

VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Ordinance No: 4816

File Number: 2013-0274

AN ORDINANCE ESTABLISHING VILLAGE OF ORLAND PARK SPECIAL SERVICE AREA
NUMBER 1

VILLAGE OF ORLAND PARK STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 7th day of May, 2013 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

VILLAGE OF ORLAND PARK

Ordinance No: 4816

AN ORDINANCE ESTABLISHING VILLAGE OF ORLAND PARK SPECIAL SERVICE AREA
NUMBER 1

BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will
Counties, Illinois, as follows:

SECTION 1

AUTHORITY.

Special Service Area Number 1 is established pursuant to the provisions of Article VII, Section 6 of the
Constitution of the State of Illinois, and pursuant to the provisions of the Special Service Area Tax Law,
35 ILCS 200/27-5 et seq.

SECTION 2

FINDINGS.

The Village Board finds:

A. The question of the establishment of the area hereinafter described as a special service area was
considered by the President and Board of Trustees (hereinafter the "Village Board") pursuant to an
Ordinance entitled: "An Ordinance Proposing the Establishment of Special Service Area Number 1 in
the Village of Orland Park and providing for a Public Hearing and Other Procedures in Connection
Therewith," adopted February 4, 2013, and was considered pursuant to a hearing held on April 15, 2013,
by the Village Board pursuant to a Newspaper Notice duly published in The Orland Park Prairie, a
newspaper published in the Village of Orland Park (hereinafter the "Village"), at least fifteen (15) days
prior to the hearing, and pursuant to Personal Notice by 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 special service area. Said Personal Notice by mail was given by depositing said
Personal Notice in the United States mails 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 said Personal Notice was sent
to the person last listed on the tax rolls prior to that year as the owner of said property. A Certificate of
Publication of said Newspaper Notice and an Affidavit of Mailing of said Personal Notice are attached to
this Ordinance as Exhibit 1 and Exhibit 2, respectively, and made part hereof. Said Newspaper Notice
and Personal Notice conformed in all respects to the requirements of Section 27-25 of the Special
Service Area Tax Law (35 ILCS 200/27-25).

B. That a public hearing on the question set forth in the Newspaper Notice and Personal Notice was
held on April 15, 2013. All interested persons were given an opportunity to be heard on the question

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of the creation of the special service area, and the levy of an annual tax to pay for the proposed Special Services (as defined in Section 4 below), as set forth in the Newspaper Notice and Personal Notice. The public hearing was opened on April 15, 2013, and there was final adjournment thereof on April 15, 2013, as part of the regular Orland Park Village Board meeting on said date.

C. That after considering the data, as presented at the public hearing, the Village Board finds that it is in the public interest and in the interest of the Village of Orland Park Special Service Area Number 1 that said special service area, as hereinafter described, be established.

D. Said area is compact and contiguous and exists in a Special Use/P.U.D. area under the Village Center (VC) zoning classification in the Village.

E. It is in the best interest of said special service area that the furnishing of the municipal services proposed be considered for the common interests of said area.

F. Said area is zoned for Special Use/P.U.D. under the Village Center (VC) zoning classification and will benefit specially from municipal services proposed to be provided. The proposed municipal services are unique and in addition to the municipal services provided to the Village as a whole.

SECTION 3

VILLAGE OF ORLAND PARK SPECIAL SERVICE AREA NUMBER 1 ESTABLISHED.

A special service area to be known and designated as "Village of Orland Park Special Service Area Number 1" (hereinafter "Special Service Area Number 1") is hereby established and shall consist of the following-described territory:

Lots 1, 2, 4, 5, 6 and 7 in the Marquette Bank Subdivision of part of the West Half of the Northwest Quarter of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded on December 27, 2012 as document number 1236229025;

PINs: 27-10-100-010, -011, -016, -101, -102 and Pt. 27-10-100-019;

Street Location: The Southeast corner of 143rd Street and LaGrange Road, Orland Park, Illinois;

(hereinafter the "Subject Property").

An accurate map of the Subject Property is attached hereto as Exhibit 3, and made part hereof.

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SECTION 4

PURPOSE OF THE AREA.

