



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 020-034  
DATE OF PASSAGE June 23, 2020

An Ordinance for the Establishment of a Special Service Area Number #201 Poly USA Expansion (Vacant Lots East of Russell Avenue and North of New Haven Avenue) Aurora, Illinois, Kane County PIN #15-16-177-011 & 15-16-177-013)

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 1990, 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 Area hereinafter described in the Notice referred to in Section Four hereof be established as SPECIAL SERVICE AREA NUMBER 201 for the purposes set forth herein. An accurate map of said territory is attached hereto as Exhibit "A-1". The approximate location is vacant lots east of Russell Avenue and north of New Haven Avenue, Aurora, Illinois.

(b) That said Area is compact and contiguous.

(c) That said Area is zoned M1 Manufacturing District Limited, and will benefit specially from the municipal services to be provided which include the maintenance and

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repair of the onsite stormwater retention, detention and drainage control and common areas, all in accordance with the final plat of subdivision or final approved engineering plans for the Area; and the 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 201 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 201 is to provide special municipal improvements to said Area which include the maintenance and repair of the onsite stormwater retention, detention and drainage controls and common areas, within the Special Service Area, all in accordance with the final approved landscape plan, engineering plan and/or final plat of subdivision for the Area; 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 at a rate or amount sufficient to provide tax revenue required to provide for said special municipal services in said Area, on property in said Area in addition to all other municipal taxes, said tax to be levied at a maximum rate of 1.10 one-hundredths percent (1.10 being one hundred and ten cents per \$100.00 of the equalized assessed value of the property) provided that the special annual tax shall be levied upon the equalized assessed value of the property in said Area in the amount of tax sufficient to produce revenue required to provide the special services. Said tax to be levied for an indefinite period of time commencing during and in the years subsequent to the 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 Property Tax Code. Notwithstanding the foregoing, taxes shall not be levied hereunder and said Area shall be "dormant," and shall take effect only if the 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 if forced to assume said responsibilities. During the years of development in the Area and initially thereafter, said levies are intended to produce an amount annually to pay for the cost for said services.

SECTION THREE:

That a public hearing was held on the 14th day of January, 2012, at 6:00 p.m., in the City Council Chambers of the City Hall, 44 East Downer Place, Aurora, Illinois with regard to the establishment of City of Aurora SPECIAL SERVICE AREA NUMBER 201 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 23rd day of December, 2019, 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 NUMBER 201. Said notice was mailed on or before the 23rd day of December, 2019, 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.

Exhibits Attached:

- A-1 Site Map
- A-Legal Description
- B-Legal Notice of Hearing
- C-Affidavit of Notice of Service
- D-Waiver of Objection
- E-Aerial Map of Site Location

ORDINANCE NO. 020-034

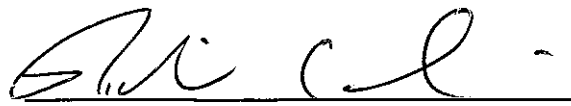
PASSED AND APPROVED ON June 23, 2020

AYES 12    NAYS 0    NOT VOTING 0    ABSENT 0

ALDERMAN	Vote
Alderman Llamas, Ward 1	yes
Alderman 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 Hart-Burns, Ward 7	yes
Alderman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderman Lofchie, Ward 10	yes
Alderman Jenkins, At Large	yes
Alderman O'Connor, At Large	yes

ATTEST:

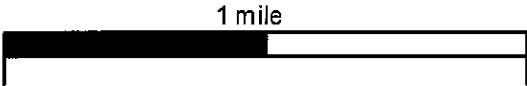
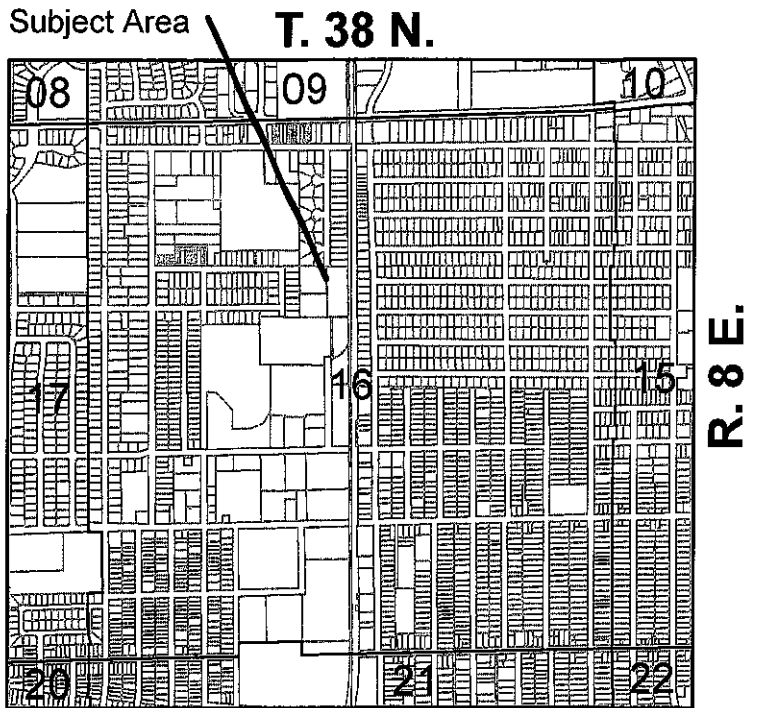
  
