

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

AMERICAN DISPOSAL SERVICES OF  
ILLINOIS, INC.,

Petitioner,

v.

COUNTY BOARD OF MCLEAN COUNTY,  
ILLINOIS, HENSON DISPOSAL, INC., and  
TKNTK, LLC,

Respondents.

No. PCB 11-60

(Pollution Control Facility Siting  
Application)

**NOTICE OF FILING**

<p><b>TO:</b> Richard T. Marvel Attorney at Law 202 N. Center Street, Suite 2 Bloomington, IL 61701 <i>Via U.S. Mail &amp; E-mail (marvelr@me.com)</i> Attorney for Respondents Henson Disposal, Inc. and TKNTK, LLC</p>	<p>Amy Jackson Rammelkamp Bradney, P.C. 232 West State Street Jacksonville, Illinois 62650 <i>Via U.S. Mail &amp; E-mail (ajackson@rblawyers.net)</i> Co-Counsel for Respondents Henson Disposal, Inc. and TKNTK, LLC</p>
<p>Hannah Eisner McLean County State's Attorney's Office 104 W. Front Street, Rm. 605 Bloomington, IL 61702 <i>Via U.S. Mail &amp; E-mail</i> <i>(hannah.eisner@mcleancountyil.gov)</i></p>	<p>Hearing Officer Carol Webb Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, Illinois 62794-9274 <i>Via E-mail ONLY (webbc@ipcb.state.il.us)</i></p>
<p>Charles Helston &amp; Rick Porter Hinshaw &amp; Culbertson 100 Park Ave., PO Box 1398 Rockford, IL dheaney@hinshawlaw.com</p>	

**PLEASE TAKE NOTICE** that on September 29, 2014, we electronically filed with the Illinois Pollution Control Board: **(1)** this *Notice of Filing*; **(2)** the attached *PETITIONER'S RESPONSE IN OPPOSITION TO RESPONDENTS HENSON DISPOSAL, INC. & TKNTK, LLC'S MOTION FOR RECONSIDERATION*.

Dated: September 29, 2014  
Jennifer J. Sackett Pohlenz  
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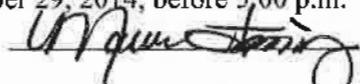
Respectfully submitted,  
**AMERICAN DISPOSAL SERVICES OF  
ILLINOIS, INC.**

By: /s/ Jennifer J. Sackett Pohlenz

One of Its Attorneys

**CERTIFICATE OF SERVICE**

I, Marci Frazier, a non-attorney, certify<sup>1</sup> that I served the documents identified above on the parties identified above *via* U.S. Mail and e-mail, as indicated above, from 150 N. Michigan Avenue, Suite 2700, Chicago, Illinois 60601, on September 29, 2014, before 5:00 p.m.



<sup>1</sup> Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the above signed certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the above signed certifies as aforesaid that he verily believes the same to be true.

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**PETITIONER'S RESPONSE IN OPPOSITION TO  
RESPONDENTS HENSON DISPOSAL, INC. & TKNTK, LLC'S  
MOTION FOR RECONSIDERATION**

NOW COMES Plaintiff American Disposal Services of Illinois, Inc. ("ADS"), by and through its attorneys at Clark Hill PLC, and as its Response In Opposition to Respondents Henson Disposal, Inc. and TKNTK, LLC's Motion for Reconsideration ("Motion"), states as follows:

**INTRODUCTION**

Respondents Henson Disposal, Inc. and TKNTK, LLC (collectively "Henson") argue that "new evidence indicat[es]" that the Pollution Control Board's ("Board"), August 7, 2014, Opinion and Order in this matter was in error. On September 18, 2014, Respondent McLean County joined in Henson's Motion, with an untimely filed "County Board of McLean County's Motion to Reconsider." The County's Motion is not timely, filed more than 35-days after service of the Board's Opinion and Order, and should be denied. Moreover (without waiving the timeliness issue), Henson and the County are wrong; Henson and the County waived any arguments to change the facts presented with the motion for summary judgment on which this matter was decided; Henson has not met the standard for a motion for reconsideration; and, even if the standard for reconsideration were met, the evidence presented does require any change to

the Order and Opinion of the Board. Henson is attempting to use its Motion as a shield, even though the Board denied Henson's motion to stay, to cover it from its continued violation of the Illinois Environmental Protection Act, as it continues to operate its facility with a void Illinois EPA permit.

