



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 025-017
DATE OF PASSAGE FEBRUARY 25, 2025

An Ordinance Proposing the Establishment of a Special Service Area for Stormwater Management Purposes to be Designated as SSA 223, Related to Real Property Commonly Known as 791 N. Farnsworth and Calling for a Public Hearing Thereon PIN(s) 15-13-301-028 and 15-13-301-012.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, Section 6 of Article VII of the Illinois Constitution of 1970, and the Special Service Area Tax Law (35 ILCS 200/27-5 et seq) authorizes the City to establish special services areas to provide special governmental services to defined contiguous areas in addition to those provided generally throughout the City and to pay the cost of those services from revenues collected from taxes levied within such areas; and

WHEREAS, the City has adopted the Kane County Stormwater Management Ordinance for citywide application, and said Ordinance requires that the City, as a condition of approving an application for a Stormwater Management Permit thereunder shall require the applicant to acquiesce to the City's establishment of a special service area as a backup vehicle for maintaining stormwater systems to be constructed under said permit; and

WHEREAS, the City has received an application for a Stormwater Management Permit ("Permit") for the contiguous area (hereinafter the "Area") described in the Legal Description (Attached as Exhibit A) and as depicted in the site map attached hereto as Exhibit B; and

WHEREAS, the maintenance or repair of such stormwater management systems described in the Permit by the City are unique and would constitute a special governmental service benefiting and attributable only to the areas embraced by the

permit application and would be in addition to those municipal services which the City provides to the whole of its territory; and

WHEREAS, it is in the best interests of the Area and the City as a whole, that a levy of special taxes against said Area for the provision of special services for the purposes described herein be considered;

WHEREAS, said Area is zoned "M-1" Manufacturing District, Limited; all in accordance with the final plat of subdivision or final approved engineering plans for the Area;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

SECTION ONE:

That a public hearing shall be held on or after the 13th day of May, 2025, at 6:00 p.m. the City Council Chambers of the City Hall, 44 East Downer Place, Aurora, Illinois to consider the creation of a special service area to be designated as SPECIAL SERVICE AREA NUMBER 223 of the City of Aurora, in the territory described in the Notice set forth below. At the hearing, there will be considered the levy of an annual tax on property by the City of Aurora at a rate or amount of tax sufficient to produce revenue required to provide the special services in the proposed SPECIAL SERVICE AREA NUMBER 223.

Said tax may be levied for an indefinite period of time from and after the date of the Ordinance establishing said Area. Said tax may be levied at a maximum rate of \$1.10 (one hundred and ten cents per one-hundred dollar valuation). Said taxes shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code. Said levies are intended to produce an amount annually to pay for the cost for said special services. Notwithstanding the foregoing, the City shall not levy said taxes hereunder and said special service area shall be regarded as "dormant," unless the owner fails maintain or repair the aforesaid required items and the City is forced to assume said responsibilities.

The City shall cause notice of hearing to be published at least once, not less than fifteen (15) days prior to the public hearing, in a newspaper in general circulation in the City of Aurora. In addition, the City shall cause the mailing of said notice by depositing said Notice in the U.S. Mails 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 223. Said 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 said property. The Notice shall be substantially the following form:

NOTICE OF HEARING
CITY OF AURORA

ORDINANCE NO. 025-017
DATE OF PASSAGE FEBRUARY 25, 2025

SPECIAL SERVICE AREA NUMBER 223

791 N. Farnsworth

Kane County

PIN(s): 15-13-301-028 and 15-13-301-012

Common Addresses: 791 N. Farnsworth, Aurora, IL 60505

NOTICE IS HEREBY GIVEN that on or about the 13th day of May, 2025 at 6:00 p.m., in the City Council Chambers of the City Hall, 44 East Downer Place, Aurora, Illinois, a hearing will be held by the City Council of the City of Aurora to consider the establishment of a Special Service Area, to be designated as Special Service Area 223, consisting of the following described territory:

SEE ATTACHED EXHIBIT A

SECTION TWO:

The Owner of the property described above ("Area") has applied to the City for a Stormwater Management Permit ("Permit"). Before it may issue a Permit, the City must require the Owner to construct and maintain onsite stormwater retention, detention drainage controls, and other common areas (collectively "Stormwater Management Facilities") which benefit the Area, consistent with the final plat of subdivision or final approved engineering plans for the Area.

