



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning and Economic Development Division*

m e m o r a n d u m

**TO:** Bruce Walden, Chief Administrative Officer

**FROM:** Reed A. Berger, AICP, Economic Development Coordinator

**DATE:** November 15, 2001

**SUBJECT: Annexation of Dessen and Fitting Tracts  
2410 and 2500 block of N. Cunningham Avenue**

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**Introduction**

Edward H. Dessen and Loretta Dessen, as Trustees under the Dessen Trust dated May 1, 1995 have submitted an annexation petition to annex a 2.094 acre parcel of land (the "Dessen Tract") located at 2410 N. Cunningham Avenue in consideration of the City's payment for certain real estate required for dedication of right-of-way. Additionally, the City recently acquired the Fitting Tract, a 1.15 acre parcel of land located directly north and contiguous to the Dessen Tract, primarily for the dedication of right-of-way. These two annexations together are critical not only to the timely completion of the new intersection connecting Anthony Road (the Interstate 74 frontage road) to N. Cunningham Avenue (U.S. Route 45), but also for the purpose of including the area within the City's proposed TIF district to be considered by City Council next month.

**Background**

The annexation of the Dessen and Fitting tracts and the dedication of the right-of-way therein are key steps in the process a necessary to complete the new intersection prior to the opening of Farm & Fleet department store in September of next year. Once the right-of-way is dedicated the Dessen and Fitting tracts would together serve as a potential single commercial lot adjacent to Cunningham Avenue, and provide a second commercial lot to the east near the entry of the Dessen's Farm Lake and dance barn. It should be noted that the dedicated right-of-way adjacent to the Dessen and Fitting tracts not yet incorporated would also be annexed by operation of law.

