

**CITY OF MONTICELLO
PIATT COUNTY, ILLINOIS**

ORDINANCE NO. 2023-52

“AN ORDINANCE PROPOSING THE ESTABLISHMENT
OF SPECIAL SERVICE AREA NUMBER FIVE (DANCING ACRES
SUBDIVISION) IN THE CITY OF MONTICELLO AND PROVIDING FOR OTHER
PROCEDURES IN CONNECTION THEREWITH”

ADOPTED BY THE

CITY COUNCIL

CITY OF MONTICELLO

THIS 25th DAY OF SEPTEMBER, 2023

Published in pamphlet form by authority of the City Council of the City of Monticello,
Piatt County, Illinois, this 26th day of September, 2023.

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SUBDIVISION) IN THE CITY OF MONTICELLO AND PROVIDING FOR
OTHER PROCEDURES IN CONNECTION THEREWITH**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY
OF MONTICELLO, PIATT COUNTY, ILLINOIS, as follows:

SECTION 1: AUTHORITY TO ESTABLISH SPECIAL SERVICE AREAS.

Special service areas are authorized for non-home rule municipalities pursuant to
Article VII, Section 7 of the Constitution of the State of Illinois, which provides:

Counties and municipalities which are not home rule units shall have only powers granted to them by law and the powers (1) to make local improvements by special assessment and to exercise this power jointly with other counties and municipalities, and other classes of units of local government having that power on the effective date of this Constitution unless that power is subsequently denied by law to any such other units of local government; (2) by referendum, to adopt, alter or repeal their forms of government provided by law; (3) in the case of municipalities, to provide by referendum for their officers, manner of selection and terms of office; (4) in the case of counties, to provide for their officers, manner of selection and terms of office as provided in Section 4 of this Article; (5) to incur debt except as limited by law and except that debt payable from ad valorem property tax receipts shall mature within 40 years from the time it is incurred; and (6) 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 pursuant to the provisions of 35 ILCS 200/27-5, *et seq.*, of the Illinois Compiled Statutes, commonly known as the Special Service Area Tax Law.

SECTION 2: SPECIAL SERVICE AREA PROPOSED. The owners of record, Dancing Acres, LLC (collectively, the “Owner”), of that portion of the City described and depicted in Exhibit A attached hereto and made a part hereof (the “Subject Territory”), have expressed an interest in the City reimbursing certain public

improvements and special services in the Subject Territory, and submitted an application to the City asking that a special service area be created; and

SECTION 3: FINDINGS OF THE CORPORATE AUTHORITIES. The Mayor and City Council of the City of Monticello hereby find:

- a. It is in the public interest that the creation of the area hereinafter legally described as a Special Service Area for the purposes set forth herein be considered.
- b. The proposed special services are for the construction of new curbs, gutters, roadways, sidewalks, storm sewers, sanitary sewers, and water mains, grading of land, engineering costs, administrative costs and associated improvements servicing the Subject Territory (the “Improvements”).
- c. The Subject Territory is a “contiguous area,” as that term is defined by the Special Service Area Tax Law (35 ILCS 200/27-5) and is generally located in the area bounded by Interstate 72, County Farm Road and Old Route 47.
- d. The Subject Territory will benefit specially from the services to be provided and the proposed municipal services are different from and in addition to municipal services generally provided to the City of Monticello as a whole and it is, therefore, in the best interests of the City of Monticello that the levy or imposition of special taxes against the Subject Territory for the services to be provided be considered.
- e. The Subject Territory will be improved by the Improvements contemplated in this Ordinance. The proposed special services are in addition to municipal services provided to the City as a whole

SECTION 4: PROPOSAL. In response to the expressed interest of the Owner, the Mayor and City Council of the City of Monticello hereby accept the Application and propose the establishment of the Service Area Number Five (Dancing Acres Subdivision) for the construction of the Improvements on the Subject Territory.

SECTION 5: PUBLIC HEARING - TAX RATES. A public hearing shall be held on November 27, 2023 at 7:00 p.m., at the Livingston Center, 224 E. Livingston Street, Monticello, Illinois, to consider the creation of the Service Area Number Five (Dancing Acres Subdivision), in the Subject Territory.

At the hearing, there will be considered the levy of an annual special tax sufficient to generate revenues needed for the construction of the Improvements and administrative costs, which revenues shall not exceed the "Maximum Levy." Such tax shall be levied at a rate that provides a rational relationship between the amount of the tax levied against each parcel comprising the Subject Territory and the special service benefit rendered. For purposes herein, the Maximum Levy as of any given year the SSA is in existence shall not exceed an amount equal to fifty (\$0.50) cents per one hundred (\$100.00) dollars of equalized assessed value for each lot located in the Subject Territory. The special municipal services to be provided to the proposed special service area include: curbs, gutters, streets, sidewalks, and related right of way improvements, storm sewers, sanitary sewers, water mains, utility work, mass grading, engineering, surveying, and administration. This tax shall be levied for a period of twenty (20) years commencing during and in the years subsequent to the date of this Ordinance. This tax is to be levied upon all taxable property within the proposed special service area in accordance with the special tax roll. Said tax shall be in addition to all other taxes provided by law, and shall be levied pursuant to the provisions of the Special Service Area Tax Law (35 ILCS 200/27-5, *et seq.*).

