

Document Prepared By:

Michael D. Downing
Miller, Forest & Downing, LLC
1275 Milwaukee Ave., Suite 300
Glenview, Illinois 60025

**Return Recorded
Document To:**

Michael D. Downing
Miller, Forest & Downing, LLC
1275 Milwaukee Ave., Suite 300
Glenview, Illinois 60025

ORDINANCE NO. 180

**AN ORDINANCE TO ESTABLISH A CERTAIN TAP-ON FEE TO A
CERTAIN PORTION OF THE DISTRICT SEWER LINE AND TO
PROVIDE FOR REPAYMENT OF SAID TAP-ON FEE**

WHEREAS, the NORTHFIELD WOODS SANITARY DISTRICT (hereinafter referred to as "District") on March 2, 1999, entered into a certain Pre-Annexation Agreement and First Amendment to Pre-Annexation Agreement (hereinafter collectively referred to as "Agreements") with certain property owners in connection with a certain sanitary sewer system to be constructed in the area described in said Agreements and legally described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, pursuant to said Agreements, the owners of at least fourteen (14) of the nineteen (19) properties were going to pre-pay their respective pro-rata shares of the cost of said work; and

WHEREAS, the sanitary sewer system to be constructed will benefit all nineteen (19) properties referred to in the said Agreements, and described on Exhibit A; and

WHEREAS, pursuant to said Agreements and in consideration of the promises to pre-pay, the District did agree to pass the instant ordinance and does find that it is in the public interest and will promote and better the public health and general welfare for the residents of the District;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE NORTHFIELD WOODS SANITARY DISTRICT, COOK COUNTY, ILLINOIS:

SECTION 1: Any person, firm or corporation owning real estate located in the area described in Exhibit B attached hereto and incorporated herein and authorized by the District to extend, connect or tie-in to the sanitary sewer line of the District located in the Pleasant Plains Subdivision shall pay, before obtaining a permit for such extension, connection or tie-in, the pro-rata share of costs for said sanitary sewer system pursuant to said Agreements, plus interest from the time the work was completed until the fee is paid in full. Said interest shall be at the rate of prime plus one percent (1%), to be re-calculated each year.

SECTION 2: The fee set forth in Section 1 hereof shall be in addition to such other fees as may be applicable and as provided in Ordinance No. 13 and any amendments thereto.

SECTION 3: The District agrees that such amount of money collected pursuant to Section 1 hereof is in the nature of a reimbursement of a pro-rata share of the cost of construction of the said sanitary sewer system referred to in Section 1 hereof paid by the property owners who pre-paid their respective shares pursuant to said Agreements.

SECTION 4: The District shall retain the amount collected pursuant to Section 1 hereof pursuant to said Agreements.

SECTION 5: The liability of District pursuant to this Ordinance shall only be as to the money collected pursuant to Section 1 hereof.

SECTION 6: If any section, paragraph, sentence or clause of this Ordinance is, regardless of cause, held invalid or to be unconstitutional, the remaining sections, paragraphs, sentences and clauses shall continue in force and effect and shall be construed thereafter as being the entire provisions of this Ordinance.

SECTION 7: The covenants and restrictions hereby imposed shall run with the land and shall be binding upon and inure to the benefit of the property owners and their successors, assignees, agents, licensees, invitees and representatives, including, without limitation, all subsequent owners of the property, or any portion thereof, and all persons claiming thereunder.

PASSED this 8th day of June, 1999.

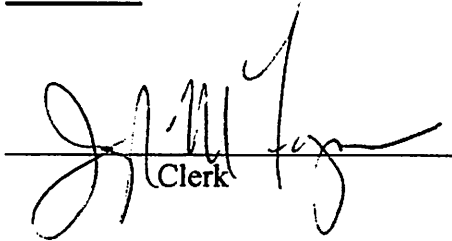
AYES: 3

APPROVED this 8th day of June, 1999.

NAYES: 0

ABSENT: 0

ATTEST:


Clerk

APPROVED:


President

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

CERTIFICATE

I, JOSEPH M. FAGAN, do hereby certify that I am the duly qualified and acting Clerk of the Board of Trustees of the NORTHFIELD WOODS SANITARY DISTRICT in the state and county aforesaid, and as said Clerk, I am the keeper of records and files of the Board of Trustees of said Sanitary District.

I do further certify that the foregoing is a full, true and complete copy of Ordinance No. 180, entitled, "AN ORDINANCE TO ESTABLISH A CERTAIN TAP-ON FEE TO A CERTAIN PORTION OF THE DISTRICT SEWER LINE AND TO PROVIDE FOR REPAYMENT OF SAID TAP-ON FEE", adopted at the regular meeting of the Board of Trustees of said Sanitary District held on the 8th day of June, 1999.

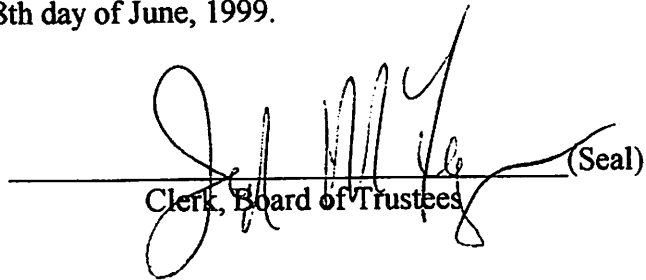

Clerk, Board of Trustees (Seal)

EXHIBIT A

Lots 1-8 inclusive in Pleasant Plains, a subdivision of part of the East 64 acres of the North 124 acres of the Northwest ¼ of Section 29, Township 42, Range 12 East of the Third Principal Meridian, in Cook County, Illinois

and

Lots 9, 10, 11, 13, 14, 15, 16, 20, 21, 22 and 23 in Pleasant Plains Unit No. 2, a subdivision of part of the East 64 acres of the North 124 acres of the Northwest ¼ of Section 29, Township 42, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

and

The Lot known as the Park in Pleasant Plains Subdivision Unit #2 being a Subdivision of part of the East 64 acres of the North 124 acres of the Northwest ¼ of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, according to the plat thereof recorded November 8, 1957 as Document 17060826, all in Cook County, Illinois.