Special Service Area Number 1 is established to provide special municipal services to the Subject Property in addition to services provided to the Village generally. Included in said services shall be the funding of the Village's cost of maintaining, repairing, reconstructing and/or replacing the stormwater management improvements on Lot 4, and the roadway/sidewalk improvements on Lots 6 and 7, of the Subject Property, in the event that the owners of Lots 1, 2, 4, 5, 6 and 7 of the Subject Property fail to maintain, repair, reconstruct and/or replace said stormwater management improvements and/or roadway improvements as required by:

(i) The "Development Agreement (Marquette Bank - Southeast Corner of LaGrange Road and 143rd Street)," recorded with the Cook County Recorder of Deeds on December 7, 2012, as document number 123423199;

(ii) The Plat of Subdivision for Marquette Bank Subdivision of part of the West Half of the Northwest Quarter of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded with the Cook County Recorder of Deeds on December 27, 2012 as document number 1236229025; and

(iii) The "Declaration of Covenants, Conditions, restrictions and Easements, Lots 1-7 of Marquette Bank Subdivision, Orland Park, Illinois (Cook County)" recorded with the Cook County Recorder of Deeds on January 16, 2013 as document number 1301626021;

(hereinafter the "Special Services"), within said Special Service Area Number 1.

In the event that the Village is required to expend funds relative to said Special Services, the Village shall levy a direct annual tax at a rate not to exceed \$8.75 per \$100.00 of equalized assessed valuation of property in Special Service Area Number 1, for each year during which the Village is required to expend funds relative to said Special Services, so long as the stormwater management improvements and/or roadway/sidewalk improvements, as referenced above, exist. As taxes will not be levied until such time, if any, as the Village actually expends funds for said Special Services, it is currently unknown as to the actual amount of the taxes that will be levied for the initial year, if any, for which taxes will be levied within Special Service Area Number 1; however, any such initial tax levy shall not exceed the maximum tax rate as set forth above. Said tax is to be levied upon all taxable property within the Special Service Area Number 1, and shall be in addition to all other taxes provided by law.

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SECTION 5

EFFECTIVE DATE.

The Village is in receipt of a "Waiver of Right to File an Objection Petition Opposing the Creation of Orland Park Special Service Area Number 1 (Marquette Bank Subdivision Project) - Marquette Bank," a copy of which is attached hereto as Exhibit 4 and made part hereof. As such, and as there are no electors residing within the Subject Property, and as Marquette Bank is one (1) of only two (2) owners of the Subject Property, and owns four (4) of the six (6) parcels comprising the Subject Property, this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as required by law. The Village Clerk is hereby directed and ordered to file a certified copy of this Ordinance with the Cook County Clerk, and record a certified copy of this Ordinance with the Cook County Recorder's Office, within sixty (60) days of the effective date hereof.

PASSED this 6th day of May, 2013

/s/ John C. Mehalek

John C. Mehalek, Village Clerk

Aye: 7 Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

DEPOSITED in my office this 6th day of May, 2013

/s/ John C. Mehalek

John C. Mehalek, Village Clerk

APPROVED this 6th day of May, 2013

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 7th day of May, 2013

/s/ John C. Mehalek

John C. Mehalek, Village Clerk

Exhibit 1

**Certificate of Publication
of Newspaper Notice**

(attached)

CERTIFICATE OF PUBLICATION

LEGAL NOTICE

CASE NO. Public Hearing
OP Special Service Area

22nd Century Media

does hereby certify that it is the publisher of **The Orland Park Prairie**, that said **Orland Park Prairie** is a secular newspaper that has been published weekly in the City of Orland Park, County of Will and Cook, State of Illinois, continuously for more than one year prior to the first date of publication of the notice, appended, that it is of general circulation throughout said County and State, that it is a newspaper as defined in "An Act to revise the law in relation to notices." as amended, Illinois Compiled Statutes (715 ILCS 5/1 & 5/5), and that the notice appended was published in the said **Orland Park Prairie** on March 28, 2013

First publication date:

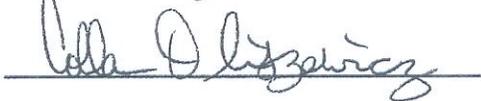
March 28, 2013

Final publication date:

March 28, 2013

In witness thereof, the undersigned has caused this certificate to be signed and its corporate seal affixed at Orland Park, Illinois.

Authorized Agent:



Dated:

March 28, 2013





NOTICE OF PUBLIC HEARING VILLAGE OF ORLAND PARK SPECIAL SERVICE AREA NUMBER 1

NOTICE IS HEREBY GIVEN that on April 15, 2013, at 7:00 p.m. in the Orland Park Village Hall, Board Room, 14700 South Ravinia Avenue, Orland Park, Illinois, a public hearing will be held by the President and Board of Trustees of the Village of Orland Park to consider forming a special service area consisting of the following described property:

Lots 1, 2, 4, 5, 6 and 7 in the Marquette Bank Subdivision of part of the West Half of the Northwest Quarter of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded on December 27, 2012 as document number 1236229025;

PINs: 27-10-100-010, -011, -016, -101, -102 and Pt. 27-10-100-019;

Street Location: The Southeast corner of 143rd Street and LaGrange Road, Orland Park, Illinois.