**ARGUMENT**

**A. HENSON AND THE COUNTY WAIVED THE ARGUMENT FOR ANY "NEW EVIDENCE"**

The Board based its Opinion and Order, as respects its decision on the Petitioner's Motion for Summary Judgment, on Stipulated Facts signed by all parties to this matter. The Stipulated Facts provided, among other things, Henson and the County's agreement that the taxpayer of PIN 21-16-226-004 was entitled to jurisdictional, pre-filing notice and did not receive it (**Exhibit A, ¶¶5, 7, 14**), and:

**16. There are no other material facts concerning jurisdiction that any party believes will be identified or otherwise disclosed at a hearing in this matter.**

**17. All documents supporting Henson's pre-filing, jurisdictional notice, are contained in the Record on Appeal, and no party believes there are additional documents or proof to be identified at a later time.**

**18. The parties stipulate that, inclusive of this Stipulation, the entire record on the issue of pre-filing, jurisdictional notice is before the Pollution Control Board at this time and no material fact is disputed.**

**The above stated facts are agreed to by all parties in this case.**

By making the statements contained in and just following Paragraphs 16-18 of the Stipulated Facts, Henson and the County agreed that all material facts concerning jurisdiction were before the Board. Neither Henson nor the County ever raised the argument concerning actual notice, raised for the first time in Henson's Motion, and both agreed that "the entire record on the issue of pre-filing, jurisdictional notice" was before the Board.

Henson and the County agreed to the facts on which summary judgment was granted and, thus, admitted the material facts and waived the right to later raise the argument that material facts, not in the record, exist. A judicial admission is a deliberate, clear, unequivocal statement of a party about a concrete fact within that party's peculiar knowledge. *Hansen v. Ruby Constr. Co.*, 155 Ill. App. 3d 475, 480, 508 N.E.2d 301, 303-304 (1st Dist. 1987), citations omitted. Additionally, a party cannot create a factual dispute by contradicting a previously made judicial admission. *Id.*, citations omitted. "A party may not create a genuine issue of material fact by taking contradictory positions, nor may he remove a factual question from consideration just to raise it anew when convenient." *Id.*, citing *Schmahl v. A. V. C. Enterprises, Inc.*, 148 Ill. App. 3d 324, 331, 499 N.E.2d 572 (1<sup>st</sup> Dist. 1986).

The Stipulation of Facts was a judicial admission, binding on all parties in this case. A copy of it is attached as **Exhibit A** to this Response. The parties unequivocally agreed that the entire record on jurisdictional, pre-filing notice was before the Board. As such, Henson and the County cannot now take a contradictory position.

Similarly, waiver is the intentional relinquishment of a known right. *See, Fox Lake v. Aetna Casualty & Surety Co.*, 178 Ill. App. 3d 887, 913, 534 N.E.2d 133, 149 (2nd Dist. 1989); *UIDC Management, Inc. v. Sears, Roebuck & Co.*, 167 Ill. App. 3d 81, 84, 520 N.E.2d 1164 (1<sup>st</sup> Dist. 1988) Henson and the County, through counsel, waived a public hearing on jurisdiction and not only stipulated to the material facts, but stipulated that the facts in the record were the entire record on the issue of pre-filing, jurisdictional notice.

Where a case presents no genuine issue of material fact and requires only the application of recognized legal principals to an agreed factual situation, summary judgment is appropriate. *Id.*, citing *Hansen v. Ruby Construction Co.* 155 Ill. App. 3d 475, 479, 508 N.E.2d 301 (1<sup>st</sup> Dist.

1987). Further, it is well established that arguments raised for the first time in motion for reconsideration are waived. *Hajicek v. Nauvoo Restoration, Inc.*, Slip Op. at P18 (3<sup>rd</sup> Dist. 03/27/14). Not only did Henson and the County waive any argument outside the record before the Board at the time of the Board's August 7, 2014, Opinion and Order, but they waived the argument of actual notice, failed to make it prior to Henson's Motion for Reconsideration. Therefore, Henson's Motion should be denied.

