

ORDINANCE NO. 9495-111

AN ORDINANCE APPROVING AND AUTHORIZING
THE EXECUTION OF AN ANNEXATION AGREEMENT

(Tatman's Auto Service Center / 1602 and 1604 N. Cunningham Avenue)

WHEREAS, an Annexation Agreement between the City of Urbana, Illinois, and First Busey Trust and Investment Company under Trust Agreement No. 2125 has been submitted for the Urbana City Council's consideration, a copy of which is attached; and

WHEREAS, said agreement governs tracts totaling approximately 1.59 acres generally located at the northeast intersection of Cunningham Avenue (U.S. Route 45) and Perkins Road, and said tracts are legally described as follows:

Tract 1

Lot 3 of a Subdivision of the South West 1/4 of the South West 1/4 of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, and also, commencing at the South West corner of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, and running thence East along Section line 410.77 feet to the East right of way line of SBI Route No. 25, Federal Rt. No. 45; thence North 65 degrees 14 1/2 minutes East along said East right of way 181.70 feet to the true point of beginning; continuing along said East right of way line North 65 degrees 14 1/2 minutes East 50 feet; thence East 138.24 feet; thence South 0 degrees 32 minutes West 45.40 feet; thence West 159.69 feet to the point of beginning, being a portion of the South West 1/4 of the South West 1/4 of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, all situated in Champaign County, Illinois.

Tract 2

A tract of ground being a part of the Southwest Quarter of the Southwest Quarter of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, the boundary of which is described as follows:

From the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 4, proceed South 89 degrees, 04 minutes, 42 seconds West 544.58 feet along the South line of said Section 4; thence North 01 degrees, 58 minutes, 47 seconds West

165.00 feet to the true point of beginning; thence South 89 degrees, 04 minutes, 42 seconds West 132.31 feet; thence North 01 degrees, 58 minutes, 47 seconds West 45.54 feet; thence South 89 degrees, 04 minutes, 42 seconds West 137.69 feet to the Easterly right of way line of U. S. Route 45 (Cunningham Avenue); thence North 23 degrees, 52 minutes, 00 seconds East 191.27 feet along said right of way; thence South 66 degrees, 08 minutes, 00 seconds East 207.30 feet; thence South 01 degrees, 58 minutes, 47 seconds East 132.30 feet to the true point of beginning, situated in Champaign County, Illinois.

Commonly known for reference as 1602 N. Cunningham Avenue and 1604 N. Cunningham Avenue, and further referenced as P.I.N. 30-21-04-352-007 and 30-21-04-352-016, respectively; and

WHEREAS, the proposed Annexation Agreement is in conformance with the goals and objectives of the City of Urbana's Official Comprehensive Plan; and

WHEREAS, after due and proper publication, the Urbana City Council held a public hearing on June 19, 1995 to consider said Annexation Agreement.

WHEREAS, the Urbana City Council, having duly considered all matters pertaining thereto, finds and determines that the proposed Annexation Agreement will not negatively impact the City of Urbana and would be in the best interests of the City of Urbana and its citizens.

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

Section 1. That the Annexation Agreement between the City of Urbana, Illinois, and First Busey Trust and Investment Company under Trust Agreement No. 2125, a copy of which is attached 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, for and on behalf of the City of Urbana, Illinois.

Section 3. The City Clerk is directed to record a certified copy of this Ordinance and the Annexation Agreement herein approved, as amended, with the Recorder of Deeds of Champaign County, Illinois.

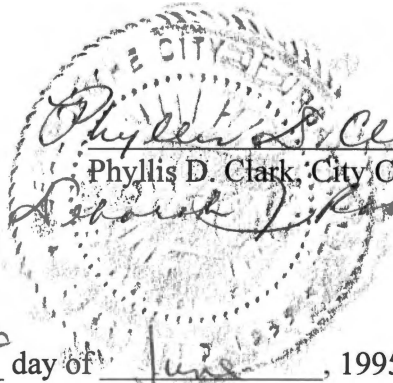
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of two-thirds of the members of the Corporate Authorities of the City of Urbana, Illinois, then holding office, at a regular meeting of said Council.

PASSED by the City Council on this 19th day of June 1995.

AYES: Hayes, Patt, Pollock, Taylor, Whelan and Mayor Satterthwaite

NAYS:

ABSTAINED:


Phyllis D. Clark
Phyllis D. Clark, City Clerk
by Deborah J. Roberts, Deputy Clerk

APPROVED by the Mayor this 20th day of June, 1995.