The Kane County Stormwater Ordinance requires the City establish a special service area to act as a backup vehicle for maintaining stormwater systems to be constructed under said Permit in the event the owner fails to keep or otherwise maintain these facilities in good repair.

The City Council proposes the establishment of Special Service Area 223 to serve as a vehicle for the City to levy a tax against the property in the Area if, and only if, the City is forced to undertake the responsibility of the Owner in maintaining the Stormwater Management Facilities. Maintaining private Stormwater Management Facilities constitutes additional special services above those municipal services which the City generally provides to the throughout its territory. The City Council believes that the establishment of said special service area is desirable and necessary to provide the special services to the Area.

SECTION THREE:

At the hearing, all persons affected will be given an opportunity to be heard. At the hearing, there will be considered the levy of an annual tax in the proposed SPECIAL SERVICE AREA NUMBER 223 by the City of Aurora of not to exceed an annual rate of 1.10 one-hundredths percent (\$1.10 being 110 cents per \$100.00 of the equalized assessed value of the property) sufficient to produce revenues to provide the special services. Said tax to be levied for an indefinite period of time from and after the date of the Ordinance establishing said Area. Said taxes shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code. Said levies are intended to produce an amount annually to pay for the cost for said

special services. Notwithstanding the foregoing, the City shall not levy special taxes hereunder and said Area shall be "dormant," and shall take effect only if the applicable required Owners Association (or owner as the case may be) fails to maintain or repair the aforesaid required items or provide said special services and the City is forced to assume said responsibilities. The hearing may be adjourned by the City Council to another date 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 fifty-one percent (51%) of the electors residing within the proposed SPECIAL SERVICE AREA NUMBER 223 and by at least fifty-one percent (51%) of the owners of record of the land included within the boundaries of the proposed Area is filed with the City Clerk within sixty (60) days following the final adjournment of the public hearing objecting to the establishment of the Area, the enlargement thereof, or the levy or imposition of a tax for the provision of special services to the Area, no such Area may be established or enlarged, or tax levied or imposed.

SECTION FOUR:

The approximate location is 791 N. Farnsworth, Aurora, IL 60505. The legal description is attached hereto as Exhibit A. An accurate map of said territory is attached herein as Exhibit B, and is on file and available for public inspection in the Office of the City Clerk. All interested persons affected by the formation of SPECIAL SERVICE AREA NUMBER 223 will be given an opportunity to be heard regarding the formation of the boundaries of the Area and may object to the formation of the Area and the levy of taxes affecting said Area.

SECTION FIVE:

That this Ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

SECTION SIX:

That all ordinances or parts of ordinances thereof in conflict therewith are hereby repealed to the extent of any such conflict.

SECTION SEVEN:

That any Section or provisions of this Ordinance that is construed to be invalid or void shall not affect the remaining Sections or provisions which shall remain in full force and effect thereafter.

Prepared by:
Peterson Johnson & Murray LLC
1301 W. 22nd Street – Ste. 500
Oak Brook, Illinois 60523

Exhibits Attached:
A - Legal Description

ORDINANCE NO. 025-017
DATE OF PASSAGE FEBRUARY 25, 2025

- B - Site Map
- C - Aerial Map
- D - Legal Notice of Hearing

ORDINANCE NO. 025-017


LEGISTAR NO. 25-0139

PASSED AND APPROVED ON February 25, 2025

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Barreiro, Ward 1	Yes
Alderwoman Garza, Ward 2	Yes
Alderman Mesiacos, Ward 3	Yes
Alderman Donnell, Ward 4	Yes
Alderman Franco, Ward 5	Yes
Alderman Saville, Ward 6	Yes
Alderman Tolliver, Ward 7	Yes
Alderwoman Smith, Ward 8	Yes
Alderman Bugg, Ward 9	Yes
Alderwoman Baid, Ward 10	Yes
Alderman Laesch, At Large	Yes
Alderman Woerman, At Large	Yes