SECTION 6: NOTICE OF HEARING. Notice of hearing shall be published at least once not less than fifteen (15) days prior to the public hearing in one or more newspapers in general circulation in the City of Monticello. In addition, notice by mailing shall be given by depositing said notice in the U.S. 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 proposed Service Area Number Five (Dancing Acres Subdivision). 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, then notice shall be sent to the person last listed on the tax rolls

prior to that year as the owner of the property. The notices shall be in substantially the form set forth on Exhibit B.

SECTION 7: EFFECTIVE DATE. The corporate authorities may adopt an Ordinance establishing Service Area Number Five (Dancing Acres Subdivision), and authorizing the proposed tax levy at any time following the close of the public hearing, including at the same meeting at which the public hearing is held, in accordance with applicable law.

SECTION 8: SUPERSEDE CONFLICTING ORDINANCES. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 9: PUBLICATION. This Ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Passed by the City Council of the City of Monticello, Piatt County, this 25th day of September, 2023, by the following roll-call vote:

AYES:
NAYS:
ABSENT:

Jill Potts, City Clerk
City of Monticello, Piatt County, Illinois

Approved by the City of Monticello this 25th day of September 25, 2023.

Larry Stoner, Mayor

ATTEST:

Jill Potts, City Clerk
City of Monticello, Piatt County, Illinois

EXHIBIT A

**SPECIAL SERVICE AREA NUMBER FIVE (DANCING ACRES
SUBDIVISION) LEGAL DESCRIPTION, PINS, AND MAP**

LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER ALL IN SECTION 12, TOWNSHIP 18 NORTH, RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING IN PIATT COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBE AS FOLLOWS:

COMMENCING AT A FOUND ½ INCH IRON PIN AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12 THENCE SOUTH 01 DEGREES 21 MINUTES 59 SECONDS WEST ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, 20.02 FEET TO THE SOUTH RIGHT OF WAY LINE OF TOWNSHIP ROAD 1700 N AND THE POINT OF BEGINNING;

FROM SAID POINT OF BEGINNING, THENCE ON SAID SOUTH RIGHT OF WAY LINE NORTH 88 DEGREES 40 MINUTES 26 SECONDS EAST, 457.84 FEET; THENCE SOUTH 01 DEGREES 17 MINUTES 35 SECONDS WEST, 389.47 FEET TO A FOUND 5/8" IRON PIN; THENCE SOUTH 00 DEGREES 13 MINUTES 24 SECONDS WEST, 339.30 FEET TO A FOUND 1 INCH PIPE; THENCE SOUTH 89 DEGREES 11 MINUTES 32 SECONDS WEST TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12, 464.92 FEET TO A FOUND 1 INCH PIPE; THENCE ON SAID EAST LINE SOUTH 00 DEGREES 36 MINUTES 33 SECONDS EAST TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12, 589.49 FEET TO A FOUND ½ INCH IRON PIN; THENCE ON SAID SOUTH LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTH 89 DEGREES 18 MINUTES 31 SECONDS WEST, 80.27 FEET TO A FOUND 1/2 INCH IRON PIN; (2) SOUTH 88 DEGREES 50 MINUTES 37 SECONDS WEST, 319.93 FEET TO A FOUND 1/2 INCH IRON PIN, SAID POINT BEING THE NORTHWEST CORNER OF A PARCEL OF GROUND RECORDED ON A PLAT OF SURVEY IN THE PIATT COUNTY RECORDER'S OFFICE ON JUNE 6TH , 2001 IN BOOK 13, PAGE 50; (3) SOUTH 88 DEGREES 09 MINUTES 53 SECONDS WEST, 64.92 FEET TO A FOUND 5/8 INCH IRON PIN; (4) SOUTH 89 DEGREES 10 MINUTES 09 SECONDS WEST, 479.75 FEET TO A FOUND 1/2" FOUND IRON PIN ON THE EASTERLY ACCESS CONTROL/RIGHT OF WAY LINE OF F.A.I. 72 (INTERSTATE 72); THENCE ON SAID ACCESS CONTROL/RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES; NORTH 06 DEGREES 00 MINUTES 05 SECONDS WEST, 131.77 FEET; (2) NORTH 09 DEGREES 55 MINUTES 20 SECONDS EAST, 808.18 FEET;