**B. HENSON FAILS TO MEET THE STANDARD FOR A MOTION FOR RECONSIDERATION**

In ruling on a motion for reconsideration or modification, the Board will consider factors including new evidence or a change in the law, to conclude that the Board's decision was in error. *Pattermann v. Boughton Trucking and Materials, Inc.*, PCB 99-187 at 3-4 (September 2, 2004); citing 35 Ill. Adm. Code 101.902; *Jersey County Sanitation v. IEPA*, PCB 00-82 (Sept. 20, 2001). In *Citizens Against Regional Landfill v. County Board of Whiteside*, PCB 93-156, Slip Op. at 2 (Mar. 11, 1993), the Board observed that "the intended purpose of a motion for reconsideration is to bring to the court's attention newly discovered evidence which was not available at the time of hearing, changes in the law or errors in the court's previous application of the existing law." *Id.*; citing *Koroghlyan v. Chicago Title & Trust Co.*, 213 Ill. App. 3d 622, 627, 572 N.E.2d 1154, 1158 (1st Dist. 1991).

Further, the Board's Rule 101.904(1), provides that the Board may relieve a party from a final order entered in a contested proceeding<sup>i</sup> upon written motion, only in three circumstances, only one of which is relevant to Henson's Motion: "Newly discovered evidence that existed at

the time of hearing and that by due diligence could not have been timely discovered.” Henson fails to meet this standard.

The affidavit and argument presented in Henson’s Motion contains no evidence as to why, with due diligence, the information contained in the affidavit could not have been timely discovered. The conclusory and unsworn argument of counsel in Paragraph 3 of the Motion<sup>1</sup>, that the affiant, Ms. Gibson “has come forward” fails to state when, how, to whom, and why. Indeed, the Motion is silent as to this required standard to assert “newly discovered evidence” in support of a motion for reconsideration and should be denied.

**C. THE AFFIDAVIT SUBMITTED BY HENSON IN ITS MOTION DOES NOT REQUIRE ANY CHANGE TO THE BOARD’S OPINION AND ORDER**

"Reconsideration is not warranted unless the newly discovered evidence is of such conclusive or decisive character so as to make it probable that a different judgment would be reached." *Id*; citing *Patrick Media Group, Inc. v. City of Chicago*, 255 Ill. App. 3d 1, 8, 626 N.E.2d 1066, 1071 (1st Dist. 1993). The affidavit of Ms. Gibson, even if it met the standard for a motion for reconsideration and was otherwise admissible (which Petitioner denies), fails to “make it probable that a different judgment would be reached” by this Board.

There is no probability of a different judgment by the Board, because: (1) “Actual notice” is not sufficient to meet jurisdictional requirements for pre-filing notice under Section 39.2 of the Illinois Environmental Protection Act when the siting applicant makes no attempt to serve the property owner; (2), the alleged “notice” contained in the insufficient affidavit attached to Henson’s Motion applies to only one of the two owners as identified in the authentic tax records of McLean County; (3), the affidavit of Ms. Gibson should be stricken as it fails to

comply with the standards of Illinois Supreme Court Rule 191; **(4)**, there were other notice deficiencies raised in the motion for summary judgment, any one of which results in a finding of no jurisdiction; and **(5)**, if this Board changes the rule notice and find that “actual notice” suffices, then it must also find Henson’s motion is untimely, as Henson was present on August 7, 2014, and had actual notice of the Board’s Opinion and Order.

**(1)** The failure to attempt service on even one person who is required to be served under Section 39.2 of the Act is fatal and jurisdiction does not vest. The plain language of Section 39.2(b) of the Act (415 ILCS 5/39.2(b) (2002)) requires: "No later than 14 days before the date on which the county board . . . receives a request for site approval, the applicant shall cause written notice of such request to be served either in person or by registered mail, return receipt requested, on the owners of all property within . . . within 250 feet in each direction of the lot line of the subject property, said owners being such persons or entities which appear from the authentic tax records of the County in which such facility is to be located." *City of Kankakee, et al. v. County of Kankakee, et al.*, PCB 03-123, 133-135 at 34-35 (August 7, 2003), *affm'd Waste Mgmt. of Ill., Inc. v. Ill. Pollution Control Bd.*, 336 Ill.App. 229, 826 N.E.2d 586 (3rd Dist 2005). The legislature has provided clear and precise language to the Board detailing what steps an applicant must take to provide notice. *Id.* Section 39.2(b) of the Act (415 ILCS 5/39.2(b) (2002)) has three distinct elements: (1) property owners listed on the authentic tax records must be served notice; (2) property owners who own property within 250 feet of the lot line of the proposed facility must be notified; (3) service on those property owners must be effectuated using certified mail return receipt or personal service. *Id.*

