

ORDINANCE NO. 18-410-05

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
PURSUANT TO 75 ILCS 16/15-15
(PARCEL #5: NORTH OF ELMWOOD LANE AND EAST OF HOMELAND ROAD)**

WHEREAS, the Matteson Area Public Library District, Cook County, Illinois (the "District") is a library district duly organized under the laws of the State of Illinois; and

WHEREAS, the Board of Trustees of the District (the "Board") has full power to pass all necessary ordinances and rules for the proper management and conduct of District business pursuant to 75 ILCS 16/30-55.5; and

WHEREAS, the Board finds that strong public policy concerns support the inclusion of territories into library districts when they are served neither by a library district nor a local library; and

WHEREAS, the Board finds that it is inequitable to District taxpayers that certain owners of property bounded by properties owned by District taxpayers are able to receive the benefit of District services without paying their fair share of the property tax burden of the District; and

WHEREAS, the Illinois General Assembly, recognizing this public policy, has passed legislation permitting a board of trustees of a library district to annex territory included within a school district that is included entirely or partially within the District, is contiguous to the District and is without local tax supported public library service in 75 ILCS 16/15-15; and

WHEREAS, Matteson School District 162 is located entirely or partially within the Matteson Area Public Library District; and

WHEREAS, the Matteson Area Public Library District has within its boundaries territory contiguous to Matteson School District 162 but not included within its boundaries, which territory is legally described and depicted Exhibit A attached hereto and made a part hereof; and

WHEREAS, the territory, located North Of Elmwood Lane and East of Homeland Road, as described and depicted in Exhibit A, is without tax-supported public library service; and

WHEREAS, the Board has sent notice of this proposed ordinance to the President of the Board of Trustees of each public library within one (1) mile of the territory to be annexed as well as posted notice on its website; and

WHEREAS, the Board finds good and ample cause exists to annex by ordinance the property legally described and depicted in the Exhibit A (the "Subject Property");

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Matteson Area Public Library District, Cook County, Illinois, as follows:

SECTION 1: The Board hereby finds that the Subject Property, **Exhibit A** meets the qualifications of 75 ILCS 16/15-15, in that it is:

- A. located within the boundaries of Matteson School District 162 that is included, entirely or partially, within the District;
- B. contiguous to the District; and
- C. without local, tax-supported public library service.

SECTION 2: The Board, after providing proper notice and providing for public comment, hereby annexes the Subject Property legally described and depicted in **Exhibit A** hereto into the boundaries of the Matteson Area Public Library District.

SECTION 3: The Library Director is authorized and directed to file a certified copy of this Ordinance, together with an accurate map of the Subject Property to be annexed, with the Cook County Clerk and the State Library.

SECTION 4: Should a petition, as shall be supplied by the Secretary of the District to any person requesting it, signed by 10% of the voters in the District (1,351), 10% of the voters residing within the territory to be annexed (1) or 10% of both (1,352) be submitted to the Board of Library Trustees within thirty (30) days of publication of this Ordinance, the question of the annexation shall be placed upon the ballot at the general election on November 6, 2018, unless the Board shall vacate this Ordinance.

SECTION 5: The provisions of this Ordinance shall be in full force and effect upon the adoption and signing of the Ordinance, and after filing a certified copy of this Ordinance and the map attached hereto in the office of the Recorder of Deeds and the County Clerk of Cook County, Illinois, as provided by law. The Secretary, within 15 days of the passage and adoption of this Ordinance, shall cause to be published at least once in one or more newspapers published in the District and the territory being annexed, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the District and the territory to be annexed, of the notice required by 75 ILCS 16/15-15 and within the same 15 days shall cause a notice of the adoption of the Ordinance together with a map showing the boundaries of the territory to be annexed and a copy of the text of the publication notice to the President of the Board of Trustees of each public library with territory within one mile of the territory to be annexed.

SECTION 6: This Ordinance shall supersede any ordinances, resolutions, motions, or parts of ordinances, resolutions, or motions in conflict with any part herein, and any such ordinance, resolution or motion or parts thereof, are hereby repealed to the extent of any conflict.

SECTION 7: If any section, paragraph or provision of this Ordinance shall be held invalid or unenforceable for any reason, such invalidity or inability to enforce any portion shall not affect any of the remaining provisions of this Ordinance.

ADOPTED this _____ day of _____, 2018, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this _____ day of _____, 2018.

President

ATTEST:

Secretary