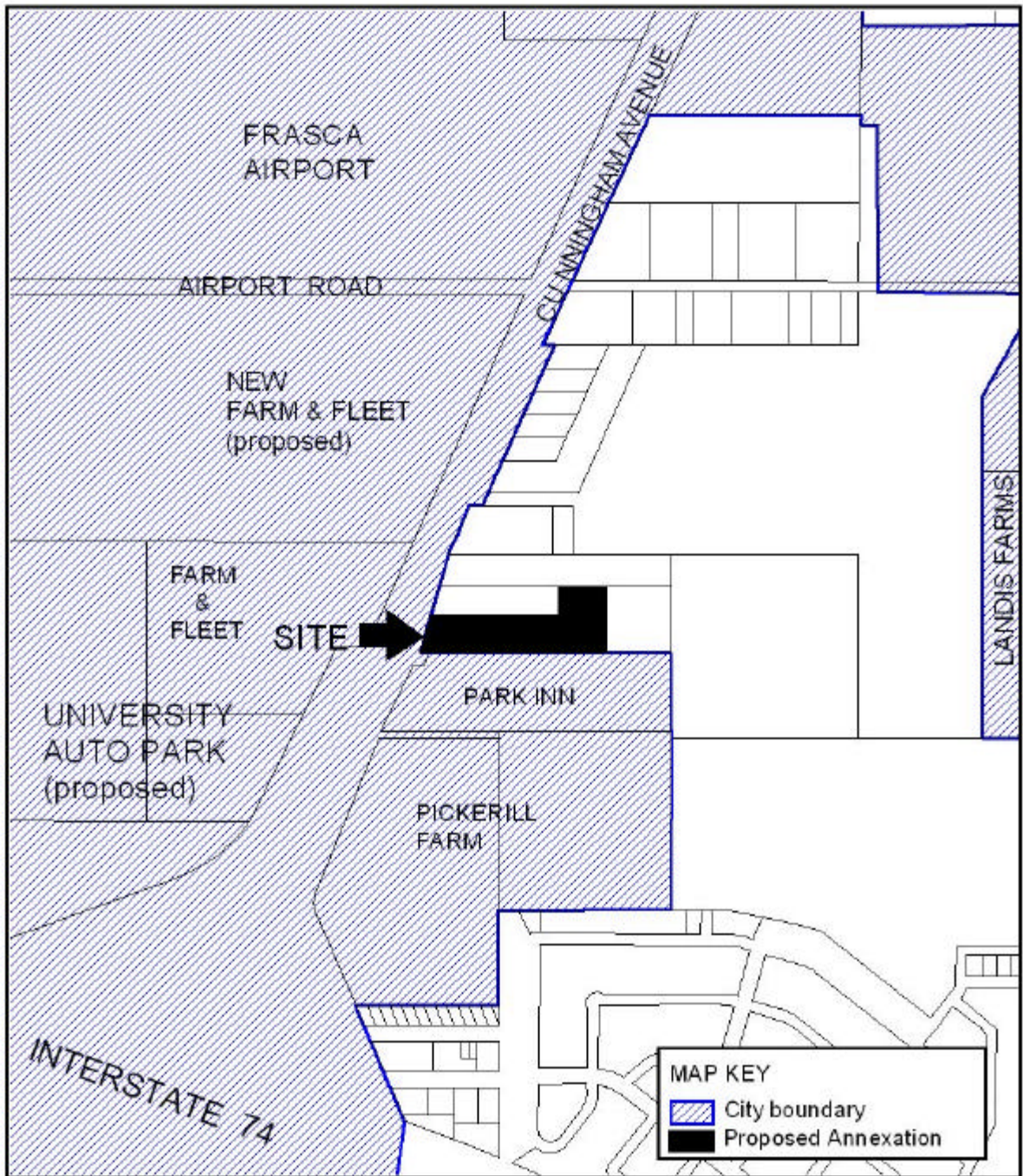
**Recommendation**

Staff recommends that the City Council approve the two attached annexation ordinances to permit these properties to be included in the proposed TIF District.

Prepared by: \_\_\_\_\_  
Reed Berger, Economic Development Coordinator

c: Mayor Satterthwaite and City Council Members  
City Department Heads  
Petitioner

Attachments: Annexation Ordinances  
Annexation Petition



## Proposed Annexation to City of Urbana Dessen Site / 2410 N. Cunningham Avenue

prepared October 28, 2001 by RAB - Community Development Services



ORDINANCE NO. 2001-11-151

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(Dessen Tract / 2410 N. Cunningham Avenue)

WHEREAS, the hereinafter described territory is situated in unincorporated territory adjacent to and contiguous to the City of Urbana, Illinois, and is part of the Carroll Fire Protection District, and includes certain territory within the Urbana Township, and Notice was given to the Trustees of said Fire Protection District, the Board of Township Trustees, and the Township Commissioner of Highways, said notices being mailed on November 1, 2001, that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, November 19, 2001, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 1st day of November, 2001; and

WHEREAS, there are no electors residing within such territory; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's B-4 General Business zoning district and upon annexation will automatically be classified B-3 General Business upon annexation in accordance with Article IV, Section IV-5 of the Urbana Zoning Ordinance; and

WHEREAS, it has been determined that said petition complies with all requirements of the law therefore; and

WHEREAS, the majority of the Members of the Council are of the opinion that it would be for the best interests of the people of the City of Urbana,

Illinois, that said territory be annexed to and made a part of the said City.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA,  
ILLINOIS:

Section 1. That the following described real estate, viz:

A part of the following described tract of land:

Part of the North 1/2 of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian in Champaign County, Illinois, the boundary of which is more particularly described as follows:

Beginning at a point 36.00 feet South of the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian; thence West 410.90 feet parallel with the South line of the Northeast 1/4 of the Northwest 1/4 of said Section 4 to the East right of way line of U.S. Route 45; thence Northeasterly 155.00 feet along the said right of way line of U.S. Route 45; thence East 345.65 feet parallel with the South line of the Northeast 1/4 of the Northwest 1/4 of said Section 4; thence continue East 165.35 feet parallel with the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 4; thence North 108.97 feet perpendicular to the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 4; thence East 496.59 feet parallel with the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 4 to the East line of the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of said Section 4; thence South 249.72 feet on the said East line to a point 36.00 feet South of the South line of the Northwest 1/4 of the Northeast 1/4 of Section 4; thence West 662.1 feet parallel with the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 4 to the point of beginning, in Champaign County, Illinois, EXCEPT that part of the land conveyed to the State of Illinois by deed recorded February 8, 1974 in book 1024 at page 54 as document 74 R 1659, more particularly described as follows:

Beginning at the iron pin marking the Southwest corner of the above described property; thence measure Northeasterly on the Easterly existing right of way line of Federal Aid Route 26 for 154.51 feet; thence deflect 65°09'48" to the right for 76.53 feet; thence deflect 99°57'03" to the right for 81.15 feet; thence around a curve to the right having a radius of 332 feet and measure of said curve for 23.68 feet; thence deflect 49°08'45" to the left from a tangent to said curve and measure Southeasterly for 34.31 feet; thence deflect 60° to the right for 10 feet to the South property line; thence deflect 65°07'27" to the right on said property line for 138.02 feet to the point of beginning, in Champaign County, Illinois.

Except;

The easterly 225.00 feet of even and equal width of the above described tract.

