

10/19/93  
10/20/93

120-0-93

AN ORDINANCE

Proposing the Establishment of  
Special Service Area No. 5 in the  
City of Evanston and Providing for a  
Public Hearing and other Procedures  
in Connection Therewith

NOW, THEREFORE, BE IT ORDAINED by the CITY COUNCIL of  
the CITY of EVANSTON, COOK COUNTY, ILLINOIS, in the exercise of  
its home rule powers, as follows:

SECTION 1: Findings. The City Council (the "City  
Council") of the City of Evanston (the "City") finds and declares  
as follows:

- (A) The City is, pursuant to Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois (the "Illinois Constitution"), a home rule unit and authorized to exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to tax.
- (B) The City, as a home rule unit, is authorized to establish special service areas in order to provide special services to certain areas within the City and to impose a tax for the provision of such services pursuant to Article VII, Section 6(1) of the Illinois Constitution and 35 Illinois Compiled Statutes 235/1 et seq.
- (C) It is in the public interest that a special service area (the "Evanston Special Service Area No. 5") be established in the territory described in Exhibit A, which is attached to and made a part of this Ordinance (the "Territory"). The Territory is compact and contiguous and constitutes a business and commercial area within the City.
- (D) Evanston Special Service Area No. 5 is to be established to provide certain public services (the "Services") which will supplement services currently or customarily provided by the City to the Territory. The

Special "Services" as they apply to said Special Service Area No. 5 shall include the construction of new streetlight wiring, sidewalks, curbs, landscaping improvements, street resurfacing and other general streetscape improvements required to improve the right-of-way areas in the Territory together with any such other further services necessary and/or incidental to the accomplishment of the aforesaid improvement.

- (E) The Services proposed to be provided in Evanston Special Service Area No. 5 are unique and in addition to the general municipal services provided to the City as a whole and will be for the common interests of and benefit specifically the Territory.
- (F) It is in the public interest of the City that the Services to be provided to the Territory be paid for by the levy of a special tax against all property located within the Territory.

SECTION 2: Establishment of Evanston Special Service Area No. 5. Pursuant to authority granted by the Illinois Constitution and the Illinois Compiled Statutes, the City proposes the establishment of Evanston Special Service Area No. 5 for the purpose of providing the Services as set forth above within the Territory.

SECTION 3: Hearing. A public hearing shall be held on the 13th day of December 1993, at 2100 Ridge, Evanston, Illinois, to consider the establishment of Evanston Special Service Area No. 5 in the Territory as set forth in Exhibit A in the City of Evanston, Illinois.

Further at the hearing, there shall be considered a proposal for the providing of the services. At the hearing, there shall also be considered the borrowing of an amount not to exceed Five Million Dollars (\$5,000,000) to be evidenced by full faith and credit bonds, payable from a tax levied without limit as to rate

or amount on all of the taxable property located in said area, (The Territory as set forth in Exhibit A), the proceeds of which shall be used to pay part of the costs of the services. The services include the construction of new streetlight wiring, sidewalks, curbs, landscaping improvements, street resurfacing and other general streetscape improvements required to improve the right-of-way areas in the Territory together with any such other further services necessary and/or incidental to the accomplishment of the aforesaid improvement.

Said bonds are to be retired over not to exceed a twenty-three (23) year period and to bear interest at a rate of not to exceed Nine Percent (9%) Per Annum. Said bonds, shall be retired by the levy of a direct tax to pay the interest of said bonds as it falls due and to discharge the principal thereof at maturity. Said tax shall be levied upon all taxable property within the proposed special services area.

Said tax is to be levied pursuant to the provisions of the Revenue Act of 1939 upon all taxable property located within the Territory and said tax shall be in addition to any other annual tax presently levied by any taxing district within the Territory.

