

ORDINANCE NO. 17,207

AN ORDINANCE RELATING TO THE CREATION OF THE KNOXVILLE JUNCTION
SPECIAL SERVICE AREA, CONDUCT AND ADJOURNMENT OF THE PUBLIC
HEARING, AND PROVIDING FOR A PERIOD OF OBJECTION

WHEREAS, the City of Peoria, Illinois is a home rule unit exercising power and authority pursuant to Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, the City of Peoria desires to establish, by virtue of its home rule powers and the Illinois Special Service Area Tax Law (35 ILCS 200/27-5 et seq.) a Special Service Area within the City of Peoria to be known as the KNOXVILLE JUNCTION SPECIAL SERVICE AREA;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Peoria, Illinois as follows:

Section 1. AUTHORITY TO ESTABLISH A SPECIAL SERVICE AREA

The authority to establish and finance a Special Service Area is provided in Section 6 (l) of Article VII of the Illinois Constitution of 1970 which provides, in pertinent part:

The General Assembly may not deny or limit the power of home rule units ... (2) 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 by the Special Service Area Tax Law (35 ILCS 200/27-5 et seq.).

Section 2. FINDINGS

The City Council of the City of Peoria, Illinois finds:

- (a) The City of Peoria has previously adopted Ordinance number 17,191 on February 24, 2015 titled: "An Ordinance Proposing the Creation of a Knoxville Junction Property Tax Special Service Area in the City of Peoria, Illinois, and providing for a Public Hearing and other procedures in connection therewith."
- (b) Pursuant to Ordinance number 17,191, the City of Peoria gave Notice of the Public Hearing in accordance with the Special Service Area Tax Law which included a notice by publication published in the Peoria Journal Star, a newspaper published within the City of Peoria, on March 7, 2015 and mailed notices by United States mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each property lying within the

Special Service Area on March 10, 2015 as will appear from the Certificate of Publication and Certificate of Mailing attached hereto as Exhibit A.

- (c) A Public Hearing on the matters set forth in the Notice of Public Hearing attached as Exhibit A was held by the City of Peoria at the time and place set forth in such Notices in accordance with applicable law.
- (d) All interested persons, including all persons owning taxable property located within the proposed Special Service Area as described in the Notices attached as Exhibit A were given an opportunity to appear at the Public Hearing and file with the municipal clerk written objections to and to be heard orally in respect to any issues embodied in the Notice.
- (e) The Public Hearing was concluded and finally adjourned on March 24, 2015.
- (f) In accordance with the Special Service Area Law (35 ILCS 200/27-55) objections may be filed within sixty (60) days following the final adjournment of the Public Hearing which occurred on March 24, 2015.

Section 3. PERIOD OF OBJECTION AND FINAL ACTION

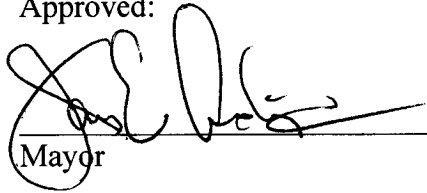
- (a) Within sixty (60) days following the final adjournment of the Public Hearing which occurred on March 24, 2015, objections may be filed with the City Clerk of the City of Peoria, Illinois in accordance with (35 ILCS 200/27-55) objecting to the creation of the Special Service District, levy of taxes and other matters as set forth in the Special Service Area Law. Because the sixty (60) days following final adjournment of the Public Hearing occurs on Saturday, May 23, 2015, any such objections must be filed no later than May 25, 2015.
- (b) Following the expiration of the sixty (60) day period of objection as stated above, the City Council shall consider the adoption of a final ordinance creating the Special Service Area, providing for the levy of special taxes, authorization of indebtedness to pay for the Special Services and such other matters as are related to the Special Service Area and its administration.

Section 4. EFFECTIVE DATE

This Ordinance shall be in full force and effect immediately upon its passage.

