



LAURIE McPHILLIPS

WILL COUNTY RECORDER

EXECUTIVE CENTRE • 58 E. CLINTON STREET, SUITE 100 • JOLIET, ILLINOIS 60432
(815) 740-4637 • FAX (815) 740-4697
www.willcountyrecorder.com

PRESS RELEASE
FOR IMMEDIATE RELEASE
September 19, 2006

CITY OF AURORA REQUIRING "NO STAMP DUE" STAMP ON DEEDS,
EFFECTIVE 10/2/06

On June 13, 2006, the Aurora City Council approved Ordinance #006-50, *AMENDING CHAPTER 44, ARTICLE X, ENTITLED "REAL ESTATE TRANSFER TAX"*. *A copy of the letter sent to our office, as well as the Ordinance, are attached for your review.*

Such new ordinance provides that "the seller of transferor of real property that is not otherwise subject to the City of Aurora's real estate transfer tax obtain a "no-tax-due stamp" from the City prior to recordation of the deed. This means that now every deed related to real property sold or transferred in the City of Aurora must bear a City real estate transfer stamp, EFFECTIVE OCTOBER 1, 2006.

We have contacted the City of Aurora and they clarified that this is effective with all deeds EXECUTED October 1st or later. In addition, it applies to re-recordings.



City of Aurora

Law Department • 44 East Downer Place • Aurora, Illinois 60507-2067 • (630) 844-4777 • Fax (630) 844-4737

Corporation Counsel:
Alayne M. Weingartz

Assistant Corp. Counsel:
John C. Banbury

September 18, 2006

RECEIVED
SEP 19 2006

VIA CERTIFIED MAIL
The Honorable Laurie McPhillips
County Recorder
County of Will
58 East Clinton Street
Joliet, IL 60432-4143

Dear Ms. McPhillips:

On June 13, 2006, the Aurora City Council approved Ordinance No. 006-50. Enclosed is a copy of the ordinance. This ordinance requires that the seller or transferor of real property that is not otherwise subject to the City of Aurora's real estate transfer tax obtain a "no-tax-due stamp" from the City prior to the recordation of the deed. This means that now every deed related to real property sold or transferred in the City of Aurora must bear a City real estate transfer stamp. The requirement to obtain a no-tax-due stamp for "exempt" transactions is effective October 1, 2006.

We ask for your cooperation in recording deeds related to Aurora properties only if they have a City real estate transfer stamp affixed to them. Please let me know if you'd like to meet personally to discuss this issue and how we can assist you in complying with the City's requirements. If you have questions concerning this matter, please call me at (630) 844-4777.

Sincerely,

A handwritten signature in cursive script that reads "Alayne M. Weingartz".

Alayne M. Weingartz
Corporation Counsel

enclosure

c: (w/o enclosure)
Brian W. Caputo, Director of Finance/City Treasurer
Charles Koch, Assistant Director of Finance

CITY OF AURORA, ILLINOIS
ORDINANCE NO. 006-50
DATE OF PASSAGE June 13, 2006

**AN ORDINANCE AMENDING CHAPTER 44, ARTICLE X
ENTITLED "REAL ESTATE TRANSFER TAX"**

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, in furtherance of its home rule powers, and for purposes of economy and enforcement, it is necessary and desirable for the City of Aurora to amend its ordinances regulating the City of Aurora Real Estate Transfer Tax to include a "no tax due" stamp transaction.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That Article X of Chapter 44 of the Aurora Code of Ordinances, entitled "Real Estate Transfer Tax" be and is hereby amended as follows:

* * * * *

Sec. 44-214. Declaration form.

At the time the any tax stamp is paid requested, there shall also be presented to the city treasurer or his designee, a copy of the State of Illinois Real Estate Transfer Tax Declaration form signed by at least one (1) of the grantors or their agent.

Sec. 44-215. Deeds.

Every deed shall show the date of the transaction which it evidences, the names of the grantor and grantee, and a legal description of the property to which it relates. Deeds exempt under the State of Illinois Real Estate Transfer Tax Act, shall be exempt from the tax levied by this article, provided the reason for the exemption is indicated either on the face of the deed or on the State of Illinois Real Estate Transfer Tax Declaration. Such deeds shall not require a city tax stamp for recordation stating "no tax due." Said "no tax due" stamp shall be available for purchase as provided in Section 44-216, at a cost of \$25.00.