SECTION 4: Notice. Notice of hearing shall be published at least once not less than fifteen (15) days prior to the public hearing in the Evanston Review, a newspaper of general circulation within the City. In addition, notice by mailing shall be given by depositing said Notice in the United States mails 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 Territory of the proposed Evanston Special Service Area No. 5. Said Notice shall be mailed 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 Notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of said property. The Notice shall be in substantially the following form:

NOTICE of HEARING

CITY of EVANSTON

SPECIAL SERVICE AREA

No. 5

NOTICE IS HEREBY GIVEN that on December 13, 1993, at 8:00 P.M., at 2100 Ridge, Evanston, Illinois, a hearing will be held by the City of Evanston (the "City") to consider forming a special service area (the "Evanston Special Service Area No. 5") consisting of the territory (the "Territory") legally described in Exhibit A attached to this Notice.

The approximate street locations of the Territory of the proposed Evanston Special Services Area No. 5 are shown on the map attached as Exhibit B to this Notice.

Evanston Special Service Area No. 5 is to be established to provide certain public services (the "Services") to the Territory which will supplement the services currently or customarily provided by the city to the Territory. The Services proposed to be provided are unique and in addition to the general municipal services provided to the City as a whole and will be for the common interests of and benefit specifically the Territory.

The purpose of the formation of the City of Evanston Special Service Area No. 5 is to provide special municipal service to the area. The services shall include the construction of new streetlight wiring, sidewalks, curbs, landscaping improvements, street resurfacing and other general streetscape improvements required to improve the right-of-way areas in the Territory

together with any such other further services necessary and/or incidental to the accomplishment of the aforesaid improvement.

The issuance of full faith and credit bonds, payable from a tax levied without limit as to rate or amount on all of the taxable property located within said area, in an amount not to exceed Five Million Dollars (\$5,000,000) at an interest rate of not to exceed Nine Percent (9%) Per Annum and to mature within twenty three years (23), will be considered at the hearing. Said bonds shall be retired by the levy of a direct tax to pay the interest on such bonds as it falls due and to discharge the principal thereof at maturity, said tax to be levied upon all the taxable property within the proposed Special Service Area (The Territory).

All interested persons affected by the formation of Evanston special Service Area No. 5, including all persons owning taxable real property located within the Territory, will be given an opportunity to be heard regarding the formation of and the boundaries of the Territory of Evanston Special Service Area No. 5, the issuance of bonds and the levy of taxes affecting proposed Evanston Special Service Area No. 5; and will be given an opportunity to file objections to the formation of Evanston Special Service Area No. 5, the issuance of bonds and the levy of taxes affecting Evanston Special Service Area No. 5.

Written objections may be filed on or before the date of the hearing and at the hearing all persons affected will be given an opportunity to be heard.

The hearing may be adjourned by the City 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 51% of the electors residing within the Territory of Evanston Special Service Area No. 5 and by at least 51% of the owners of record of the land located included within the Territory is filed with the City Clerk within sixty (60) days following the final adjournment of the public hearing objecting to the establishment of Evanston Special Service Area No. 5, the issuance of bonds or the levy or imposition of a tax for the provision of Services to Evanston Special Service Area No. 5, no such area may be created and no such tax may be levied or imposed.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: This ordinance shall be in full force and

effect from and after its passage, approval and publication in the manner provided by law.

Introduced: October 25, 1993

Adopted: November 8, 1993

Approved: November 10, 1993

Lorraine H. Morton  
Mayor

ATTEST:

Lester Davis  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

SPECIAL SERVICE DISTRICT #5

That part of the Northeast 1/4, Northwest 1/4, Southwest 1/4 and Southeast 1/4 of Section 18, Township 41 North, Range 14 East of the Third Principal Meridian, described as follows:

Beginning at the point of intersection of the centerline of Oak Avenue with the westerly right-of-way line of the Chicago and Northwestern Railroad right-of-way in the northwest 1/4 of said Section 18; thence south along the centerline of Oak Avenue to the point of intersection with the south right-of-way line of Church Street; thence west along said south line of Church Street to the northwest corner of Lot "A" in the consolidation of Lots 1 & 2 in the resubdivision of Lots 1, 2 & 3 in Evan's Resubdivision in Block 68 of the Village of Evanston in the southwest 1/4; thence south along the west line of said Lot "A" to a point on the centerline of the east-west alley in Block 68 of the Village of Evanston; thence west along the centerline of said east-west alley to the point of intersection with the centerline of the north-south alley in aforesaid Block 68; thence south along the centerline of said north-south alley to a point 10 feet east of the northeast corner of Lot 11 in Block 68 of Village of Evanston, (as measured along the North line extended of said Lot 11); thence west along the northerly line of said Lot 11 to a point in the centerline of Ridge Avenue; thence southeasterly along the centerline of Ridge Avenue to intersecting point with line extended westerly along the north line of Lot "A" in the F&L Construction Corporation Consolidation