City Clerk

  
Mayor

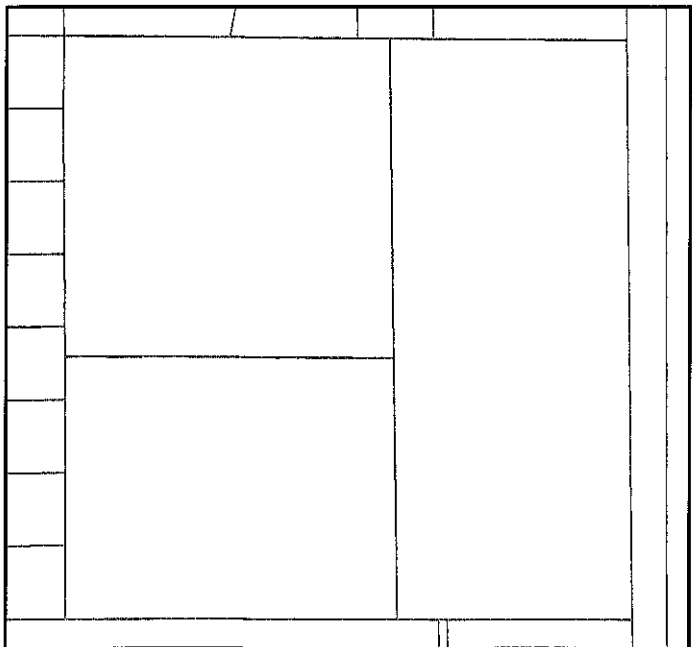
**Legal Description**

See Attached

**Locator Map**



**Actual Area**



**PIN(s)**

15-16-177-011  
15-16-177-013

**Common Address**

Vacant Land



## LEGAL DESCRIPTION OF SUBJECT PROPERTY

Parcel A PIN# 15-16-177-011

That part of the Northwest Quarter of Section 16, Township 38 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the northwest corner of said Northwest Quarter; thence South 0°35' West along the West line of said Quarter 239.60 feet; thence South 89°19' East 1325.40 feet; thence South 0°40' West 1168.40 feet; thence South 88°54' East 1095.3 feet for a point of beginning; thence continuing South 88°54' East 203.00 feet to the West line of the former Chicago, Burlington and Quincy Railroad Company; thence South 0°15' West 500.0 feet; thence North 88°54' West 203.00 feet to a line parallel with said West line of the former Chicago, Burlington and Quincy Railroad Company; thence North 0°15' East along said parallel line 500.00 feet to the point of beginning in the City of Aurora, Kane County, Illinois and containing 2.330 acres.

Parcel B PIN# 15-16-177-013

That part of the Northwest Quarter of Section 16, Township 38 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the northeast corner of Pearl Gardens Second Addition, Recorded August 9, 1983 as Document Number 1648475, also being the southwest corner of Indian Trail Estates, Recorded March 27, 1962 as Document Number 973766; thence South 89 degrees 50 minutes 23 seconds East along the south line of said Indian Trail Estates 287.25 feet to a line 203.00 feet west of and parallel with the westerly right of way line of the B.N.S.F. Railroad (formerly C.B. & Q. Railroad); thence South 00 degrees 40 minutes 10 seconds East along said parallel line 275.00 feet; thence North 89 degrees 50 minutes 23 seconds West parallel with said south line of Indian Trail Estates, 287.20 feet to the east line of said of Pearl Gardens Second Addition; thence North 00 degrees 40 minutes 49 seconds West along said east line of Pearl Gardens Second Addition, 275.00 feet to the point of beginning, in Kane County, Illinois. Said parcel containing 1.813 acres, (78,979 square feet), more or less.

Property Address: Vacant Lot East of Russell Avenue & North of New Haven Avenue

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

Parcel A PIN# 15-16-177-011

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Property Address: Vacant Lots East of Russell Avenue & North of New Haven Avenue

Publish One Time December 23, 2019

NOTICE OF HEARING  
CITY OF AURORA  
SPECIAL SERVICE AREA NUMBER 201  
Poly USA EXPANSION  
VACANT LOTS EAST OF RUSSELL AVENUE & NORTH OF NEW HAVEN AVENUE,  
AURORA, ILLINOIS, KANE COUNTY

NOTICE IS HEREBY GIVEN that on the 14th day of January, 2020 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 consisting of the following described territory:

SEE ATTACHED EXHIBIT "A"

SECTION TWO:

The purpose of the formation of SPECIAL SERVICE AREA NUMBER 201 in general is to provide for the maintenance and repair of the onsite stormwater retention, detention and drainage controls and common areas, in said Area, all in accordance with the final plat of subdivision or final approved engineering plans for the Area, and the proposed municipal services are unique and are in addition to the improvements and services provided and/or maintained by the City generally. It is hereby determined by the City Council that the establishment of said special service area is desirable and necessary to provide the special services to the said 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 201 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, taxes shall not be levied 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 201 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.

