



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Economic Development Division*

**m e m o r a n d u m**

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

**FROM:** Elizabeth H. Tyler, AICP, Director

**DATE:** May 8, 2002

**SUBJECT: Voluntary Annexations - Beringer Commons Subdivision**

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**Description**

Staff is requesting the City Council to approve the attached ordinance to cause the annexation of six unincorporated properties in Beringer Commons Subdivision that if annexed together will completely surround the remaining eleven 11 unincorporated lots in Beringer Commons. A map is attached showing the location of the lots proposed to be annexed.

**Background**

An annexation agreement between the City of Urbana and the developer of Beringer Commons Subdivision was approved and authorized by City Council on August 5, 1991 (Council Ordinance No. 9192-20). The agreement required that these properties be annexed into the City in 1999.

In order to enforce the annexation agreement at this point City staff has been considering legal action, but can avoid this step assuming all the property owners west of Abbey Road agree to voluntarily annex into the City this month, thereby causing the remaining unincorporated lots to be surrounded by the City limits and permitting enough time for the City to cause involuntary annexation prior to July 1<sup>st</sup>.

**Issues & Approvals**

While some owners have agreed to comply with the annexation agreement, several property owners have refused or ignored the City's request to annex. Staff intends to annex all property in Beringer Commons Subdivision before July 1, 2002 to enforce the terms of the annexation agreement. If annexations do not take effect until or after July 1, 2002, it will mean another year that a few individuals not only continue to violate the terms of the annexation agreement, but also avoid another year of paying City property taxes, whereas the majority of the property owners in Beringer Commons have complied with the agreement.

## **Options**

Council's options included approving the attached ordinance; to suggest specific changes or modifications; to defer action; or to reject the proposed annexations.

## **Fiscal Impact**

The six properties proposed to be annexed has a combined assessed valuation of roughly \$300,000.

## **Recommendation**

Staff recommends that Committee of the Whole forward the attached "Ordinance Annexing Certain Territory to the City of Urbana" to the regular City Council meeting scheduled for 7:30 pm Monday, May 20, 2002.

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

Attachments: Ordinance  
Location Map

c: Mayor Satterthwaite and City Council Members  
City Department Heads

ORDINANCE NO. 2002-05-046

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA  
(Annexation of lots in Beringer Commons Subdivision)

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 Edge-Scott Prairie 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 May 3, 2002, that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, May 20, 2002, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the \_\_\_\_\_ day of May, 2002; and

WHEREAS, written petitions signed by all of the owners of Record and at least fifty-one percent (51%) of the electors residing therein, of all land within such territory, has been filed with the City Clerk of the City of Urbana, Illinois, requesting annexation thereof to the City of Urbana; and

WHEREAS, the City Council passed Ordinance No. 9192-20 on August 5, 1991 approving and authorizing the execution of an annexation agreement; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's R-4 Multiple Family Residence zoning district and upon annexation will be classified R-2 Single Family Residential upon annexation in accordance with the above-referenced annexation agreement; and

WHEREAS, it has been determined that said petitions comply 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:

**Lot 226 of Beringer Commons Subdivision No. 2a, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 30, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.2787 Acre, more or less.**

Commonly known for reference as 411 N. Abbey Road and also identified as Parcel Index Number 30-21-10-401-027.

and

**Lot 227 of Beringer Commons Subdivision No. 2a, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 30, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.2754 Acre, more or less.**

Commonly known for reference as 413 N. Abbey Road and also identified as Parcel Index Number 30-21-10-401-028.

and

**Lot 228 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.3409 Acre, more or less.**

Commonly known for reference as 2705 E. Slayback Road and also identified as Parcel Index Number 30-21-10-401-029.

and

**Lot 229 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.3478 Acre, more or less.**

Commonly known for reference as 501 N. Abbey Road and also identified as Parcel Index Number 30-21-10-403-001.

and

**Lot 230 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.2754 Acre, more or less.**

Commonly known for reference as 503 N. Abbey Road and also identified as Parcel Index Number 30-21-10-403-002.

and

**Lot 231 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.2754 Acre, more or less.**

Commonly known for reference as 505 N. Abbey Road and also identified as Parcel Index Number 30-21-10-403-003.

**Together with the adjacent unincorporated public Rights-of-Way, which are by operation of the law automatically annexed with the adoption of an Annexation Ordinance pertaining to these parcels.**

be and the same are hereby annexed to the City of Urbana, Illinois.

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 herein annexed as R-2 Single Family Residential upon annexation and in accordance with an annexation agreement approved and authorized on August 5, 1991 by Council Ordinance No. 9192-20.

