

VILLAGE OF LILY LAKE

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ORDINANCE NO. 2024-05

AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL  
SERVICE AREA NO. 7 – OASIS TRAVEL CENTER OF THE  
VILLAGE OF LILY LAKE, ILLINOIS AND THE LEVY OF TAXES FOR  
THE PURPOSE OF PAYING THE COST OF PROVIDING SPECIAL  
SERVICES IN AND FOR SUCH AREA

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ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF LILY LAKE

May 20, 2024

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Published in pamphlet form by authority of the President and Board of Trustees of the  
Village of Lily Lake, Kane County, Illinois  
May 20, 2024

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Village of Lily Lake, Kane County, Illinois

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**ORDINANCE NO. 2024-05****AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA NO. 7 – OASIS TRAVEL CENTER OF THE VILLAGE OF LILY LAKE, ILLINOIS AND THE LEVY OF TAXES FOR THE PURPOSE OF PAYING THE COST OF PROVIDING SPECIAL SERVICES IN AND FOR SUCH AREA**

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WHEREAS, pursuant to the provisions of the 1970 Constitution of the State of Illinois (the "*Constitution*"), the Village of Lily Lake, Kane County, Illinois (the "*Village*"), is authorized to create special service areas in and for the Village; and

WHEREAS, special service areas are established by non-home rule units pursuant to Section 7(6) of Article VII of the Constitution, which provides that—

[M]unicipalities...which are not home rule units shall have...powers...to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services;

and are established "in the manner provided by law" pursuant to the provisions of "AN ACT to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties," approved September 21, 1973, as amended, and pursuant to the Revenue Act of 1939 of the State of Illinois, as amended; and

WHEREAS, on the 28th of May, 2024, the corporate authorities of the Village approved the development of the property legally described in Exhibit A and referred to as the Oasis Travel Center in accordance with the final plans submitted by the developer dated the 15th day of April, 2024; and

WHEREAS, the Stormwater Ordinance of the Village (Chapter 4, Subchapter 3 of the Village Code, as amended) provides for the creation of a backup special service area, coterminous with the

boundaries of the property to be called "Special Service Area No. 7 – Oasis Travel Center" for the purpose of providing special services and backup services to the development;

WHEREAS, it is in the public interest that the establishment of the area hereinafter described as a special service area for the purposes set forth herein and to be designated as Special Service Area No. 7 – Oasis Travel Center of the Village (the "*Area*") be considered; and

WHEREAS, the Area is compact and contiguous, and totally within the corporate limits of the Village; and

WHEREAS, the Area will benefit specially from the municipal services to be provided by the Village (the "*Services*"), and the Services are unique and in addition to the services provided to the Village as a whole, and it is, therefore, in the best interests of the Village that the establishment of the Area be considered; and

WHEREAS, Section 7(6) of Article VII of the Constitution provides for the levy of a tax upon all taxable property within Special Service Area No. 7 for the provision of the Services; and

WHEREAS, the cost of providing the Services will be paid by the levy of a direct annual *ad valorem* tax upon all taxable property within the Area; and

WHEREAS, the direct annual tax will be levied upon all taxable property within the Area for an indefinite period of time beginning for the year 2025 and may not exceed an annual rate of 0.020 (2.0%) of the assessed valuation of each tax parcel within the Area and will be in addition to all other taxes permitted by law; and

WHEREAS, it is in the public interest that the levy of a tax as described herein upon all taxable property within the Area be considered for the purpose of paying the cost of providing the Services; and

WHEREAS, the Village shall use the revenue from such tax only for Services described in the Notice of Public Hearing set forth in Section 2 of this ordinance for which the Village is authorized under the provisions of the Illinois Municipal Code, as amended, to levy taxes or special assessments or to appropriate the funds of the Village, all of the Services to be in and for the Area and all of the necessary construction and maintenance to be on property now owned or to be acquired by the

Village, or property in which the Village will obtain an interest sufficient for the provision of the Services; and

