

ORDINANCE NO. 134

AN ORDINANCE OF THE PRESIDENT AND BOARD OF TRUSTEES OF  
THE NORTHFIELD WOODS SANITARY DISTRICT TO ESTABLISH A CERTAIN  
TAP-ON FEE TO A CERTAIN PORTION OF THE DISTRICT SEWER LINE AND  
TO PROVIDE FOR RE-PAYMENT OF SAID TAP-ON FEE

WHEREAS, the NORTHFIELD WOODS SANITARY DISTRICT  
(hereinafter referred to as "DISTRICT"), on March 10, 1989,  
entered into a certain agreement with MICHAEL FALLS and MARIE  
FALLS, 3250 Overland Pass, Northbrook, Illinois 60062 (Parcel  
A-1); BERT ELLIS and ALICE ELLIS, 3280 Overland Pass,  
Northbrook, Illinois 60062 (Parcel A-3); CHARLES SHARE and  
EILEEN SHARE, 3228 Overland Pass, Northbrook, Illinois 60062  
(Parcel A-2) (hereinafter referred to as "APPLICANTS") in  
connection with a certain sanitary sewer system to be constructed  
by the said APPLICANTS in the area described in said Agreement;  
and

WHEREAS, pursuant to said Agreement, the APPLICANTS  
on December 14, 1987, transferred to the DISTRICT all right,  
title and interest to said sanitary sewer system subject to the  
provisions of said March 10, 1989, Agreement; and

WHEREAS, pursuant to said Agreement and in  
consideration of the said transfer, 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 BOARD OF TRUSTEES  
OF THE NORTHFIELD WOODS SANITARY DISTRICT, COOK COUNTY, ILLINOIS:

Section 1: Any person, firm, corporation, or other entity presently or in the future owning real estate located in the "Potential Service Area" outlined in Exhibit "C" attached hereto and incorporated herein, and authorized by the NORTHFIELD WOODS SANITARY DISTRICT to extend, connect or tie-in to the sanitary sewer line of the DISTRICT as shown on Exhibit "E", sanitary sewer extension, attached hereto and made part hereof, Northfield Township, Illinois, which sanitary sewer line was transferred to the DISTRICT on December 14, 1987, by APPLICANTS, shall pay, before obtaining a permit for such extension, connection or tie-in, in the following sums as outlined in Exhibit "D", attached hereto and made part hereof.

Section 2: The fees set forth in Section 1 hereof shall be in addition to any such other fees as may be applicable and provided for by DISTRICT ordinance, resolution, rule, regulation or policy, or amendment 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 said APPLICANTS. The DISTRICT shall promptly pay over the amount collected pursuant to Section 1 hereof to said

APPLICANTS or to such person, firm or corporation as may be, from time to time, designated in writing to the DISTRICT by the said APPLICANTS. Should the said APPLICANTS fail to provide a written designation regarding payment, and should the DISTRICT, upon diligent inquiry and investigation, be unable to locate the said APPLICANTS, then the DISTRICT shall hold any such funds for a period not to exceed one (1) year, after which such funds shall become part of the DISTRICT's general fund, to be used at the sole discretion of the DISTRICT, and the DISTRICT shall have no further liability therefor.

Section 4: The liability of the DISTRICT pursuant to this Ordinance shall only be as to the money collected pursuant to Section 1 hereof.

Section 5: 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 full force and effect and shall be construed thereafter as being the entire provisions of this Ordinance.

PASSED this 13th day of March, 1989.

APPROVED this 13th day of March, 1989.

ATTEST:

APPROVED:

/s/ Walter E. Mazurowski  
Clerk

/s/ Dana W. Mox  
President

003NW189

STATE OF ILLINOIS)  
  ) SS.  
COUNTY OF C O O K)

C E R T I F I C A T E

I, WALTER E. MAZUROWSKI, 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 the 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. 134, entitled, "AN ORDINANCE OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE NORTHFIELD WOODS SANITARY DISTRICT TO ESTABLISH A CERTAIN TAP-ON FEE TO A CERTAIN PORTION OF THE DISTRICT SEWER LINE AND TO PROVIDE FOR RE-PAYMENT OF SAID TAP-ON FEE" adopted at the regular meeting of the Board of Trustees of said Sanitary District held on the 13th day of March, 1989.

      /s/ Walter E. Mazurowski (SEAL)  
Clerk, Board of Trustees