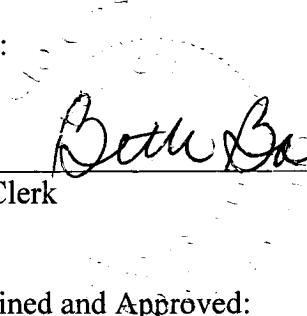

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this 24th day of March, 2015.

Approved:




Mayor

Attest:

City Clerk

Examined and Approved:



Corporation Counsel

KNOXVILLE JUNCTION SPECIAL SERVICE AREA

EXHIBIT A

NOTICE OF PUBLIC HEARING

Published March 7, 2015

Mailed March 10, 2015

Certificate of Publication

STATE OF ILLINOIS,
 County of Peoria. SS

The Peoria Journal Star, Inc. (which is incorporated and doing business under and by virtue of the Laws of the State of Illinois) HEREBY CERTIFIES that it is the printer and publisher of the Journal Star, which is a public secular newspaper of general circulation printed and published daily in the City of Peoria, County of Peoria and State of Illinois, and that said newspaper has been regularly published in said City for at least one (1) year prior to the first publication of the notice hereto attached.

Said Corporation further certifies that the said notice entitled: "NOTICE OF PUBLIC HEARING THIS IS A NOTICE OF PUBLIC HEARING" hereto attached has been published 1 time(s) in the Peoria Journal Star, on the following respective dates:

The 7th day of March A.D., 2015 in class 0182

IN WITNESS WHEREOF, the said Corporation has caused this Certificate to be signed in its name on its behalf by Judy Little this 7th day of March A.D., 2015.

The Peoria Journal Star, Inc.

By: Judy Little

Legal Notice Legal Notice Legal Notice

NOTICE OF PUBLIC HEARING
 THIS IS A NOTICE OF PUBLIC HEARING REGARDING A PROPOSAL FOR THE FORMATION/ESTABLISHMENT OF A SPECIAL SERVICE AREA ("SSA") BY THE CITY OF PEORIA, ILLINOIS AND FOR THE LEVY AND IMPOSITION OF A SPECIAL SERVICE TAX TO PAY FOR QUALIFIED IMPROVEMENTS WITHIN THE SSA.

NOTICE is hereby given pursuant to 35 ILCS 200/27 and the Illinois Constitution of 1970, Article 7, Section 6 (1) (2) that the City of Peoria will conduct a Public Hearing regarding the formation and establishment of a Special Service Area within the City of Peoria, Illinois known as The Knoxville Junction Special Service Area. The Public Hearing shall be conducted at the regularly scheduled meeting of the City Council of the City of Peoria, Illinois on March 24, 2015 at 5:00 p.m. in the City Council Chambers (4th Floor) of the City Hall located at 419 Fulton Street, Peoria, Illinois.

THE BOUNDARIES OF THE PROPOSED SPECIAL SERVICE AREA AND THE PERMANENT TAX INDEX NUMBER OF EACH PARCEL WITHIN THE PROPOSED SPECIAL SERVICE AREA ARE AS FOLLOWS:

JUNCTION CITY SHOPPING CENTER PARCELS: the Common Address of which is 5901 N. Prospect Road, Peoria, Illinois.

Lot 2 of Junction City Phase One, being a resubdivision of Lot 1 of Junction City being a part of Lots 12, 13 and 14 in plat of Bryant and Lindsay's Subdivision of Lot 7 and 8 in School Section number 16, also a part of vacated right-of-way in the west half of the southeast quarter of Section 16, all in Township 9 north, Range 8 east of the Fourth Principal Meridian, Peoria County, Illinois.
 PIN #14-16-452-038

Lot 3 of Junction City Phase One, being a resubdivision of Lot 1 of Junction City being a part of Lots 12, 13 and 14 in plat of Bryant and Lindsay's Subdivision of Lot 7 and 8 in School Section number 16, also a part of vacated right-of-way in the west half of the southeast quarter of Section 16, all in Township 9 north, Range 8 east of the Fourth Principal Meridian, Peoria County, Illinois.
 PIN #14-16-452-039

