

ORDINANCE NO. 07-20

AN ORDINANCE ESTABLISHING
SPECIAL SERVICE AREA NUMBER TWO
IN THE VILLAGE OF BARRINGTON HILLS

(RE: THE ABBEY WOODS SUBDIVISION FOR THE
MAINTENANCE, REPAIR, OPERATION, RECONSTRUCTION,
PRESERVATION AND REHABILITATION OF THE
PUBLIC WATER AND SANITARY SEWER FACILITIES
SERVING THE SUBJECT PROPERTY)

BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington Hills,
Cook, Lake, Kane and McHenry Counties, Illinois, that:

SECTION 1: Authority. Special Service Area Number Two is established pursuant to the
provisions of the Special Service Area Act, as amended, 35 ILCS 200/27-5 et. seq. ("the Act"), et. seq.

SECTION 2: Findings.

- A. The question of the establishment of the area hereinafter described as a special service area is considered by the Board of Trustees pursuant to Ordinance No. 07-15 entitled: "An Ordinance Proposing the Establishment of Special Service Area Number Two in the Village of Barrington Hills" adopted August 20, 2007 and was considered pursuant to Notice duly published in the Daily Herald, a newspaper of general circulation in the Village of Barrington Hills, at least fifteen (15) days prior to the hearing and pursuant to notice by mail addressed to the person 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 by mail was given by depositing said Notice in the United States Mail not less than ten (10) days prior to the time set for the public hearing. A Certificate of Publication of said Notice and an Affidavit of Mailing of said Notice are attached to this Ordinance as Exhibits 1 and 2. Said Notices conformed in all respects to the requirements of the Act.

- B. That a public hearing relative to the creation of said Special Service Area Number Two was held on September 24, 2007 and said hearing was closed and adjourned on said date. All interested persons, including all persons owning taxable real property located within the Village of Barrington Hills Special Service Area Number Two, were given an opportunity to be heard on the question of the creation of Special Service Area Number Two and on the question of a proposed special tax to be levied at a maximum rate of two percent (2%) per year on all taxable property, as assessed and equalized as set forth in the Notice. No protests or objections have been filed.
- D. That after considering all data presented to it at the public hearing and otherwise, the Board of Trustees finds that it is in the public interest and in the interest of the Village of Barrington Hills and of the territory within the Special Service Area Number Two that said Special Service Area Number Two, as hereinafter described, be established.
- E. Said area benefited by Special Service Area Number Two is compact and contiguous and is within the corporate limits of the Village of Barrington Hills.
- F. It is in the best interests of said special service area that the furnishing of the municipal services proposed be considered for the common interests of said area.
- G. Said area will benefit specially from the municipal services proposed to be provided.
- H. That the Village Clerk shall immediately file a certified copy of this Ordinance with the Cook County Recorder of Deeds and Cook County Clerk.
- I. As part of the creation of Special Service Area Number Two, the Owner has signed and delivered to Village of Barrington Hills a Declaration of Consent in which the Owner acknowledges the special nature of the services to be provided, their rational relation to the benefit that such Owner has or will have and enjoy and includes an express waiver by the Owner not to contest or challenge, on any basis whatsoever (and thereby prevent the Village of Barrington Hills from collecting the tax), the validity and enforceability of the Special Service Area tax; and the Owner

has consented to and waived the right to contest or challenge on any basis whatsoever and the Owner's agreement with the rate and method of taxation and that tax exemption from the general ad valorem taxation is not an excuse, defense, or bar for the nonpayment of a special tax.

SECTION 3. Special Service Area Number Two Established. A special service area to be known and designated as "Village of Barrington Hills Special Service Area Number Two" is hereby established to serve a contiguous area of the Village of Barrington Hills, commonly known as the Abbey Woods Subdivision and shall consist of the following described territory:

LOTS 1 – 14 INCLUSIVE IN ABBEY WOODS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 9, 2007, AS DOCUMENT NUMBER 0722115101 IN COOK COUNTY, ILLINOIS.

01-13-301-002-0000; 01-13-301-004-0000; 01-13-301-008-0000

(hereinafter referred to as "the subject territory", or as "the special service area")

This territory consists of approximately 18.6 acres and is commonly known as the "Abbey Woods Subdivision," located at the northeast corner of Barrington Road and Palatine Road, within the Village of Barrington Hills.

An accurate map of the subject territory is or shall be attached hereto as Exhibit 3.

SECTION 4. Purpose of Area. Village of Barrington Hills Special Service Area Number Two is established to provide special municipal services to the subject territory in addition to services provided by the Village generally. Included in said purposes shall be improvements generally as follows:

To provide for the repair, operation, maintenance, reconstruction, preservation and rehabilitation of the public water and sanitary sewer facilities serving the Subject Property, and also to cover the costs of levy thereof and the costs of enforcement of any restriction on the final plat of subdivision for the Abbey Woods Subdivision and/or declaration of covenants, conditions and restrictions relating to the provision of public water and sanitary sewer services and facilities by the Village of Barrington.

SECTION 5. Said Special Service Area Number Two shall be and is hereby authorized to levy a special tax at a maximum ad valorem rate of two percent (2%) per year on all taxable real estate and

personalty within the special service area, as assessed and equalized in order to produce the revenues required for the aforesaid purpose.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect upon its passage, approval and publication pursuant to law.

Presented, read and passed by the President and Board of Trustees of the Village of Barrington Hills, Cook, Lake, Kane and McHenry Counties, Illinois, on a roll call vote at a regular or special meeting of the Board of Trustees on the 17th day of December, 2007, and deposited and filed in the Office of the Clerk of said Village on said date.

ROLL CALL VOTE:

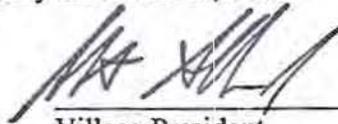
YEAS: Mallen, Schueppert, McKeivitt, Smithe, Gohl, Abboud

NAYS: 0

ABSENT: 1 Knoop

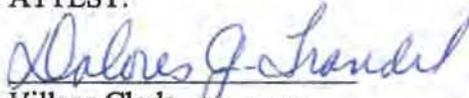
ABSTAIN:

APPROVED by the President of the Village of Barrington Hills,
Illinois, this 17th day of December, 2007.



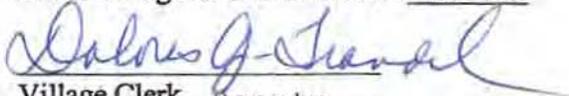
Village President,
Village of Barrington Hills

ATTEST:



Village Clerk Deputy
Village of Barrington Hills

Recorded in the Record of Ordinances
of the Village as Ordinance No. 07-20



Village Clerk Deputy
Village of Barrington Hills

PUBLISHED IN PAMPHLET FORM THIS 18th DAY OF DECEMBER, 2007