

ORIGINAL

CITY OF AURORA  
ORDINANCE NO. 097-42  
AN ORDINANCE FOR THE ESTABLISHMENT OF  
A SPECIAL SERVICE AREA NUMBER 34C (LAKEWOOD)  
IN THE CITY OF AURORA  
FOLLOWING NOTICE AND  
PUBLIC HEARING IN CONNECTION THEREWITH

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, special service areas are established pursuant to subsection (1) of 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) and the Property Tax Code (35 ILCS 200/1-1 et seq); and

WHEREAS, the City of Aurora desires to establish such an area as hereinafter described; and

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

SECTION ONE:

- (a) That it is in the public interest that the territory hereinafter described in Exhibit A attached hereto and referred to in Section Four hereof be established as Special Service Area #34C for the purposes set forth herein. An accurate map of said territory is attached hereto as Exhibit "A-1".
- (b) That said Area is compact and contiguous.
- (c) That said Area is principally zoned for residential purposes and will benefit specifically from the municipal services to be provided and that said proposed municipal services are unique and in addition to municipal services provided to the City of Aurora as a whole and it is, therefore, in the best interest of said Area and the City of Aurora as a whole that special taxes be levied against said Area for the services to be provided.

- (d) Therefore, that City of Aurora Special Service Area Number 34C be and is hereby established for and with regard to the aforesaid territory.

## SECTION TWO:

That the purpose of City of Aurora Special Service Area Number 34C is to provide special municipal improvements to said Area which include (i) the reimbursement for the annual operating costs for a new Fire Station serving the Area and other special service areas as hereinbelow provided, less the general fund real estate tax revenues from the Area and such other areas (the "Fire Station Operating Cost Reimbursement") until such general fund real estate tax revenues are sufficient to pay the annual Fire Station Operating Cost, and then (ii) the reimbursement for the City's cost of constructing and financing a new elementary school (the "School Cost Reimbursement"), all as set forth in the School District and Fire Department Contribution Agreement attached hereto as Exhibit C and the proposed municipal services are unique and are in addition to the services provided by the City generally. Annual taxes shall be assessed and levied for said special municipal services in said Area, on property in said Area in addition to all other municipal taxes; provided that the special annual tax shall be levied upon the equalized assessed value of the property in said Area in an amount not to exceed an annual rate of One Dollar (\$1.00) per One Hundred Dollars (\$100.00) of the equalized assessed valuation thereof. This tax shall be levied from and after the date of this Ordinance establishing said Area and until the Fire Station Operating Cost Reimbursement and School Cost Reimbursement are completed as hereinabove specified. 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. The City may annually levy hereunder up to the maximum rate specified herein for the cost for the said services, as said services become necessary and are provided for. The adoption of an Oswego School District 308 referendum could release or reduce the School Cost Reimbursement.

## SECTION THREE:

That a public hearing has been held on May 13, 1997, at 7:00 p.m., in the City Council Chambers of the City Hall, 44 E. East Downer Place, Aurora, Illinois with regard to the establishment of City of Aurora Special Service Area Number 34C for the territory described in the Notice referred to in Section Four hereof. At the hearing, there was considered the levy of an annual tax as described and limited in Section Two hereof.

SECTION FOUR:

That notice of hearing was published on the 28th day of April, 1997, being not less than fifteen (15) days prior to the public hearing, in a newspaper in general circulation in the City of Aurora. In addition, notice by mailing was given by depositing said notice in the U.S. 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 proposed Special Service Area 34C. Said notice was mailed on or before April 25, 1997, being not less than ten (10) days prior to the public hearing. In the event taxes for the last preceding year were not paid, the Notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. Notice was provided for in the form described by Exhibit "B" attached hereto.

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.


PRESENTED to the City Council of the City of Aurora, Illinois on the 13th day  
of May, 1997.

PASSED AND APPROVED by the City Council of the City of Aurora, Illinois on  
this 13th day of May, 1997.