WHEREAS a public hearing will be held at 6:30 p.m., on June 24, 2024, in the Village Hall, 43W955 Twilight Lane, Lily Lake, IL 60175 (the "*Hearing*"), to consider the establishment of the Area for the purpose of providing the Services and the levy of an additional direct tax as described in this ordinance for the purpose of paying the cost of the Services, all as described in the Notice of Public Hearing set forth in Section 2 (the "*Notice*"); and

WHEREAS the Notice will be given by publication and mailing. Notice by publication will be given by publishing the Notice on a date, not less than 15 days prior to the Hearing, in a newspaper of general circulation within the Village, there being no newspaper published in the Village. Notice by mailing will be given by depositing the Notice in the United States 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 Area. The Notice will be mailed not less than 10 days prior to the time set for the Hearing. In the event taxes for the last preceding year were not paid, the Notice will be sent to the person last listed on the tax rolls prior to that year as the owner of said property.

NOW, THEREFORE, Be it Ordained by the President and the Board of Trustees of the Village of Lily Lake, Kane County, Illinois, as follows:

§ 1. Incorporation of preambles

The preambles of this ordinance are incorporated into this text as though they were set out in full.

§ 2. Notice

The President and Board of Trustees determine that the Notice that follows is in the proper statutory form:

NOTICE OF PUBLIC HEARING  
VILLAGE OF LILY LAKE, KANE COUNTY, ILLINOIS  
SPECIAL SERVICE AREA NO. 7 – OASIS TRAVEL CENTER

NOTICE IS HEREBY GIVEN that on June 24, 2024, at 6:30 p.m., in the Village Hall, 43W955 Twilight Lane, Lily Lake, IL 60175, a public hearing (the "*Hearing*") will be held by the President and Board of Trustees of the Village of Lily Lake, Kane County, Illinois (the "*Village*"), to consider the establishment of Special Service Area No. 7 – Oasis Travel Center, (the "*Area*"), of the Village, consisting of the following described territory:

SEE ATTACHED EXHIBIT A

The territory consists of approximately 14.341 acres on the northeast corner of the intersection of Illinois Routes 64 and 47 in the Village. An accurate map of the territory is on file in the office of the Village Clerk and is available for public inspection.

The purpose of the establishment of the Area is to provide special services (the "*Services*") to the Area, including, without limitation, the following:

(1) Maintenance of public rights-of-way and grassways, if any, to the extent not maintained by the developer, *viz.*, cutting and fertilization of grassways, pruning, fertilization and replacement of trees and shrubs, replacement of bedding mulch, spraying for insects and disease, spring and fall cleanup, weed control, soil erosion restoration and stabilization;

(2) Maintenance of common wetland, grass areas and open space, if any, to the extent not maintained by the developer, *viz.*, maintenance, cutting, burning as necessary; wetland reseeding and plant replacement;

(3) Administrative expenses, legal and other costs or expenses incurred by the Village for management services and expenses in preparing the annual budget for the area and supervising the operation of the area, including the repayment of any loan or debt incurred for the provision of any of the services;

(4) Maintenance of stormwater facilities to the extent not maintained by the developer, *viz.*, operation, maintenance, repair, rehabilitation, replacement and reconstruction of any stormwater

detention or retention area, underdrain or drain tile system, drainageway, ditch, swale, or storm sewer, soil erosion restoration, and bank or ditch stabilization; and

(5) Reasonable reserves against the need of the Village to provide any of the services in the future.

All of the Services are to be on property now owned or to be acquired by the Village, or property in which the Village will obtain an interest sufficient for the provision of the Services.

The levy of a direct tax upon all taxable property within the Area for the purpose of paying the cost of the Services will also be considered at the Hearing. The tax will be levied upon all taxable property within the Area for an indefinite period of time beginning for the year 2025 and will not exceed an annual rate of 0.02 (2.0%) of the assessed valuation of each tax parcel within the Area and will be in addition to all other taxes permitted by law.

All interested persons affected by the establishment of the Area or tax levy, including all owners of real estate located within the Area, will be given an opportunity to be heard at the Hearing regarding the establishment of the Area and the tax levy and an opportunity to file objections to the establishment of the Area or the tax levy.