of parts of Lots 9 & 10 in Block 61 of the Village of Evanston; thence east along the northerly line of said Lot "A" to a point on the centerline of the north-south alley in aforesaid Block 61 of the Village of Evanston (said point being 10 feet east of the northeast corner of aforesaid Lot "A" as measured along the north line extended of said Lot "A"); thence north along the centerline of aforesaid north-south alley in aforesaid Block 61 to the point of intersection with the north line extended of Lot 4 in aforesaid Block 61 of the Village of Evanston; thence east to the northeast corner of said Lot 4; thence northeast to a point on the west line of Block 62 in the Village of Evanston, (said point being 135 feet south of the south line of David Street); thence east along a line 135 feet south of and parallel to the south line of Davis Street to a point on the west line of Lot 4 in aforesaid Block 62 of the Village of Evanston; thence south along the west line of Lot 4 to a point on the centerline of the east-west alley in aforesaid Block 62; thence west along the centerline of said east-west alley to the point of intersection with the centerline of Oak Avenue; thence south along the centerline to the point of intersection with the centerline (extended west) of the east-west alley in Block 54 of the Village of Evanston; thence east along the centerline of said east-west alley to the point of intersection with the centerline of the north-south alley in aforesaid Block 54; thence south along said centerline of said north-south alley in aforesaid Block 54 to the point of intersection with the centerline of Lake Street; thence east along the centerline of Lake Street to the point of intersection with the centerline of Chicago Avenue; thence



northeasterly along the centerline of Chicago Avenue to the point of intersection with the centerline of Grove Street; thence easterly along the centerline of Grove Street to the point of intersection with the centerline (extended south) of the north-south alley in Block 26 of the Village of Evanston in the Southeast 1/4 of Fractional Section 18, Township 41 North, Range 14; thence northeasterly along the said centerline of said north-south alley in aforesaid Block 26 to the point of intersection with the northerly line of Lot 3 (said northerly line extended westerly) in Block 26 of the Village of Evanston; thence southeasterly along the northerly line of Lot 3 to the point of intersection (said northerly line extended easterly) with the centerline of Hinman Avenue; thence northeasterly along the centerline of Hinman Avenue to the point of intersection with the northerly line of Lot 12 (said northerly line extended easterly) in Block 20 of the Village of Evanston; thence westerly along the northerly line of Lot 12 and the northerly line extended of Lot 12 to the point of intersection with the centerline of the north-south alley in Block 20 of Village of Evanston; thence northeasterly along said centerline of said north-south alley and along its extension northward to the point of intersection with the centerline of Church Street, in the Northeast 1/4 of Section 18, Township 41 North, Range 14; thence northwesterly along the centerline of Church Street to the point of intersection with the centerline of Chicago Avenue; thence northeasterly along the centerline of Chicago Avenue to the point of intersection with the northerly line extended east, of Lot 12 in Block 15 of Village of Evanston; thence westerly along said

northerly line of Lot 12 to the point of intersection with the centerline of the north-south alley in aforesaid Block 15; thence northerly to the centerline of the northwest-southeast leg of said public alley in aforesaid Block 15; thence northwesterly at 45 degrees to the last described line to the point of intersection with the west leg of the north-south alley in aforesaid Block 15; thence north along said centerline of said alley to the point of intersection with the northerly line of Lot 17 (said line extended westerly) in aforesaid Block 15; thence easterly along the northerly line of said Lot 17 to the point of intersection with the centerline of Chicago Avenue; thence northeasterly along the centerline of Chicago Avenue to its intersection with the north line of Clark Street, (said line extended east); thence northwesterly along the north line of Clark Street to the southwest corner of Lot "A" in the consolidation of parts of Block 2, 9 & 10 of the Village of Evanston and Northwestern University Resubdivision of part of Block 5 together with vacated alleys within and vacated streets adjacent in the northwest 1/4 of said Section 18 (said point also being on the east line of Sherman Avenue); thence north on the east line of Sherman Avenue to its intersection with the centerline of University Place; thence west along said centerline of University Place to the intersection with the centerline of Sherman Avenue; thence north along the centerline of Sherman Avenue a distance of 133 feet; thence west along a line which is 133 feet north of and parallel to the centerline of University Place to the west line of Lot 3 in Block 6 of Village of Evanston; thence north along said west line of said Lot 3 to a