Tod Satterthwaite
Tod Satterthwaite, Mayor

(Tatord.agr)

2308 0096

21⁰⁰
3⁰⁰

24⁰⁰

95R12815

"AN ORDINANCE APPROVING AND
AUTHORIZING THE EXECUTION OF
AN ANNEXATION AGREEMENT
(TATMAN'S AUTO SERVICE
CENTER/1602 AND 1604 N.
CUNNINGHAM AVENUE)"
[Ord. No. 9495-111]

DOC # _____
CHAMPAIGN COUNTY, ILL

and

'95 JUN 30 PM 4 21

"AN ANNEXATION AGREEMENT
BETWEEN THE CITY OF URBANA
AND FIRST BUSEY TRUST AND
INVESTMENT CO. UNDER A TRUST
AGREEMENT NO. 2125
1602 AND 1604 N. CUNNINGHAM AVENUE"

Naomi D. Galbraith

RECORDER

Return to: Phyllis D. Clark, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801-0219



City of Urbana
400 South Vine Street
Post Office Box 219
Urbana, Illinois 61801-0219
(217) 384-2362
FAX (217) 384-2363

CLERK'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF CHAMPAIGN)

I, PHYLLIS D. CLARK, 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, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT (TATMAN'S AUTO SERVICE CENTER/1602 AND 1604 CUNNINGHAM AVENUE)" [Ord. No. 9495-111]

approved by the City Council of the City of Urbana, Illinois, on the 19th day of June, A.D., 1995, as it appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 30th day of June, A.D., 1995.



Phyllis D. Clark, City Clerk

(SEAL)

ORDINANCE NO. 9495-111

AN ORDINANCE APPROVING AND AUTHORIZING
THE EXECUTION OF AN ANNEXATION AGREEMENT

(Tatman's Auto Service Center / 1602 and 1604 N. Cunningham Avenue)

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Commonly known for reference as 1602 N. Cunningham Avenue and 1604 N. Cunningham Avenue, and further referenced as P.I.N. 30-21-04-352-007 and 30-21-04-352-016, respectively; and

WHEREAS, the proposed Annexation Agreement is in conformance with the goals and objectives of the City of Urbana's Official Comprehensive Plan; and

WHEREAS, after due and proper publication, the Urbana City Council held a public hearing on June 19, 1995 to consider said Annexation Agreement.

WHEREAS, the Urbana City Council, having duly considered all matters pertaining thereto, finds and determines that the proposed Annexation Agreement will not negatively impact the City of Urbana and would be in the best interests of the City of Urbana and its citizens.

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

Section 1. That the Annexation Agreement between the City of Urbana, Illinois, and First Busey Trust and Investment Company under Trust Agreement No. 2125, a copy of which is attached 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, for and on behalf of the City of Urbana, Illinois.

Section 3. The City Clerk is directed to record a certified copy of this Ordinance and the Annexation Agreement herein approved, as amended, with the Recorder of Deeds of Champaign County, Illinois.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of two-thirds 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 on this 19th day of June 1995.

AYES: Hayes, Patt, Pollock, Taylor, Whelan and Mayor Satterthwaite

NAYS:

ABSTAINED:

Phyllis D. Clark
Phyllis D. Clark, City Clerk
by David J. Roberts, Deputy Clerk

APPROVED by the Mayor this 20th day of June, 1995.

Tod Satterthwaite
Tod Satterthwaite, Mayor

(Tatord.agr)

**An Annexation Agreement between the City of Urbana and First Busey Trust
and Investment Co. Under a Trust Agreement No. 2125
1602 and 1604 N. Cunningham Avenue**

THIS Agreement is made and entered into by and between the City of Urbana, Illinois, (hereinafter sometimes referred to as the "Corporate Authorities" or the "City") and First Busey Trust & Investment Company, as Trustee under a trust agreement known as No. 2125 (hereinafter referred to as the "Owner"). The effective date of this Agreement shall be as provided in Article III, Section 6.

WITNESSETH:

WHEREAS, 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 (65 ILCS 5/11-15.1-1); and

WHEREAS, First Busey Trust & Investment Company, as Trustee under a trust agreement known as No. 2125 is the Owner of record of a certain 1.59 acre parcel of real estate located at the northeast corner of Perkins Road and U.S. Route 45, and having permanent index numbers 30-21-04-352-016 and 30-21-04-352-007, the legal description of which real estate is set form in Exhibit A attached hereto and referenced herein as "the tracts".

WHEREAS, the attached map, labeled Exhibit B, is a true and accurate representation of the tracts to be annexed to the City of Urbana under the provisions of this agreement.

