

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
SPECIAL SERVICE AREA NUMBER 2 IN THE VILLAGE OF
DOWNERS GROVE TO PROVIDE FOR AN EXTENSION OF THE TERM OF THE SPECIAL
SERVICE AREA AND PROVIDING FOR A PUBLIC
HEARING AND OTHER PROCEDURES IN CONNECTION THEREWITH**

Be it ordained by the Mayor and Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

SECTION 1: *Authority to Establish Special Service Areas.*

Special service areas are to be established pursuant to Article VII, Section 6L of the Constitution of the State of Illinois in force July 1, 1971, which provides:

The General Assembly may not deny or limit the power of home rule units (1) to make local improvements by special assessment and to exercise this power jointly with other counties and municipalities, and other classes of units of local government having that power on the effective date of this Constitution, unless that power is subsequently denied by law to any such other units of local government or (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special service 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 the Special Service Area Tax Law and pursuant to the Revenue Act of 1939.

SECTION 2: *Findings. The Village Council finds:*

- A. It is in the public interest that the creation of the area hereinafter described as a special service area for the purposes set forth herein be considered.
- B. That said area is compact and contiguous and constitutes an important, historical, community shopping area of the Village of Downers Grove.
- C. That said area is primarily zoned for business and commercial purposes and will benefit specially from the municipal services to be provided and that the proposed municipal services are in addition to municipal services provided to the Village of Downers Grove as a whole and it is, therefore, in the best interests of the Village of Downers Grove that the levy of special taxes against said area for the services to be provided be considered.

SECTION 3: *Public Hearing-Tax Rates-Issuance of Bonds.* That a public hearing shall be held on the 18th day of June, 2002, in the Council Chambers of the Village Hall Complex, 801 Burlington Avenue, Downers Grove, Illinois, to consider the creation of Special Service Area Number 2 of the Village of Downers Grove, in the territory described in the Notice set forth in Section 4 hereof. At the hearing, there will be considered the levy of an annual tax of not to exceed an annual rate of one and one-half percent (1.5%) of the assessed value, as equalized, of the property in the Special Service Area, said tax to be levied for a maximum of five (5) years from the effective date of this Ordinance. Said taxes shall be in addition to all other taxes

provided by law and shall be levied pursuant to the provisions of the Revenue Act of 1939.

SECTION 4: Notice of Hearing. Notice of hearing shall be published at least once not less than fifteen (15) days prior to the public hearing in one or more newspapers in general circulation in the Village of Downers Grove. In addition, notice by mailing shall be 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 the proposed Special Service Area. 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 the property. The Notice shall be in substantially the following form:

**NOTICE OF HEARING
VILLAGE OF DOWNERS GROVE
SPECIAL SERVICE AREA NUMBER 2**

NOTICE IS HEREBY GIVEN that on June 18, 2002, at 6:30 P.M. in the Council Chambers of the Village Hall, 801 Burlington Avenue, Downers Grove, Illinois, a hearing will be held by the Mayor and Village Council of the Village of Downers Grove to consider forming a special service area consisting of the following described territory:

**DOWNERS GROVE DOWNTOWN
SPECIAL SERVICE AREA LEGAL DESCRIPTION**

THAT PART OF THE WEST HALF OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF FRANKLIN STREET AND THE EAST LINE OF FOREST AVENUE (SAID POINT OF INTERSECTION ALSO BEING THE NORTHWEST CORNER OF LOT 14 IN THE RE-SUBDIVISION OF BLOCK 5 OF E.H. PRINCE AND COMPANY'S ADDITION TO DOWNERS GROVE, A RESUBDIVISION RECORDED AS DOCUMENT NO.46830); THENCE EASTERLY FOLLOWING ALONG THE SAID SOUTH LINE OF FRANKLIN STREET TO THE NORTHEAST CORNER OF LOT 9 IN E.H. PRINCE AND COMPANY'S ADDITION AFORESAID; THENCE SOUTH ALONG THE EAST LINE OF LOTS 9,8,7 AND 6 IN SAID E.H. PRINCE AND COMPANY'S ADDITION TO THE SOUTHEAST CORNER OF SAID LOT 6 (SAID SOUTHEAST CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 3 IN AFORESAID ADDITION); THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 30 FEET TO THE WEST LINE OF THE EAST 135 FEET OF LOT 4 IN SAID E.H. PRINCE & COMPANY'S ADDITION; THENCE SOUTH TO THE SOUTH LINE OF THE NORTH 82 FEET OF SAID LOT 4; THENCE WEST ALONG THE SAID SOUTH LINE OF THE NORTH 82 FEET, TO THE EAST LINE OF THE WEST 110 FEET OF SAID LOT 4; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID LOT 4; THENCE WEST ALONG THE SAID SOUTH LINE OF LOT 4, TO THE NORTHEAST CORNER OF LOT 5 IN SAID E.H. PRINCE & COMPANY'S ADDITION; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 5 TO THE NORTH LINE OF THE SOUTH 58.63 FEET OF SAID LOT 5; THENCE EAST ALONG THE NORTH LINE OF THE WEST 30 FEET OF THE SOUTH 60 FEET OF LOT 13 IN BLOCK 3 OF FOOTES ADDITION RECORDED AS DOCUMENT 21769, A DISTANCE OF 30 FEET; THENCE SOUTH ALONG THE EAST LINE OF SAID WEST 30 FEET OF THE SOUTH 60 FEET, TO THE NORTH LINE OF LOT 11 IN ROGER'S SUBDIVISION, RECORDED AS DOCUMENT NUMBER 127751; THENCE EAST ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID LOT 11; THENCE SOUTH ALONG THE EAST LINE OF LOTS 11 AND 10 IN SAID ROGER'S SUBDIVISION TO THE SOUTHEAST CORNER OF SAID LOT 10; THENCE SOUTH TO THE NORTHEAST CORNER OF LOT 8 IN SAID ROGER'S SUBDIVISION; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 8 AND THE SOUTHERLY EXTENSION THEREOF, TO THE NORTH LINE OF LOT 6 IN AFORESAID ROGER'S SUBDIVISION; THENCE EASTERLY, ALONG THE NORTH LINES OF LOTS 6 AND 5 IN SAID ROGER'S SUBDIVISION, AND THE EASTERLY EXTENSION THEREOF, TO THE EAST LINE OF HIGHLAND AVENUE; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH

LINE OF ROGERS STREET; THENCE EAST ALONG SAID SOUTH LINE OF ROGERS STREET, TO THE WEST LINE OF WASHINGTON STREET; THENCE SOUTH ALONG SAID WEST LINE TO THE WESTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 100 FEET OF LOT 6 IN BEARDSLEY'S ADDITION, RECORDED AS DOCUMENT NUMBER 9654; THENCE EAST ALONG SAID WESTERLY EXTENSION AND THE NORTH LINE OF SAID SOUTH 100 FEET OF LOT 6 TO THE WEST LINE OF LOT 7 IN SAID BEARDSLEY'S ADDITION; THENCE NORTH ALONG THE SAID WEST LINE TO THE NORTHWEST CORNER OF THE WEST HALF OF THE SOUTH HALF OF SAID LOT 7; THENCE EAST ALONG THE NORTH LINE OF SAID WEST HALF OF THE SOUTH HALF OF LOT 7 TO THE NORTHEAST CORNER OF SAID WEST HALF OF THE SOUTH HALF THEREOF; THENCE SOUTH ALONG THE EAST LINE OF THE WEST HALF TO THE NORTH LINE OF WARREN AVENUE; THENCE WEST ALONG THE SAID NORTH LINE OF WARREN AVENUE AND THE WESTERLY EXTENSION THEREOF, TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF WASHINGTON STREET; THENCE SOUTH ALONG THE SOUTHERLY EXTENSION OF SAID WEST LINE TO THE SOUTH LINE OF BURLINGTON AVENUE; THENCE EAST ALONG SAID SOUTH LINE TO THE NORTHWEST CORNER OF LOT 6 IN RANDALL'S RESUBDIVISION RECORDED AS DOCUMENT NUMBER 20748; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 6 TO THE SOUTHWEST CORNER THEREOF; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF LOTS 7 AND 8 IN SAID RANDALL'S RESUBDIVISION TO THE EASTERLY LINE OF LOT 7 IN BLOCK 2 IN CURTISS' ADDITION RECORDED AS DOCUMENT NUMBER 7317; THENCE SOUTH ALONG THE EASTERLY LINE OF SAID LOT 7 TO THE SOUTHEAST CORNER OF SAID LOT 7 IN BLOCK 2; THENCE SOUTH TO THE NORTHEAST CORNER OF LOT 6 IN BLOCK 3 IN SAID CURTISS' ADDITION; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 6 AND THE SAID EAST LINE EXTENDED SOUTH, TO THE NORTH LINE OF LOT 13 IN ASSESSOR'S SUBDIVISION RECORDED AS DOCUMENT NUMBER 14481; THENCE SOUTHERLY ALONG A LINE THAT IS 74.25 FEET, (RECORD), EASTERLY, AS MEASURED ALONG THE NORTH LINE OF SAID LOT 13, AND PARALLEL WITH SAID WEST LINE OF SAID LOT 13, A DISTANCE OF 100.8 FEET, (RECORD); THENCE WESTERLY TO A POINT ON THE EAST LINE OF WASHINGTON STREET THAT IS 84.44 FEET, (RECORD), SOUTH OF THE SAID NORTH LINE OF LOT 14 OF THE ASSESSOR'S SUBDIVISION; THENCE SOUTH, ALONG THE EAST LINE OF WASHINGTON STREET, TO A POINT THAT IS 70.00 FEET SOUTH OF AS MEASURED PERPENDICULAR TO THE PREVIOUSLY DESCRIBED COURSE; THENCE EAST TO THE EAST LINE OF THE WEST 4.25 FEET OF THE OF THE SOUTH 132 FEET OF LOT 13 IN SAID ASSESSOR'S SUBDIVISION; THENCE SOUTH, ALONG THE SAID EAST LINE OF THE WEST 4.25 FEET, TO THE NORTH LINE OF MAPLE AVENUE; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE OF MAPLE AVENUE TO THE WESTERLY LINE, EXTENDED NORTHERLY OF LOT 24 IN ASSESSOR'S SUBDIVISION RECORDED AS DOCUMENT NUMBER 14481; THENCE SOUTHEASTERLY ALONG SAID EXTENDED WESTERLY LINE AND THE WESTERLY LINE OF SAID LOT 24 TO THE NORTH LINE OF LOT 14 IN CURTISS' SUBDIVISION RECORDED AS DOCUMENT NUMBER 29341; THENCE SOUTHWESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 14 TO THE NORTHWEST CORNER THEREOF, THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 14 TO THE SOUTHWEST CORNER THEREOF; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF LOT 12 IN CURTISS' SUBDIVISION AFORESAID TO THE SOUTHWEST CORNER THEREOF (SAID SOUTHWEST CORNER BEING A POINT IN THE EAST LINE OF LOT 7 IN CURTISS' SUBDIVISION); THENCE SOUTH ALONG SAID EAST LINE OF SAID LOT 7 TO THE SOUTHEAST CORNER THEREOF; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 7, TO THE SOUTHEAST CORNER OF LOT 36 IN ASSESSOR'S SUBDIVISION RECORDED AS DOCUMENT NUMBER 14481; THENCE WEST, ALONG THE SAID SOUTH LINE OF LOT 36 AND SAID LINE EXTENDED WEST TO THE CENTER LINE OF MAIN STREET; THENCE SOUTHEASTERLY TO THE SOUTH LINE OF THE NORTHWESTERLY 10 FEET OF LOT 5 IN BLANCHARD'S SUBDIVISION RECORDED AS DOCUMENT NUMBER 12880; THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF THE SAID NORTHWESTERLY 10 FEET OF LOT 5 TO THE WESTERLY LINE OF SAID LOT 5; THENCE NORTHERLY ALONG SAID WESTERLY LINE, THE WESTERLY LINE OF LOTS 4, 3 AND 2 IN SAID BLANCHARD'S SUBDIVISION AND THE SAID WESTERLY LINE EXTENDED OF LOT 2 TO THE NORTHERLY LINE OF MAPLE AVENUE, SAID LINE BEING THE SOUTH LINE OF LOTS 44 AND 45 IN SAID ASSESSOR'S SUBDIVISION; THENCE EASTERLY ALONG SAID NORTHERLY LINE TO POINT IN SAID NORTHERLY LINE OF MAPLE AVENUE THAT IS 75 FEET EASTERLY, AS MEASURED ALONG THE NORTHERLY LINE OF SAID MAPLE AVENUE, OF THE SOUTHWEST CORNER OF LOT 45; THENCE NORTHERLY ALONG A LINE PARALLEL TO THE WESTERLY LINE OF LOT 45 IN SAID ASSESSOR'S