At the Hearing, any interested persons affected by the Area may file with the Village Clerk written objections to and may be heard orally in respect to any issues embodied in this notice. The President and Board of Trustees shall hear and determine all protests and objections at the Hearing, and the Hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of its adjournment.

If a petition signed by at least 51% of the electors residing within the Area and by at least 51% of the owners of record of the land included within the boundaries of the Area is filed with the Village Clerk within 60 days following the final adjournment of the Hearing objecting to the creation of the Area or the levy or imposition of a tax for the provision of the Services to the Area, no such Special Service Area may be created or no tax may be levied or imposed.

By order of the President and Board of Trustees of the Village of Lily Lake, Kane County, Illinois.

DATED this 20th day of May, 2024.

/s/ Jesse Heffernan

Village Clerk, Village of Lily Lake,  
Kane County, Illinois

§ 3. Miscellaneous

The Village agrees to produce or file such forms, statements, proceedings and supporting documents as may be required and in a timely manner in order to establish the Area and levy the taxes and, if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Village in these endeavors.

§ 4. Effective date

This ordinance will be in full force and effect forthwith upon its passage, approval and publication as provided by law.

Adopted by roll call vote on May 20, 2024

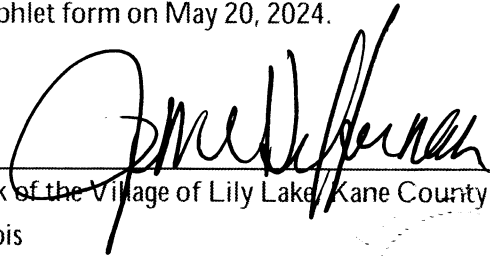
<i>Trustee</i>	<i>Aye</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Anderson	X			
Butler	X			
Conn	X			
Dell	X			
Ormond	X			
Parry	X			
Diehl				
Totals	6	0	0	0

Approved: May 20, 2024.



President

ATTESTED, FILED in my office, and published in pamphlet form on May 20, 2024.



Clerk of the Village of Lily Lake, Kane County, Illinois



## 44W322 Highway 64

P. I. N 08-18-476-008

### PARCEL ONE.

THAT PART OF THE SOUTH EAST 1/4 OF SECTION 18, TOWNSHIP 40 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTH EAST 1/4; THENCE NORTH 89 DEGREES, 35 MINUTES, 0 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 1847.7 FEET TO THE CENTER LINE OF STATE ROUTE NO. 47; THENCE NORTH 1 DEGREES, 24 MINUTES, 0 SECONDS WEST ALONG SAID CENTER LINE 201.3 FEET TO THE CENTER LINE OF STATE ROUTE NO. 64 FOR THE POINT OF BEGINNING; THENCE NORTH 1 DEGREES, 24 MINUTES, 0 SECONDS WEST ALONG THE CENTER LINE OF SAID STATE ROUTE NO. 47, 190.28 FEET; THENCE NORTH 89 DEGREES, 35 MINUTES, 0 SECONDS EAST 339.75 FEET; THENCE SOUTH 1 DEGREES, 24 MINUTES, 0 SECONDS EAST PARALLEL WITH THE CENTER LINE OF SAID STATE ROUTE NO. 47, 349.65 TO THE CENTER LINE OF SAID STATE ROUTE 64, THENCE NORTHWESTERLY ALONG SAID CENTER LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1637.28 FEET, A DISTANCE OF 378.58 FEET TO THE POINT OF BEGINNING. IN THE VILLAGE OF LILY LAKE, KANE COUNTY, ILLINOIS (ALSO EXCEPT PART CONVEYED TO PEOPLE OF THE STATE OF ILLINOIS PER DEED DOCUMENT 2011K048164) (ALSO EXCEPT PART TAKEN IN CASE 11ED 53 PER ORDER OF MARCH 14, 2012 DOCUMENT 2012K032334)