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<sup>1</sup> In addition, vague references from counsel, unsupported by affidavit, are insufficient to satisfy the requirements for “newly discovered” evidence to be considered by the Board.

Henson admits that no attempt was made by it or any other party to serve the owners, as listed on the authentic tax records, with notice for PIN 21-16-226-004, which is within 250 feet of the lot line of the facility (excluding roadways). (Stipulated Facts ¶¶5, 7, 13-14). In support of its “actual notice” argument, Henson cites *Maggio v. PCB*, 9 N.E.3d 80 (2<sup>nd</sup> Dist. 2014). However, *Maggio* is inapposite of the new law that Henson seeks from the Board. Henson’s new counsel actually represented the siting applicant in *Maggio*, and argued actual notice is not required. In *Maggio*, the Appellate Court affirmed the Board’s finding that “actual notice” was not required, as the plain reading of the statute requires service by mailing of the notice. “The legislature plainly intended two different meanings by the phrase ‘with a returned receipt from the addressee,’ which requires actual signed receipt of notification, and the phrase ‘return receipt requested,’ which allows service to be properly served upon mailing.” *Maggio*, 9 N.E.3d at 83-84.

Allowing actual notice to cure the jurisdictional defect where no attempt at compliance with the statutory requirement was made, as here, is not sufficient to satisfy the requirements of the Act.<sup>2</sup> For example, Illinois courts have identified that actual notice is not sufficient to comply with the statutory written notice requirement of the Local Government and Government Employees Tort Immunity Act. *Lando v. Chicago*, 128 Ill. App. 3d 597, 602, 470 N.E.2d 1172, 1175 (Ill. App. Ct. 1st Dist. 1984). Likewise, Illinois courts have found that actual knowledge is not sufficient to cure an agency’s failure to comply with rulemaking requirements of the Illinois Administrative Procedure Act (“APA”), because doing so with make the notice and comment

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<sup>2</sup> In addition, changing the law to interpret the pre-filing notice provision to allow for the statutory requirements of notice to be, essentially skipped, as long as actual notice or no objection was shown at some point, requires this Board to interpret due process requirements under the U.S. and State of Illinois Constitutions, which no State Agency is authorized to do. An administrative agency is a statutory creation, limited in its authority by statute. *Newkirk v. Bigard*, 109 Ill. 2d 28, 485 N.E.2d 321 (1985). To the extent that an agency acts outside its statutory



requirement of the APA illusory. *Senn Park Nursing Center v. Miller*, 104 Ill. 2d 169, 181,470 N.E.2d 1029, 1035 (S. Ct. 1984).

(2) In addition, Henson's assertion of actual notice is faulty as it is asserted on behalf of only one of the two owners of PIN 21-16-226-004. A certified copy of the tax record is attached to this Response as Exhibit B, showing that there are two owners required to have been sent notice pursuant to Section 39.2, neither of whom were and only one of whom signed the affidavit attached to Henson's Motion. Pursuant to the Board's holding in *City of Kankakee, et al. v. County of Kankakee, et al.*, PCB 03-123, 133-135 at 34-35 (August 7, 2003), affm'd *Waste Mgmt. of Ill., Inc. v. Ill. Pollution Control Bd.*, 336 Ill.App. 229, 826 N.E.2d 586 (3rd Dist 2005), sending notice to only one of two owners is insufficient to meet the jurisdictional requirements of Section 39.2 of the Act. In this case, written notice was sent to neither of the owners of 21-16-226-004, even though one of the two owners signed an affidavit alleging actual notice.

