

ORDINANCE NO. 8081-41

AN ORDINANCE  
APPROVING AND AUTHORIZING THE EXECUTION  
OF THE ANNEXATION AGREEMENT REGARDING  
SLM INSTRUMENTS, INC.

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

1. That an "Annexation Agreement" between the City of Urbana, Illinois and Robert M. Neely, Jr. of Effingham, Illinois, a copy of which said Annexation Agreement is attached hereto and incorporated herein by reference, be and the same is hereby approved.

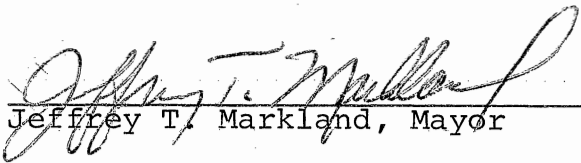
2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute said Agreement for and on behalf of the City of Urbana, Illinois.

This Ordinance is hereby passed by the affirmative vote of two-thirds of the members of the corporate authorities then holding office, the "ayes" and "nays" being called, at a regular meeting of said Council held on the 6th day of October, 1980.

PASSED by the City Council this 6th day of October, 1980.

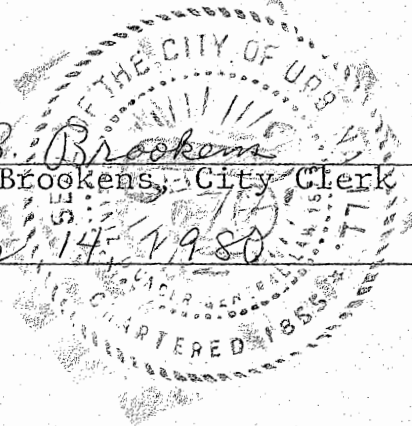
A circular seal of the City of Urbana, Illinois, featuring a central emblem and the text "THE CITY OF URBANA, ILLINOIS" around the perimeter.  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 14<sup>th</sup> day of October, 1980.

A handwritten signature in cursive script.  
Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN  
ORDINANCE NO. 8081-41 AND IS INCORPORATED  
THEREIN BY REFERENCE.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk  
October 14, 1980  
Date



ANNEXATION AGREEMENT

THIS AGREEMENT, made and entered into this 6<sup>th</sup> day of October, 1980, by and between the City of Urbana, Illinois (hereinafter referred to collectively as the "Corporate Authorities"), and Robert M. Neely, Jr. of Effingham, Illinois, (hereinafter referred to as "Owner").

W I T N E S S E T H:

WHEREAS, Robert M. Neely, Jr. is the owner of record of certain real estate, the legal description of which is set forth in detail hereafter, and which real estate is contiguous to the corporate limits of the City of Urbana; and

WHEREAS, said real estate is contiguous and may be annexed to the City of Urbana, as provided in Article 7 of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1975); and

WHEREAS, subject property has heretofore been zoned B-3 (Highway Business) under the Champaign County Zoning Ordinance; and

WHEREAS, Owner, to best utilize this property, finds it necessary and desirable that the real estate described herein be annexed to the City of Urbana and rezoned I-N (Industrial) under the Urbana Zoning Ordinance; and

WHEREAS, such annexation and rezoning shall ensure the receipt by the City of Urbana of sales and real estate tax revenues accruing by virtue of new construction and the operation of business; and

WHEREAS, the Owner desires to have said real estate annexed to the City of Urbana, upon certain terms and condition 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 controlled growth of the City, assist the City in controlling the development of the area, and generally subserve the best interests of the City; and

WHEREAS, pursuant to the provisions of Section 11 15.1, et seq., of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1977), 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 Corporate Authorities of the City on the proposed Annexation Agreement.

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 provision Section 11-15, 1-1, et seq., of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1979).

2. The Owner, upon execution of this Agreement, will file with the City Authorities a proper petition conditioned on the terms and provisions of this Agreement, to annex the real estate to the City of Urbana. The legal description of said real estate is attached hereto, marked "Exhibit " and made a part hereof by reference.

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 to the City.

4. Immediately after the passage and approval of the ordinance annexing the real estate described, the Corporate Authorities shall cause to be adopted an Amendment to the City Zoning Ordinance, zoning and classifying such real estate as I-N (Industrial).

5. The Owner agrees during the term of this Agreement, for itself, its successors and assigns, not to develop or otherwise improve the real estate, except pursuant to and in accordance with those present provisions of the Urbana Zoning Ordinance relating to I-N use, as set forth in Article IX of said Ordinance. The Owner agrees to provide, with an eight inch (8") line, service by Northern Illinois Water Corp. for said property and a fire hydrant within 500 feet of the far extremity of any building located on said premises. It is acknowledged that Owner will not annex to the sanitary district.