Lot 4 of Junction City Phase One, being a resubdivision of Lot 3 of Junction City being a part of Lots 12, 13 and 14 in plat of Bryant and Lindsay's Subdivision of Lot 7 and 8 in School Section number 16, also a part of vacated right-of-way in the west half of the southeast quarter of Section 16, all in Township 9 north, Range 8 east of the Fourth Principal Meridian, Peoria County, Illinois.
 PIN #14-16-452-040

Lot 5B of Junction City Phase Two, being a resubdivision of Lot 5 of Junction City Phase One, being a part of Lots 12, 13 and 14 in plat of Bryant & Lindsay's Subdivision of Lots 7 & 8 in School Section number 16, also a part of vacated right-of-way in the west half of the southeast quarter of Section 16, all in Township 9 north, Range 8 east of the Fourth Principal Meridian, Peoria County, Illinois.
 Part of PIN#14-16-452-041

Lot 5A of Junction City Phase Two, being a resubdivision of Lot 5 of Junction City Phase One, being a resubdivision of Lot 1 of Junction City being a part of Lots 12, 13 and 14 in plat of Bryant and Lindsay's Subdivision of Lot 7 and 8 in School Section number 16, also a part of vacated right-of-way in the west half of the southeast quarter of Section 16, all in Township 9 north, Range 8 east of the Fourth Principal Meridian, Peoria County, Illinois.
 Lot 5A is also known as the Bushwhacker Parcel
 Part of PIN #14-16-452-041

PARCELS LOCATED AT 5712-5720 N. Knoxville Avenue, Peoria, Illinois
 Tract I

All of Lot fourteen (14) in BRYANT AND LINDSAY'S SUBDIVISION OF Lots Seven (7) and Eight (8) in School Section Sixteen (16), Township Nine (9) North, Range Eight (8) East of the Fourth Principal Meridian, which lies South and West of the Right of Way of the Chicago, Rock Island and Pacific Railroad Company, EXCEPTING a tract of ground located in the Southwest corner of said tract and being One Hundred Ninety (190) feet along Knoxville Avenue by Two Hundred (200) feet in depth, situate, lying and being in the County of Peoria and State of Illinois.

5720 N. Knoxville Avenue
 PIN #14-16-451-016

Tract II

Part of Lot 14 in BRYANT AND LINDSAY'S SUBDIVISION OF Lots 7 and 8 in School Section 16, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at the intersection of the South line of said Lot 14 with the Easterly Right-of-Way line of Knoxville Avenue (also known as State Route 88) as said Right-of-Way line is described in a dedication for public road purposes recorded on January 3, 1949, in Book 768, Page 385; thence East along the South line of said Lot 14, a distance of 160 feet to a point; thence North a distance of 190 feet to a point; thence West a distance of 200 feet to a point on the Easterly Right-of-Way line of Knoxville Avenue, as described aforesaid; thence South along the Easterly Right-of-Way line of Knoxville Avenue, a distance of 166 feet to a point; thence Easterly a distance of 40 feet to a point; thence South a distance of 24 feet, more or less, to the Place of Beginning, situated in the County of Peoria, in the State of Illinois.
 5712 N. Knoxville Avenue
 PIN #14-16-451-014

THE NATURE OF THE PROPOSED SPECIAL SERVICES TO BE PROVIDED WITHIN THE SPECIAL SERVICE AREA.

The Special Services to be provided within the Knoxville Junction Special Service Area include the construction of a new intersection on

**CITY OF PEORIA
KNOXVILLE JUNCTION SPECIAL SERVICE AREA**

CERTIFICATE OF MAILING

I, Christopher Setti, being first duly sworn on oath, depose and say that, on March 10, 2015, I caused to be sent to:

- All Property Owners within the proposed Knoxville Junction Special Service Area, as listed on the attached Service List, by First Class U.S. Mail, postage prepaid

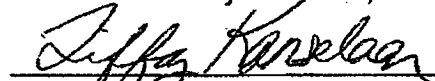
the following document:

- NOTICE OF PUBLIC HEARING REGARDING A PROPOSAL FOR THE FORMATION/ESTABLISHMENT OF A SPECIAL SERVICE AREA ("SSA") BY THE CITY OF PEORIA, ILLINOIS AND FOR THE LEVY AND IMPOSITION OF A SPECIAL SERVICE TAX TO PAY FOR QUALIFIED IMPROVEMENTS WITHIN THE SSA

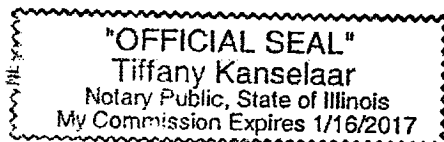


Christopher Setti

Subscribed and sworn to before
me this 11th day of March, 2015.



