

ORDINANCE NO. 8788-24

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

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

Section 1. That an Annexation Agreement Amendment between the CITY OF URBANA, ILLINOIS and LASALLE NATIONAL BANK, as Trustee under the provisions of a Trust Agreement dated the 3rd day of December, 1971, and known as Trust #1018634-08, a copy of which said Annexation Agreement Amendment is attached hereto and hereby incorporated by reference, 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 Annexation Agreement Amendment for and on behalf of the City of Urbana, Illinois.

PASSED by the City Council this 17th day of August, 1987.


Ruth S. Brookens
Ruth S. Brookens, City Clerk

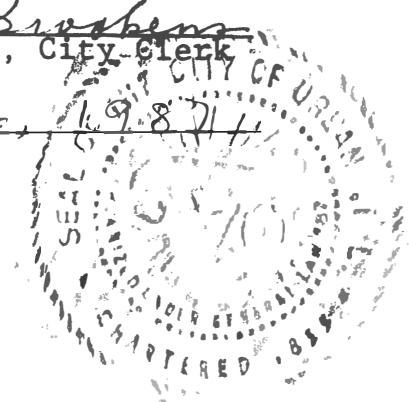
APPROVED by the Mayor this 15th day of August, 1987.

J. Henry T. Mahland

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN
ORDINANCE NO. 8788-24 AND IS INCORPORATED
THEREIN BY REFERENCE.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

August 26, 1987
Date



ANNEXATION AGREEMENT AMENDMENT

THIS AMENDMENT AGREEMENT, made and entered into this 31st day of August 1987 by and between the City of Urbana, Illinois (hereinafter referred to collectively as the "Corporate Authorities"), and LASALLE NATIONAL BANK, as trustee under the provisions of a Trust Agreement dated the 3rd day of December, 1971, and known as Trust #1018634-08, (hereinafter referred to as "Owner")

WITNESSETH:

WHEREAS, LASALLE NATIONAL BANK, as Trustee, aforesaid, 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 within to the Corporate Limits of the City of Urbana;

The East Half of the North Third of the following property taken as a Tract: Lots 6 to 11, both inclusive, of a subdivision of the West Half of the Northwest Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, in Champaign County, Illinois, and

The East Half of the South Half of the North Two Thirds of the following property taken as a Tract: Lots 6 and 11, both inclusive of a subdivision of the West Half and the Northwest Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, in Champaign County, Illinois; and

The East Half of the South One Third of the following property taken as a Tract: Lots 6 and 11, both inclusive of a subdivision of the West Half of the Northwest Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, except that portion lying South of the North line of the County Road as described in dedication of right of way dated June 21, 1945 and filed August 14, 1945 in Book 267 at Page 431, situated in Champaign County, Illinois.

and,

WHEREAS, said real estate has been annexed to the City of Urbana, as provided in Article 7 of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1985); and

WHEREAS, said real estate is subject to the terms, conditions and restrictions of an annexation agreement by and between the Corporate Authorities and the Owner dated April 21, 1986 as approved under Ordinance No. 8586-74; and

WHEREAS, said real estate is subject to a developmental site plan controlling improvements made to the real estate by an annexation agreement approved under Ordinance No. 8586-74; and

WHEREAS, said real estate has been zoned R-4 (Medium Density Multiple Family Residential) pursuant an annexation agreement approved under Ordinance No. 8586-74; and

WHEREAS, owner has commenced the construction of building and related improvements authorized and governed by an annexation agreement approved under Ordinance No. 8586-74; and

WHEREAS, owner intends to further improve said real estate by the construction of an accessory structure to be used as a recreational facility for use and enjoyment of persons residing on said real estate; and

WHEREAS, owner desires to amend an annexation agreement approved under Ordinance No. 8586-74 to permit the construction of said recreational facility; and

WHEREAS, the Corporate Authorities, after due and careful consideration, have concluded that amending Ordinance No. 8586-74 under 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 11-15.1-1 et seq., of the Illinois Municipal Code (Chapter 24, Illinois Revised Statutes, 1985) a proposed Annexation Agreement Amendment, in substance and in form the same as this Annexation Agreement Amendment 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 ordinance, a public hearing was held by the Corporate Authorities of the City in the proposed 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 Amendment 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, 1985).
2. The parties agree to an amended site plan, Exhibit "A", being exactly the same as the site plan made apart of an annexation agreement approved under Ordinance No. 8586-74 except for the location of an accessory structure and appurtenant improvements thereto. Said accessory structure and appurtenant improvements can be completed anytime following the completion of Phase I subphasing described in Exhibit "C" of an annexation agreement approved under Ordinance No. 8586-74.
3. The parties agree that all other terms, conditions and restrictions, not modified by this agreement, contained in the annexation agreement approved under Ordinance No. 8586-74 shall remain in full force and effect.
4. This Agreement shall be binding upon the parties hereto, their respective successors and assigns for the same term as the annexation agreement approved under Ordinance No. 8586-74.
5. The Owner, LASALLE NATIONAL BANK, executes this instrument as Trustee as aforesaid, and is not to be held liable in its individual capacity in any way by reason of this instrument. Any recourse hereunder is to be had only against the trust estate.

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.

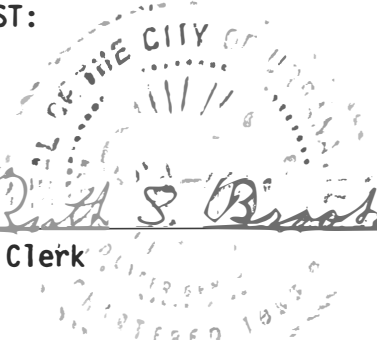
...ation Rider Attached Hereto And Made A Part Hereof

CITY OF URBANA

LASALLE NATIONAL BANK as
Trustee under the provisions of
a Trust Agreement dated the 3rd
day of December, 1971 and known
as Trust #1018634-08.

Mayor *John T. Miller*

Date: 8/31/87

ATTEST:

Ruth S. Braschen
City Clerk

BY: *[Signature]*
Trust Officer ASSISTANT VICE PRESIDENT
ATTEST: *[Signature]*
Assistant Trust Officer
ASS STAN SECR ARY

Trustee's E
Attestation

Trustee's E
Rider Att

"CORPORATE AUTHORITIES"

"OWNER"

RIDER ATTACHED TO AND MADE A PART OF DOCUMENT ...
DATED 7-23-87 UNDER TRUST NO. 10-18634-08

This instrument is executed by LaSALLE NATIONAL BANK, not personally but solely as Trustee, as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee. All the terms, provisions, stipulations, covenants and conditions to be performed by LaSALLE NATIONAL BANK are undertaken by it solely as Trustee, as aforesaid, and not individually and all statements herein made are made on information and belief and are to be construed accordingly, and no personal liability shall be asserted or be enforceable against LaSALLE NATIONAL BANK by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument.
FORM XX 0421