And further excepting, that portion of O'Brien Drive and Anthony Drive

rights-of-way, dedicated to the City of Urbana by deed dated October 23, 2001 and to be recorded in the Office of the Recorder of Deeds, Champaign County, Illinois, being more particularly described as follows:

Commencing at the northwest corner of the northeast quarter of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian; thence along the west line of the northeast quarter, South 00 degrees 34 minutes 18 seconds East a distance of 1367.22 feet, to a point on the southerly line of the above described tract of land, said point also being the Point of Beginning; thence South 89 degrees 30 minutes 26 seconds West a distance of 269.91 feet, to a point on the easterly U.S. Route 45 existing right of way line; thence along said right of way line, North 24 degrees 23 minutes 32 seconds East a distance of 10.00 feet; thence continuing along said existing right of way line, North 35 degrees 36 minutes 46 seconds West a distance of 34.31 feet; thence continuing along said existing right of way line, being a non-tangent curve to the left having a radius of 332.00 feet, an arc length of 2.95 feet, a chord bearing of North 13 degrees 16 minutes 21 seconds East and a chord length of 2.95 feet; thence North 89 degrees 30 minutes 26 seconds East a distance of 318.87 feet; thence North 71 degrees 33 minutes 52 seconds East a distance of 85.94 feet; thence North 29 degrees 05 minutes 24 seconds East a distance of 84.80 feet, to a point on a northerly line of the above described tract of land; thence along said northerly line, North 89 degrees 30 minutes 24 seconds East a distance of 9.79 feet, to a corner of the above described tract of land; thence along a westerly line of the above described tract of land, North 00 degrees 46 minutes 06 seconds West a distance of 109.17 feet, to a point on a northerly line of the above described tract of land; thence along said northerly line, North 89 degrees 28 minutes 27 seconds East a distance of 75.80 feet; thence South 00 degrees 31 minutes 33 seconds East a distance of 94.33 feet; thence along a tangent curve to the right having a radius of 183.00 feet, an arc length of 184.99 feet a chord bearing of South 28 degrees 26 minutes 02 seconds West and a chord length of 177.22 feet, to a point on the southerly line of the above described tract of land; thence along said southerly line, South 89 degrees 30 minutes 26 seconds West a distance of 157.16 feet, to the Point of Beginning, containing 0.856 acres, more or less, all in Champaign County, Illinois.

Said tract containing 2.094 acres, more or less, all situated in Urbana Township, Champaign County, Illinois.

Together with the following described adjacent public Right-of-Way which is by operation of the law, automatically annexed with the adoption of an annexation ordinance pertaining to this tract:

Commencing at the northwest corner of the northeast quarter of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian; thence along the west line of the northeast quarter, South 00 degrees 34 minutes 18 seconds East a distance of 1367.22 feet, to a point on the southerly line of the above described tract of land, said point also being the Point of Beginning; thence South 89 degrees 30

minutes 26 seconds West a distance of 269.91 feet, to a point on the easterly U.S. Route 45 existing right of way line; thence along said right of way line, North 24 degrees 23 minutes 32 seconds East a distance of 10.00 feet; thence continuing along said existing right of way line, North 35 degrees 36 minutes 46 seconds West a distance of 34.31 feet; thence continuing along said existing right of way line, being a non-tangent curve to the left having a radius of 332.00 feet, an arc length of 2.95 feet, a chord bearing of North 13 degrees 16 minutes 21 seconds East and a chord length of 2.95 feet; thence North 89 degrees 30 minutes 26 seconds East a distance of 318.87 feet; thence North 71 degrees 33 minutes 52 seconds East a distance of 85.94 feet; thence North 29 degrees 05 minutes 24 seconds East a distance of 84.80 feet, to a point on a northerly line of the above described tract of land; thence along said northerly line, North 89 degrees 30 minutes 24 seconds East a distance of 9.79 feet, to a corner of the above described tract of land; thence along a westerly line of the above described tract of land, North 00 degrees 46 minutes 06 seconds West a distance of 109.17 feet, to a point on a northerly line of the above described tract of land; thence along said northerly line, North 89 degrees 28 minutes 27 seconds East a distance of 75.80 feet; thence South 00 degrees 31 minutes 33 seconds East a distance of 94.33 feet; thence along a tangent curve to the right having a radius of 183.00 feet, an arc length of 184.99 feet a chord bearing of South 28 degrees 26 minutes 02 seconds West and a chord length of 177.22 feet, to a point on the southerly line of the above described tract of land; thence along said southerly line, South 89 degrees 30 minutes 26 seconds West a distance of 157.16 feet, to the Point of Beginning, containing 0.856 acres, more or less, all in Champaign County, Illinois.

commonly known for reference as 2410 N. Cunningham Avenue, Urbana, Illinois, be and the same is hereby annexed to the City of Urbana, Illinois. The above-described parcels, prior to annexation, have the parcel index numbers 30-21-04-201-017 and part of 30-21-04-201-018 and following annexation the said parcels should bear the parcel index numbers 91-21-04-201-017 and 91-21-04-201-018.

Section 2. That the City Clerk be authorized and directed to record a certified copy of this Ordinance together with an accurate map of the territory hereinabove described in the Recorder's Office of Champaign County, Illinois.

