

**AN ORDINANCE RATIFYING THE ORDINANCE ENLARGING
THE NORTHEAST LAKE FPA SPECIAL SERVICE AREA
AND CONFIRMING RECEIPT OF ANNEXATION AGREEMENT
(Galt Property)**

WHEREAS, the County Board of Lake County, State of Illinois (the "County Board"), has created the Northeast Lake Facilities Planning Area Special Service Area (the "NEFPA SSA") to provide special sanitary sewerage services pursuant to Section 7(6) of Article VII of the Illinois Constitution of 1970; Section 5-15010 of the Counties Code, 55 ILCS 5/1-1001 et seq.; the provisions of 35 ILCS 200/27-5 et seq. (the "Special Service Area Act"); and the Lake County Ordinance approved on December 2, 1994, entitled "An Ordinance Establishing the Northeast Lake FPA Special Service Area" (the "Establishing Ordinance"); and

WHEREAS, pursuant to a request from the owners of certain property known as the "Galt Property," which property is legally described in Exhibit A attached hereto, the County Board did adopt an ordinance proposing the enlargement of the NEFPA SSA, publish and mail notice of a public hearing on such proposed enlargement, and conducted a public hearing on August 1, 2006, all in accordance with the Special Service Area Act; and

WHEREAS, following the 60-day protest period as provided for in the Special Service Area Act during which no protests to the enlargement of the NEFPA SSA were received, the County Board did adopt on November 14, 2006 "An Ordinance Enlarging the Northeast Lake FPA Special Service Area (Galt Property)" (the "Galt Enlargement Ordinance") all in accordance with the Special Service Area Act; and

WHEREAS, pursuant to the Special Service Area Act, the Galt Enlargement Ordinance was duly recorded within 60 days after its adoption; and

WHEREAS, the Galt Enlargement Ordinance included a provision, not required by the Special Service Area Act, that the owners of the Galt Property execute the annexation agreement relating to the inclusion of the Galt Property in the NEFPA within 45 days and pay certain annexation fees within 60 days after the adoption of the Galt Enlargement Ordinance; and

WHEREAS, it has been determined that the owners of the Galt Property delivered the annexation agreement and annexation fee payment within 60 but later than 45 days; and

WHEREAS, the County Board has determined that the modest delay in delivering the signed annexation agreement was inadvertent, did not affect compliance with the Special Service Area Act, and substantially complied with the conditions of the Galt Enlargement Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF LAKE COUNTY, ILLINOIS, as follows:

SECTION ONE: Recitals. The foregoing recitals are incorporated herein as if fully set forth.

SECTION TWO: Ratification of Galt Enlargement Ordinance. The County Board hereby ratifies its prior approval of the Galt Enlargement Ordinance, which Ordinance was properly adopted in accordance with the Special Service Area Act, and all conditions were satisfied within the 60-day period for recording the Galt Enlargement Ordinance as provided in the Special Service Area Act. Any technical noncompliance with respect to the timing and

delivery of the annexation agreement as provided in the Galt Enlargement Ordinance are hereby waived so that the Galt Enlargement Ordinance is and remains in full force and effect.

SECTION THREE: Confirmation of Delivery of Annexation Agreement. The County Board hereby confirms the delivery of the signed annexation agreement (and the annexation fee required thereunder) from the owner of the Galt Property, which annexation agreement is and shall remain in full force and effect.

SECTION FOUR: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS ____ DAY OF _____, 2007.

AYES:

NAYS:

ABSENT:

APPROVED THIS ____ DAY OF _____, 2007.

Chairman, Lake County Board

ATTEST:

County Clerk

EXHIBIT A

LEGAL DESCRIPTION OF GALT PROPERTY
140.5 ACRES, MORE OR LESS

PARCEL 1:

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 45 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN LAKE COUNTY, ILLINOIS.

PARCEL 2:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 45 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN LAKE COUNTY, ILLINOIS.

PARCEL 3:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 45 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART LYING WEST OF A LINE DRAWN FROM A POINT 678.00 FEET, MEASURED ALONG THE NORTH LINE THEREOF, TO A POINT THAT IS THE NORTHWEST CORNER OF LAND CONVEYED TO THE COUNTY OF LAKE FOR STEARNS SCHOOL ROAD BY DOCUMENT 2143414, AND AS SHOWN ON THE PLAT OF STEARNS SCHOOL ROAD RECORDED AS DOCUMENT 2331857, IN LAKE COUNTY, ILLINOIS.

PARCEL 4:

THE WEST 5.7 CHAINS (376.2 FEET) OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 45 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART LYING SOUTHERLY OF THE CENTERLINE OF STEARNS SCHOOL ROAD, IN LAKE COUNTY, ILLINOIS.

PARCEL 5:

THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 45 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE WEST 5.7 CHAINS (376.2 FEET) THEREOF; AND EXCEPT THAT PART LYING SOUTHERLY OF THE CENTERLINE OF STEARNS SCHOOL ROAD, IN LAKE COUNTY, ILLINOIS.

PARCEL 6:

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 45 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART LYING WEST OF A LINE DRAWN FROM A POINT 754.4 FEET, MEASURED ALONG THE NORTH LINE THEREOF, TO A POINT THAT IS THE NORTHWEST CORNER OF LAND CONVEYED TO THE COUNTY OF LAKE FOR STEARNS SCHOOL ROAD BY DOCUMENT 2143414, AND AS SHOWN ON THE PLAT OF STEARNS SCHOOL ROAD RECORDED AS DOCUMENT 2331857; AND EXCEPT THAT PART CONVEYED TO THE COUNTY OF LAKE FOR STEARNS SCHOOL ROAD BY DOCUMENT 2143414, AFORESAID, AND EXCEPT THAT PART LYING SOUTHERLY OF THE CENTERLINE OF STEARNS SCHOOL ROAD, IN LAKE COUNTY, ILLINOIS.