### PARCEL TWO:

THAT PART OF THE SOUTH EAST 1/4 OF SECTION 18, TOWNSHIP 40 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF ROUTE 64 AND EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF ROUTE 47: ALL IN THE VILLAGE OF LILY LAKE KANE COUNTY, ILLINOIS (ALSO EXCEPT PART CONVEYED TO PEOPLE OF THE STATE OF ILLINOIS PER DEED DOCUMENT 2011K048164) (ALSO EXCEPT PART TAKEN IN CASE 11ED 53 PER ORDER OF MARCH 14, 2012 DOCUMENT 2012K032334)

### AREA OF PROPERTY:

PARCEL 1: 69,761 SQ. FT. 1.60 ACRES MORE OR LESS (NET AREA)  
24,901 SQ. FT. 0.57 ACRES MORE OR LESS (RIGHT OF WAY)  
94,662 SQ. FT. 2.17 ACRES MORE OR LESS (GROSS AREA)

PARCEL 2: 14,112 SQ.FT. OR 0.32 ACRES MORE OR LESS

44W300 Highway 64

P. I. N. 08-18-476-007

PARCEL ONE.

THAT PART OF THE SOUTH WEST QUARTER OF SECTION 18, TOWNSHIP 40 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTH EAST QUARTER; THENCE WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 656.2 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES, 35 MINUTES EAST 403.9 FEET TO A POINT 390.8 FEET NORTH OF THE NORTHERLY LINE OF STATE ROUTE NUMBER 64 (MEASURE ALONG THE LAST DESCRIBED LINE); THENCE NORTH 89 DEGREES 59 MINUTES WEST OF THE EAST LINE OF A TRACT OF LAND CONVEYED TO METROPOLITAN LIFE INSURANCE COMPANY BY DEED DATED NOVEMBER 1, 1957 AND RECORDED NOVEMBER 8, 1957 IN BOOK 1871, PAGE 122 AS DOCUMENT 848787; THENCE SOUTH 01 DEGREE 24 MINUTES EAST PARALLEL WITH THE CENTER LINE OF STATE ROUTE 47, 349.65 FEET TO THE CENTERLINE OF STATE ROUTE NUMBER 64; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE EAST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF CAMPTON, KANE COUNTY ILLINOIS CONTAINING THEREIN 7.724 ACRES, MORE OR LESS, INCLUDING ALL BUILDINGS AND STRUCTURES THERETO BELONGING, EXCEPTING THEREFROM THE PARCELS CONVEYED TO THE STATE OF ILLINOIS FOR HIGHWAY PURPOSES BY DOCUMENT NUMBERS 323920 AND 2002K050295

AREA OF PROPERTY:

319,812 SQ. FT. 7.342 ACRES MORE OR LESS

## Vacant Land

P. I. N. 08-18-476-001

THAT PART OF THE SOUTH EAST QUARTER OF SECTION 18, TOWNSHIP 40 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTH EAST QUARTER OF SAID SECTION 18; THENCE NORTH 20 DEGREES 00 MINUTES EAST 462 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES EAST 665.6 FEET TO THE EAST LINE OF THE RIGHT OF WAY OF STATE BOND ISSUE ROUTE NO. 47 FOR A POINT OF BEGINNING; THENCE NORTH 0 DEGREES 47 MINUTES WEST ALONG SAID EAST LINE 434.9 FEET TO THE SOUTH LINE OF LANDS OF THE CHICAGO GREAT WESTERN RAILWAY COMPANY; THENCE SOUTH 59 DEGREES 59 MINUTES EAST ALONG SAID SOUTH LINE 440.1 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT ALONG SAID SOUTH LINE 344.4 FEET; THENCE NORTH 23 DEGREES 38 MINUTES EAST ALONG THE LINE OF LANDS OF SAID RAILWAY COMPANY 100 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT ALONG THE SOUTH LINE OF LANDS OF SAID RAILWAY COMPANY 437.6 FEET; THENCE SOUTH 0 DEGREES 35 MINUTES WEST 4.6 FEET; THENCE NORTH 89 DEGREES 59 MINUTES WEST 1165.9 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF CAMPTON, KANE COUNTY, ILLINOIS.

AREA OF PROPERTY:

196,401 SQ. FT. 4.509 ACRES MORE OR LESS