ORDINANCE 2005-57

AN ORDINANCE ESTABLISHING A BACK-UP SPECIAL
TAX SERVICE AREA NUMBER 2005-- FOR
HIGH POINT MEADOWS SUBDIVISION

BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL,
ILLINOIS, AS FOLLOWS:

SECTION 1: Authority to Establish Special Service Area.

Special Service Areas are established pursuant to Article VII, Section 7, of the Constitution
of the State of Illinois, in force July 1, 1971, which provides:

"Counties and municipalities which are not home-rule units shall have only powers granted
to them by law and the powers...(6) to levy or impose additional taxes upon areas within their
boundaries in the manner provided by law for the provision of special services to those areas
and for the payment of debt incurred in order to provide those special services."

and are established pursuant to the provisions of an Act to provide the manner of levying or
imposing taxes for the provision of special services to areas within the boundaries of home-rule
units and non-home-rule municipalities and counties and pursuant to the Revenue Act of 1939.

SECTION 2: Findings.

A. The question of the establishment of the Special Tax Service Area hereinafter
described as a Special Tax Service Area is considered by the County Board pursuant to an Ordinance entitled "Enabling Ordinance to Create Special Service Area 2005-____ for High Point Meadows Subdivision, in the Township of Fox, Kendall County, Illinois and pursuant to a waiver and consent to the imposition of a Special Tax Service Area executed by the owner of 100% interest in said subdivision, without the necessity of any public hearing, or period for objection pursuant to 35 ILCS 200/27-5 (2002).

B. The special tax shall be levied and shall be assessed as follows on all of the real property included in the special service area:

A maximum rate of (percent of assessed valuation), not to exceed $.50 per $100.00 of equalized assessed valuation. Said assessments may be made at any time by County Ordinance for an indefinite period of time; or for a time determined in said Ordinance after all required public hearings. At the hearing, all persons affected will be given an opportunity to be heard. The assessment made at said hearing will only be for the purpose of accomplishing extraordinary and unique repairs and maintenance as set out above in said subdivision. It is necessary to provide a back-up method to insure that monuments, signage, and landscaping, stormwater facilities, maintenance of trailways, and all related maintenance responsibilities of the High Point Meadows Subdivision Homeowners Association within the common areas and trailways of the High Point Meadows Subdivision, as well as any other common areas designated in the Declaration of Covenants and Restrictions dated _____________________ and Final Plats of the High Point Meadows Subdivision, to provide to the County of Kendall a source of funding in the event said Homeowners Association fails to maintain and repair said facilities in a safe and useable condition as is determined by the County Board of the County of Kendall. The County of Kendall shall further be
reimbursed for any administrative costs incurred if any assessment is necessary to be made. This program is necessary for public safety and is in the best interest of maintaining real property values within the High Point Meadows Subdivision as described in the attached Exhibit “A”.

C. Prior to the assessments being made for any part of the work done listed above, the County of Kendall shall give the persons affected advance notice of a Public Hearing as per Illinois Compiled Statutes governing Special Tax Service Areas to be held so that input may be had as to said assessment.

SECTION 3: This Special Tax Services Area may run for an indefinite period of time.

SECTION 4: All Ordinances or parts of Ordinances in conflict with these provisions are repealed.

SECTION 5: This Ordinance shall become effective from and after its passage.

PASSED by the County Board of Kendall County, Illinois, this 15th day of MAR A.D. 2005.

COUNTY CLERK

APPROVED by me, as Chairman of the County Board of Kendall County, Illinois, this day of 03/15, A.D. 2005.

CHAIRMAN

Prepared by:
Law Offices of Daniel J. Kramer
1107 A S. Bridge Street
Yorkville, Illinois 60560
630.553.9500
HIGH POINT MEADOWS - LEGAL DESCRIPTION

That part of the North Half of Section 13, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Southeast corner of Lot 20 in Cotswold Fen P.U.D., Phase Four, Fox and Kendall Townships, Kendall County, Illinois; thence South 77°51'24" West along the South line of said Lot 20 and the South line of Lot 21 in Phase Five of said Cotswold Fen P.U.D., 594.78 feet for a point of beginning; thence South 00°51'44" East 403.27 feet to a stone monument on the North line of Lot 19 in Phase Three of said Cotswold Fen P.U.D.; thence South 75°29'04" West along said North line and the North line of Lot 17 in Phase Two of said Cotswold Fen P.U.D. 619.05 feet to the northerly corner of Lot 16 in said Phase Two; thence South 41°42'55" West along the northwesterly line of said Lot 16 and said northwesterly line extended 616.96 feet to the center line of Highpoint Road; thence North 70°57'05" West along said center line 986.36 feet to the South east corner of Highpoint View, Fox Township, Kendall County, Illinois; thence North 06°18'01" East along the East line of said Highpoint View, 915.21 feet the Northeast corner thereof; thence North 78°05'41" East along the extension of the North line of said Highpoint View, 888.26 feet; thence South 02°02'48" East 164.63 feet; thence North 73°01'40" East 72.91 feet; thence South 01°16'15" East 54.56 feet; thence North 77°31'47" East 1508.35 feet to the East line of said Section 13; thence South 00°00'50" East along said East line 123.34 feet to the North line of said Lot 21; Phase Five, extended easterly; thence South 77°45'49" West along said extended North line and said North line 1426.89 feet to the Northwest corner of said Lot 21; thence South 00°18'47" West along the West line of said Lot 21, a distance of 272.53 feet to the Southwest corner thereof; thence North 77°52'35" East along the South line of said Lot 21, a distance of 831.36 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 40.929 acres as shown by the plat hereon drawn which is correct representation of said survey.

Exhibit "A"