Property Address: Vacant Lots East of Russell Avenue & North of New Haven Avenue

City Clerk  
City of Aurora  
44 East Downer Place  
Aurora, IL 60507  
(630) 256-3070

**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

Parcel A PIN# 15-16-177-011

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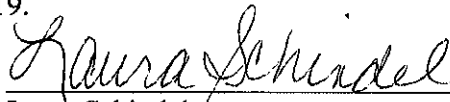
Property Address: Vacant Lots East of Russell Avenue & North of New Haven Avenue

EXHIBIT "C"

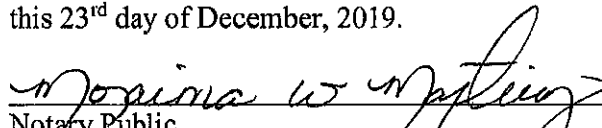
AFFIDAVIT OF SERVICE OF NOTICE

Laura Schindel, after first being sworn under oath, states and deposes that she caused a copy of the within Notice of Hearing for Special Service Area No. #201 to be duly sent by mail, proper postage prepaid on or before December 23, 2019, to the person or persons, or his/her authorized Power of Attorney, 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 201. In the event that taxes for the last preceding year were not paid, notice was sent to the person or persons last listed on the tax rolls prior to that year as the owner of said property, for the property described in said Notice to wit:

Dated this 23<sup>rd</sup> day of December, 2019.

  
\_\_\_\_\_  
Laura Schindel

Subscribed and sworn to before me  
this 23<sup>rd</sup> day of December, 2019.

  
\_\_\_\_\_  
Notary Public

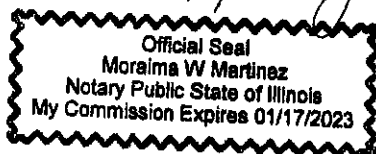


EXHIBIT "A"

**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

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Property Address: Vacant Lots East of Russell Avenue & North of New Haven Avenue

Publish One Time December 23, 2019

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SEE ATTACHED EXHIBIT "A"

SECTION TWO:

The purpose of the formation of SPECIAL SERVICE AREA NUMBER 201 in general is to provide for the maintenance and repair of the onsite stormwater retention, detention and drainage controls and common areas, in said Area, all in accordance with the final plat of subdivision or final approved engineering plans for the Area, and the proposed municipal services are unique and are in addition to the improvements and services provided and/or maintained by the City generally. It is hereby determined by the City Council that the establishment of said special service area is desirable and necessary to provide the special services to the said 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 201 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, taxes shall not be levied 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 201 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.

Property Address: Vacant Lots East of Russell Avenue & North of New Haven Avenue

City Clerk  
City of Aurora  
44 East Downer Place  
Aurora, IL 60507  
(630) 256-3070

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

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Parcel B PIN# 15-16-177-013

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Property Address: Vacant Lots East of Russell Avenue & North of New Haven Avenue



# City of Aurora

Law Department

44 East Downer Place | Aurora, Illinois 60507-2067

National Metalwares Inc.  
900 N. Russell Avenue  
Aurora IL 60506

Re: SSA #201 POLY USA Expansion



# City of Aurora

Law Department

44 East Downer Place | Aurora, Illinois 60507-2067

JHTVB Realty LLC  
841 N. Russell Avenue  
Aurora IL 60506-2822

Re: SSA #201 POLY USA Expansion



**Exhibit D**

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF KANE            )

**WAIVER OF OBJECTION SSA #201**  
**SPECIAL SERVICE AREA NUMBER 201**  
**POLY USA, INC.**  
**VACANT LOT 15-16-177-011**  
**KANE COUNTY**  
**IN THE CITY OF AURORA**

JHTVB REALTY, INC., the owner of record of the property, which is legally described in the attached, Exhibit "A", through his Power of Attorney, consents to the establishment of SPECIAL SERVICE AREA #201, and waives any right of objection it may have to the creation of this Special Service Area pursuant to 35 ILCS 200/27-55.

JHTVB, INC.

Signature: *John Chiampas*

Print: John Chiampas

Title: Vice President

SUBSCRIBED and SWORN  
to before me this 20<sup>th</sup> day of  
September, 2019.

*Laura A Schindel*  
Notary Public

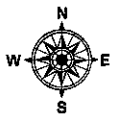


SSA #201 Aerial View

W. Indian Tr.

N. Highland Av.

New Haven Av.



Not To Scale

Prepared By: The City of Aurora IT Div.