

**ORDINANCE NO. 2023-12**

**AN ORDINANCE PROPOSING THE ESTABLISHMENT OF VILLAGE OF POPLAR GROVE SPECIAL SERVICE AREA NUMBER 2 IN THE VILLAGE OF POPLAR GROVE, ILLINOIS AND PROVIDING FOR OTHER PROCEDURES IN CONNECTION THEREWITH**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF POPLAR GROVE, BOONE COUNTY, ILLINOIS AS FOLLOWS:

**Section 1. Authority.** The Village of Poplar Grove, Boone County, Illinois (the “Village”) is authorized pursuant to Article VII, Section 7(6) of the Constitution of the State of Illinois, pursuant to the provisions of the Illinois Special Service Area Tax Law, 35 ILCS 200/27-5 et seq. (the “Act”), which provides, inter alia, the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of municipalities and counties.

**Section 2. Findings.** The Village President and Village Board of the Village (the “Corporate Authorities”) find and determine as follows:

a. That the portion of the Village described in Exhibit A attached hereto and made a part hereof (hereinafter the “Subject Territory”) would benefit from the connection to the Village water supply and related improvements as further described herein; and

b. It is in the public interest that the Corporate Authorities consider the creation of a special service area for the Subject Territory; and

c. The special service area proposed for consideration is compact and contiguous; and

d. The proposed special service area will benefit specially from the municipal services to be provided to the area. These proposed municipal services are in addition to municipal services provided to the Village as a whole.

**Section 3. Proposal.** The Corporate Authorities propose the establishment of Village of Poplar Grove Special Service Area Number 2 for the connection to the Village water supply and related improvements to serve the Subject Territory along with the payment of the water connection fees.

**Section 4. Public Hearing.** A public hearing shall be held on the 9<sup>th</sup> day of August, 2023, at 7:00 p.m., at the Village of Poplar Grove Village Hall, 200 N. Hill Street, Poplar Grove IL 61065, to consider the creation of the Village of Poplar Grove Special Service Area Number 2, in the Subject Territory.

At the hearing, the following method of financing the water connection fees associated with the improvements within the proposed special service area will be considered: the owner of the Subject Territory has provided the up-front financing for the costs associated with connection to the Village water supply but is in need of the special service area to help finance the costs of the associated water connection fees related to providing connection to the Village water supply to the proposed special service area. The special municipal services provided to the proposed special

service area include, but are not limited to, connection to the Village water supply and related engineering, surveying, soil testing and appurtenant work, mass grading, site clearing, water connection fees and other eligible costs. The payment of the water connection fees associated with providing the special municipal services to the proposed special service area are \$391,842.23. The Village desires to allow the property owner of the Subject Territory to pay for such fees by and through the levy of an annual special tax levied against the Subject Territory located within the special service area for a period of ten (10) years. This tax is to be levied upon the specific and identified taxable property within the proposed special service area. The proposed amount of the tax levy for special services for the initial year for which taxes will be levied is anticipated to be \$39,184.22.

**Section 5.**     Notice of Public Hearing.     Notice of hearing shall be published at least once not less than fifteen (15) days prior to the public hearing specified in Section 4 above, in a newspaper of general circulation in the Village. In addition, notice shall be given by depositing the notice in the United States 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 proposed special service area. This notice shall be mailed 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 shall be sent to the person last listed on the tax rolls prior to that year as the owner of the property. The notice to owners of record shall be in similar form as set forth in Exhibit B to this Ordinance.

**Section 6.**     Supersedes Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

**Section 7.**     Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED by the Corporate Authorities this \_\_\_\_\_, 2023.

Voting Aye (list names): \_\_\_\_\_  
Voting Nay (list names): \_\_\_\_\_  
Abstaining (list names): \_\_\_\_\_  
Absent (list names): \_\_\_\_\_

SIGNED by the Village President this July \_\_\_\_, 2023.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

Published in pamphlet form June \_\_\_\_, 2023.

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

A tract of land bounded and described as follows: Commencing at the Southeast corner of the Southwest Quarter (1/4) of said Section 26, Township 45 North, Range 3 East of the Third Principal Meridian and running thence North One Thousand One Hundred Fifty-five (1,155.0) feet; thence West One Thousand Eight Hundred and Ninety-eight (1898.0) feet; thence South One Thousand One Hundred Fifty-five (1,155.0) feet to the South line of said Section; thence East along said Section line to the place of beginning; Excepting therefrom a parcel as described in Warranty Deed dated September 23, 1993, recorded December 15, 1993, as Document No. 93-11299, executed by Leonard E. Harris and Joy E. Harris to the People of the State of Illinois, Department of Transportation, as set aside for public road purposes. Situated in the County of Boone, State of Illinois.