(3) Further, the affidavit of Ms. Gibson should not only be found to be ineffectual for overriding the jurisdictional requirements of Section 39.2, but should also be stricken as it fails to comply with Illinois Supreme Court Rule 191. Rule 191 requires that affidavits be made on the personal knowledge of the affiants; shall set forth with particularity the facts upon which the claim is based; shall have attached thereto sworn or certified copies of all documents upon which the affiant relies; shall not consist of conclusions but of facts admissible in evidence; and shall affirmatively show that the affiant, if sworn as a witness, can testify competently thereto. The affidavit of Ms. Gibson is not compliant with this Rule. For example, the affidavit fails to include certified copies of document showing her ownership of PIN 21-16-226-004; the affidavit fails to disclose there are more than one owner of PIN 21-16-226-004; the affidavit fails to

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authority, it acts without jurisdiction. *Business & Professional People for the Public Interest v. Illinois Commerce*

provide any facts or documentation showing a subscription to the Pantagraph and her receipt and awareness of the notice, and her rights in that proceeding. Therefore, Ms. Gibson's affidavit should be stricken.

(4) In addition, even if this Board were to find the affidavit sufficient, change the law on both owners being sent notice, and change the law concerning actual notice, there are other deficiencies with Henson's pre-filing notice that were a subject of the motion for summary judgment. These additional argument were not ruled on by the Board, they were not needed to be ruled on after the Board found jurisdiction lacking with the first argument raised concerning PIN 21-16-226-004. Henson fails to address those arguments in its Motion. ADS repeats and incorporates those arguments (2-3) from its motion for summary judgment in this Response.

(5) Finally, should the Board change the law as described above and find that actual notice is sufficient to satisfy service requirements (i.e., no attempt at service by mail is needed), then Henson's Motion should be denied as untimely, as Henson's counsel was present at the Board's decision on August 7, 2014, and received actual notice of it.

Therefore, for the reasons stated above, the Board should deny Henson's Motion and maintain its precedent concerning the jurisdictional notice requirements of Section 39.2 of the Act.

Dated: September 29, 2014

Respectfully submitted,

Jennifer J. Sackett Pohlenz  
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**AMERICAN DISPOSAL SERVICES OF  
ILLINOIS, INC.**

By: /s/ Jennifer J. Sackett Pohlenz  
One of Its Attorneys

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Comm'n, 136 Ill. 2d 192, 243, 555 N.E.2d 693 (1989).

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<sup>i</sup> By referencing this language from the Board's Rule, Petitioner is not waiving and specifically reserves its arguments concerning the Stipulated Facts on which the Opinion and Order of the Board was based.

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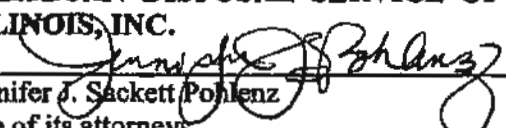
**STIPULATED FACTS**

1. Henson Disposal Inc. received the addresses of the parties entitled to notice from the County of McLean.
2. Henson Disposal Inc. filed an application on April 19, 2010, with the County of McLean, but withdrew that application.
3. Henson Disposal Inc. again filed a siting application on August 9, 2010, with the County of McLean.
4. The fourteenth day prior to August 9, 2010, is July 26, 2010.
5. The following persons were entitled to pre-filing, jurisdictional notice for the Henson Disposal Inc. siting application and either did not receive it or received it after July 26, 2010:
  - a. H01615CP Partnership;
  - b. Bradford Supply Company;
  - c. Representative Sommer;
  - d. Representative Cultra;
  - e. Raymond Fairchild;
  - f. Kipp Connour;
  - g. Nord Enterprises;
  - h. Taxpayer of PIN 21-16-226-004
6. The following persons received the pre-filing, jurisdictional notice to property owners of the siting application after July 26, 2010: H01615CP Partnership; Bradford Supply Company; Representative Sommer; and Representative Cultra.
7. There is no proof of service of the pre-filing, jurisdictional notice to the following taxpayers or elected officials (as applicable) of the siting application: Raymond Fairchild; Kipp Connour; and Nord Enterprises; and Taxpayer of PIN 21-16-226-004.