All interested persons affected by the formation of Orland Park Special Service Area Number 1 will be given an opportunity to be heard regarding the formation of and the boundaries of Special Service Area Number 1 and may object to the formation of Special Service Area Number 1 and the levy of taxes affecting said Special Service Area Number 1.

The purpose of the formation of Orland Park Special Service Area Number 1 is to fund the Village of Orland Park's cost of maintaining, repairing, reconstructing and/or replacing the stormwater management improvements on Lot 4, and the roadway/sidewalk improvements on Lots 6 and 7, of the above-described property, in the event that the owners of Lots 1, 2, 4, 5, 6 and 7 of the above-described property fail to maintain, repair, reconstruct and/or replace said stormwater management improvements and/or roadway improvements as required by:

- The "Development Agreement (Marquette Bank - Southeast Corner of LaGrange Road and 143rd Street)," recorded with the Cook County Recorder of Deeds on December 7, 2012, as document number 123423199;
- The Plat of Subdivision for

Marquette Bank Subdivision of part of the West Half of the Northwest Quarter of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded with the Cook County Recorder of Deeds on December 27, 2012 as document number 1236229025; and

•The "Declaration of Covenants, Conditions, restrictions and Easements, Lots 1-7 of Marquette Bank Subdivision, Orland Park, Illinois (Cook County)" recorded with the Cook County Recorder of Deeds on January 16, 2013 as document number 1301626021;

(hereinafter the "Special Services"), within said Special Service Area Number 1.

A tax levy at a rate not to exceed \$8.75 per \$100.00 of equalized assessed valuation of property in Special Service Area Number 1, for each year during which the Village of Orland Park is required to expend funds relative to said Special Services, so long as the stormwater management improvements and/or roadway/sidewalk improvements, as referenced above, exist, will be considered at the public hearing. As taxes will not be levied until such time, if any, as the Village actually expends funds for said Special Services, it is currently unknown as to the actual amount of the taxes that will be levied for the initial year, if any, for which taxes will be levied within Special Service Area Number 1; however, any such initial tax levy shall not exceed the maximum tax rate as set forth above. Said tax is to be levied upon all taxable property within the proposed Special Service Area Number 1.

At the public hearing, all persons affected by the formation of said Special Service Area Number 1, including all persons owning taxable real estate therein, will be given an opportunity to be heard. The public hearing may be adjourned by the President and Board of Trustees 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 and/or as otherwise required by law.

If a petition signed by at least fifty-one (51%) of the electors residing within Special Service Area Number 1 and by at least fifty-one (51%) of the owners of record of the land included within the boundaries of Special Service Area Number 1 is filed with the Village Clerk, within sixty (60) days following the final adjournment of the public hearing, objecting to the creation of Special Service Area Number 1, the enlargement thereof, the levy or imposition of a tax for the provision of the Special Services to the area, or to a proposed increase in the tax rate, said Special Service Area Number 1 may not be created or enlarged, and no tax may be levied or imposed nor the rate increased. DATED this 28th day of March, 2013.

David P. Maher
Village Clerk
Village of Orland Park

Exhibit 2

**Affidavit of Mailing
of Personal Notice**

(attached)

**VILLAGE OF ORLAND PARK
SPECIAL SERVICE AREA NUMBER 1**

CERTIFICATE OF MAILING

I, Jean C. Charpentier, being first duly sworn on oath, depose and say that, on March 29, 2013, I caused to be sent to:

- All Taxpayers of Record and the New Owner of Record of Lots 5 and 7 within Special Service Area Number 1 (as listed on the attached Service List), by First Class U.S. Mail, postage prepaid;

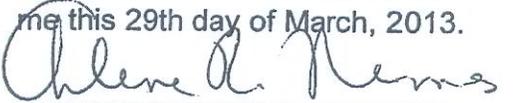
the following document:

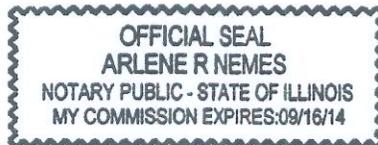
- NOTICE OF PUBLIC HEARING – VILLAGE OF ORLAND PARK – SPECIAL SERVICE AREA NUMBER 1;

a copy of which is attached hereto as Exhibit 1.


