STATE OF ILLINOIS

COUNTY OF KENDALL

ORDINANCE NO. 2005-

ENABLING ORDINANCE TO CREATE SPECIAL SERVICE AREA 2005-- FOR
HENNEBERRY WEST, LLC, an Illinois Limited Liability Company
(HENNEBERRY WOODS SUBDIVISION)

NOW COMES, HENNEBERRY WEST, LLC, an Illinois Limited Liability Company, the
Owners of 100% and Developers of HENNEBERRY WOODS SUBDIVISION and the COUNTY
OF KENDALL herein after referred to as COUNTY who agree to create a Back-Up Special Service
area upon the following terms and conditions:

WHEREAS, HENNEBERRY WEST, LLC, an Illinois Limited Liability Company wishes to
provide additional security to the COUNTY OF KENDALL for purposes of guaranteeing unique and
special maintenance services to the Henneberry Woods Subdivision; and

WHEREAS, the owners of 100% of the subject real property hereinafter described in the attached
Exhibit “A” have entered into a Declaration of Covenants and Restrictions for Henneberry Woods
Subdivision Homeowners Association dated August 15, 2005 including but not limited to the
repair and maintenance of monuments, signage, landscaping, other common area maintenance
responsibilities, stormwater facilities, maintenance of the trailways, and administrative expenses for
said Development, and maintenance and repair of stormwater facilities within any areas dedicated or
conveyed to the Oswegoland Park District; and

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WHEREAS, the Declaration of Covenants and Restrictions of record dated August 15, 2005 have provided a primary duty with the Homeowners Association of the Henneberry Woods Subdivision to have maintenance and repair responsibility for the above specified purposes; and

WHEREAS, the COUNTY is desirous of providing a back-up mechanism providing for the payment of any cost of maintenance and repair of the above-described purposes as well as any common elements, and subdivision entrance monumentation and signage to the Henneberry Woods Subdivision and if the Homeowners Association of the Henneberry Woods Subdivision does not satisfactorily, in the opinion of the COUNTY OF KENDALL, maintain and repair those items above listed up to a safe and functional standard for the residents of said Henneberry Woods Subdivision that a mechanism be established in order to provide that services are provided, which shall not become a tax burden on the general citizenry of the COUNTY OF KENDALL; and

WHEREAS, pursuant to 35 ILCS 200/27-5 (2002) et. seq. provides for the creation of Special Tax Service Areas for the provision of governmental service responsibility to be assessed to a given area to finance those maintenance and improvements to the specifically designated area, providing unique and special services contained in said Service Area; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL AS FOLLOWS:

**SECTION I**

That a Special Service Area is created for tax purposes in the Henneberry Woods Subdivision covering all platted lots within said SUBDIVISION, known as Henneberry Woods Subdivision.

That the area designated for coverage by said Special Service Area is as set out in the
attached Exhibit “A” to this Ordinance.

SECTION II

That said Special Service Area is being created as a secondary source of financing to provide for any maintenance and repair of landscaping, subdivision entrance monumentation, stormwater facilities, and signage within common areas and trailways and stormwater facilities within areas to be conveyed to the Oswegoland Park District not carried out by the Henneberry Woods Subdivision Homeowners Association as well as the associated administrative expenses incurred by the County.

SECTION III

That prior to the imposition of any levy of taxes pursuant to an act creating a Special Service Area Tax Act, 35 ILCS 200/27-5 (2002) et seq., a hearing shall be held in accordance with said Statute providing for the amount of taxes to be levied, the purposes for which said taxes are levied, and the necessity of levying said tax against the Henneberry Woods Subdivision only in the event that the Homeowners Association of said Subdivision does not maintain the above specified improvements, as well as common areas and trailways, subdivision entrance monumentation, stormwater facilities, and signage of said Subdivision in a safe and useable manner.

SECTION IV

That any tax so levied shall be levied based on the assessed value of each of the taxable units located within said Subdivision. Notification of said levy shall be given in accordance with said Statute above cited in conformance with Illinois Compiled Statutes as to each individual dwelling unit owner on any platted lot in said Subdivision.

SECTION V

The COUNTY OF KENDALL shall have power to issue Bonds pursuant for said Special
Service Area Tax Act to complete said work and to levy repayment on an annual real estate tax bill basis against each dwelling unit within the Henneberry Woods Subdivision.

This Ordinance shall be in full force and effect upon its passage and approval.

Passed by the County Board of the County of Kendall, Illinois, this 20 day of September A.D. 2005.

[Signature]
COUNTY CLERK

Approved by me, as County Board Chairman of Kendall County, Illinois, this 20 day of September, A.D. 2005.

[Signature]
CHAIRMAN

Prepared by & Return to:
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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 TOWNSEND'S 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 EASTERNLY, 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 EASTERNLY, ALONG A LINE WHICH FORMS AN ANGLE OF 81°25'-00", WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 435.60 FEET; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 11°51'-00", WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 854.0 FEET; THENCE WESTERNLY, 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 SOUTHWESTERNLY, ALONG SAID CENTER LINE, 904.60 FEET, TO THE POINT OF BEGINNING IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.