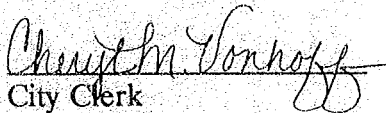
AYES 10

NAYS 0

NOT VOTING 0

  
MAYOR

ATTEST:

  
City Clerk

THIS DOCUMENT PREPARED BY:  
John F. Philipchuck  
Dommermuth, Brestal, Cobine & West, Ltd.  
111 West Downer Place, Suite 300  
Aurora, Illinois 60506

mail to:  
AFTER RECORDING:  
PLEASE RETURN TO -  
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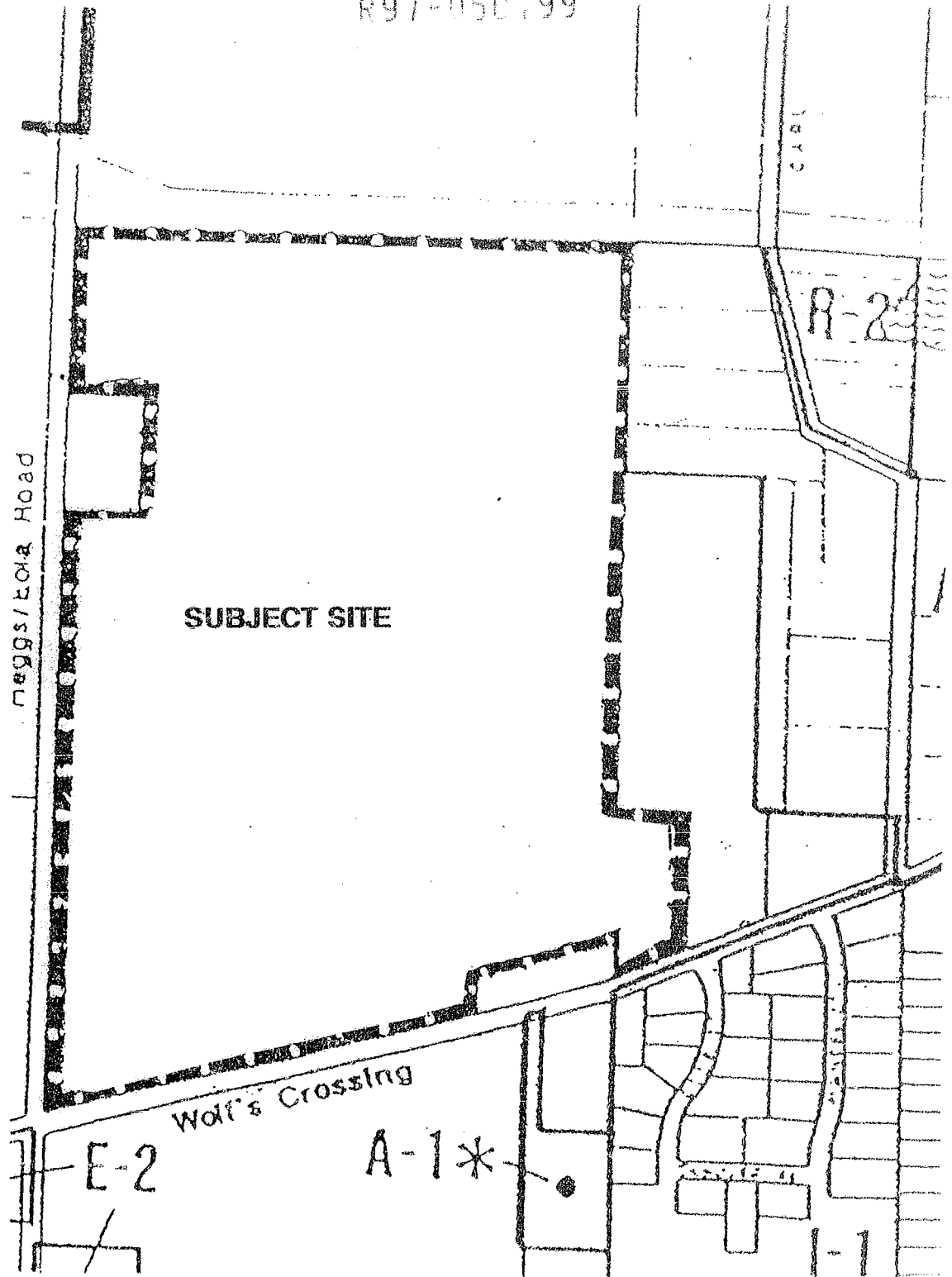


EXHIBIT A - 1  
LAKEWOOD  
SSA #34(C)