



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Administrative Division

m e m o r a n d u m

TO: Bruce K. Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director

DATE: March 11, 2005

SUBJECT: Annexation of a 20.76±-acre parcel located at 1901 South High Cross Road. Currently owned by Wendl, Inc., an Illinois Corporation. Commonly known as Wendl's Restaurant and Sports Complex.

Introduction & Background

Staff is requesting the City Council to consider the attached ordinance on Monday, March 21, 2005 to annex a tract of land totaling approximately 20.76 acres, located at 1901 South High Cross Road. The tract is owned by Wendl, Inc. The site is covered by an annexation agreement to be reviewed by City Council at their Committee meeting on March 14, 2005 and to be considered for approval at the regular Council meeting of March 21, 2005. As the officer of Wendl, Inc., Mr. Jeff Wendling has signed a petition requesting the property now be annexed into the City of Urbana. The proposed effective date of the annexation is March 22, 2005.

Issues and Discussion

Please refer to the staff memorandum addressing the proposed Annexation Agreement for issues and discussion pertaining to the proposed Annexation.

Recommendation

Staff recommends that the Committee of the Whole forward the attached ordinance to the City Council's regular meeting scheduled on March 21, 2005 and approve the ordinance to annex the into the City of Urbana, Illinois, effective May 22, 2005 at 12:00P.M.

Attachment A: Draft Ordinance
Attachment B: Location Map
Attachment C: Notice to Annex

c: Jeff Wendling
Don Flessner
Jim Prather
Mike Martin
Jeff Roseman
Bill Volk

ORDINANCE NO. 2005-03-037

An Ordinance Annexing Certain Territory To The City Of Urbana

(Approximately 20.76 Acres Located at 1901 S. High Cross Road - T.K. Wendl)

WHEREAS, the hereinafter described territory is situated in unincorporated territory adjacent to and contiguous to the City of Urbana, Illinois and includes certain territory within the Urbana Township, and Notice was given to the Trustees of the Philo Fire Protection District, the Board of Urbana Township Trustees, and the Township Commissioner of Highways, said notices being mailed on Monday, March 7, 2005, that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, March 21, 2005, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 9th day of March, 2005; and

WHEREAS, a written petition signed by the Owner of Record 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. _____ on March 21, 2005 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 B-4, General Business zoning district and upon annexation the tract will be classified B-3, General Business in accordance with the above-referenced annexation agreement; 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.

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

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

All of Lot 1 of Emergo First Subdivision, Champaign County, Illinois, per plat recorded in Plat Book BB, at page 281, in the Office of the Recorder of Deeds, Champaign County, Illinois, all situated in Urbana Township, Champaign County, Illinois and encompassing 20.76 Acres, more or less.

Commonly know for reference as 1901 S. High Cross Road, Urbana, Illinois, be and the same is hereby annexed to the City of Urbana, Illinois. The above-described parcel, prior to annexation, has the parcel index number of 30-21-22-280-001, and following annexation the said parcel should bear the parcel index number of 93-21-280-001.

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 herein above described in the Recorder's Office of Champaign County, Illinois 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 B-3, General Business upon annexation and in accordance with an annexation agreement approved and authorized on March 21, 2005 by Council Ordinance No. _____.

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

Section 6. To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 22nd day of March 2005 following its passage by the Urbana City Council.

PASSED by the City Council this _____ day of _____,
_____.

AYES:

NAYS:

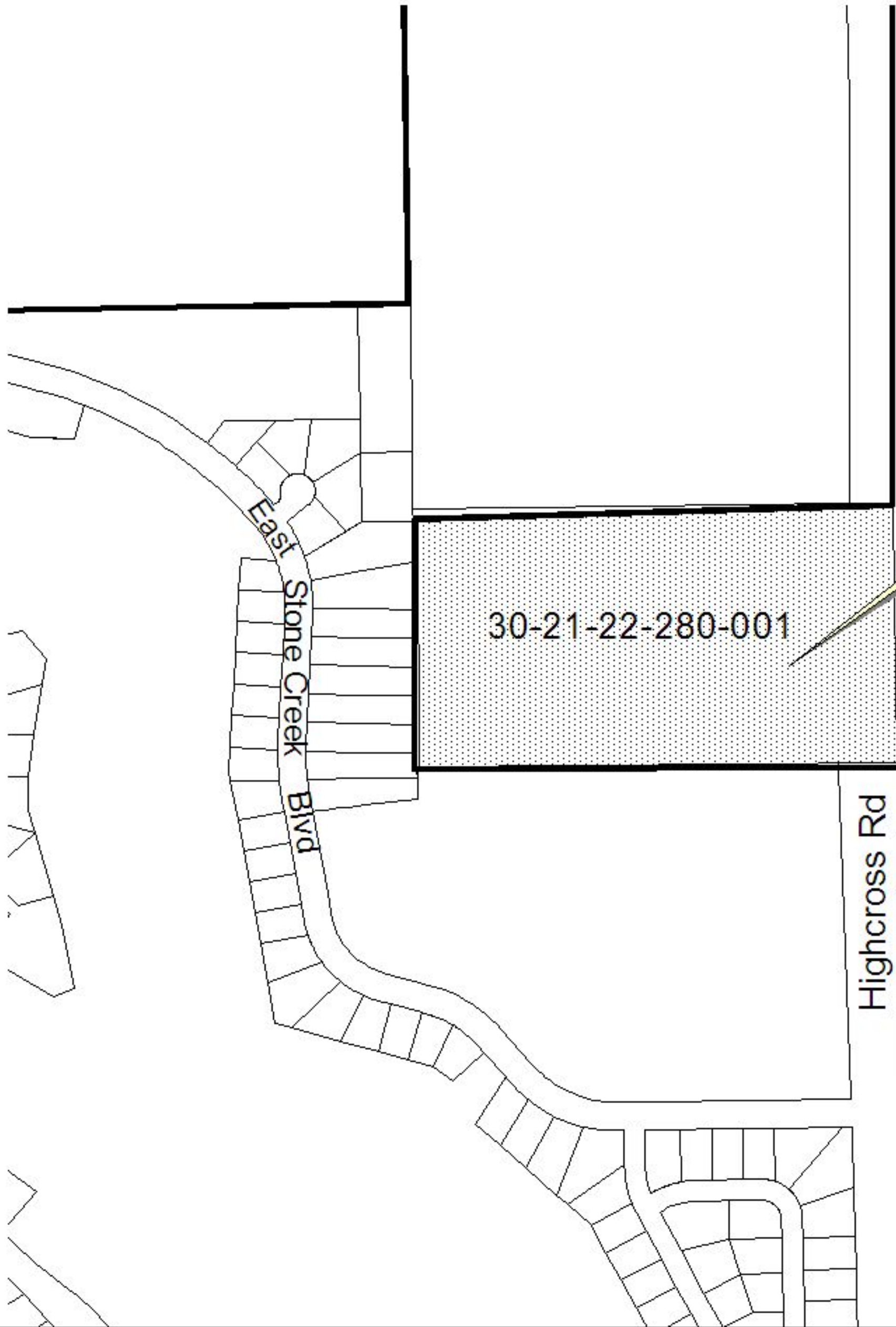
ABSTAINS:

Phyllis D. Clark, City Clerk

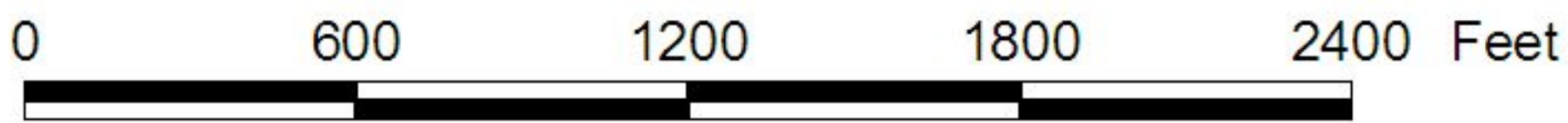
APPROVED by the Mayor this _____ day of _____,
_____.

Tod Satterthwaite, Mayor

Exhibit "A": Location Map



Area
to be
Annexed



Annexation
1901 South High Cross Rd
PIN #: 30-21-22-280-001



NOTICE OF INTENT TO ANNEX TERRITORY TO THE CITY OF URBANA

TO:

Urbana Township Board of Trustees

Lucinda Collins
2010 Prairie View
Urbana, IL 61802

Jack Price
504 McGee Circle
Urbana, IL 61802

Gregory F. Foster
310 Yankee Ridge Lane
Urbana, IL 61801

Donald Smith
4006 East Anthony Drive
Urbana, IL 61801

Urbana Township Supervisor

Mr. Don Flessner
2312 East Perkins Road
Urbana, IL 61802

Urbana Township Commissioner of Highways

Jim Prather
2312 East Perkins Road
Urbana, IL 61802

Trustees of Philo Fire Protection District

Mike McHenry, Chief
1670 North County Road, 600
Philo, IL 61864

John Goodsell, Trustee
1429 County Road, 1100 North
Urbana, IL 61802

Donald Hewing, Trustee
209 Eisenhower Drive
Philo, IL 61864

Richard Kirby, Trustee
111 South Harrison Street
Philo, IL 61864

NOTICE IS HEREBY GIVEN, pursuant to the provisions of pursuant to Section 5/7-1-1 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-1), that a Petition has been received praying that the Council of the City of Urbana, Illinois, pass an Ordinance annexing territory to the City of Urbana as legally described in **Exhibit "A"** and illustrated in **Exhibit "B"**.

Notice is further given that the Urbana City Council Committee of the Whole will discuss the annexation petition at its meeting on **March 14, 2005 at 7:30 PM** in the City Council Chambers located at 400 South Vine Street, Urbana, Illinois. The Council of the City of Urbana will then vote on an Ordinance annexing said territory to the City at its regular meeting on **March 21, 2005 at 7:30 P.M.** in the Council Chambers of the City Building located at 400 South Vine Street, Urbana, Illinois.

Elizabeth H. Tyler
Director, Community Development Services
City of Urbana, Illinois

Exhibit "A" Legal Description of Tracts to be Annexed
Exhibit "B" Location Map of Tracts to be Annexed
Exhibit "C" Signed Petition to Annex from Property Owners

Exhibit “A” Legal Description of Tracts to be Annexed

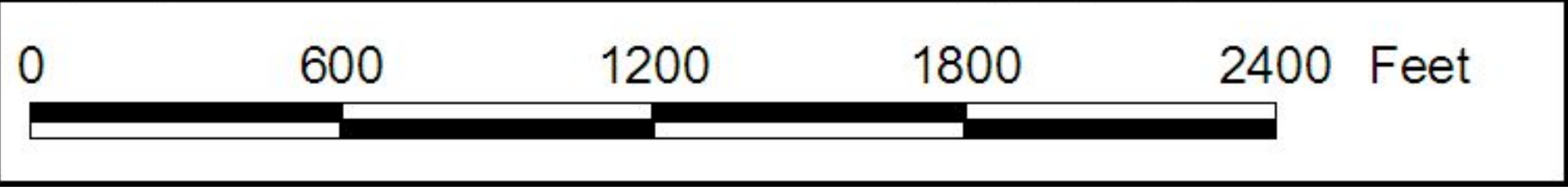
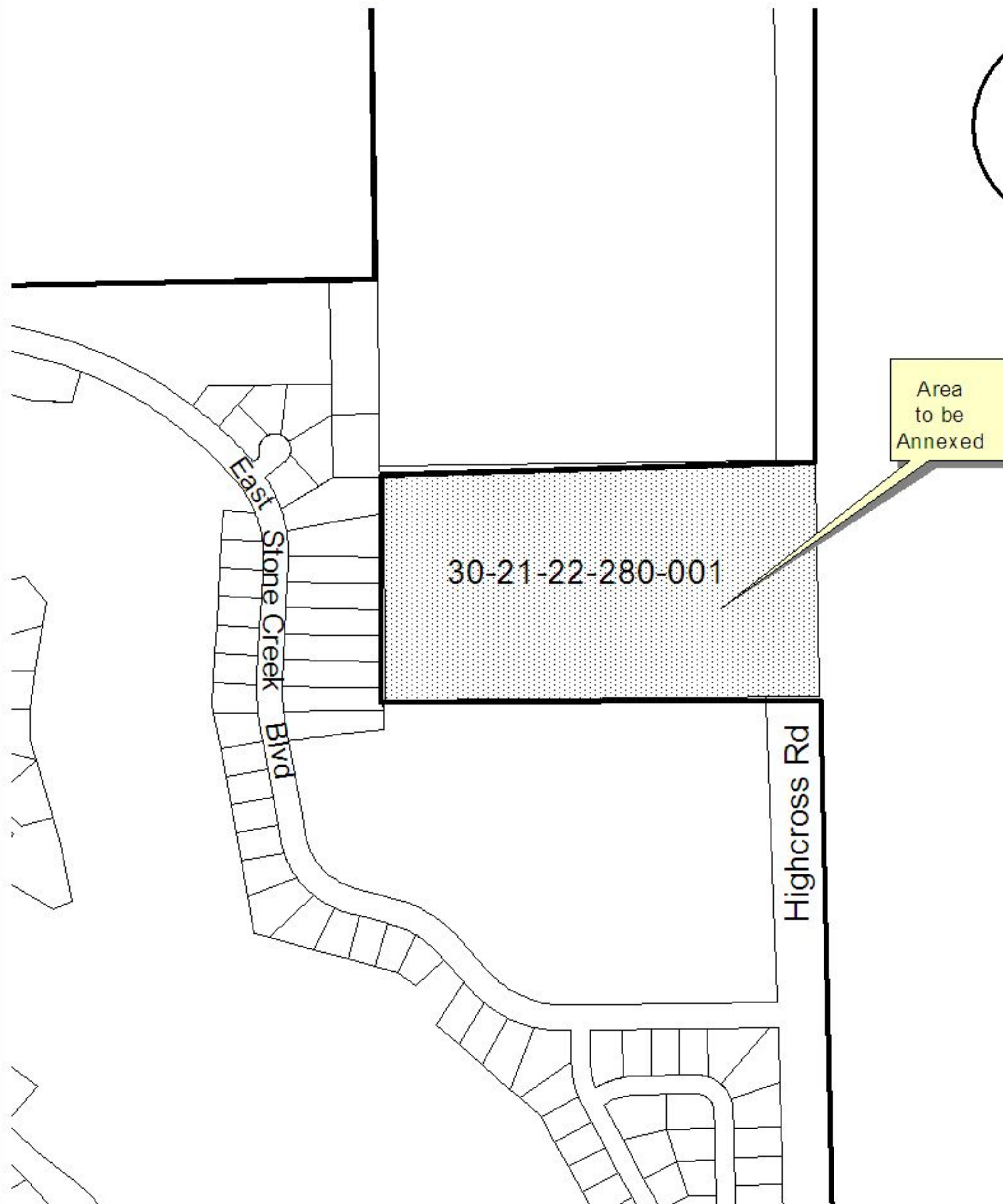
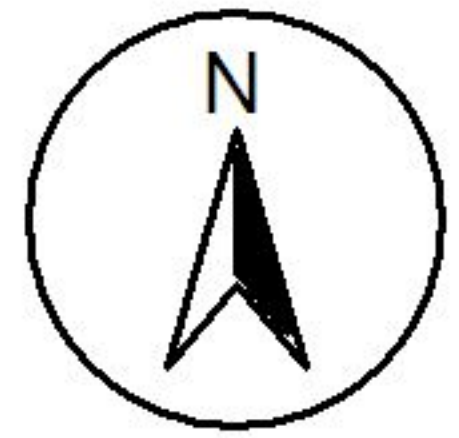
All of Lot 1 of Emergo First Subdivision, Champaign County, Illinois, per plat recorded in Plat Book BB, at page 281, in the Office of the Recorder of Deeds, Champaign County, Illinois, all situated in Urbana Township, Champaign County, Illinois and encompassing 20.76 Acres, more or less.

PERMANENT PARCEL #: 30-21-22-280-001

Exhibit “B” Map of Tract to be Annexed

**Exhibit “C” Signed Annexation Petition from Property
Owners**

Exhibit "B": Map of Tract to be Annexed



Annexation
1901 South High Cross Rd
PIN #: 30-21-22-280-001

ANNEXATION PETITION

Petition for Annexation
To
THE CITY COUNCIL OF THE CITY OF URBANA
CHAMPAIGN COUNTY, ILLINOIS

The Petitioner, **Wendl, Inc., an Illinois Corporation**, respectfully states under oath:

1. Petitioner is the sole owner of record of the following legally described land (hereinafter sometimes referred to as the Tract), except any public right-of-way property to wit:

All of Lot 1 of Emergo First Subdivision, Champaign County, Illinois, per plat recorded in Plat Book BB, at page 281, in the Office of the Recorder of Deeds, Champaign County, Illinois, all situated in Urbana Township, Champaign County, Illinois and encompassing 20.76 Acres, more or less.

Commonly identified as a parcel of property containing T.K. Wendl's Restaurant and located along the west side of High Cross Road north of Windsor Road.

Parcel Index Number 30-21-22-280-001

2. Said Tract is not situated within the corporate limits of any municipality, but is contiguous to the City of Urbana, Illinois.
3. At least fifty-one percent (51%) of all electors residing in said Tract have signed this petition.
4. This petition shall be binding upon the party hereto, and its successors, assigns, and heirs.
5. For and in consideration of certain tax rebate provisions outlined in an annexation agreement between the City and the petitioner and other good and valuable consideration, the petitioner agrees that this petition is irrevocable for a period of one (1) year from the date of the petitioner's signature.

PETITIONERS RESPECTFULLY REQUESTS:

1. That said Tract described above herein be annexed to the City of Urbana, Illinois pursuant to Section 5/7-1-8 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-8).

2. That said Tract be annexed in accordance with terms of an annexation agreement to be passed by the City of Urbana by Ordinance and approved by the Mayor of the City of Urbana.
3. That the City Clerk be authorized and directed to record a copy of this petition in the Recorder's Office of Champaign County, Illinois.

Dated this _____ day of _____, 2005.

Petitioner(s):

Jeff Wendling for Wendl, Inc., an Illinois Corporation

Date

Subscribed and sworn to before me this

____ day of _____, 2005, A.D.

Notary Public

My Commission Expires: _____