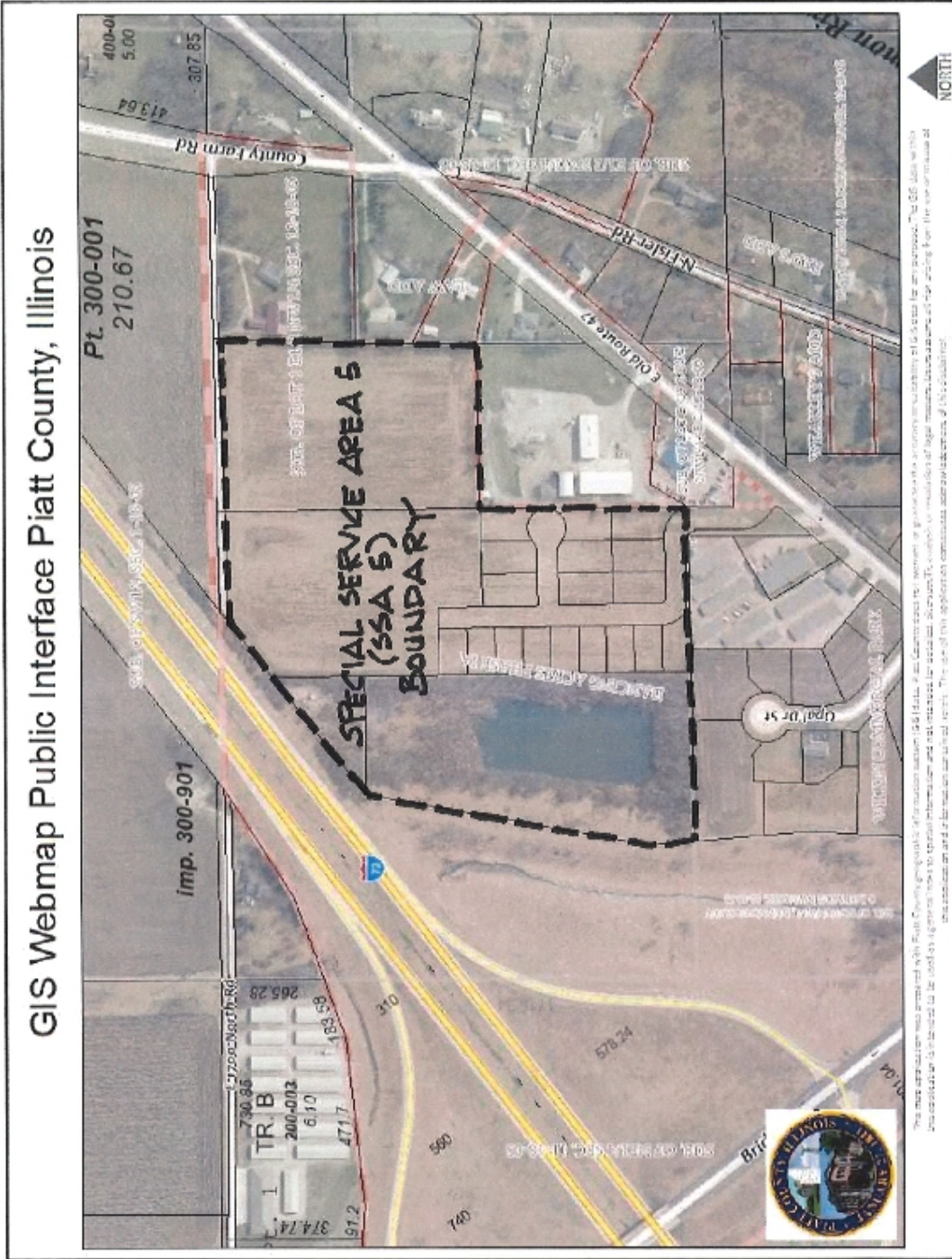
(3) NORTH 51 DEGREES 17 MINUTES 21 SECONDS EAST 628.77 FEET TO THE SOUTH RIGHT OF WAY LINE OF TOWNSHIP ROAD 1700N; THENCE ON SAID SOUTH RIGHT OF WAY LINE NORTH 88 DEGREES 39 MINUTES 10 SECONDS EAST, 339.70 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 31.8090 ACRES MORE OR LESS.