Lot 1, P.I.N.: 04-29-100-065

Commonly known as 3245 Westview Drive, Northbrook, Illinois 60062

Lot 2, P.I.N.: 04-29-100-064

Commonly known as 3255 Westview Drive, Northbrook, Illinois 60062

Lot 3, P.I.N.: 04-29-100-063

Commonly known as 3275 Westview Drive, Northbrook, Illinois 60062

Lot 4, P.I.N.: 04-29-100-059

Commonly known as 3305 Westview Drive, Northbrook, Illinois 60062

Lot 5, P.I.N.: 04-29-100-058

Commonly known as 3372 Overland Pass, Northbrook, Illinois 60062

Lot 6, P.I.N.: 04-29-100-060

Commonly known as 3278 Westview Drive, Northbrook, Illinois 60062

Lot 7, P.I.N.: 04-29-100-061

Commonly known as 3256 Westview Drive, Northbrook, Illinois 60062

Lot 8, P.I.N.: 04-29-100-062

Commonly known as 3227 Westview Drive, Northbrook, Illinois 60062

Lot 9, P.I.N.: 04-29-100-074

Commonly known as 3231 Pleasant Run, Northbrook, Illinois 60062

Lot 10, P.I.N.: 04-29-100-073
Commonly known as 3251 Pleasant Run, Northbrook, Illinois 60062

Lot 11, P.I.N.: 04-29-100-072
Commonly known as 3281 Pleasant Run, Northbrook, Illinois 60062

Lot 13, P.I.N.: 04-29-100-070
Commonly known as 3258 Pleasant Run, Northbrook, Illinois 60062

Lot 14, P.I.N.: 04-29-100-069
Commonly known as 3280 Pleasant Run, Northbrook, Illinois 60062

Lot 15, P.I.N.: 04-29-100-068
Commonly known as 3289 Overland Pass, Northbrook, Illinois 60062

Lot 16, P.I.N.: 04-29-100-067
Commonly known as 3285 Overland Pass, Northbrook, Illinois 60062

Lot 20, P.I.N.: 04-29-100-078
Commonly known as 3300 Overland Pass, Northbrook, Illinois 60062

Lot 21, P.I.N.: 04-29-100-079
Commonly known as 3320 Overland Pass, Northbrook, Illinois 60062

Lot 22, P.I.N.: 04-29-100-080
Commonly known as 3336 Overland Pass, Northbrook, Illinois 60062

Lot 23, P.I.N.: 04-29-100-081
Commonly known as 3360 Overland Pass, Northbrook, Illinois 60062

Park, P.I.N.: 04-29-100-082
Commonly known as the Park in Pleasant Plains Subdivision

EXHIBIT B

Lots 20, 21, and 22 in Pleasant Plains Unit No. 2, a subdivision of part of the East 64 acres of the North 124 acres of the Northwest $\frac{1}{4}$ of Section 29, Township 42, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

Lot 20, P.I.N.: 04-29-100-078

Commonly known as 3300 Overland Pass, Northbrook, Illinois 60062

Lot 21, P.I.N.: 04-29-100-079

Commonly known as 3320 Overland Pass, Northbrook, Illinois 60062

Lot 22, P.I.N.: 04-29-100-080

Commonly known as 3336 Overland Pass, Northbrook, Illinois 60062

224-64

04-----6/12/99-109519-1-WK(c)

PIONEER PRESS CERTIFICATE OF PUBLICATION

State of Illinois - County of Cook Lake McHenry Kane

Pioneer Press, does hereby certify it has published the attached advertisement in the following secular weekly newspapers. All newspapers meet Illinois Revised Statutes requirements for publication of Legal Notice.

Note: Legal notice appeared in the following checked publications.

WEDNESDAY PUBLICATIONS: Date(s) 6/16/99

- Maywood Herald, Melrose Park Herald, West Proviso Herald & Westchester Herald
- Oak Leaves & Forest Leaves
- Franklin Park Herald-Journal & Northlake Herald-Journal
- Elm Leaves & River Grove Messenger

THURSDAY PUBLICATIONS: Date(s) 6/17/99

- Evanston Review
- Wilmette Life
- Winnetka Talk
- Glencoe News
- Glenview Announcements
- Northbrook Star
- Highland Park News
- Deerfield Review
- Lake Forester
- Libertyville Review, Mundelein Review & Vernon Hills Review
- Antioch Review, Grayslake Review, Gurnee Review & Review of Lindenhurst/Lake Villa
- Skokie Review & Lincolnwood Review
- Morton Grove Champion & Niles Herald-Spectator
- Mount Prospect Times & Des Plaines Times
- Norridge/Harwood Heights News
- Park Ridge Herald-Advocate
- Edison-Norwood Times Review & Edgebrook Times Review
- Buffalo Grove Countryside & Wheeling Countryside
- Palatine Countryside
- Lake Zurich Courier
- Barrington Courier-Review
- Algonquin Countryside & Cary-Grove Countryside
- Arlington Heights Post
- Schaumburg Review, Hoffman Estates Review & Elk Grove Times
- Rolling Meadows Review

Being 1 consecutive week(s)

IN WITNESS WHEREOF, the undersigned, being duly authorized, has caused this Certificate to be signed and its official seal affixed at Glenview, Illinois this 17th day of June, A.D. 1999

By John L. Pieschke
Legal Advertising Manager (official title)