Jean C. Charpentier

Subscribed and sworn to before
me this 29th day of March, 2013.


Notary Public



	Village of Orland Park	
	Special Service Area #1	
	SERVICE LIST	
	Taxpayers of Record and New Owner of Record of Lots 5 and 7	
PIN: 27-10-100-010 JERRY MARGOLD MARQ BK 10000 West 151 st St. Orland Park, IL 60462-3140	PIN: 27-10-100-011 JERRY MARGOLD MARQ BK 10000 West 151 st St. Orland Park, IL 60462-3140	PIN: 27-10-100-016 MARQUETTE BANK FINANCE 10000 West 151 st St. Orland Park, IL 60462-3140
PIN: 27-10-100-019 MARQUETTE BANK FINANCE 10000 West 151 st St. Orland Park, IL 60462-3140	PIN: 27-10-100-101 JERRY MARGOLD MARQ BK 10000 West 151 st St. Orland Park, IL 60462-3140	PIN: 27-10-100-102 MARQUETTE BANK FINANCE 10000 West 151 st St. Orland Park, IL 60462-3140
	143 rd Orland Park Property LLC, an Illinois Limited Liability Company c/o JD Real Estate Inc. 4333 S. Pulaski Rd. Chicago, IL 60632	

Exhibit 1

**NOTICE OF PUBLIC HEARING
VILLAGE OF ORLAND PARK
SPECIAL SERVICE AREA NUMBER 1**

(attached)

**NOTICE OF PUBLIC HEARING
VILLAGE OF ORLAND PARK
SPECIAL SERVICE AREA NUMBER 1**

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PINs: 27-10-100-010, -011, -016, -101, -102 and
Pt. 27-10-100-019;

Street Location: The Southeast corner of 143rd Street and LaGrange Road,
Orland Park, Illinois.

All interested persons affected by the formation of Orland Park Special Service Area Number 1 will be given an opportunity to be heard regarding the formation of and the boundaries of Special Service Area Number 1 and may object to the formation of Special Service Area Number 1 and the levy of taxes affecting said Special Service Area Number 1.

The purpose of the formation of Orland Park Special Service Area Number 1 is to fund the Village of Orland Park's cost of maintaining, repairing, reconstructing and/or replacing the stormwater management improvements on Lot 4, and the roadway/sidewalk improvements on Lots 6 and 7, of the above-described property, in the event that the owners of Lots 1, 2, 4, 5, 6 and 7 of the above-described property fail to maintain, repair, reconstruct and/or replace said stormwater management improvements and/or roadway improvements as required by:

- (i) The "Development Agreement (Marquette Bank – Southeast Corner of LaGrange Road and 143rd Street)," recorded with the Cook County Recorder of Deeds on December 7, 2012, as document number 123423199;
- (ii) The Plat of Subdivision for Marquette Bank Subdivision of part of the West Half of the Northwest Quarter of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded with the Cook County Recorder of Deeds on December 27, 2012 as document number 1236229025; and

- (iii) The "Declaration of Covenants, Conditions, restrictions and Easements, Lots 1-7 of Marquette Bank Subdivision, Orland Park, Illinois (Cook County)" recorded with the Cook County Recorder of Deeds on January 16, 2013 as document number 1301626021;

(hereinafter the "Special Services"), within said Special Service Area Number 1.

A tax levy at a rate not to exceed \$8.75 per \$100.00 of equalized assessed valuation of property in Special Service Area Number 1, for each year during which the Village of Orland Park is required to expend funds relative to said Special Services, so long as the stormwater management improvements and/or roadway/sidewalk improvements, as referenced above, exist, will be considered at the public hearing. As taxes will not be levied until such time, if any, as the Village actually expends funds for said Special Services, it is currently unknown as to the actual amount of the taxes that will be levied for the initial year, if any, for which taxes will be levied within Special Service Area Number 1; however, any such initial tax levy shall not exceed the maximum tax rate as set forth above. Said tax is to be levied upon all taxable property within the proposed Special Service Area Number 1.

At the public hearing, all persons affected by the formation of said Special Service Area Number 1, including all persons owning taxable real estate therein, will be given an opportunity to be heard. The public hearing may be adjourned by the President and Board of Trustees 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 and/or as otherwise required by law.