Section 5. The territory annexed herein is assigned to City of Urbana  
Ward 6.

Section 6. This Ordinance shall take effect at 12:00 p.m. CDT, May 30,  
2002.

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  
\_\_\_\_\_, 2002, A.D.

PASSED by the City Council this \_\_\_ day of \_\_\_\_\_, 2002.

AYES:

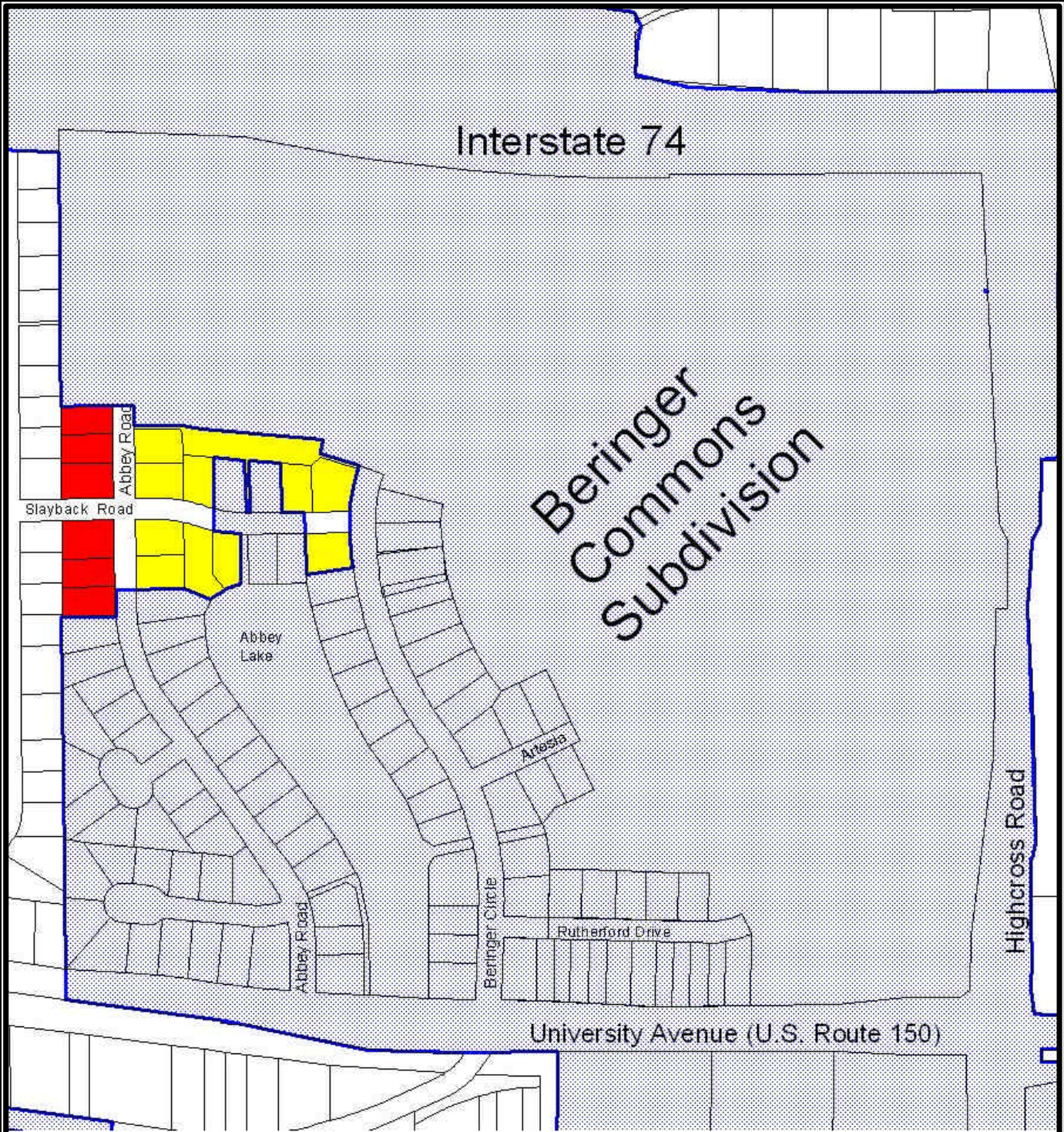
NAYS:

ABSTAINS:

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

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

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



### Beringer Commons Voluntary Annexations

- Six lots in Beringer Commons Subdivision proposed to be annexed
- Territory in Beringer Commons Subdivision proposed to be surrounded by City limits



prepared May 8, 2002 by Community Development Services - RAB