point 114 feet south of the south line of Emerson Street; thence west to a point on the west line of Lot 4 in Block 6 of Village of Evanston which is 114 feet south of the south line of Emerson Street; thence north along the west line of Lot 4 to the south line of Emerson Street; thence west along the south line of Emerson Street to the centerline of Benson Avenue; thence south along the centerline of Benson Avenue to its intersection with the centerline of Davis Street in the Southwest 1/4 of said Section 18; thence west along the centerline of Davis Street to its intersection with the westerly right-of-way line (extended southeasterly) of the Chicago & NorthWestern Railroad; thence northwesterly to the point of beginning;

Excepting therefrom those portions described as follows:  
Lots 1, 2, & 3 in Block 68 in the Village of Evanston in the Southwest 1/4 of Section 18, Township 41 North, Range 14 East of the Third Principal Meridian;

Also

Lots 4 & 5 in Evans Resubdivision of the north 24 feet of Lot 3 and Lots 4, 5 & 6 in Village of Evanston in the Southwest 1/4 of Section 18, Township 41 North, Range 14 East of the Third Principal Meridian;

Also

Lot 1 in Plat of Consolidation of Lots 15 to 19, both inclusive, in Block 53 in the Village of Evanston in the Southwest 1/4 of Section 18, Township 41 North, Range 14 East of the Third Principal Meridian;

Also

Lots 11 & 12 in Block 52 in the Village of Evanston in the Southwest 1/4 of Section 18, Township 41 North, Range 14 East of the Third Principal Meridian:

Also

Lots 1, 2, 3 & 4 in Block 29 in the Village of Evanston in the Southwest 1/4 of Section 18, Township 41 North, Range 14 East of the First Principal Meridian;

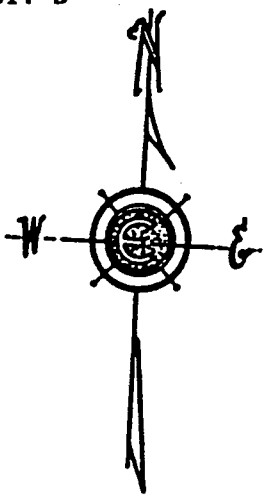
Also

Lots 15 through 18, both inclusive; also Lots 33 through 36, both inclusive; also the south half of vacated 24 foot alley north of and adjoining Lots 15 and 36; also the north half of vacated 24 foot alley south of and adjoining Lots 18 and 33; also the vacated alley east of and adjoining Lots 15 through 18, all in Block 65 of the Village of Evanston in the Southwest 1/4 of Section 18, Township 41 North, Range 14 East of the Third Principal Meridian;

Also

Lots 8, 9, & 10 in Block 15 in Village of Evanston; also that part of Lots 11, 12, & 13 and the vacated north-south alley described as follows: Beginning at the southeast corner of Lot 10 in said Block 15; thence east 40.0 feet; thence north at right angles to the last described line a distance of 188.15 feet; thence northwesterly a distance of 14.14 feet to a point which is 198.15 feet north of the north line of Church Street; thence west 30.0 feet to the northeast corner of Lot 8 in said Block 15; thence south 198 feet to the point of beginning; in parts of the northeast and northwest 1/4's of Section 18, Township 41 North and Range 14 East of the Third Principal Meridian, all in Cook County, Illinois.

Engineering Division  
September 1, 1993



SPECIAL SERVICE DISTRICT NO. 5