6. This Agreement shall be binding upon the parties hereto, their respective successors and assigns, for a full term of ten (10) 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 should not be included in calculating said ten (10) year term.

7. This agreement may be cancelled by Owner prior to Corporate Authorities' passage of Annexation Ordinance.

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

Jeffrey T. Mallon  
Mayor  
Date: 10/17/80

ATTEST:

Ruth S. Broshens  
City Clerk



"CORPORATE AUTHORITIES"

Robert M. Neely, Jr.  
Robert M. Neely, Jr.

"OWNER"

Description of real estate to be annexed under Annexation Agreement dated the 7<sup>th</sup> day of October, 1980, by and between the City of Urbana, Illinois, and Robert M. Neely, Jr. of Effingham, Illinois:

Beginning at the Southwest corner of the Northwest Quarter of Section 5, Township 19 North, Range 9 East of the 3rd P.M. and running thence North on Section line 815.5 feet, thence East 1577.4 feet, thence South 816 feet to the South line of said Northwest Quarter of Section 5 and thence West on said line 1575.5 feet to the place of beginning, being also described as Lot 3 of Survey by G. W. Pickels recorded February 1, 1916 in Plat Book "D" on page 56, situated in Champaign County, Illinois; excepting, however, the following description:

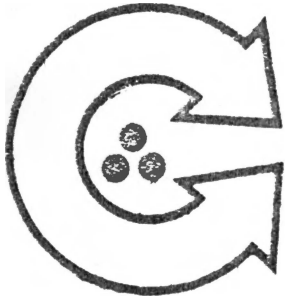
Beginning at the Southwest corner of the Northwest Quarter of Section 5 and running thence North on Section line 815.5 feet, thence Easterly along the North property line for 80 feet to Point "K", thence South 56° 32' East for 798.4 feet to Point "L", thence Southerly around a curve to the left having a radius of 400 feet and tangent to the last described course for 236.8 feet to Point "M", thence North 89° 33' East for 590 feet to Point "N", thence Southerly along the East property line for 311 feet to Point "O", thence Westerly along the South property line for 1575.5 feet to the point of beginning "A"; the tract excepted is the tract heretofore conveyed to the State of Illinois for highway purposes;

And excepting further, the East 565 feet of the above-described real estate, said tract containing 6.19 acres, more or less.

CITY OF URBANA, ILL.  
RECEIVED

SEP 17 1980

CITY CLERK'S OFFICE



## MEMORANDUM

TO: Mr. Richard Spencer, Ph.D  
FROM: Karna Hanna, Principal Planner, RPC *KH*  
DATE: September 15, 1980  
SUBJECT: SLM Instruments Inc: Timetable for Annexation, Re-zoning  
and Industrial Revenue Bonds

1. Thursday, September 18, 1980, 7:30 p.m.; Urbana Plan Commission. Explanation by petitioner for request.
2. Monday, September 29, 1980, 7:00 p.m.; Corporate Authorities Public Hearing on Annexation Agreement; Petitioner available to answer questions.
3. Thursday, October 2, 1980 7:30 p.m.; Urbana Plan Commission Public Hearing on rezoning request in the Annexation Agreement; Petitioner available to answer questions.
4. Monday, October 6, 1980 7:30 p.m., Urbana City Council Meeting; Ordinance adopting the Annexation Agreement; Petitioner available to answer questions. Petitioner may also address the Council during the "Petitions and Communications" section of the meeting.
5. Thursday, October 9, 1980, 7:00 p.m.; Administration Committee City Council; Review of Resolution of Intent for Industrial Revenue Bonds; Petitioner available to make presentation and answer questions. Material that you will provide for the Committee's consideration should be delivered to Charlie Troppito at City Hall no later than Thursday, October 2, 1980. Eight copies are needed.
6. Monday, October 20, 1980, 7:30 p.m.; Urbana City Council; Ordinance Annexing SLM property, Ordinance Designating the zoning as IN (Industrial), Resolution of Intent - IRBs; Petitioner available to answer questions.



Mr. Richard Spencer  
September 15, 1980  
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Jack Waaler (Corporate Counsel) and I have already received in today's mail drafts of both the Annexation Agreement and Resolution of Intent for the IRBs. We will review these items as expeditiously as possible and get back with your attorney, John Dodson.

KH:1g

cc: John Dodson  
Ruth Brookens, City Clerk