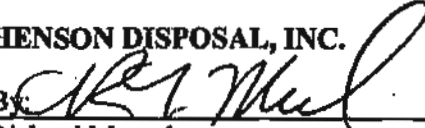
8. Certified mailings of the pre-filing notice were not attempted to be sent to or served on Raymond Fairchild, Kipp Connour, or Nord Enterprises until July 23, 2010.
9. Deposition Exhibit 6 (attached for convenience) was created on or about March 30, 2011, after the August 9, 2010 siting application filing.
10. No boundary of PINs changed between July 1, 2010 and March 30, 2011.
11. The distance from the Henson Disposal Inc. proposed site property boundaries, as depicted in Exhibit 6, was the same in July 2010.
12. Page 1 of Deposition Exhibit 6 reflects the 250' area from the property boundary of the proposed Henson Disposal Inc. site.
13. PIN 21-16-226-004 is within 250' from the property boundary of the proposed Henson Disposal Inc. site, with roadways excluded in the distance measured.
14. The taxpayer of PIN 21-16-226-004 was not sent or served, in any form, pre-filing notice by Henson Disposal Inc.
15. The pre-filing, jurisdictional notice of the siting application sent by Henson Disposal Inc. was the form shown in the Record on Appeal at C-63 (attached for convenience) and containing the language: "Persons may submit comments on this application after that date to the County Clerk and should be delivered or post marked no later than 30 days after August 9, 2010."
16. There are no other material facts concerning jurisdiction that any party believes will be identified or otherwise disclosed at a hearing in this matter.
17. All documents supporting Henson's pre-filing, jurisdictional notice, are contained in the Record on Appeal, and no party believes there are additional documents or proof to be identified at a later time.
18. The parties stipulate that, inclusive of this Stipulation, the entire record on the issue of pre-filing, jurisdictional notice is before the Pollution Control Board at this time and no material fact is disputed.

The above stated facts are agreed to by all parties in this case.

**AMERICAN DISPOSAL SERVICE OF ILLINOIS, INC.**

By:   
Jennifer J. Sackett Pohlenz  
One of its attorneys  
Dated: March 26, 2014

**HENSON DISPOSAL, INC.**

By:   
Richard Marvel  
One of its attorneys  
Dated: March 29, 2014

**COUNTY BOARD OF MCLEAN  
COUNTY, ILLINOIS**

**TKNTK, INC.**

By: \_\_\_\_\_

Hanna Eisner  
First Assistant State's Attorney  
Dated: March 29, 2014

By:  \_\_\_\_\_

Richard Marvel  
One of its attorneys  
Dated: March 29, 2014

COUNTY BOARD OF MCLEAN  
COUNTY, ILLINOIS

TKNTK, INC.

By: 

Hannah Eisner

First Assistant State's Attorney

Dated: March 28, 2014

By: \_\_\_\_\_

Richard Marvel

One of its attorneys

Dated: March \_\_, 2014





Kirk

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0003

**McLEAN COUNTY ILLINOIS REAL ESTATE TAX BILL**



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 Ph (309) 888-6189 Fax (309) 888-5176  
 Office Hours: 8AM - 4:30PM, Mon. - Fri.  
 www.mcleancountyil.gov

Township: BLOOMINGTON  
 Tax Code: 0503  
 Prop Use Code: 0040

Legal Description  
 SCHOOL COMR'S SUB NE 16-23-2E N9'  
 E200' LOT 8

21-16-226-004

GIBSON, THOMAS & TONJA  
 1901 BUNN ST  
 BLOOMINGTON, IL 61704-7420

17304 - 42

Pay by credit card or Visa debit card  
 at www.mcleancountyil.gov/tax  
 or call 1-877-690-3729 Jurisdiction Code 7029. (A fee applies.)