WHEREAS, although the tracts are not yet contiguous to the City of Urbana, said Owner finds that in order to best utilize the Owner's property, it is desirous to annex the tracts to the City of Urbana pursuant to, and as provided for in this annexation Agreement; and

WHEREAS, the City and the Owner find it necessary and desirable that the tracts be annexed to the City with a zoning classification of B-3 General Business, under the terms and provision of the Urbana Zoning Ordinance in effect upon the date of annexation, as amended, and subject to the terms and conditions set forth in this Agreement; and

WHEREAS, the Corporate Authorities find annexation of the tracts as described herein reflects the goals, objectives and policies set forth in the City's 1982 Urbana Comprehensive Plan, as amended from time to time; and

WHEREAS, such annexation will ensure that the City of Urbana will receive real estate taxes and other revenues and will enable the City to continue to enhance its tax base; and

WHEREAS, the Owner desires to have the aforementioned real estate annexed to the City of Urbana upon certain terms and conditions hereinafter set forth in this Agreement.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS AND AGREEMENTS SET FORTH HEREIN, THE PARTIES AGREE AS FOLLOWS:

ARTICLE I. REPRESENTATIONS AND OBLIGATIONS OF THE Owner

The Owner agrees to the following provisions:

Section 1: The Owner represents that the Owner is the sole record Owner of the tracts described in Exhibit A and that the Owner shall, within thirty (30) days of the date of the Corporate Authorities approve this agreement, cause the tracts to be annexed to the City of Urbana by filing a legally sufficient annexation petition with all required signatures thereon, all in accordance with Illinois Statutes. Until annexation of the subject tracts occurs, Owner shall require that any persons intending to reside thereon, whether as tenants or owners, shall, prior to residing thereon, irrevocably agree in writing to sign, join in, and consent to any petition for annexation of the subject tract. The Owner shall file such written agreement with the City Clerk within thirty (30) days of the signing of such. (The City shall furnish to Owner the appropriate form to satisfy this obligation.)

Owner further agrees that the substance of this Section of the Annexation Agreement shall be included in any sales contract for the sale of any portion of the subject tract. If the subject tract is to be platted for a subdivision, the Owner agrees that the substance of these provision regarding annexation shall be included in the subdivision covenants and such will constitute a covenant running with the land. The Owner agrees for himself, successor and assigns, and all other persons intended herein to be obligated to consent to annexation, to cooperate in signing or joining in any petition for annexation for the subject tract and that mandamus would be an appropriate remedy in the event of refusal so to do, and, if the City has to resort to Court proceedings to enforce this obligation, the City shall be entitled to recover reasonable attorney's fees. Owner agrees that nothing in this section shall preclude the voluntary annexation of the subject tract or any portion thereof earlier than would otherwise be required.

In the event the tracts are subdivided, this provision governing annexation and future obligations shall be included in covenants and shall run with the land.

Section 2: The Owner agrees to accept the direct conversion of Champaign County zoning from B-4 General Commercial to City of Urbana B-3 General Business zoning classification as provided for by the Urbana Zoning Ordinance Section IV-5 and as such exists at the time of annexation. Furthermore, the Owner agrees to abide by all applicable development regulations existing at the time of annexation.

Section 3: The Owner shall take no action or omit to take action during the term of this Agreement which action or omission, as applied to the tracts, would be a breach of this Agreement, without first procuring a written amendment to this Agreement duly executed by both the Owner and the City.

Said action includes petitioning for a county rezoning of said tracts without a written amendment to this Agreement.

Section 4: The Owner agrees to cause all new development, construction, or additions on said tracts to be in conformance with all City of Urbana Codes and Ordinances if the tract is within the City limits at any point during the time of construction. If the Owner commences prior to annexation, the Owner agrees to cause all new development, construction, or additions on said tracts to be in conformance with the City of Urbana construction building, electrical, fire, mechanical and plumbing codes, orders or regulations in effect at the time of annexation. If construction commences prior to annexation, the Owner further agrees to submit all building construction plans to the City of Urbana for review and further agrees to pay all plan review and building permit fees just as though the construction were taking place within the Urbana City limits. The Owner further agree to correct any deficiencies identified in said plan review. In addition, the Owner agrees that all construction will be subject to the same building and construction inspection requirements as construction projects within the City limits.

Section 5: The Owner agrees that any buildings or structures, other than single-family or agricultural structures, existing at the time of annexation and not new construction subject to Article I. Section 4 above, must be brought into conformance with the City of Urbana Existing Structures Code in a time frame agreed to by the City of Urbana Community Development Director , except that any immediate health or life safety threats must be brought into compliance immediately.

ARTICLE II. REPRESENTATIONS AND OBLIGATIONS OF THE CORPORATE AUTHORITIES

The Corporate Authorities agree to the following provisions:

Section 1: The Corporate Authorities agree to annex said tracts subject to the terms and conditions outlined in this Agreement, when properly and effectively requested to do so, by submission of a legally sufficient petition from the Owner, by enacting such ordinances as may be necessary and sufficient to legally and validly annex said tracts to the City.