Notary Public



NOTICE OF PUBLIC HEARING

THIS IS A NOTICE OF PUBLIC HEARING REGARDING A PROPOSAL FOR THE FORMATION/ESTABLISHMENT OF A SPECIAL SERVICE AREA ("SSA") BY THE CITY OF PEORIA, ILLINOIS AND FOR THE LEVY AND IMPOSITION OF A SPECIAL SERVICE TAX TO PAY FOR QUALIFIED IMPROVEMENTS WITHIN THE SSA.

NOTICE is hereby given pursuant to 35 ILCS 200/27 and the Illinois Constitution of 1970, Article 7, Section 6 (1) (2) that the City of Peoria will conduct a Public Hearing regarding the formation and establishment of a Special Service Area within the City of Peoria, Illinois known as The Knoxville Junction Special Service Area. The Public Hearing shall be conducted at the regularly scheduled meeting of the City Council of the City of Peoria, Illinois on March 24, 2015 at 6:00 p.m. in the City Council Chambers (4th Floor) of the City Hall located at 419 Fulton Street, Peoria, Illinois.

THE BOUNDARIES OF THE PROPOSED SPECIAL SERVICE AREA AND THE PERMANENT TAX INDEX NUMBER OF EACH PARCEL WITHIN THE PROPOSED SPECIAL SERVICE AREA ARE AS FOLLOWS:

JUNCTION CITY SHOPPING CENTER PARCELS- the Common Address of which is 5901 N. Prospect Road, Peoria, Illinois.

Lot 2 of Junction City Phase One, being a resubdivision of Lot 1 of Junction City being a part of Lots 12, 13 and 14 in plat of Bryant and Lindsay's Subdivision of Lot 7 and 8 in School Section number 16, also a part of vacated right-of-way in the west half of the southeast quarter of Section 16, all in Township 9 north, Range 8 east of the Fourth Principal Meridian, Peoria County, Illinois.

PIN #14-16-452-038

Lot 3 of Junction City Phase One, being a resubdivision of Lot 1 of Junction City being a part of Lots 12, 13 and 14 in plat of Bryant and Lindsay's Subdivision of Lot 7 and 8 in School Section number 16, also a part of vacated right-of-way in the west half of the southeast quarter of Section 16, all in Township 9 north, Range 8 east of the Fourth Principal Meridian, Peoria County, Illinois.

PIN #14-16-452-039

Lot 4 of Junction City Phase One, being a resubdivision of Lot 1 of Junction City being a part of Lots 12, 13 and 14 in plat of Bryant and Lindsay's Subdivision of Lot 7 and 8 in School Section number 16, also a part of vacated right-of-way in the west half of the southeast quarter of Section 16, all in Township 9 north, Range 8 east of the Fourth Principal Meridian, Peoria County, Illinois.

PIN #14-16-452-040

Lot 5B of Junction City Phase Two, being a resubdivision of Lot 5 of Junction City Phase One, being a part of Lots 12, 13 and 14 in plat of Bryant & Lindsay's Subdivision of Lots 7 & 8 in School Section number 16, also a part of vacated right-

of way in the west half of the southeaster quarter of Section 16, all in Township 9 north, Range 8 east of the Fourth Principal Meridian, Peoria County, Illinois.
Part of PIN#14-16-452-041

Lot 5A of Junction City Phase Two, being a resubdivision of Lot 5 of Junction City Phase One, being a resubdivision of Lot 1 of Junction City, being a part of Lots 12, 13 and 14 in plat of Bryant and Lindsay's Subdivision of Lot 7 and 8 in School Section number 16, also a part of vacated right-of-way in the west half of the southeast quarter of Section 16, all in Township 9 north, Range 8 east of the Fourth Principal Meridian, Peoria County, Illinois.