Commonly known as 13150 IL Route 76, Poplar Grove, IL  
PIN: 03-26-300-018

## **EXHIBIT B**

### **NOTICE OF HEARING VILLAGE OF POPLAR GROVE SPECIAL SERVICE AREA NUMBER 2**

NOTICE IS HEREBY GIVEN that on August 9, 2023, at 7:00 p.m. at the Village of Poplar Grove Village Hall, 200 N. Hill Street, Poplar Grove IL 61065, a hearing will be held by the Village of Poplar Grove (the "Village") to consider forming a special service area, to be called "Village of Poplar Grove Special Service Area Number 2" consisting of the territory legally described in Exhibit 1 to this Notice.

The approximate location and boundaries of the proposed special service area is the parcel commonly known as: 13150 IL Route 76 with PIN: 03-26-300-018 located in the Village of Poplar Grove, and is more fully described in Exhibit 1 of this Notice.

The general purpose of the formation of the Village of Poplar Grove Special Service Area Number 2 is to provide special municipal services to the area which include, but are not limited to, connection to the Village water supply, surveying, soil testing and appurtenant work, mass grading, site clearing, water connection fees and other eligible costs. The special services include new construction and maintenance and repair activities.

There will also be considered at the hearing the following method of financing the water connection fees associated with the improvements within the proposed special service area: the owner of the Subject Territory has provided the up-front financing for the costs associated with connection to the Village water supply but is in need of the special service area to help finance the costs of the associated water connection fees related to providing connection to the Village water supply to the proposed special service area. The special municipal services to be provided to the proposed special service area will include connection to Village water supply and related engineering, surveying, soil testing and appurtenant work, mass grading, site clearing, water connection fees and other eligible costs. The payment of the water connection fees associated with providing the special municipal services to the proposed special service area are anticipated to be approximately \$391,842.23. The Village desires to allow the property owner of the Subject Territory to pay for such fees by and through the levy of an annual special tax levied against the Subject Territory located within the special service area for a period of ten (10) years. This tax is to be levied upon the specific and identified taxable property within the proposed special service area. The proposed amount of the tax levy for special services for the initial year for which taxes will be levied is anticipated to be \$39,184.22.

At the hearing, all interested persons affected by the formation of such special service area, including all persons owning taxable real estate therein, may file written objections to and be heard orally regarding the formation of and the boundaries of the special service area and the levy of taxes affecting the area. The hearing may be adjourned by the Village Board without further notice other than a motion to be entered upon the minutes of its meeting fixing the time and place of its adjournment.

If a petition signed by at least 51% of the electors residing within the Village of Poplar Grove Special Service Area Number 1 and by at least 51% of the owners of record of the land included within the boundaries of the Village of Poplar Grove Special Service Area Number 2 is filed with the Village Clerk of the Village of Poplar Grove within 60 days following the final adjournment of the public hearing objecting to the creation of the special service area or the levy of taxes affecting the area, no such area may be created or taxes levied or imposed.

Members of the public are invited to attend this public hearing at which time an opportunity will be given to address the members of the Village Board of the Village of Poplar Grove.

Dated: \_\_\_\_\_, 2023

/s/ Karri Anderberg, Village Clerk

To be published in the \_\_\_\_\_ on or about \_\_\_\_\_, 2023.

Exhibit 1 to Notice

Boundaries of Special Service Area  
Legal Description of Property

A tract of land bounded and described as follows: Commencing at the Southeast corner of the Southwest Quarter (1/4) of said Section 26, Township 45 North, Range 3 East of the Third Principal Meridian and running thence North One Thousand One Hundred Fifty-five (1,155.0) feet; thence West One Thousand Eight Hundred and Ninety-eight (1898.0) feet; thence South One Thousand One Hundred Fifty-five (1,155.0) feet to the South line of said Section; thence East along said Section line to the place of beginning; Excepting therefrom a parcel as described in Warranty Deed dated September 23, 1993, recorded December 15, 1993, as Document No. 93-11299, executed by Leonard E. Harris and Joy E. Harris to the People of the State of Illinois, Department of Transportation, as set aside for public road purposes. Situated in the County of Boone, State of Illinois.

Property Code: 03-26-300-018

Commonly known as 13150 IL Route 76, Poplar Grove, IL