ATTEST:


DEPUTY City Clerk ~~Jennifer Stallings~~
Maria S. Flores


Mayor Richard C. Irvin

EXHIBIT A (SSA 223)

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF H. THIELMAN SUBDIVISION; THENCE NORTH 05 DEGREES EAST ALONG AN OLD CLAIM LINE, 344.16 FEET; THENCE SOUTH 89 DEGREES 27 MINUTES WEST, 603.06 FEET TO THE EAST LINE OF FARNSWORTH AVENUE; THENCE SOUTH 0 DEGREES 26 MINUTES EAST ALONG SAID EAST LINE, 341 FEET TO THE NORTH LINE OF SAID H. THIELMAN SUBDIVISION; THENCE NORTH 89 DEGREES 39 MINUTES EAST ALONG SAID NORTH LINE, 570.6 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF H. THIELMAN SUBDIVISION; THENCE NORTH 05 DEGREES EAST ALONG AN OLD CLAIM LINE, 344.16 FEET; THENCE SOUTH 89 DEGREES 27 MINUTES WEST, 603.06 FEET TO THE EAST LINE OF FARNSWORTH AVENUE WHICH IS THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 26 MINUTES EAST ALONG SAID EAST LINE, 341 FEET TO THE NORTH LINE OF SAID H. THIELMAN SUBDIVISION; THENCE NORTH 89 DEGREES 39 MINUTES EAST ALONG SAID NORTH LINE, 7.0 FEET; THENCE NORTH 0 DEGREES 26 MINUTES WEST, 341.02 FEET; THENCE SOUTH 89 DEGREES 27 MINUTES WEST, 7.0 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

AND ALSO EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS, BEARINGS AND DISTANCES BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE, NAD 83 (2011 ADJUSTMENT), WITH A COMBINED FACTOR OF 0.99994389, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 7 IN H. THIELMAN SUBDIVISION RECORDED AUGUST 10, 1955, AS DOCUMENT NUMBER 787002; THENCE SOUTH 89 DEGREES 48 MINUTES 15 SECONDS WEST, ALONG THE NORTH LINE OF SAID H. THIELMAN SUBDIVISION, 141.52 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 48 MINUTES 15 SECONDS WEST, ALONG THE NORTH LINE OF SAID H. THIELMAN SUBDIVISION, 20.00 FEET TO THE EAST LINE OF FARNSWORTH AVENUE DESCRIBED IN DOCUMENT NUMBER 1453426; THENCE NORTH 00 DEGREES 27 MINUTES 50 SECONDS WEST, ALONG THE EAST LINE OF SAID FARNSWORTH AVENUE, 209.22 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 10 SECONDS EAST, 20.00 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 50 SECONDS EAST, 209.31 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

COMMONLY KNOWN AS: VACANT LAND/PIN #15-13-301-028

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH,
RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