Lot 5A is also known as the Bushwhacker Parcel
Part of PIN #14-16-452-041

PARCELS LOCATED AT 5712-5720 N. Knoxville Avenue, Peoria, Illinois

Tract I

All of Lot fourteen (14) in BRYANT AND LINDSAY'S SUBDIVISION of Lots Seven (7) and Eight (8) in School Section Sixteen (16), Township Nine (9) North, Range Eight (8) East of the Fourth Principal Meridian, which lies South and West of the Right of Way of the Chicago, Rock Island and Pacific Railroad Company, EXCEPTING a tract of ground located in the Southwest corner of said tract and being One Hundred Ninety (190) feet along Knoxville Avenue by Two Hundred (200) feet in depth, situate, lying and being in the County of Peoria and State of Illinois.

5720 N. Knoxville Avenue
PIN #14-16-451-016

Tract II

Part of Lot 14 in BRYANT AND LINDSAY'S SUBDIVISION of Lots 7 and 8 in School Section 16, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at the intersection of the South line of Said Lot 14 with the Easterly Right-of-Way line of Knoxville Avenue (also known as State Route 88) as said Right-of Way line is described in a dedication for public road purposes recorded on January 3, 1949, in Book 768, Page 365; thence East along the South line of said Lot 14, a distance of 160 feet to a point; thence North a distance of 190 feet to a point; thence West a distance of 200 feet to a point on the Easterly Right-of-Way line of Knoxville Avenue, as described aforesaid; thence South along the Easterly Right-of-Way line of Knoxville Avenue, a distance of 166 feet to a point; thence Easterly a distance of 40 feet to a point; thence South a distance of 24 feet, more or less, to the Place of Beginning; situated in the County of Peoria, in the State of Illinois.

5712 N. Knoxville Avenue
PIN #14-16-451-014

THE NATURE OF THE PROPOSED SPECIAL SERVICES TO BE PROVIDED WITHIN THE SPECIAL SERVICE AREA.

The Special Services to be provided within the Knoxville Junction Special Service Area include the construction of a new intersection on Knoxville Avenue together with lighted traffic signals and acceleration and deceleration lanes on Knoxville Avenue. The new intersection will be located opposite the entrance to the existing Donovan Golf Course which will soon be converted to Donovan Park by the Peoria Park District. The new intersection will also provide direct access from Knoxville Avenue to Junction City Shopping Center, the new Bushwhacker retail store (Bushwhacker Parcel) currently under construction and property located at 5712-5720 N. Knoxville Avenue. The Special Services will include a newly constructed roadway to serve the properties within the Special Service Area and allow for the relocation and burial of overhead power and communication lines. Additionally, storm water detention areas will be relocated and constructed to serve the properties within the Special Service Area. The construction of the new intersection will reduce and consolidate multiple access points on Knoxville Avenue. The proposed Special Services are for new construction, landscaping and maintenance.

THE PROPOSED AMOUNT OF THE TAX LEVY FOR THE SPECIAL SERVICES FOR THE INITIAL YEAR FOR WHICH TAXES WILL BE LEVIED WITHIN THE SPECIAL SERVICE AREA IS THE AMOUNT HEREAFTER SET FORTH FOR EACH PARCEL WITHIN THE SPECIAL SERVICE AREA.

Junction City Shopping Center Parcels

Lot 2	\$ 7,360.00
Lot 3	\$ 5,290.00
Lot 4	\$59,317.00
Lot 5B	\$16,054.00
Lot 5A (Bushwhacker Parcel)	\$ 9,395.00

Parcels located at 5712-5720 N. Knoxville Avenue

Tract I & II Combined Amount	\$17,595.00
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ALL INTERESTED PERSONS, INCLUDING ALL PERSONS OWNING TAXABLE REAL PROPERTY LOCATED WITHIN THE SPECIAL SERVICE AREA, WILL BE GIVEN AN OPPORTUNITY TO BE HEARD AT THE HEARING REGARDING ALL MATTERS RELATING TO THE FORMATION AND ESTABLISHMENT OF THE SPECIAL SERVICE AREA AND TAX LEVY AND WILL HAVE AN OPPORTUNITY TO FILE OBJECTIONS TO THE FORMATION AND ESTABLISHMENT OF THE SPECIAL SERVICE AREA AND THE TAX LEVY.

