

ORDINANCE NO. 8687-37

AN ORDINANCE
APPROVING AND AUTHORIZING THE EXECUTION
OF AN ANNEXATION PETITION AGREEMENT

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

Section 1. That an Annexation Petition Agreement by
and between the City of Urbana, Illinois, and the Board of
Trustees of the University of Illinois, a copy of which said
Agreement is attached hereto and hereby incorporated by refer-
ence, be and the same is hereby authorized and approved.

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

This Ordinance is hereby passed by the affirmative
vote, the "ayes" and "nays" being called, of two-thirds (2/3rds)
of the members of the corporate authorities of the City of
Urbana, Illinois, then holding office, at a regular meeting of
said Council.

PASSED by the City Council this 3rd day of November
1986.


Ruth S. Brookens
Ruth S. Brookens, City Clerk

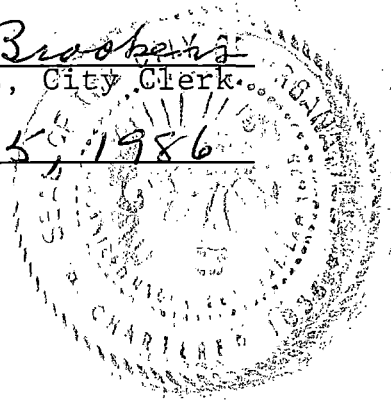
APPROVED by the Mayor this 14th day of November
1986.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN
ORDINANCE NO. 8687-37 AND IS INCORPORATED
THEREIN BY REFERENCE.

Ruth S. Brookens
Ruth S. Brookens, City Clerk.

November 5, 1986
Date



ANNEXATION PETITION AGREEMENT

WHEREAS, the City of Urbana, Illinois, a municipal corporation and a Home Rule Unit, hereinafter called "City", has requested The Board of Trustees of the University of Illinois, a body corporate and politic of the State of Illinois and a state agency, hereinafter sometimes called "University," to submit a petition for annexation of certain property owned by the University to be annexed to the City of Urbana; and

WHEREAS, the University is willing to cooperate with the City to allow future growth of the City; and

WHEREAS, the parties each acknowledge that they have differing views of whether and to what extent ordinances of the City of Urbana are legally enforceable against the University of Illinois, its Board of Trustees or the property owned by the University of Illinois. Each party expressly acknowledges that by submitting this petition neither party intends thereby to waive in any respect their right to assert their position in any court or elsewhere regarding the legal question of whether and to what extent ordinances of the City of Urbana are binding upon or legally enforceable against the University of Illinois, its Board of Trustees or its property. Each party expressly acknowledges that this

important legal question remains to be resolved and that the submission of this petition should not be construed as any waiver by the University of Illinois of its legal position on this question and that this agreement or annexation may not be introduced in any legal proceeding in which the City is attempting to enforce its ordinances against the University of Illinois; and

IT IS HEREBY AGREED AS FOLLOWS:

In the event of a violation of this agreement to not introduce into evidence this agreement or annexation, the University of Illinois will be entitled to recover all reasonable attorneys' fees and costs from the City of Urbana arising from such violation.

The Board of Trustees of the University of Illinois, being the owner of the following-described land, hereby consents to the request of the City of Urbana to annex said described land provided the requisite number of electors residing on the premises also petition the City to annex the described land, to-wit:

The East Half of the Southwest Quarter of Section 20, Township 19 North, Range 9 East of the Third Principal Meridian, encompassing 80 Acres, more or less, excluding 3.15 Acres of previously annexed Right-of-Way, situated in Champaign County, State of Illinois,

commonly known for reference as Orchard Downs
Married Student Apartments.

Respectfully submitted,

THE BOARD OF TRUSTEES OF THE
UNIVERSITY OF ILLINOIS

By Craig S. Bazzani
Comptroller

ATTEST:


By Earl W. Porter
Secretary

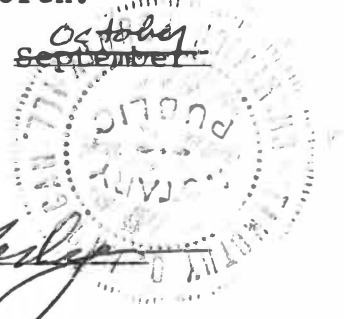
STATE OF ILLINOIS)
) SS.
COUNTY OF CHAMPAIGN)

I, Timothy O. Madigan, a Notary Public in
aforesaid county in the state aforesaid, do hereby certify
that Craig S. Bazzani and Earl W. Porter, Comptroller and
Secretary of The Board of Trustees of the University of
Illinois, personally known to me to be the said persons whose
names are subscribed to the foregoing instrument as such
Comptroller and Secretary here and before me this 20th day
of ~~September~~ October 1986, in person and acknowledged that they
signed, sealed and delivered the said agreement as their own
free and voluntary act as said officers of said corporation

and as the free and voluntary acts of said corporation for the uses and purposes therein set forth. They also acknowledge that the corporate seal of said corporation was affixed thereto as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my notarial seal this 20th day of ~~September~~ ^{October} 1986.

