



## 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:** June 5, 2002

**SUBJECT: Beringer Commons Subdivision - Involuntary Annexation**

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#### **Description**

Staff is requesting the City Council to approve the attached ordinance to cause the annexation of eleven unincorporated properties that are completely surrounded by the City of Urbana's corporate boundaries. 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.

#### **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 annexation.

## **Fiscal Impact**

The eleven properties proposed to be annexed have a combined assessed valuation of nearly \$600,000.

## **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 p.m., Monday, June 17, 2002.

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

Attachments: Annexation Ordinance  
Location Map

c: Mayor Satterthwaite and City Council Members  
City Department Heads

ORDINANCE NO. 2002-06-00

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(Involuntary Annexation of Lots in Beringer Commons Subdivision Wholly Surrounded by Urbana's Corporate Limits)

WHEREAS, on Monday June 3, 2002, the Urbana City Council directed the City Clerk to publish Notice that the annexation of the properties therein described was being contemplated and would be considered by the Urbana City Council at its regular meeting on June 17, 2002, and

WHEREAS, the City Clerk of Urbana, Illinois duly published such Notice on June 4, 2002 in The News-Gazette, a newspaper having general circulation in the City of Urbana, Illinois, a Certificate of Publication therefore being on file with the City Clerk's Office, and

WHEREAS, the hereinafter described territory is unincorporated territory wholly surrounded by and contiguous to the City of Urbana, Illinois within the meaning of Section 5/7-1-13 of the Illinois Municipal Code, and

WHEREAS, said unincorporated territory is part of the Edge-Scott 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 29, 2002, that this Ordinance would be voted upon at a regular meeting of this Council at 7:30 p.m., Monday, June 17, 2002, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 6th day of June, 2002 ; and

WHEREAS, the City Council passed Ordinance No. 9192-20 on August 5, 1991 approving and authorizing the execution of an annexation agreement and amended said agreement by passing Ordinance No. 2001-08-096 on August 20, 2001; 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 as amended; 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 Urbana City Council finds and determines that the property described below is surrounded by property previously annexed to the City of Urbana, Illinois, within the meaning of Section 7-1-13 of the Illinois Municipal Code.

Section 2. That the following described real estate is hereby annexed to the City of Urbana, Illinois, viz:

**Lot 221 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 0.2944 Acre, more or less.**

Commonly known for reference as 412 N. Abbey Road and also

identified as Parcel Index Number 30-21-10-402-016.

and

**Lot 220 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 0.2946 Acre, more or less.**

Commonly known for reference as 414 N. Abbey Road and also identified as Parcel Index Number 30-21-10-402-017.

and

**Lot 219 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 0.3673 Acre, more or less.**

Commonly known for reference as 2803 Slayback Street and also identified as Parcel Index Number 30-21-10-402-018.

and

**Lot 218 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 0.2571 Acre, more or less.**

Commonly known for reference as 2805 Slayback Street and also identified as Parcel Index Number 30-21-10-402-019.

and

**Lot 215 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 0.3205 Acre, more or less.**

Commonly known for reference as 2811 Slayback Street and also identified as Parcel Index Number 30-21-10-402-022.

and

**Lot 232 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 0.2944 Acre, more or less.**

Commonly known for reference as 504 N. Abbey Road and also identified as Parcel Index Number 30-21-10-404-001.

and

**Lot 233 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 0.3223 Acre, more or less.**

Commonly known for reference as 2802 Slayback Street and also identified as Parcel Index Number 30-21-10-404-002.

and

**Lot 234 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 0.2777 Acre, more or less.**

Commonly known for reference as 2804 Slayback Street and also identified as Parcel Index Number 30-21-10-404-003.

and

**Lot 237 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 0.2605 Acre, more or less.**

Commonly known for reference as 2810 Slayback Street and also identified as Parcel Index Number 30-21-10-404-006.

and

**Lot 238 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 0.3760 Acre, more or less.**

Commonly known for reference as 2812 Slayback Street and also identified as Parcel Index Number 30-21-10-404-007.

and

**A commons area 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 0.7039 Acre, more or less.**

Commonly known for reference as Parcel Index Number 30-21-10-404-008.

**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.**

Section 3. 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 4. 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 5. 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 as amended.

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

Section 7. This Ordinance shall take effect at 12:00 p.m. CDT, June 27, 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.

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

AYES:

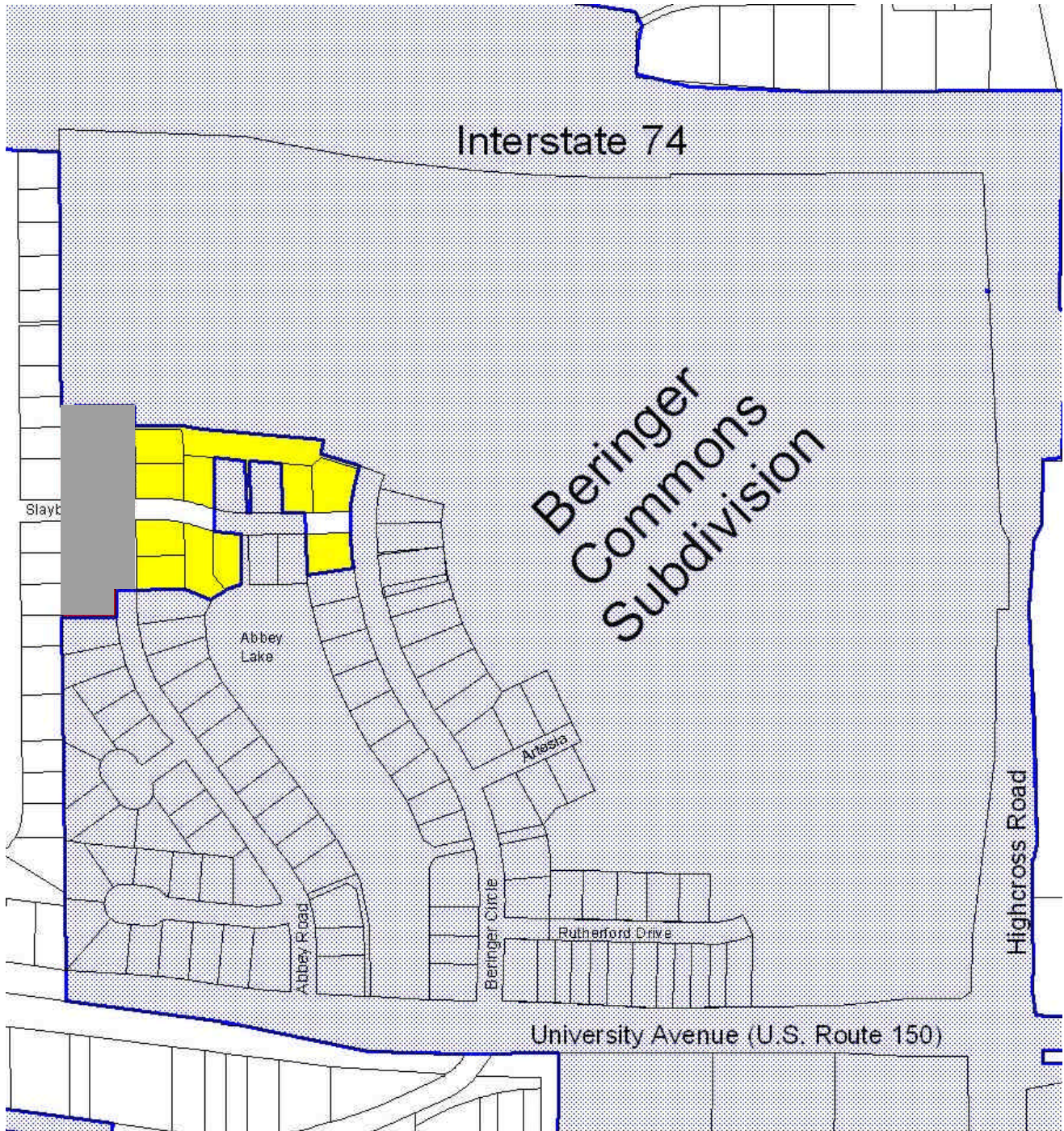
NAYS:

ABSTAINED:

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

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





## Beringer Commons Voluntary Annexations

- Territory annexed May 30, 2002
- Territory to be surrounded May 30, 2002 and annexed June 27, 2002

prepared May 8, 2002 by Community Development Services - RAB