THE MAXIMUM NUMBER OF YEARS THAT TAXES WILL BE LEVIED IS 30 YEARS. EXPENSES FOR THE CONSTRUCTION OF THE IMPROVEMENTS SHALL BE PAID FROM A LOAN AND INDEBTEDNESS WHICH WILL BE REPAID FROM THE

COLLECTION OF THE SPECIAL SERVICE TAX LEVIED AGAINST EACH OF THE PARCELS WITHIN THE SPECIAL SERVICE AREA. THE INDEBTEDNESS SHALL BE SECURED BY THE FULL FAITH AND CREDIT OF THE AREA INCLUDED IN THE SPECIAL SERVICE AREA AND SUCH INDEBTEDNESS SHALL NOT BE REGARDED AS INDEBTEDNESS OF THE CITY OF PEORIA, ILLINOIS FOR THE PURPOSE OF ANY LIMITATION IMPOSED BY ANY LAW. THE INDEBTEDNESS SHALL NOT BE SECURED BY THE FULL FAITH AND CREDIT OF THE CITY OF PEORIA, ILLINOIS BUT SHALL BE SECURED BY THE FULL FAITH AND CREDIT OF THE AREA INCLUDED IN THE SPECIAL SERVICE AREA. THE MAXIMUM AMOUNT OF INDEBTEDNESS PROPOSED TO BE INCURRED IS \$1,950,000.00. ANNUALLY TAXES SHALL BE LEVIED IN AN AMOUNT SUFFICIENT TO PAY THE PRINCIPAL AND INTEREST ON THE INDEBTEDNESS AS IT BECOMES DUE. SUCH LEVY SHALL BE EXTENDED AGAINST EACH PARCEL AS SET FORTH IN A SPECIAL TAX ROLL WHICH IDENTIFIES THE AMOUNT OF TAXES TO BE LEVIED AGAINST EACH PARCEL. THE INTEREST RATE ON THE INDEBTEDNESS SHALL NOT EXCEED THE RATE OF 5% PER ANNUM DURING THE FIRST FIVE (5) YEARS OF THE TAX LEVY AND SHALL NOT EXCEED THE RATE OF 12% PER ANNUM IN ANY YEAR DURING THE TERM OF THE INDEBTEDNESS.

ON COMPLETION OF THE CONSTRUCTION WITHIN THE SPECIAL SERVICE AREA THOSE PORTIONS OF THE SPECIAL SERVICES LOCATED WITHIN THE PUBLIC RIGHT OF WAY SHALL BE MAINTAINED BY THOSE GOVERNMENTAL ENTITIES HAVING RESPONSIBILITY FOR THE MAINTENANCE OF STREET AND ROADWAY IMPROVEMENTS WITHIN THE PUBLIC RIGHT OF WAY AND THOSE PORTIONS OF THE SPECIAL SERVICES LOCATED OUTSIDE THE PUBLIC RIGHT OF WAY SHALL BE MAINTAINED BY AND AT THE COST OF THE OWNERS OF THE PARCELS WITHIN THE SPECIAL SERVICE AREA EXCEPT AS MAY BE PROVIDED IN EASEMENT OR OTHER AGREEMENTS WITH THE GOVERNMENTAL ENTITIES.

FOR INFORMATION REGARDING THE PUBLIC HEARING OR THE SPECIAL SERVICE AREA CONTACT:

CHRIS SETTI, ASST. CITY MANAGER
CITY OF PEORIA,
CITY HALL
419 FULTON STREET
PEORIA, ILLINOIS 61602
309/494-8618