By: 
NOTARY PUBLIC



CITY OF URBANA, ILLINOIS

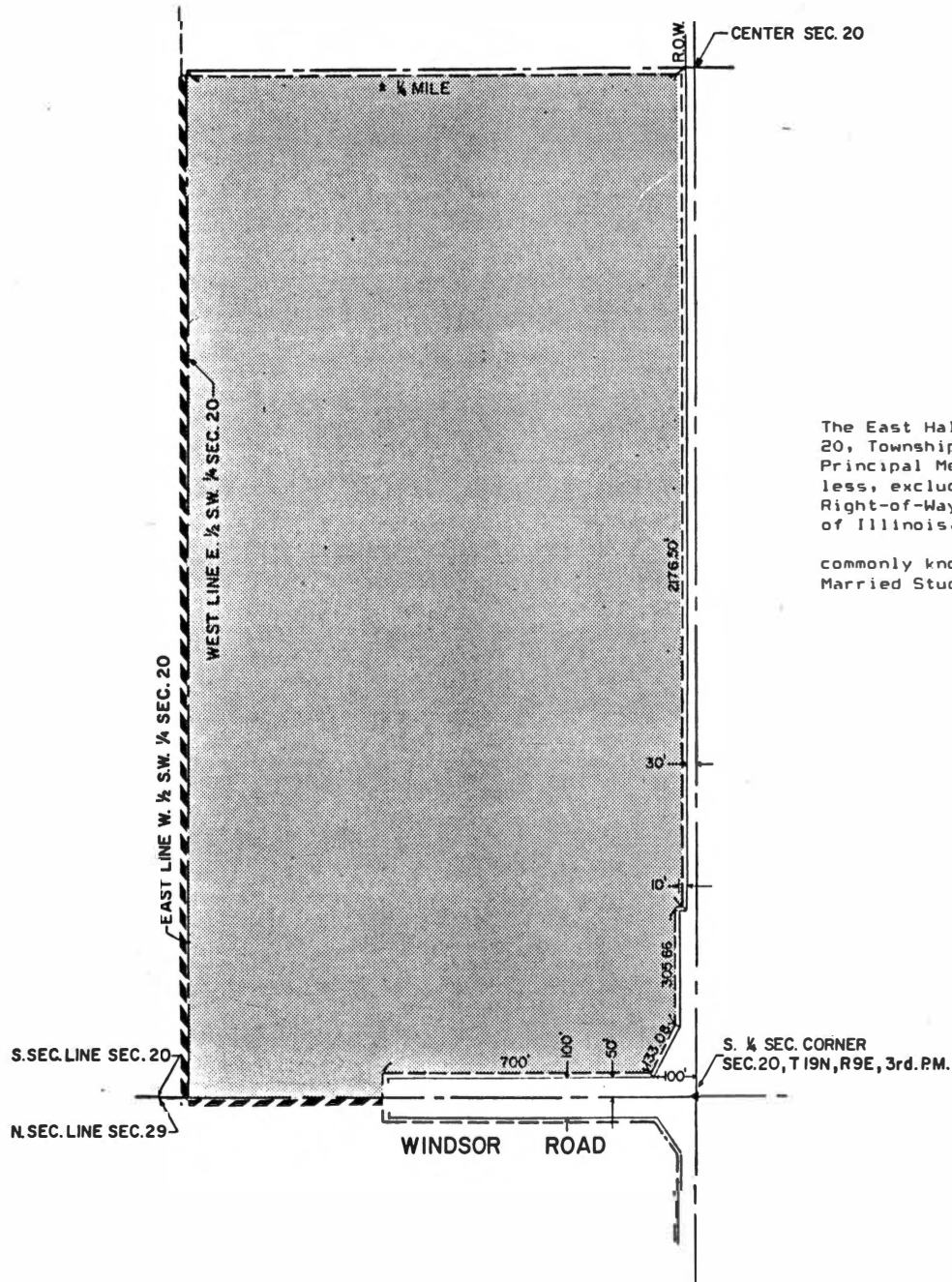
By: 
Jeffrey T. Markland, Mayor



ATTEST:


Ruth S. Brookens, City Clerk

11/25/86






The East Half of the Southwest Quarter of Section 20, Township 19 North, Range 9 East of the Third Principal Meridian, encompassing 80 Acres, more or less, excluding 3.15 Acres of previously annexed Right-of-Way, situated in Champaign County, State of Illinois.

commonly known for reference as Orchard Downs Married Student Apartments.



MAP SHOWING AREA ANNEXED
 BY CITY ORDINANCE NO.
 CITY OF URBANA, ILLINOIS
 CHAMPAIGN COUNTY
 DATE:

SCALE 300 150 0 300

-  AREA OF ANNEXATION
-  PRESENT CITY LIMITS
-  NEW CITY LIMIT LINE

DRAWN BY:DES

CHECKED BY:RS

CITY OF URBANA
 ENGINEERING DEPARTMENT

 CITY ENGINEER