

Friday 5.5

Welcome back to another #Friday5.

First, we need to apologize for the missing #Friday5 last week. As we all know, the area was hit by a massive snowstorm, causing the park district to close early. In the rush to get home before we were snowed in, we forgot to post the #Friday5. We completely apologize for any inconvenience this may have caused!!

Despite this shortfall, we are left with a #Friday1 for the second week in a row. Well, technically, it seems to be a two-part question and a statement... but either way, we'll happily answer this and all questions from residents regarding the sale of Area N.

Just another quick reminder: the South Barrington Park District created #Friday5 to answer questions regarding the auction/sale of Area N on Feb. 28. Our hope is to open the lines of communication between the park district and the people affected by the sale. As we said last week, questions or statements by residents were found on social media and answered here for everyone to read.

If you asked a question somewhere and we did not see it, check back next week to see if your question or statement is answered. If we missed it completely and want your question answered, feel free to send the question to Executive Director Jay Morgan at jmorgan@sbgpd.net.

Here is the question and answer:

Question: This must've been missed from last week- there were two questions. Asking again on this post. If a non-profit purchases the land based on the assumption that it will not file for an exemption from property taxes, how will the PD enforce the contract if the non-profit files for a property tax exemption in a subsequent year? Does the provision about paying property taxes run with the land?

Statement: And everyone in South Barrington is affected by the sale, especially since it deals with property taxes. Hopefully the answer to my question above will be "yes, it runs with the land" and the owner of the land will always have to pay property taxes instead of the fact that the park district seemingly does not have to enforce this new provision and could waive the covenant altogether (per the contract).

Answer: I thought we did answer this, but if the answer wasn't clear, then let's try again. Any entity can bid on the land. However, should said entity win the bid, the winning bidder will need to CONTINUE TO PAY PROPERTY TAXES ON THE LAND per the contract and the covenant that will be recorded at closing. So, bottom line, the winning entity will not be allowed to claim "tax exempt" status on the property.

Just because a property owner has charitable status from the IRS does not mean that real estate owned by it is automatically exempt from property taxes. The owner must file an application with the Cook County Board of Review and whether an exemption is granted or not is ultimately decided by the Illinois Department of Revenue. The covenant will give the South Barrington Park District the ability to object during that process but will also serve as a condition that is enforceable in court in the unlikely event that an exemption is granted by the Illinois Department of Revenue. A covenant like this can run with the land. The waiver provision is necessary in case at some point in the future there is an entity which owns a portion of the property where an exemption would be appropriate and in the best interests of the residents such as the school district or even the park district.