SUBDIVISION TO A POINT 40 FEET SOUTHERLY OF THE LAND CONVEYED BY EDWARD THATCHER TO QUIRIN SCHMIDT BY DEED DATED APRIL 16, 1889 AND RECORDED AS DOCUMENT 139636, SAID POINT BEING ON THE SOUTH LINE OF LAND CONVEYED BY DEED DATED OCTOBER 17, 1902, RECORDED AUGUST 1, 1904 AS DOCUMENT 82172; THENCE EASTERLY, ALONG SAID LINE TO WESTERLY LINE OF LOT 5 IN HOFERT'S SUBDIVISION RECORDED AS DOCUMENT NUMBER 52764; THENCE NORTHERLY ALONG SAID WESTERLY LINE AND THE WESTERLY LINE EXTENDED NORTHERLY TO THE SOUTH LINE OF GROVE STREET; THENCE NORTHWESTERLY ACROSS SAID GROVE STREET TO A POINT ON THE NORTHERLY LINE THEREOF 132.99 FEET WEST OF THE WEST LINE OF MAIN STREET; THENCE WEST ALONG SAID NORTHERLY LINE TO A POINT ON SAID NORTHERLY LINE 244.53 FEET WEST OF THE SAID WEST LINE OF MAIN STREET; THENCE NORTH IN A STRAIGHT LINE TO A POINT ON THE SOUTH LINE OF LOT 55 IN ASSESSOR'S SUBDIVISION AFORESAID, 233.64 FEET WEST OF THE SAID WEST LINE OF MAIN STREET; THENCE WEST ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF FIRST CHURCH OF CHRISTIAN SCIENTIST RECORDED AS DOCUMENT NUMBER 145113; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID FIRST CHURCH OF CHRISTIAN SCIENTIST TO THE SOUTH LINE OF CURTISS STREET; THENCE NORTHERLY TO THE SOUTHEASTERLY CORNER OF LOT 57 IN ASSESSOR'S SUBDIVISION AFORESAID (SAID CORNER ALSO BEING THE CENTER LINE OF CREEK); THENCE NORTHERLY FOLLOWING ALONG THE SAID CENTER LINE OF CREEK TO ITS INTERSECTION WITH A LINE 100 FEET WEST OF AND PERPENDICULAR TO THE WEST LINE OF FOREST AVENUE, (FOOTE STREET); THENCE NORTH 8 DEGREES 35 MINUTES EAST, ALONG AN ASSUMED BEARING, AND BEING PARALLEL WITH THE WEST LINE OF FOREST AVENUE, 60.25 FEET; THENCE NORTH 83 DEGREES 49 MINUTES WEST, 28.85 FEET; THENCE NORTH 8 DEGREES 15 MINUTES EAST, 24.4 FEET, TO THE SOUTH LINE OF GILBERT AVENUE; THENCE CONTINUING NORTH 8 DEGREES 15 MINUTES EAST TO THE NORTH LINE OF GILBERT AVENUE; THENCE WESTERLY ALONG SAID NORTH LINE TO A POINT THAT IS 386.76 FEET EAST, AS MEASURED ALONG THE NORTH LINE OF GILBERT AVENUE, OF THE WEST LINE OF SAID SECTION 8; THENCE NORTH 256 FEET TO THE SOUTHERLY LINE OF THE LANDS OF THE BURLINGTON NORTHERN RAILROAD; THENCE WEST ALONG THE SOUTHERLY LINE OF SAID RAILROAD TO ITS POINT OF INTERSECTION WITH THE EASTERLY LINE EXTENDED SOUTH OF THE WEST THREE FEET OF LOT 5 IN FOOTE'S ADDITION RECORDED AS DOCUMENT 21769; THENCE NORTH ALONG SAID EXTENDED LINE AND THE EAST LINE OF THE SAID WEST THREE FEET OF LOT 5 TO THE SOUTH LINE OF WARREN AVENUE; THENCE EAST ALONG SAID SOUTH LINE OF WARREN AVENUE TO EAST LINE EXTENDED SOUTH OF LOT 16 IN E.H. PRINCE AND COMPANY'S ADDITION RECORDED AS DOCUMENT NUMBER 43600; THENCE NORTH ALONG SAID EXTENDED LINE AND THE EAST LINE OF SAID LOT 16 TO THE NORTH LINE, EXTENDED WEST, OF LOT 15 IN SAID E.H. PRINCE AND COMPANY'S ADDITION; THENCE EAST ALONG SAID EXTENDED LINE, THE NORTH LINE OF SAID LOT 15 AND SAID NORTH LINE EXTENDED EAST TO THE EAST LINE OF FOREST AVENUE; THENCE