Sec. 44-216. Revenue stamps required.

The tax herein levied and imposed shall be collected by the city treasurer or his designee for the city through the sale of revenue stamps, which shall be caused to be prepared by said city treasurer in such quantities and denominations, including a "no tax due" stamp, as said city treasurer may from time to time prescribe. Such revenue stamps shall be available for sale at and during the regular business hours of the city offices or at other locations designated by the city treasurer. Upon payment of the tax herein levied and imposed, the revenue stamps so purchased shall be affixed to the deed or other instrument of conveyance. Any person so using and affixing a revenue stamp or stamps shall cancel it and so deface it as to render it unfit for use by marking it with his initials and the day, month and year when the affixing occurs. Such markings shall be made by writing or stamping in indelible ink or by perforating with a machine or punch. However, the revenue stamp(s) shall not be so defaced as to prevent ready determination of its denomination and genuineness.

* * * * *

Sec. 44-218. Recordation of deeds.

After the effective date of this article, no deed conveying real property within the corporate limits of the city shall be entitled to recordation by the recorders of deeds for Kane, DuPage, Will or Kendall Counties unless such deed shall bear either an Aurora Real Estate Transfer Tax Stamp in the amount required by this article, or a "no tax due" stamp ~~or a statement of exemption.~~

* * * * *

Sec. 44-223. Payment of various outstanding accounts.

The city treasurer shall issue no transfer tax stamps, including "no tax due" stamps, unless all outstanding building code fines, burglar alarm fees, fire alarm fees, housing rehabilitation loans, property maintenance invoices, and liens related to the subject property have been paid in full.

* * * * *

Section Two: That this ordinance shall be in full force and effect, and shall be controlling upon transactions involving the conveyance of real property on or after October 1, 2006.

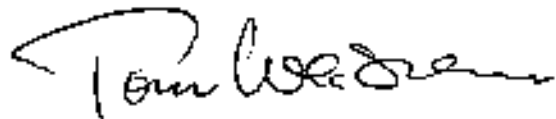
Section Three: That all ordinances or parts of ordinances thereof in conflict herewith are hereby repealed to the extent of any such conflict.

Section Four: That any Section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining Sections or provisions that shall remain in full force and effect thereafter.

PASSED by the City Council of the City of Aurora, Illinois, on June 13, 2006.

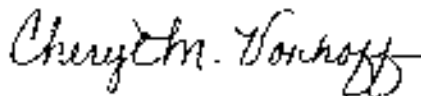
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APPROVED AND SIGNED by the Mayor of the City of Aurora, Illinois, on June 13, 2006.



Mayor

ATTEST:



City Clerk

City of Aurora
Law Department
44 East Downer Place
Aurora, IL 60507
(630) 844-4731



City of Aurora

Finance Department • 44 E. Downer Place • Aurora, Illinois 60507-2067 • (630) 844-3613
FAX (630) 892-0741

Brian W. Caputo, C.P.A.
Director of Finance
City Treasurer

October 2, 2006

RECEIVED
OCT 3 2006

The Honorable Laurie McPhillips
County Recorder
County of Will
58 East Clinton Street
Joliet, IL 60432-4143

RE: Waiver of City of Aurora No-Tax-Due Real Estate Transfer Stamp Administrative Fee

Dear Ms. McPhillips:

Over the past two weeks, the City of Aurora publicized its new requirement that the seller or transferor of real property in Aurora that is not otherwise subject to the City of Aurora's real estate transfer tax must obtain a "no-tax-due stamp" from the city prior to the recordation of the deed. This requirement was effective October 1, 2006.

In the information disseminated on the no-tax-due stamp, the city indicated that a \$25 administrative processing fee would apply to the issuance of the stamp. Please be advised that, after further consideration, we have decided to waive the \$25 fee.

If you have questions concerning this matter, please contact the city's Revenue & Collection Division at (630) 906-7414.

Sincerely,

A handwritten signature in cursive script that reads "Brian W. Caputo".

Brian W. Caputo
Director of Finance/City Treasurer