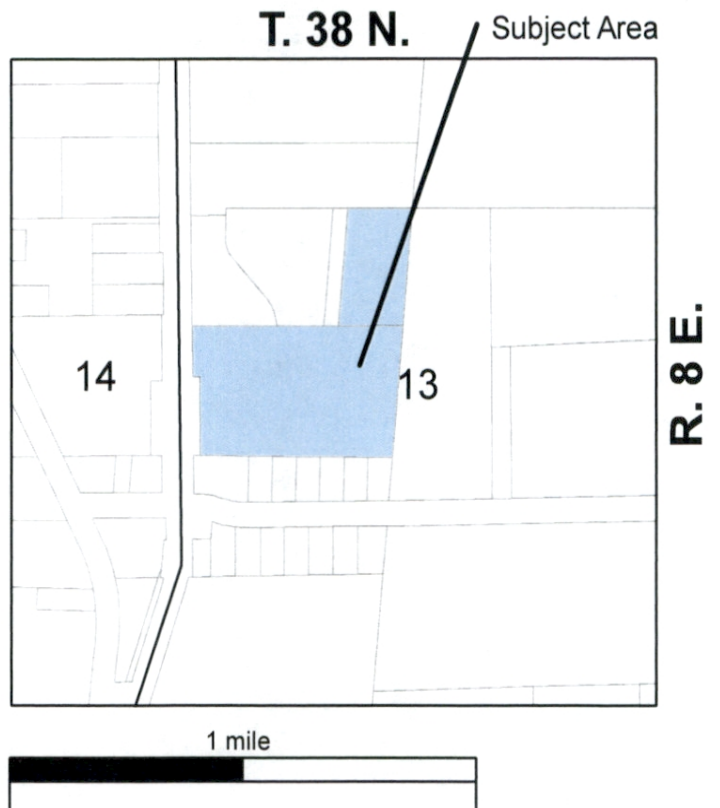
COMMENCING AT THE NORTHEAST CORNER OF H. THIELMAN SUBDIVISION; THENCE
NORTH 05 DEGREES 00 MINUTES EAST ALONG AN OLD CLAIM LINE, 344.16 FEET FOR
THE POINT OF BEGINNING; THENCE CONTINUING NORTH 05 DEGREES 00 MINUTES
EAST ALONG SAID OLD CLAIM LINE, 303.3 FEET TO A POINT THAT IS 108.46 FEET
SOUTHERLY FROM THE SOUTHWEST CORNER OF ASSESSOR'S LOT 16; THENCE SOUTH
89 DEGREES 27 MINUTES WEST, 177.34 FEET; THENCE SOUTH 05 DEGREES 00
MINUTES WEST, PARALLEL WITH SAID OLD CLAIM LINE, 303.3 FEET TO A LINE
DRAWN SOUTH 89 DEGREES 27 MINUTES WEST FROM THE POINT OF BEGINNING;
THENCE NORTH 89 DEGREES 27 MINUTES EAST, 177.34 FEET TO THE POINT OF
BEGINNING, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

COMMONLY KNOWN AS: VACANT LAND/PIN #15-13-301-012

Legal Description

SEE ATTACHED

Locator Map



Actual Area

PIN(s)

15-13-301-028
15-13-301-012

Common Address

VACANT LAND/PIN #15-13-301-028/15-13-301-012



LEGAL DESCRIPTION:

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COMMONLY KNOWN AS: VACANT LAND/PIN #15-13-301-028

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COMMONLY KNOWN AS: VACANT LAND/PIN #15-13-301-012

SSA #223 Aerial View

Forest Av

Austin Av

N Farnsworth Av

Mountain St

Shawno Dr (pvt)



Not To Scale



Prepared By: The City of Aurora GIS Div.

NOTICE OF HEARING
CITY OF AURORA
SPECIAL SERVICE AREA NUMBER 223
791 N. Farnsworth
Kane County
PIN(s): 15-13-301-028 and 15-13-301-012
Common Addresses: 791 N. Farnsworth, Aurora, IL 60505

NOTICE IS HEREBY GIVEN that on or about the 13th day of May, 2025 at 6:00 p.m., in the City Council Chambers of the City Hall, 44 East Downer Place, Aurora, Illinois, a hearing will be held by the City Council of the City of Aurora to consider the establishment of a Special Service Area, to be designated as Special Service Area 223 (Outside Storage Facility), consisting of the following described territory:

SEE ATTACHED EXHIBIT A

EXHIBIT A

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COMMONLY KNOWN AS: VACANT LAND/PIN #15-13-301-012