DUPLICATE

Taxing Body	Current Rate	Current Tax	Prior Rate	Prior Tax	Pension	Amount Difference
MCLEAN COUNTY	0.90667	\$149.81	0.89859	\$148.12	26.14	1.49
BLOOMINGTON TOWNSHIP	0.03114	\$5.14	0.03036	\$5.02	0.00	0.12
BLOOMINGTON TWP FIRE	0.82808	\$87.12	0.51928	\$85.79	0.00	1.33
USD 6 NORMAL	4.69289	\$774.23	4.58932	\$756.20	29.45	16.03
BLOOMINGTON TWP ROAD	0.24406	\$40.27	0.23722	\$39.19	0.00	1.08
GOLDEN PRAIRIE LIBRARY	0.15000	\$24.75	0.12662	\$20.97	0.00	3.78
HEARTLAND COMM COLLEGE 640	0.45810	\$75.74	0.45473	\$75.13	0.00	0.61
<b>Totals</b>	<b>7.01214</b>	<b>\$1,156.86</b>	<b>6.86443</b>	<b>\$1,132.42</b>	<b>\$65.59</b>	<b>\$24.44</b>



TIF BASE	0
1077 EQUALIZED	3,651
SR FREEZE BASE	0
FAIR CASH VALUE	67,494
TOTAL AGRES	0.50
LAND VALUE	3,789
* BUILDING VALUE	18,709
HOME IMPROVEMENT	0
* ASSESSED VALUE	22,498
* STATE MULTIPLIER	1.0000
* EQUALIZED VALUE	22,498
* HOMESTEAD EXMPT	6,000
* SR CITZ EXMPT	0
* SR FREEZE EXMPT	0
* DISABLED VET EXMPT	0
* DIS VET HOMESTEAD	0
* DISABLED PER EXMPT	0
* RET VET HOMESTEAD	0
* FARM LAND	0
* FARM BUILDING	0
* NET TAXABLE VAL	16,498
* TAX RATE	7.01214
* CURRENT TAX	\$1,156.86
* DRAINAGE	0
PRIOR SALE/FORF	NO
* TOTAL TAX DUE	\$1,156.86
* TOTAL TAX PAID	\$1,156.86
* TOTAL TAX TRF	\$0.00

Owner Name: GIBSON, THOMAS & TONJA

If postmarked after 9/30, contact office.  
 Additional Interest & Penalties apply.

Mail is processed by our bank processing center.  
 Mail Payments To:  
 MCLEAN COUNTY COLLECTOR  
 P.O. BOX 643637  
 KANSAS CITY, MO 64184-3637

Certified funds required for payments  
 tendered within 30 days of the  
 NOVEMBER 05, 2010 tax sale.

**McLean County Real Estate Tax Bill**

Parcel Number 21-16-226-004 Second Installment Due Date 09/10/2010  
 Bill Number 2009-052429  
 Prior Sale/Forf NO Total Due Paid on 2nd Install 08/24/2010 \$0.00

**PENALTIES**  
 PENALTY OF 1 1/2% PER MONTH ADDED  
 AFTER EACH INSTALLMENT DUE DATE.  
 ADDITIONAL \$10 ADDED AFTER DELINQUENT  
 NOTICE IS MAILED

2009 PAYABLE 2010

IF POSTMARKED AFTER	TAX	PENALTY	PLEASE PAY
09/10/2010	578.43	8.68	587.11
09/30/2010	578.43	Contact Office	Contact Office

DUPLICATE

2

GIBSON, THOMAS & TONJA  
 1901 BUNN ST  
 BLOOMINGTON, IL 61704-7420

2



**McLean County Real Estate Tax Bill**

Parcel Number 21-16-226-004 First Installment Due Date 06/10/2010  
 Bill Number 2009-052429  
 Prior Sale/Forf NO Total Due Paid on 1st Install 06/21/2010 \$0.00

**PENALTIES**  
 PENALTY OF 1 1/2% PER MONTH ADDED  
 AFTER EACH INSTALLMENT DUE DATE.  
 ADDITIONAL \$10 ADDED AFTER DELINQUENT  
 NOTICE IS MAILED

2009 PAYABLE 2010

IF POSTMARKED AFTER	TAX	PENALTY	PLEASE PAY
06/10/2010	578.43	8.88	587.11
07/10/2010	578.43	17.35	595.78
08/10/2010	578.43	26.03	604.46
09/10/2010	578.43	34.71	613.14
09/30/2010	578.43	Contact Office	Contact Office

DUPLICATE

1

GIBSON, THOMAS & TONJA  
 1901 BUNN ST  
 BLOOMINGTON, IL 61704-7420

1



**AUTHORIZATION TO AUTOMATICALLY WITHDRAW FUNDS TO PAY CURRENT AND FUTURE TAXES**

Return To: **Rebecca C. McNeil - McLean County Treasurer/Collector**  
 PO Box 2400  
 Bloomington, IL 61701-2400

I wish to:  Participate  Make a Change  Terminate

Please use my:  Checking Account  Savings Account

Enclose voided check or savings deposit slip for new participants/changes.

