SUB. in the N.E. 1/4 of Sec. 12-37-13. Rec. Apr 17, 1942 Doc. 12876458.
- "H"
JAMES McKEOWN'S DEERFIN HEIGHTS, a sub. of part of the N. 1/2 of the S. 1/2 of the E. 1/2 of the N.E. 1/4 of Sec. 12-37-13. Rec. Nov 1, 1945 Doc. 13659984.
- "I"
WALTER McKEOWN'S ANTRIM GLENS in the N.E. 1/4 of Sec. 12-37-13. Rec. Oct 30, 1950 Doc. 14939345. Rec. Oct 6, 1950 Doc. 14921241.
- "J"
CONSOLIDATION OF ARTHUR RUBLOFF'S EVERGREEN PLAZA, Consisting of sundry parcels of land in E. 1/2 N.E. 1/4 Sec. 12-37-13. Rec. Feb 25, 1963 Doc. 18727016.
- "K"
KRAUS'S RESUB. of Lots 70 and 71 in Fredk. H. Bartlett's Beverly Highlands (See "C"). Rec. May 1, 1998 Doc. 98357050.
- "L"
Ald's Re-subdivision, of part of Lots 2 and 3 in Block 4 of Peterson and Westford's Subdivision (See "B"). Rec. Jul 29, 2004 Doc. 0421132044.
- "M"
IMMANUEL SUBDIVISION of Lot 137 & part of Lot 136 in Fredk. H. Bartlett's Beverly Highlands Sub (See "C"). Rec. Oct 14, 2009 Doc. 0927431049.