NORTH ALONG SAID EAST LINE OF FOREST AVENUE TO THE SOUTH LINE OF LOT 10, EXTENDED EAST, OF SAID E.H. PRINCE AND COMPANY'S ADDITION RECORDED AS DOCUMENT 43600; THENCE WEST ALONG SAID EXTENDED LINE, THE SOUTH LINE OF SAID LOT 10 AND THE SOUTH LINE OF LOT 24 IN SAID E.H. PRINCE AND COMPANY'S ADDITION TO THE WEST LINE OF THE EAST 95.5 FEET OF SAID LOT 24; THENCE NORTH ALONG THE WEST LINE OF THE EAST 95.5 FEET OF LOTS 24 TO 28, BOTH INCLUSIVE, IN SAID E.H. PRINCE AND COMPANY'S ADDITION TO THE NORTH LINE OF THE SOUTH HALF OF SAID LOT 28; THENCE EAST ALONG SAID NORTH LINE OF THE SOUTH HALF OF SAID LOT 28, THE NORTH LINE OF THE SOUTH HALF OF LOT 6 IN SAID E.H. PRINCE AND COMPANY'S ADDITION AND THE EASTERLY EXTENSION THEREOF TO THE EAST LINE OF FOREST AVENUE; THENCE NORTH ALONG SAID EAST LINE OF FOREST AVENUE TO THE POINT OF BEGINNING, DUPAGE COUNTY, ILLINOIS.

An accurate map of said territory is on file in the office of the Village Clerk and available for public inspection.

The purpose of the formation of Downers Grove Special Service Area Number 2 in general is to provide special municipal services to the area, including but not limited to, municipal services in connection with the promotion and marketing of businesses in the proposed special service area; economic development

of businesses within the proposed special service area, including retention of existing businesses and recruitment of new businesses; assist business in the proposed special service area in working with the Village to achieve compliance with local regulations; and other related services in connection with the promotion of the Central Business District which is located in the proposed special service area.

A special tax will be considered at the public hearing to be levied for a period not to exceed five (5) years and not to exceed an amount of one and one-half percent (1.5%) per annum of assessed value, as equalized, to be levied against the real property included in the special service area.

At the hearing, all interested persons affected by the formation of such special service area, including all persons owning taxable real estate therein, will be given an opportunity to be heard. The hearing may be adjourned by the Village 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 is signed by at least fifty one percent (51%) of the electors residing within the special service area and by at least fifty one percent (51%) of the owners of record of the land included within the boundaries of the special service area is filed with the municipal clerk within sixty (60) days following the final adjournment of the public hearing objecting to the creation of the special service district or the levy or imposition of a tax affecting the special service area, no such district may be created, or taxes levied or imposed.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That this ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk