

ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF URBANA

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 Savoy Fire Protection District, and Notice was given to the Trustees of the said Fire Protection District, said Notice being mailed on April 1, 1976, that this Ordinance would be voted upon at a special meeting of this Council at 7:30 P.M., Monday, April 12, 1976, and the Affidavit of mailing such notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, and

WHEREAS, since the territory herein annexed includes highways under the jurisdiction of Urbana Township and Notice was given to the Auditors of Urbana Township and the Township Commissioner of Highways, said Notice being mailed on the 1st day of April, 1976, and which said Notice stated that this Ordinance would be voted upon at a special meeting of the City Council on the 12th day of April, 1976, and the Affidavit of mailing such Notice was duly recorded with the Recorder of Deeds of Champaign County on April 6, 1976, and

WHEREAS, a written Petition signed by all of the owners of Record of all land within such territory and there being no electors residing on said territory, has been filed with the City Clerk of the City of Urbana, Illinois, requesting annexation thereof to the City of Urbana, and

WHEREAS, it has been determined that said Petition complies with all requirements of the law therefor, 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:

Commencing at the Northwest corner of the
Northeast quarter of Section 29, Township
19 North, Range 9 East of the Third Principal

Meridian, Champaign County, Illinois, thence Easterly perpendicular to the West line of said quarter section, 33 feet; thence Southerly perpendicular to the North line of said quarter section, 20 feet, for a true point of beginning; thence Easterly parallel with the North line of said quarter section, 1193.95 feet; thence Southerly parallel with the West line of said quarter section, 155 feet; thence Westerly parallel to the North line of said quarter section, 1106.95 feet; thence Southerly parallel to the West line of said quarter section, 95 feet; thence Westerly parallel to the North line of said quarter section, 87 feet; to the existing Eastern right-of-way line of Race Street; thence Northerly along said right-of-way line, 250 feet, to the true point of beginning,

and also all adjoining street right-of-way of Windsor Road and Race Street described as follows: commencing at the true point of beginning, thence Southerly along the Eastern right-of-way line of Race Street, 250 feet; thence Westerly perpendicular to the West line of said quarter section, 66 feet; thence Northerly along the Western right-of-way line of Race Street, 290 feet, to the Northern right-of-way line of Windsor Road; thence Easterly along the Northern right-of-way line of Windsor Road, 1259.95 feet; thence Southerly perpendicular to the North line of said quarter section, 40 feet; thence Westerly along the Southern right-of-way line of Windsor Road, 1193.95 feet, to the true point of beginning; containing 5.97 acres, more or less

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

Section 2. 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 Recorder of Deeds for Champaign County, Illinois.

Section 3. This Ordinance shall be in full force and effect from after its passage and recording as provided by law.

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 special meeting of said Council on the 12TH day of

April, A.D., 1976.

PASSED by the City Council this 12TH day of April, A.D., 1976.

APPROVED by the Mayor this 12 day of April, 1976.
Duane Eckerty
Duane Eckerty, City Clerk
Hiram Paley
Hiram Paley, Mayor

ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF URBANA

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WHEREAS, since the territory herein annexed includes highways under the jurisdiction of Urbana Township and Notice was given to the Auditors of Urbana Township and the Township Commissioner of Highways, said Notice being mailed on the 1st day of April, 1976, and which said Notice stated that this Ordinance would be voted upon at a special meeting of the City Council on the 12th day of April, 1976, and the Affidavit of mailing such Notice was duly recorded with the Recorder of Deeds of Champaign County on April 6, 1976, and

WHEREAS, a written Petition signed by all of the owners of Record of all land within such territory and there being no electors residing on said territory, has been filed with the City Clerk of the City of Urbana, Illinois, requesting annexation thereof to the City of Urbana, and

WHEREAS, it has been determined that said Petition complies with all requirements of the law therefor, 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,

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viz:

Commencing at the Northwest corner of the
Northeast quarter of Section 29, Township
19 North, Range 9 East of the Third Principal

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and also all adjoining street right-of-way of Windsor Road and Race Street described as follows: commencing at the true point of beginning, thence Southerly along the Eastern right-of-way line of Race Street, 250 feet; thence Westerly perpendicular to the West line of said quarter section, 66 feet; thence Northerly along the Western right-of-way line of Race Street, 290 feet, to the Northern right-of-way line of Windsor Road; thence Easterly along the Northern right-of-way line of Windsor Road, 1259.95 feet; thence Southerly perpendicular to the North line of said quarter section, 40 feet; thence Westerly along the Southern right-of-way line of Windsor Road, 1193.95 feet, to the true point of beginning; containing 5.97 acres, more or less

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Section 3. This Ordinance shall be in full force and effect from after its passage and recording as provided by law.

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 special meeting of said Council on the 12TH day of

April, A.D., 1976.

PASSED by the City Council this 12TH day of

April, A.D., 1976.

Duane Eckerty
Duane Eckerty, City Clerk

APPROVED by the Mayor this 12 day of April, 1976.

Hiram Paley
Hiram Paley, Mayor

76R 6035

STATE OF ILLINOIS }
CHAMPAIGN COUNTY } ss
Filed for record in the Recorder's Office
of said county.

APR 13 1976 -9 45 AM

Recorded in Book 1077
of Records on Page 594

Robert C. Martin
Recorder of Deeds

Map is in...

INDEXED

*Joel W. Weller,
2503 S Neil
13.00 ad - Champaign*

STATE OF ILLINOIS)
) SS.
 COUNTY OF CHAMPAIGN)

I, DUANE ECKERTY, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an ordinance entitled, "Ordinance Annexing Certain Territory to the City of Urbana, Illinois", adopted by the City Council of the City of Urbana, Illinois, on the 12TH day of APRIL, A.D. 1976, as appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 13TH day of April, A.D. 1976.

Duane Eckerty

CITY CLERK



7576-89

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN
ORDINANCE NO. 7576-89 AND IS INCORPORATED
THEREIN BY REFERENCE.

Ruth S. Brookens, City Clerk

Date

ANNEXATION AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of March, 1976, by and between the CITY OF URBANA, ILLINOIS (hereinafter referred to as the "City"), by and through its Mayor and the members of its City Council (hereinafter referred to collectively as the "Corporate Authorities"), and CHAMPAIGN COUNTY BANK AND TRUST CO., Trustee under the Wills of Ethel Clark and Maud Neva Lindsey, (hereinafter referred to as the "Owner").

WITNESSETH:

WHEREAS, CHAMPAIGN COUNTY BANK AND TRUST CO., Trustee under the Wills of Ethel Clark and Maud Neva Lindsey, is the Owner of record of certain real estate, the legal description of which is set forth on Exhibit "A", which is attached hereto and made a part hereof (which real estate is hereinafter referred to in its entirety as "Tract 7") and which real estate is contiguous to the corporate limits of the City of Urbana; and

WHEREAS, Tract 7 is contiguous to and may be annexed to the City of Urbana, as provided in Article 7 of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1973); and

WHEREAS, the Owner desires to have said Tract 7 annexed to the City of Urbana upon certain terms and conditions hereinafter set forth; and

WHEREAS, the Corporate Authorities, after due and careful consideration, have concluded that the annexation of said real estate to the City on the terms and conditions hereinafter set forth would further the growth of the City, enable the City to control the development of the area, and subserve the best interests of the City; and

WHEREAS, pursuant to the provisions of Section 11-15.1-1, et seq., of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1973), a proposed annexation agreement in substance and in form the same as this Agreement was submitted to the Corporate Authorities and a public hearing was held thereon pursuant to notice, as provided by statute; and

WHEREAS, pursuant to notice, as required by statute and ordinance, a public hearing was held by the Planning Commission of the City on the requested zoning classifications of the parcel making up Tract 7, and recommendations made by said commission were submitted to the Corporate Authorities.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements herein contained, IT IS HEREBY AGREED, AS FOLLOWS:

1. This Agreement is made pursuant to and in accordance with the provisions of Section 11-15.1-1, et seq., of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1973).

2. The Owner, upon execution of this Agreement, will file with the city clerk a proper petition conditioned on the terms and provisions of this Agreement, to annex Parcel 1 of Tract 7 to the City of Urbana. The legal description of Parcel 1 of Tract 7 is as follows:

The West 120 feet of the North 240 feet of Tract 7 of McCullough's Plat of survey of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois, as per plat recorded in the Recorder's Office of Champaign County, Illinois, as Document #71 R 13121 in Book X of Plats at page 38.

3. The Corporate Authorities, upon the execution of this Agreement and upon the filing of a proper petition by the Owner, as hereinabove provided, will enact an ordinance annexing the real estate described in Exhibit "A" as Parcel 1 of Tract 7 to the City.

4. Immediately after the passage and approval of the ordinance annexing the real estate described as Parcel 1 of Tract 7, the Corporate Authorities shall cause to be adopted an amendment to the City Zoning Ordinance, zoning and classifying such property as R-1.

its successors and assigns,
5. The Owner will file with the city clerk a proper petition conditioned on the terms and provisions of this agreement, prior to October 15, 1977, to annex Parcel 2 of Tract 7 to the City of Urbana. The legal description of Parcel 2 is as follows:

Tract 7 of McCullough's Plat of survey of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois, as per plat recorded in the Recorder's Office of Champaign County, Illinois, as Document #71 R 13121 in Book X of Plats at page 38, except the West 120 feet of the North 240 feet of said tract.

6. The Corporate Authorities, upon the filing of a proper petition by the Owner as hereinabove provided, will enact an ordinance annexing the real estate described in Exhibit "A" as Parcel 2 of Tract 7 to the City.

7. Immediately after the passage and approval of the ordinance annexing the real estate described in Parcel 2 of Tract 7, the Corporate Authorities will cause to be adopted an amendment to the City Zoning Ordinance, to classify all of Tract 7 as a Planned Unit Development, R-1, and to approve the Preliminary Development Plan as recommended for approval by the Urbana Plan Commission on March 4, 1976.

8. The Corporate Authorities agree to permit the land annexed to be used for farming prior to the commencement of construction of the Planned Unit Development.

9. It is understood and agreed that all extensions of existing sanitary and storm sewers necessary to serve said Tract 7 shall be constructed and installed in accordance with plans and specifications to be approved by the City, but at the expense of the Owner, its grantees or assigns. If the City requires that said sewers be larger than necessary to serve the Clark Lindsey Villadom, the City agrees to reimburse Owner for its proportionate share of the cost of construction.

10. The Owner agrees to comply in all respects with the applicable provisions of the City Building Code in connection with the construction of buildings and structures on Tract 7.

11. All ordinances of the City relating to subdivision controls, zoning, official plan and building, housing, and related restrictions, in effect as of the date hereof, and, as modified by the terms hereof, shall, insofar as they apply to the land which is the subject to this Agreement, continue in effect during the full effective term of this Agreement, except with the mutual consent of the parties.

12. The Owner agrees during the term of this Agreement, for itself, its successors and assigns, not to develop or otherwise improve Tract 7, except pursuant to and in accordance with those present provisions of the Urbana Zoning Ordinance relating to planned developments, as set forth in Article XXIV of said Ordinance.

13. This Agreement shall be binding upon the parties hereto, their respective successors and assigns for a full term of five (5) years commencing, as of the date hereof, as provided by statute and to the extent permitted thereby it is agreed that in the event the annexation of Owner's real estate or the terms of this Agreement are challenged in any court proceeding, the period of time during which such litigation is pending shall not be included in calculating said 5-year term.

IN WITNESS WHEREOF, the Corporate Authorities and Owner have hereunto set their hands and seals, and have caused this instrument to be executed by their duly authorized officials and the corporate seal affixed hereto, all on the day and year first above written.

CITY OF URBANA, ILLINOIS

By _____

Mayor

ATTEST:

City Clerk

CHAMPAIGN COUNTY BANK AND TRUST
CO., Trustee under the Wills of
Ethel Clark and Maud Neva Lindsey

By _____

Trust Officer

Owner

EXHIBIT "A"

Parcel 1: The West 120 feet of the North 240 feet of Tract 7 of McCullough's Plat of survey of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois, as per plat recorded in the Recorder's Office of Champaign County, Illinois, as Document #71 R 13121 in Book X of Plats at page 38.

Parcel 2: Tract 7 of McCullough's Plat of survey of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois, as per plat recorded in the Recorder's Office of Champaign County, Illinois, as Document #71 R 13121 in Book X of Plats at page 38, except the West 120 feet of the North 240 feet of said tract.

PROPOSED AMENDMENTS TO ANNEXATION AGREEMENT BETWEEN
THE CITY OF URBANA, ILLINOIS, BY AND THROUGH ITS MAYOR AND THE MEMBERS
OF ITS CITY COUNCIL, AND CHAMPAIGN COUNTY BANK AND TRUST CO., TRUSTEE
UNDER THE WILLS OF ETHEL CLARK AND MAUD NEVA LINDSEY.

In Paragraph 2 and on Exhibit A amend the legal description of Parcel

1 of Tract 7 to read as follows:

Commencing at the Northwest corner of the Northeast quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, thence Easterly perpendicular to the West line of said quarter section, 33 feet; thence Southerly perpendicular to the North line of said quarter section, 20 feet, for a true point of beginning; thence Easterly parallel with the North line of said quarter section, 1193.95 feet; thence Southerly parallel with the West line of said quarter section, 155 feet; thence Westerly parallel to the North line of said quarter section, 1106.95 feet; thence Southerly parallel to the West line of said quarter section, 95 feet; thence Westerly parallel to the North line of said quarter section, 87 feet; to the existing Eastern right-of-way line of Race Street; thence Northerly along said right-of-way line, 250 feet, to the true point of beginning,

and also all adjoining street right-of-way of Windsor Road and Race Street described as follows: commencing at the true point of beginning, thence Southerly along the Eastern right-of-way line of Race Street, 250 feet; thence Westerly perpendicular to the West line of said quarter section, 66 feet; thence Northerly along the Western right-of-way line of Race Street, 290 feet, to the Northern right-of-way line of Windsor Road; thence Easterly along the Northern right-of-way line of Windsor Road, 1259.95 feet; thence Southerly perpendicular to the North line of said quarter section, 40 feet; thence Westerly along the Southern right-of-way line of Windsor Road, 1193.95 feet, to the true point of beginning; containing 5.97 acres, more or less

In Paragraph 5 amend the legal description of Parcel 2 and in Exhibit A

to read as follows:

Trace 7 of McCullough's Plat of survey of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois, as per plat recorded in the Recorder's Office of Champaign County, Illinois, as Document #71 R 13121 in Book X of Plats at page 38, except Parcel 1 of Tract 7 as described above.

Add the following new paragraph as follows:

7. Owner covenants and agrees as part of the consideration hereunder, that the following described property shall be dedicated to the City of Urbana, Illinois, a Municipal Corporation, for Right-of-way for public road purposes on or before December 31, 1976:

Commencing at the Northwest corner of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois; thence Southerly along the West line of said quarter section, 105 feet; thence Easterly perpendicular with the West line of said quarter section, 55 feet, for a true point of beginning; thence Southerly parallel with the West line of said quarter section, 165 feet; thence Westerly perpendicular with the West line of said quarter section line, 22 feet, to the existing Eastern Right-of-Way line of Race Street; thence Northerly parallel with the West line of said quarter section, 250 feet, to the existing Southern Right-of-Way of Windsor Road, thence Easterly parallel with the North line of said quarter section, 1193.95 feet; thence Southerly perpendicular with the North line of said quarter section, 30 feet; thence Westerly parallel with the North line of said quarter section, 826.95 feet; thence Southerly perpendicular to the North line of said quarter section, 5 feet; thence Westerly parallel with the North line of said quarter section, 295 feet; thence Southwesterly to the point of beginning, all situated in the Northeast quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, containing 0.97 acres, more or less.

8. Owner further agrees as part of the consideration hereunder that any temporary building erected upon Parcel 1 of Tract 7 prior to the recording of the Deed of Dedication referred to in Paragraph 7 above, shall be removed prior to December 31, 1976.

And, renumber those paragraphs thereafter to accommodate the insertions of new Paragraphs 7 and 8.

Council Minutes 3-15-76

(Amended 4-5-76)

AMENDED
ANNEXATION AGREEMENT

THIS AGREEMENT, made and entered into this 9 day of April, 1976, by and between the CITY OF URBANA, ILLINOIS (hereinafter referred to as the "City"), by and through its Mayor and the members of its City Council (hereinafter referred to collectively as the "Corporate Authorities"), and CHAMPAIGN COUNTY BANK AND TRUST CO., Trustee under the Wills of Ethel Clark and Maud Neva Lindsey, (hereinafter referred to as the "Owner").

WITNESSETH:

WHEREAS, CHAMPAIGN COUNTY BANK AND TRUST CO., Trustee under the Wills of Ethel Clark and Maud Neva Lindsey, is the Owner of record of certain real estate, the legal description of which is set forth on Exhibit "A", which is attached hereto and made a part hereof (which real estate is hereinafter referred to in its entirety as "Tract 7") and which real estate is contiguous to the corporate limits of the City of Urbana; and

WHEREAS, Tract 7 is contiguous to and may be annexed to the City of Urbana, as provided in Article 7 of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1973); and

WHEREAS, the Owner desires to have said Tract 7 annexed to the City of Urbana upon certain terms and conditions hereinafter set forth; and

WHEREAS, the Corporate Authorities, after due and careful consideration, have concluded that the annexation of said real estate to the City on the terms and conditions hereinafter set forth would further the growth of the City, enable the City to control the development of the area, and subserve the best interests of the City; and

WHEREAS, pursuant to the provisions of Section 11-15.1-1, et seq., of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1973), a proposed annexation agreement in substance and in form the same as this Agreement was submitted to the Corporate Authorities and a public hearing was held thereon pursuant to notice, as provided by statute; and

WHEREAS, pursuant to notice, as required by statute and ordinance, a public hearing was held by the Planning Commission of the City on the requested zoning classifications of the parcel making up Tract 7, and recommendations made by said commission were submitted to the Corporate Authorities.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements herein contained, IT IS HEREBY AGREED, AS FOLLOWS:

1. This Agreement is made pursuant to and in accordance with the provisions of Section 11-15.1-1, et seq., of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1973).

2. The Owner, upon execution of this Agreement, will file with the City Clerk a proper petition conditioned on the terms and provisions of this Agreement, to annex Parcel 1 of Tract 7 to the City of Urbana. The legal description of Parcel 1 of Tract 7 is as follows:

Commencing at the Northwest corner of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, thence Easterly perpendicular to the West line of said quarter section, 33 feet; thence Southerly perpendicular to the North line of said quarter section, 20 feet, for a true point of beginning; thence Easterly parallel with the North line of said quarter section, 1193.95 feet; thence Southerly parallel with the West line of said quarter section, 155 feet; thence Westerly parallel to the North line of said quarter section, 1106.95 feet; thence Southerly parallel to the West line of said quarter section, 95 feet; thence Westerly parallel to the North line of said quarter section, 87 feet; to the existing Eastern right-of-way line of Race Street; thence Northerly along said right-of-way line, 250 feet, to the true point of beginning,

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3. The Corporate Authorities, upon the execution of this Agreement and upon the filing of a proper petition by the Owner, as hereinabove provided, will enact an ordinance annexing the real estate described in Exhibit "A" as Parcel 1 of Tract 7 to the City.

4. Immediately after the passage and approval of the ordinance annexing the real estate described as Parcel 1 of Tract 7, the Corporate Authorities shall cause to be adopted an amendment to the City Zoning Ordinance, zoning and classifying such property as R-1.

5. The owner, its successors and assigns, will file with the City Clerk a proper petition conditioned on the terms and provisions of this agreement, prior to October 15, 1977, to annex Parcel 2 of Tract 7 to the City of Urbana. The legal description of Parcel 2 is as follows:

Tract 7 of McCullough's Plat of survey of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois, as per plat recorded in the Recorder's Office of Champaign County, Illinois, as Document #71 R 13121 in Book X of Plats at page 38, except Parcel 1 of Tract 7 as described above.

6. The Corporate Authorities, upon the filing of a proper petition by the Owner as hereinabove provided, will enact an ordinance annexing the real estate described in Exhibit "A" as Parcel 2 of Tract 7 to the City.

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8. Owner further agrees as part of the consideration hereunder that any temporary building erected upon Parcel 1 of Tract 7 prior to the recording of the Deed of Dedication referred to in Paragraph 7 above, shall be removed prior to December 31, 1976.

9. Immediately after the passage and approval of the ordinance annexing the real estate described as Parcel 2 of Tract 7, the Corporate Authorities will cause to be adopted an amendment to the City Zoning Ordinance, to classify all of Tract 7 as a Planned Unit Development, R-1, and to approve the Preliminary Development Plan as recommended for approval by the Urbana Plan Commission on March 4, 1976.

10. The Corporate Authorities agree to permit the land annexed to be used for farming prior to the commencement of construction of the Planned Unit Development.

11. It is understood and agreed that all extensions of existing sanitary and storm sewers necessary to serve said Tract 7 shall be constructed and installed in accordance with plans and specifications to be approved by the City, but at the expense of the Owner, its grantees or assigns. If it is necessary that said sewers be larger than 8 inches in diameter, the City agrees to reimburse Owner for its proportionate share of the cost of construction.

12. The Owner agrees to comply in all respects with the applicable provisions of the City Building Code in connection with the construction of buildings and structures on Tract 7.

13. All ordinances of the City relating to subdivision controls, zoning, official plan and building, housing, and related restrictions, in effect as of the date hereof, and, as modified by the terms hereof, shall, insofar as they apply to the land which is the subject to this Agreement, continue in effect during the full effective term of this Agreement, except with the mutual consent of the parties.