**This form must be received 10 days before due date printed on bill.**

**Funds will be automatically withdrawn each tax year on the due date for each installment.**

Parcel Number: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_ Email: \_\_\_\_\_ Date: \_\_\_\_\_

Financial Institution's Name \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

I hereby authorize the McLean County Treasurer to withdraw funds according to my selection above from my checking or savings account at the financial institution named above. If funds are not available, the payment will not be made, and all penalties will apply to tax payer. Your bank statement will serve as your receipt for this transaction. The authority remains until terminated in writing. Taxpayer is responsible for notifying the collector of any change to the account status or parcel number. Confirmation of enrollment is issued upon setup. If not received, contact office.

**IMPORTANT INFORMATION - PLEASE READ**

**WHERE DO YOU PAY YOUR TAXES?**

- In person at the McLean County Treasurer's Office located in the Government Center, 115 E. Washington St., Bloomington, IL. Office hours: 8:00-4:30, Monday thru Friday.
- Drop Box located on the East St. side of the Government Center.
- By mailing to the McLean County Collector, P.O. Box 843637, Kansas City, MO 64184-3637. Must be postmarked by the due date.
- At most banks in McLean County. Please check with your bank.
- Credit card and automatic withdraw payment options are available. Review this statement for further information.

**HOW DO YOU PAY YOUR TAXES?**

1. Please make checks payable to the McLEAN COUNTY COLLECTOR. Your cancelled check is your receipt.
2. Partial payments and post-dated checks are NOT accepted and will be returned.
3. All payments made after applicable due dates must include interest penalty or the payment will be returned.
4. Non payment of check by your bank voids receipt. A \$25.00 returned check fee will be assessed in addition to any applicable penalties.
5. IF YOU HAVE SOLD THIS PROPERTY, please mail this bill to the new owner. If it remains unpaid, you (as the owner of record) will be notified and published as delinquent. You should also contact the Chief County Assessment Officer (309-888-5130) to verify that the records have been changed for future billings.
6. If you are not responsible for payment of this tax bill, please forward it to the Mortgage Company or to the new owner.
7. In accordance with 35 ILCS 200/20-12, you are hereby notified that certain taxpayers may be eligible for tax exemptions. Review the yellow insert and contact the County Assessor at PH 309-888-5130 for more information. Certain taxpayers may also be eligible for the Senior Citizens & Disabled Persons Property Tax Relief Act. Contact the Illinois Department on Aging at PH 800-624-2459 for more information on their programs. Additional assistance programs may be offered through your township.
8. **THIS IS THE ONLY NOTICE YOU WILL RECEIVE.** Separate bills are not mailed for the second installment. Each payment must be accompanied by the detachable portion of the tax bill. If paying bill in full, send both stub 1 and 2.
9. By law, failure to receive a tax bill or receiving one late for any reason, does not relieve taxpayer from taxes or late penalties.

**EMAIL & WEBSITE INFORMATION**

Stay informed about the real estate collection cycle. All real estate tax information is available online. Our free email service also provides general information about the tax bill mailing and due date reminders. For more information please visit [www.mcleancountyil.gov/treasurer](http://www.mcleancountyil.gov/treasurer)

Questions: Payments/Billing - County Collector 888-5180  
 Exemptions/Assessments/Address Changes - CCAO 868-5130

Mail is processed by our bank processing center.  
 Please Remit Payment To:

**MCLEAN COUNTY COLLECTOR**  
 P.O. BOX 843637  
 KANSAS CITY, MO 64184-3637

Please verify your check:

- includes signature & date (not post dated)
- written amount matches numeric amount
- amount matches amount due on coupon
- includes parcel # on memo line

Mail is processed by our bank processing center.  
 Please Remit Payment To:

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 P.O. BOX 843637  
 KANSAS CITY, MO 64184-3637

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