PINs:

05-12-18-005-017-00;
05-12-18-005-027-04;
05-12-18-005-027-05;
05-12-18-005-027-07;
05-12-18-005-027-08;
05-12-18-005-027-09;
05-12-18-005-027-10;
05-12-18-005-027-11;
05-12-18-005-027-12;
05-12-18-005-027-13;
05-12-18-005-027-14;
05-12-18-005-027-15;
05-12-18-005-027-16;
05-12-18-005-027-17;
05-12-18-005-027-18;
05-12-18-005-027-19;
05-12-18-005-027-20;
05-12-18-005-027-21;
05-12-18-005-027-22;
05-12-18-005-027-23;
05-12-18-005-027-24;
05-12-18-005-027-50;

MAP



Date: Tuesday, September 18, 2024

EXHIBIT B

**NOTICE OF HEARING
CITY OF MONTICELLO
SPECIAL SERVICE AREA NUMBER FIVE
(DANCING ACRES SUBDIVISION)**

NOTICE IS HEREBY GIVEN that on the 27th day of November, 2023, at 7:00 p.m. in the Livingston Center, 224 E. Livingston Street, Monticello, Illinois, a hearing will be held by the Mayor and City Council of the City of Monticello to consider forming a special service area to be called “Service Area Number Five (Dancing Acres Subdivision),” consisting of the territory legally described in Exhibit 1 to this Notice. The permanent tax index number of each parcel located within the proposed special service area is included in such Exhibit 1.

The approximate street location is the area generally bounded by Interstate 72, County Farm Road and Old Route 47, as further depicted on the map attached as Exhibit 2 to this Notice.

The purpose of the formation of “Service Area Number Five (Dancing Acres Subdivision) (hereafter “SSA”) is generally to provide special municipal services, including the construction of curbs, gutters, streets, sidewalks, and related right of way improvements, storm sewers, sanitary sewers, water mains, utility work, mass grading, engineering, surveying, and administration. The City contemplates that it will serve as the governing body of the Special Service Area and as such will collect, receive and maintain the Special Service Area funds for use in providing or causing the provision of the special services defined herein and, in the Ordinance, proposing the SSA.

At the hearing, there will be considered the levy of an annual special tax sufficient to generate revenues for construction of the Improvements and administrative costs, which revenues shall not exceed the “Maximum Levy.” Such tax shall be levied at a rate that provides a rational relationship between the amount of the tax levied against each parcel comprising the Subject Territory and the special service benefit rendered. For purposes herein, the Maximum Levy as of any given year the SSA is in existence shall not exceed an amount equal to fifty (\$0.50) cents per one hundred (\$100.00) dollars of equalized assessed value for each lot located in the Subject Territory. This tax shall be levied for a period of twenty (20) years commencing during and in the years subsequent to the date of this Ordinance. This tax is to be levied upon all taxable property within the proposed special service area in accordance with the special tax roll. Said tax shall be in addition to all other taxes provided by law, and shall be levied pursuant to the provisions of the Special Service Area Tax Law (35 ILCS 200/27-5, *et seq.*). The proposed tax amount for the initial year in which taxes will be levied in the SSA is fifty (\$0.50) cents per one hundred (\$100.00) dollars of equalized assessed value for each lot located in the Subject Territory

At the hearing, all interested persons affected by the formation of such special service area, including all persons owning taxable real estate therein, and the method of taxation proposed, will be given an opportunity to be heard. Parties unable to attend the hearing may submit comments before or after to the Office of the City Clerk, 210 N. Hamilton Street, Monticello, Illinois 61856. The hearing may be adjourned by the Council 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 special service area and by at least 51% of the owners of record of the land included within the boundaries of the special service area is filed with the city clerk within 60 days following the final adjournment of the public hearing objecting to the creation of the special service area, the levy or imposition of a tax, no such special service area as proposed may be created, or tax may be levied or imposed, except as otherwise permitted by law.

Dated this ____ day of _____, 2023.

Jill Potts, City Clerk

EXHIBIT 1

**“SPECIAL SERVICE AREA NUMBER FIVE
(DANCING ACRES SUBDIVISION)”:
LEGAL DESCRIPTION AND PINs**

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05-12-18-005-027-09;
05-12-18-005-027-10;
05-12-18-005-027-11;
05-12-18-005-027-12;
05-12-18-005-027-13;
05-12-18-005-027-14;
05-12-18-005-027-15;
05-12-18-005-027-16;
05-12-18-005-027-17;
05-12-18-005-027-18;
05-12-18-005-027-19;
05-12-18-005-027-20;
05-12-18-005-027-21;
05-12-18-005-027-22;
05-12-18-005-027-23;
05-12-18-005-027-24;
05-12-18-005-027-50;

EXHIBIT 2

“SPECIAL SERVICE AREA NUMBER FIVE
(DANCING ACRES SUBDIVISION)”:
MAP

GIS Webmap Public Interface Piatt County, Illinois



This map application was created with Piatt County geographic information system (GIS) data, as generated by ArcGIS, and is provided for informational purposes only. The GIS data is not intended to be used as a legal instrument and does not constitute a warranty of any kind. The user of this application constructs and understands all consequences of its use.

Date: Tuesday, September 15, 2025