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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** MATT ANASTASIA, FINANCE DIRECTOR  
**SUBJECT:** AN ORDINANCE FOR TAX LEVY OF THE MALLARD POINT SPECIAL ASSESSMENT  
FOR THE FISCAL YEAR MAY 1, 2023, TO APRIL 30, 2024  
**AGENDA:** DECEMBER 6, 2022 REGULAR BOARD MEETING  
**DATE:** DECEMBER 2, 2022

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**ISSUE**

Shall the Board approve the Mallard Point Special Assessment tax levy.

**DISCUSSION**

The Village of Sugar Grove passed an ordinance authorizing improvements to the Mallard Point and Rolling Oaks Subdivisions and applied to the Sixteenth Judicial Circuit Court of Kane County for an assessment of the costs of the improvement on December 16, 2011. An assessment was filed with that court on April 25, 2012, the hearing on the Confirmation of the Assessment Roll was held on the May 29, 2012. The assessment was approved and the Village now needs to levy for the special assessment against said property owners. The levy amount will remain unchanged at \$394.10 per unit for Mallard Point units and \$120.29 for units in Rolling Oaks. The Assessment is for 20 years, beginning in Tax Year 2012, collected in 2013, and will expire with Tax Year 2031, collected in 2032.

Please find attached a resolution allowing the Village to begin collecting the special assessment and an ordinance of the levy itself.

**COST**

Not applicable.

**RECOMMENDATION**

That the Board adopt:

- 1) Resolution 20221206MPROA Declaring Notice of Eleventh Installment, Accrual of Interest and Adoption of Special Assessment Supplemental Bond and Procedures Act

- 2) Ordinance 20221206MPRO, an Ordinance for Tax Levy of the Mallard Point Special Assessment for the Fiscal Year May 1, 2023, to April 30, 2024.

ORDINANCE NO. 20221206MPRO

AN ORDINANCE FOR TAX LEVY OF THE  
MALLARD POINT SPECIAL ASSESSMENT  
FOR THE FISCAL YEAR  
MAY 1, 2023, TO APRIL 30, 2024

PASSED BY THE BOARD OF TRUSTEES  
AND PRESIDENT OF THE  
VILLAGE OF SUGAR GROVE

This 6th day of December, 2022.

Published in pamphlet form  
by authority of the Board of Trustees of the  
Village of Sugar Grove, Kane County, Illinois

This 6th day of December, 2022.

## ORDINANCE NO. 20221206MPRO

An Ordinance levying taxes for the Mallard Point Special Assessment for the VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS, for the fiscal year commencing on May 1, 2023, and ending April 30, 2022.

BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois:

**SECTION ONE:** That the amounts herein after set forth or so much thereof as may be authorized by law, and the same is hereby levied for the Mallard Point Special Assessment, for the fiscal year of the said Village of Sugar Grove, Kane County, Illinois, beginning May 1, 2023, and ending April 30, 2024.

**SECTION TWO:** The amount hereby levied for the Mallard Point Special Assessment is \$75,218.92.

**SECTION THREE:** That the Village Clerk shall make and file with the County Clerk of said County of Kane, a duly certified copy of this Ordinance and that the amount levied by Section Two of the Ordinance is required by said Village of Sugar Grove as aforesaid and extended upon the appropriation tax book for the fiscal year of said Village of Sugar Grove beginning May 1, 2023, and ending April 30, 2024.

**SECTION FOUR:** If any section, subdivision, sentence or clause of the Ordinance is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance.

**SECTION FIVE:** This Ordinance shall be in full force and effect from and after its passage, approval and recording according to law.

**PASSED** this 6th day of December, 2022, pursuant to roll call as follows:

|                |       |                 |       |
|----------------|-------|-----------------|-------|
| Trustee Lendi  | _____ | Trustee Herron  | _____ |
| Trustee Bonnie | _____ | Trustee Walter  | _____ |
| Trustee White  | _____ | Trustee Schomas | _____ |

**PASSED AND APPROVED THIS 6th DAY OF DECEMBER, 2022.**

\_\_\_\_\_  
Jennifer Konen  
President of the Village of Sugar Grove

ATTEST:

\_\_\_\_\_  
Alison Murphy  
Clerk of the Village of Sugar Grove

## **CERTIFICATE**

I, Alison Murphy, certify that I am the appointed Municipal Clerk of the Village of Sugar Grove, Kane County, Illinois.

I further certify that on December 6, 2022, the President and Board of Trustees of the Village of Sugar Grove adopted An Ordinance for Tax Levy of the Mallard Point Special Assessment for the Fiscal Year May 1, 2023, to April 30, 2024.

I hereby certify that the attached Ordinance is a true copy of the Ordinance that was duly adopted by the Village of Sugar Grove Board of Trustees, at a meeting which was held on December 6, 2022, at 6:00 p.m. at which a quorum was present and acting throughout and that said copy has been compared by me with the original ordinance which was signed by the Village President on December 6, 2022.

Dated at Sugar Grove, Illinois this 6th day of December, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village, this 6th day of December, 2022.

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Alison Murphy, Village Clerk



## **Resolution 20221206MPROA**

### **Declaring Notice of Eleventh Installment, Accrual of Interest and Adoption of Special Assessment Supplemental Bond and Procedures Act**

**WHEREAS**, the Village of Sugar Grove, Kane County, Illinois has petitioned the 16<sup>th</sup> judicial circuit for confirmation of a special assessment in the Village; and

**WHEREAS**, the court has confirmed said special assessment in the case of IN RE SPECIAL ASSESSMENT FOR THE VILLAGE OF SUGAR GROVE, A MUNICIPAL CORPORATION IN KANE COUNTY, ILLINOIS Case No: 2011 TX 183; and

**WHEREAS**, the Village seeks to utilize the provisions of 50 ILCS 460/10:

**NOW, THEREFORE**, Be It and It is Hereby Resolved by the Village Board of the Village of Sugar Grove, Kane County, Illinois, as follows:

Section 1. The Village hereby adopts the provisions of the Special Assessment Supplemental Bond and Procedures Act 50 ILCS 460/10.

Section 2. The Village hereby directs its attorneys and officers to file with the court a Notice of Eleventh Installment and Accrual of Interest to be collected by the County Clerk in accordance with the regular tax collection schedule of the county beginning with collection in the year 2013. Interest to accrue effective August 1<sup>st</sup> 2013.

Section 3. All actions of the officers, agents and employees of the Village that are in conformity with the purposes and intent of this Declaration, whether taken before or after the adoption hereof, are hereby ratified, confirmed and adopted.

Section 4. Pursuant to 50 ILCS 460/40 the award of all contracts of construction for the Special Assessment project herein are ratified and confirmed.

Section 6. This Declaration shall be filed immediately in the office of the Village Clerk.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 6th day of December, 2022.

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Jennifer Konen  
President of the Board of Trustees  
of the Village of Sugar Grove,  
Kane County, Illinois

ATTEST: \_\_\_\_\_

Alison Murphy  
Clerk, Village of Sugar Grove

|                         | Aye   | Nay   | Absent | Abstain |
|-------------------------|-------|-------|--------|---------|
| Trustee Matthew Bonnie  | _____ | _____ | _____  | _____   |
| Trustee Sean Herron     | _____ | _____ | _____  | _____   |
| Trustee James F. White  | _____ | _____ | _____  | _____   |
| Trustee Michael Schomas | _____ | _____ | _____  | _____   |
| Trustee Ryan Walter     | _____ | _____ | _____  | _____   |
| Trustee Heidi Lendi     | _____ | _____ | _____  | _____   |