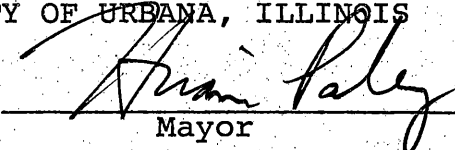
14. The Owner agrees during the term of this Agreement, for itself, its successors and assigns, not to develop or otherwise improve Tract 7, except pursuant to and in accordance with those present provisions of the Urbana Zoning Ordinance relating to planned developments, as set forth in Article XXIV of said Ordinance.

15. This Agreement shall be binding upon the parties hereto, their respective successors and assigns for a full term of five (5) years commencing as of the date hereof, as provided by statute and to the extent permitted thereby it is agreed that in the event the annexation of Owner's real estate or the terms of this Agreement are challenged in any court proceeding, the period of time during which such litigation is pending shall not be included in calculating said 5-year term.

IN WITNESS WHEREOF, the Corporate Authorities and Owner have hereunto set their hands and seals, and have caused this instrument to be executed by their duly authorized officials and the corporate seal affixed hereto, all on the day and year first above written.


CITY OF URBANA, ILLINOIS

By



Mayor

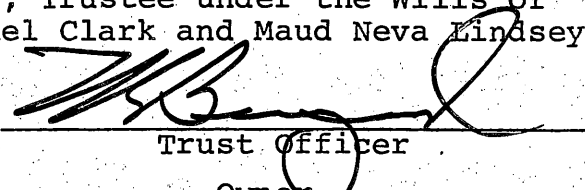
ATTEST:



City Clerk

CHAMPAIGN COUNTY BANK AND TRUST
CO., Trustee under the Wills of
Ethel Clark and Maud Neva Lindsey

By



Trust Officer

Owner

EXHIBIT "A"

Parcel 1: Commencing at the Northwest corner of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, thence Easterly perpendicular to the West line of said quarter section, 33 feet; thence Southerly perpendicular to the North line of said quarter section, 20 feet, for a true point of beginning; thence Easterly parallel with the North line of said quarter section, 1193.95 feet; thence Southerly parallel with the West line of said quarter section, 155 feet; thence Westerly parallel to the North line of said quarter section, 1106.95 feet; thence Southerly parallel to the West line of said quarter section, 95 feet; thence Westerly parallel to the North line of said quarter section, 87 feet; to the existing Eastern right-of-way line of Race Street; thence Northerly along said right-of-way line, 250 feet, to the true point of beginning,

and also all adjoining street right-of-way of Windsor Road and Race Street described as follows: commencing at the true point of beginning, thence Southerly along the Eastern right-of-way line of Race Street, 250 feet; thence Westerly perpendicular to the West line of said quarter section, 66 feet; thence Northerly along the Western right-of-way line of Race Street, 290 feet, to the Northern right-of-way line of Windsor Road; thence Easterly along the Northern right-of-way line of Windsor Road, 1259.95 feet; thence Southerly perpendicular to the North line of said quarter section, 40 feet; thence Westerly along the Southern right-of-way line of Windsor Road, 1193.95 feet, to the true point of beginning, containing 5.97 acres, more or less.

Parcel 2: Tract 7 of McCullough's Plat of survey of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois, as per plat recorded in the Recorder's Office of Champaign County, Illinois, as Document #71 R 13121 in Book X of Plats at page 38, except Parcel 1 of Tract 7 as described above.

Amended Annexation Agreement: approved 4-5-76 (by motion) . . .

Annex Parcel 1 of Tract 7 Ordinance 7576-89 (4-12-76)

Annex Parcel 2 of Tract 7 Ordinance 7677-57 (12-6-76)

Classify Highway PUD, Phase 1 (P.C. 959) approved - Ord. 7677-58 (12-6-76)

Tract 7 rezoned to R-1 - Ordinance 7677-59 (12-6-76)

Owner's Certificate of Dedication [Carr-Hindley Road Dedication]
accepted - Council minutes 1-3-77

Amendments to PUD - Ordinance 7879-29 (7-5-78)
7879-16 (4-21-79)

AMENDED
ANNEXATION AGREEMENT

THIS AGREEMENT, made and entered into this 9 day of April, 1976, by and between the CITY OF URBANA, ILLINOIS (hereinafter referred to as the "City"), by and through its Mayor and the members of its City Council (hereinafter referred to collectively as the "Corporate Authorities"), and CHAMPAIGN COUNTY BANK AND TRUST CO., Trustee under the Wills of Ethel Clark and Maud Neva Lindsey, (hereinafter referred to as the "Owner").