Section 3. That the City Clerk be authorized and directed to file, for record, a certified copy of this Ordinance together with an accurate map of the territory hereinabove described in the Office of the County Clerk and County Election Authority of Champaign County, Illinois.

Section 4. The Zoning Ordinance of the City of Urbana, Illinois, and the Zoning Map of Urbana, Illinois, are hereby amended to classify the real property as B-3 General Business upon annexation in accordance with Article IV, Section IV-5 of the Urbana Zoning Ordinance.

Section 5. The territory annexed herein is assigned to City of Urbana Ward 5.

Section 6. This Ordinance shall take effect at 12:00 p.m. CDT, December 1, 2001.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the \_\_\_\_ day of \_\_\_\_\_, 2001, A.D.

PASSED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2001.

AYES:

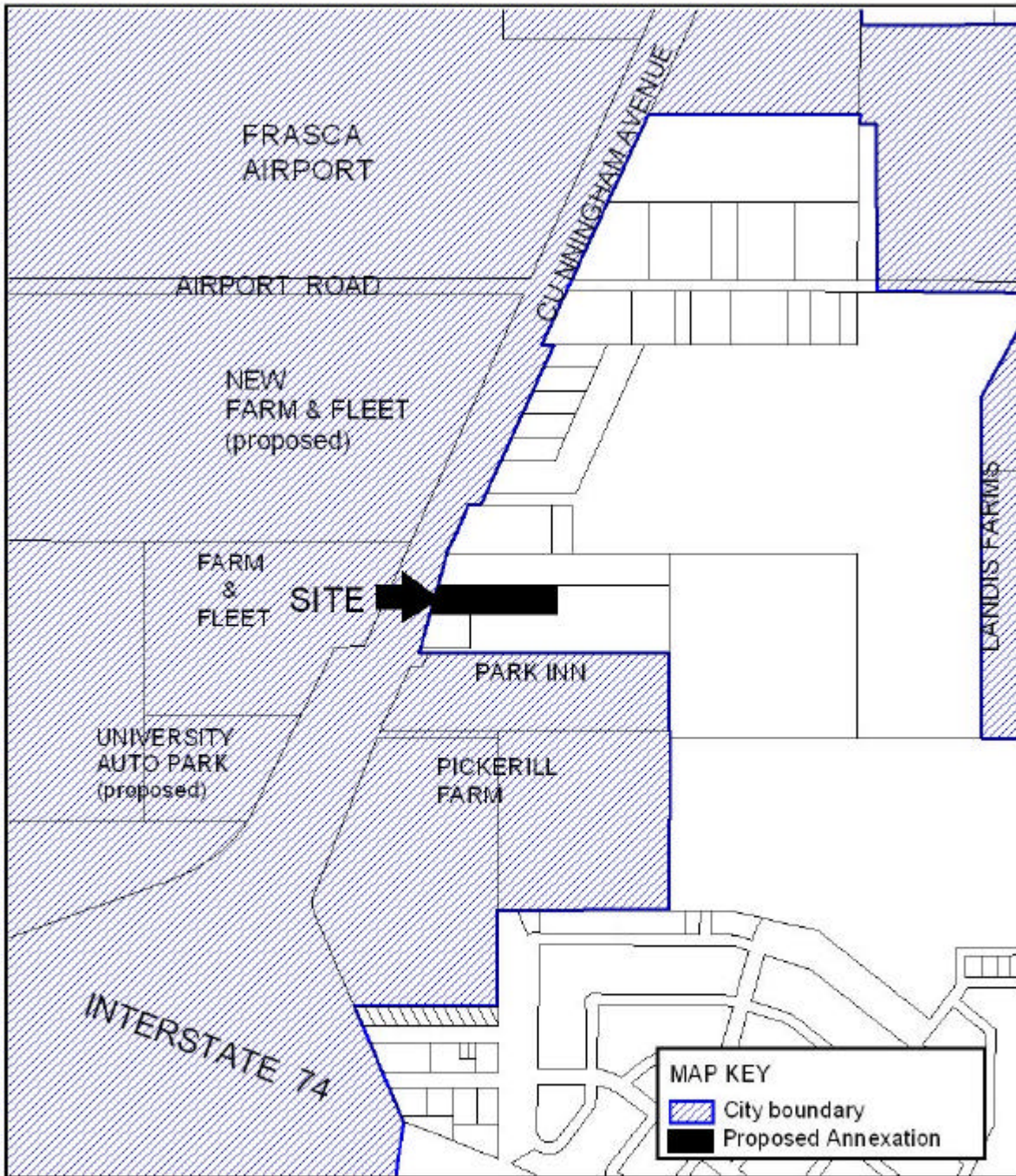
NAYS:

ABSTAINS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Tod Satterthwaite, Mayor



## Proposed Annexation to City of Urbana Fitting Tract / N. Cunningham Avenue

prepared October 28, 2001 by RAB - Community Development Services