If a petition signed by at least fifty-one (51%) of the electors residing within Special Service Area Number 1 and by at least fifty-one (51%) of the owners of record of the land included within the boundaries of Special Service Area Number 1 is filed with the Village Clerk, within sixty (60) days following the final adjournment of the public hearing, objecting to the creation of Special Service Area Number 1, the enlargement thereof, the levy or imposition of a tax for the provision of the Special Services to the area, or to a proposed increase in the tax rate, said Special Service Area Number 1 may not be created or enlarged, and no tax may be levied or imposed nor the rate increased.

DATED this 28th day of March, 2013.

David P. Maher
Village Clerk
Village of Orland Park

Exhibit 3

**Map of
Village of Orland Park
Special Service Area Number 1**

(attached)

Exhibit 4

**Waiver of Right to File an
Objection Petition Opposing the Creation of
Orland Park Special Service Area Number 1
(Marquette Bank Subdivision Project) - Marquette Bank**

(attached)

WAIVER OF RIGHT TO FILE AN OBJECTION PETITION
OPPOSING THE CREATION OF
ORLAND PARK SPECIAL SERVICE AREA NUMBER 1
(MARQUETTE BANK SUBDIVISION PROJECT) –
MARQUETTE BANK

Marquette Bank, an Illinois banking corporation, (hereinafter "Marquette Bank"), hereby voluntarily waives the right of Marquette Bank to file an objection petition opposing the creation of Orland Park Special Service Area Number 1 – Marquette Bank Subdivision Project (hereinafter the "SSA").

In regard to said voluntary waiver, Marquette Bank certifies that:

- A. Marquette Bank is the owner of record of Lots 1, 2, 4 and 6 in Marquette Bank Subdivision of part of the West Half of the Northwest Quarter of Section 10, Township 36 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois, recorded on December 27, 2012 as document number 1236229025 (hereinafter the "Property"), and the sole taxpayer of record in regard to the Property, which is located within the SSA; and
- B. No electors reside on the Property.

Marquette Bank understands that Section 27-55 of the Special Service Area Tax Law (35 ILCS 200/27-55) allows Marquette Bank to object to the creation of the SSA, and that a successful objection petition requires the signatures of at least fifty-one percent (51%) of the owners of record and at least fifty-one percent (51%) of the electors residing in the proposed SSA. Also, Marquette Bank acknowledges that an objection petition relative to the creation of the SSA would have to be filed with the Village Clerk within sixty (60) days of the April 15, 2013 public hearing.

In consideration of Marquette Bank signing this waiver form, and in furtherance of the "Development Agreement (Marquette Bank – Southeast Corner of LaGrange Road and 143rd Street)," recorded with the Cook County Recorder of Deeds on December 17, 2012, as document number 123423199, Marquette Bank requests that the Corporate Authorities of the Village of Orland Park approve the ordinance required to create the SSA before the expiration of the sixty (60) day objection filing period, and that the Village file said ordinance with the Cook County Clerk, and record said ordinance with the Cook County Recorder of Deeds, before the expiration of the sixty (60) day objection filing period.

Marquette Bank agrees that this waiver form shall be admissible in evidence in any action in which the terms of this waiver form are sought to be enforced.

The undersigned has carefully read and fully understands and agrees that this is a waiver of Marquette Bank's right to file an objection petition opposing the creation of the SSA, has been duly authorized to sign this waiver form, and has signed it of his own free and voluntary act and as the free and voluntary act and deed of Marquette Bank.

MARQUETTE BANK

By: Thomas A. Burgin -
Thomas P. Burgin, Executive Vice-President

Date: April 16, 2013

Attest: Kimberly Sinde
Name: Kimberly Sinde
Title: AVP Project Manager

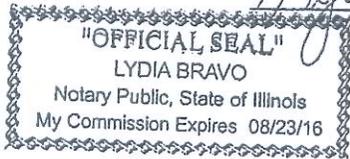
Date: April 16, 2013

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that the above-named Thomas P. Burgin and Kimberly Sinde, personally known to me to be the Executive Vice-President and AVP Project Manager of Marquette Bank, an Illinois banking corporation (the "Company"), and also known to me to be the same persons whose names are subscribed to the foregoing instrument as such Executive Vice-President and AVP Project Manager, appeared before me this day in person and acknowledged that, as such Executive Vice-President and AVP Project Manager, they signed and delivered the said instrument, pursuant to authority given by said Company, as their free and voluntary act, and as the free and voluntary act and deed of said Company, for the uses and purposes therein set forth.

GIVEN under my hand and Notary Seal, this 16th day of April, 2013.

Lydia Bravo
Notary Public



My Commission Expires: _____