WITNESSETH:

WHEREAS, CHAMPAIGN COUNTY BANK AND TRUST CO., Trustee under the Wills of Ethel Clark and Maud Neva Lindsey, is the Owner of record of certain real estate, the legal description of which is set forth on Exhibit "A", which is attached hereto and made a part hereof (which real estate is hereinafter referred to in its entirety as "Tract 7") and which real estate is contiguous to the corporate limits of the City of Urbana; and

WHEREAS, Tract 7 is contiguous to and may be annexed to the City of Urbana, as provided in Article 7 of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1973); and

WHEREAS, the Owner desires to have said Tract 7 annexed to the City of Urbana upon certain terms and conditions hereinafter set forth; and

WHEREAS, the Corporate Authorities, after due and careful consideration, have concluded that the annexation of said real estate to the City on the terms and conditions hereinafter set forth would further the growth of the City, enable the City to control the development of the area, and subserve the best interests of the City; and

WHEREAS, pursuant to the provisions of Section 11-15.1-1, et seq., of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1973), a proposed annexation agreement in substance and in form the same as this Agreement was submitted to the Corporate Authorities and a public hearing was held thereon pursuant to notice, as provided by statute; and

WHEREAS, pursuant to notice, as required by statute and ordinance, a public hearing was held by the Planning Commission of the City on the requested zoning classifications of the parcel making up Tract 7, and recommendations made by said commission were submitted to the Corporate Authorities.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements herein contained, IT IS HEREBY AGREED, AS FOLLOWS:

1. This Agreement is made pursuant to and in accordance with the provisions of Section 11-15.1-1, et seq., of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1973).

2. The Owner, upon execution of this Agreement, will file with the City Clerk a proper petition conditioned on the terms and provisions of this Agreement, to annex Parcel 1 of Tract 7 to the City of Urbana. The legal description of Parcel 1 of Tract 7 is as follows:

Commencing at the Northwest corner of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, thence Easterly perpendicular to the West line of said quarter section, 33 feet; thence Southerly perpendicular to the North line of said quarter section, 20 feet, for a true point of beginning; thence Easterly parallel with the North line of said quarter section, 1193.95 feet; thence Southerly parallel with the West line of said quarter section, 155 feet; thence Westerly parallel to the North line of said quarter section, 1106.95 feet; thence Southerly parallel to the West line of said quarter section, 95 feet; thence Westerly parallel to the North line of said quarter section, 87 feet; to the existing Eastern right-of-way line of Race Street; thence Northerly along said right-of-way line, 250 feet, to the true point of beginning,

and also all adjoining street right-of-way of Windsor Road and Race Street described as follows: commencing at the true point of beginning, thence Southerly along the Eastern right-of-way line of Race Street, 250 feet; thence Westerly perpendicular to the West line of said quarter section, 66 feet; thence Northerly along the Western right-of-way line of Race Street, 290 feet, to the Northern right-of-way line of Windsor Road; thence Easterly along the Northern right-of-way line of Windsor Road, 1259.95 feet; thence Southerly perpendicular to the North line of said quarter section, 40 feet; thence Westerly along the Southern right-of-way line of Windsor Road, 1193.95 feet, to the true point of beginning, containing 5.97 acres, more or less.

3. The Corporate Authorities, upon the execution of this Agreement and upon the filing of a proper petition by the Owner, as hereinabove provided, will enact an ordinance annexing the real estate described in Exhibit "A" as Parcel 1 of Tract 7 to the City.

4. Immediately after the passage and approval of the ordinance annexing the real estate described as Parcel 1 of Tract 7, the Corporate Authorities shall cause to be adopted an amendment to the City Zoning Ordinance, zoning and classifying such property as R-1.

5. The owner, its successors and assigns, will file with the City Clerk a proper petition conditioned on the terms and provisions of this agreement, prior to October 15, 1977, to annex Parcel 2 of Tract 7 to the City of Urbana. The legal description of Parcel 2 is as follows:

Tract 7 of McCullough's Plat of survey of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois, as per plat recorded in the Recorder's Office of Champaign County, Illinois, as Document #71 R 13121 in Book X of Plats at page 38, except Parcel 1 of Tract 7 as described above.

6. The Corporate Authorities, upon the filing of a proper petition by the Owner as hereinabove provided, will enact an ordinance annexing the real estate described in Exhibit "A" as Parcel 2 of Tract 7 to the City.

7. Owner covenants and agrees as part of the consideration hereunder, that the following described property shall be dedicated to the City of Urbana, Illinois, a Municipal Corporation, for Right-of-way for public road purposes on or before December 31, 1976:

Commencing at the Northwest corner of the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois; thence Southerly along the West line of said quarter section, 105 feet; thence Easterly perpendicular with the West line of said quarter section 55 feet, for a true point of beginning; thence Southerly parallel with the West line of said quarter section, 165 feet; thence Westerly perpendicular with the West line of said quarter section line, 22 feet, to the existing Eastern Right-of-Way line of Race Street; thence Northerly parallel with the West line of said quarter section, 250 feet, to the existing Southern

Right-of-Way of Windsor Road, thence Easterly parallel with the North line of said quarter section, 1193.95 feet; thence Southerly perpendicular with the North line of said quarter section, 30 feet; thence Westerly parallel with the North line of said quarter section, 826.95 feet; thence Southerly perpendicular to the North line of said quarter section, 5 feet; thence Westerly parallel with the North line of said quarter section, 295 feet; thence Southwesterly to the point of beginning, all situated in the Northeast Quarter of Section 29, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, containing 0.97 acres, more or less.

8. Owner further agrees as part of the consideration hereunder that any temporary building erected upon Parcel 1 of Tract 7 prior to the recording of the Deed of Dedication referred to in Paragraph 7 above, shall be removed prior to December 31, 1976.

9. Immediately after the passage and approval of the ordinance annexing the real estate described as Parcel 2 of Tract 7, the Corporate Authorities will cause to be adopted an amendment to the City Zoning Ordinance, to classify all of Tract 7 as a Planned Unit Development, R-1, and to approve the Preliminary Development Plan as recommended for approval by the Urbana Plan Commission on March 4, 1976.

10. The Corporate Authorities agree to permit the land annexed to be used for farming prior to the commencement of construction of the Planned Unit Development.

11. It is understood and agreed that all extensions of existing sanitary and storm sewers necessary to serve said Tract 7 shall be constructed and installed in accordance with plans and specifications to be approved by the City, but at the expense of the Owner, its grantees or assigns. If it is necessary that said sewers be larger than 8 inches in diameter, the City agrees to reimburse Owner for its proportionate share of the cost of construction.

12. The Owner agrees to comply in all respects with the applicable provisions of the City Building Code in connection with the construction of buildings and structures on Tract 7.

13. All ordinances of the City relating to subdivision controls, zoning, official plan and building, housing, and related restrictions, in effect as of the date hereof, and, as modified by the terms hereof, shall, insofar as they apply to the land which is the subject to this Agreement, continue in effect during the full effective term of this Agreement, except with the mutual consent of the parties.

14. The Owner agrees during the term of this Agreement, for itself, its successors and assigns, not to develop or otherwise improve Tract 7, except pursuant to and in accordance with those present provisions of the Urbana Zoning Ordinance relating to planned developments, as set forth in Article XXIV of said Ordinance.

15. This Agreement shall be binding upon the parties hereto, their respective successors and assigns for a full term of five (5) years commencing as of the date hereof, as provided by statute and to the extent permitted thereby it is agreed that in the event the annexation of Owner's real estate or the terms of this Agreement are challenged in any court proceeding, the period of time during which such litigation is pending shall not be included in calculating said 5-year term.

IN WITNESS WHEREOF, the Corporate Authorities and Owner have hereunto set their hands and seals, and have caused this instrument to be executed by their duly authorized officials and the corporate seal affixed hereto, all on the day and year first above written.

CITY OF URBANA, ILLINOIS

By *Alan Paley*
Mayor

ATTEST:
Dorothy Schaub
City Clerk

CHAMPAIGN COUNTY BANK AND TRUST CO., Trustee under the Wills of Ethel Clark and Maud Neva Lindsey

By *W. Benz*
Trust Officer
Owner

EXHIBIT "A"

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LAW OFFICES

Mitchem, Tepper & Gwinn

A PROFESSIONAL CORPORATION
P.O. BOX 400
URBANA, ILLINOIS 61801

JOHN M. MITCHEM (1906-1975)

MICHAEL TEPPER

JOHN GWINN

April 5, 1976

To Whom It May Concern:

Re: Clark-Lindsey Villadom Annexation

I have reviewed the proposed amendments to the annexation agreement passed by the City Council on March 15, 1976 and find them acceptable in substance and in legal description.

Champaign County Bank and Trust Co.,
Trustee under the Will of Ethel Clark

By *John Gwinn*
John Gwinn

*This is the old
agreement & amendments
Clark Lindsey Villadom*