Section 2: The Corporate Authorities agree that the tracts will be zoned B-3 General Business per the conversion of Champaign County zoning to City of Urbana zoning classification as provided for by the Urbana Zoning Ordinance. The Corporate Authorities agree that all applicable development regulations existing at the time of annexation will apply to said tracts. Furthermore, the Corporate Authorities agree not to rezone the property during the term of this Agreement without a rezoning petition executed by the property Owner requesting said change. If the zoning district referenced herein is not in existence at the time of the annexation, the parties agree to reclassify said property to the most comparable zoning classification as is determined by the Zoning Administrator.

Section 3: The Corporate Authorities agree to petition the State of Illinois for the extension of the City of Urbana's Enterprise Zone to include the subject tracts.

Section 4: The Corporate Authorities hereby approve the attached site plan for the proposed development.

ARTICLE III: GENERAL PROVISIONS

Section 1: Term of this Agreement -- This Agreement shall be binding upon the parties hereto, and their respective successors and assigns, for a full term of twenty (20) years commencing as of the effective date of this Agreement as provided by the Illinois State Statutes, unless other provisions of this Agreement specifically apply a different term. To the extent permitted thereby, it is agreed that, in the event the annexation of subject tracts under the terms and conditions of this Agreement is challenged in any court proceeding, the period of time during which such litigation is pending shall not be included in calculating said twenty-year term.

If this Agreement imposes any obligation, restraint, or burden (hereinafter called collectively "obligation") on the Owner, its successors or assigns, which obligation extends beyond the termination date of this Agreement, such obligation may be released by the Urbana City Council enacting an Ordinance releasing such obligation by a majority vote of all Alderpersons then holding office and the recording of such Ordinance in the Champaign County Recorder's Office, Champaign County, Illinois.

Section 2. Covenant running with the land -- The terms of this Agreement constitute a covenant running with the land for the term of this Agreement unless specific terms are expressly made binding beyond the term of this Agreement. Furthermore, the terms herein are hereby expressly made binding upon all heirs, grantees, lessees, executors, assigns and successors in interest of the Owner as to all or any part of the tracts, and are further expressly made binding upon said City and the duly elected or appointed successors in office of its Corporate Authorities.

Section 3. Binding Agreement upon parties -- The Corporate Authorities and Owner agree that neither party will take no action or omit to take action during the term of this Agreement which act or omission as applied to the tracts would be a breach of this Agreement without first procuring a written amendment to this Agreement duly executed by both the Owner and the City.

Section 4. Enforcement -- The Owner and Corporate Authorities agree and hereby stipulate that no party to this Agreement may, by civil action, mandamus, action for writ of injunction or other proceeding, enforce and compel performance of this Agreement or declare this Agreement null and void in addition to other remedies available. Upon breach by the Owner, the City may refuse the issuance of any permits or other approvals or authorizations relating to development of the tracts.

Section 5. Severability -- If any provision of this Agreement is rendered invalid for any reason, such invalidation shall not render invalid other provisions of this Agreement which can be given effect even without the invalid provision.

Section 6. Effective Date -- The Corporate Authorities and Owner intend that this Agreement shall be recorded in the Office of the Champaign County Recorder with any expenses for said recording to be paid by the Corporate Authorities. The effective date of this Agreement shall be the date it is recorded; or if not recorded for any reason, the effective date shall be the date the Mayor signs the agreement on behalf of the City.

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

**Corporate Authorities
City of Urbana:**

**Owner: First Busey Trust & Co.
Trust Agreement No. 2125**

Tod Satterthwaite
Tod Satterthwaite, Mayor

Edgar Busey
Trustee Sr. V.P. & Trust Officer

6/28/95
Date

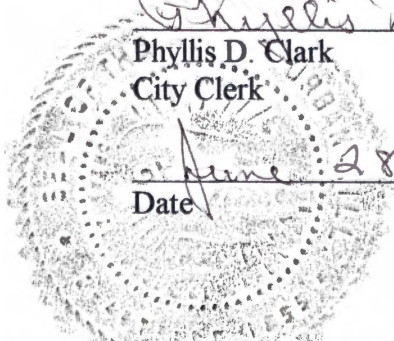
6/8/95
Date

ATTEST:

Phyllis D. Clark
Phyllis D. Clark
City Clerk

ATTEST:

Jeresa M. Marsh
~~Notary Public~~ Asst Corp. Sec'y



June 28, 1995
Date

6/8/95
Date

Exhibits attached and made a part of this Agreement:

- Exhibit A: Legal Descriptions
- Exhibit B: Location Map

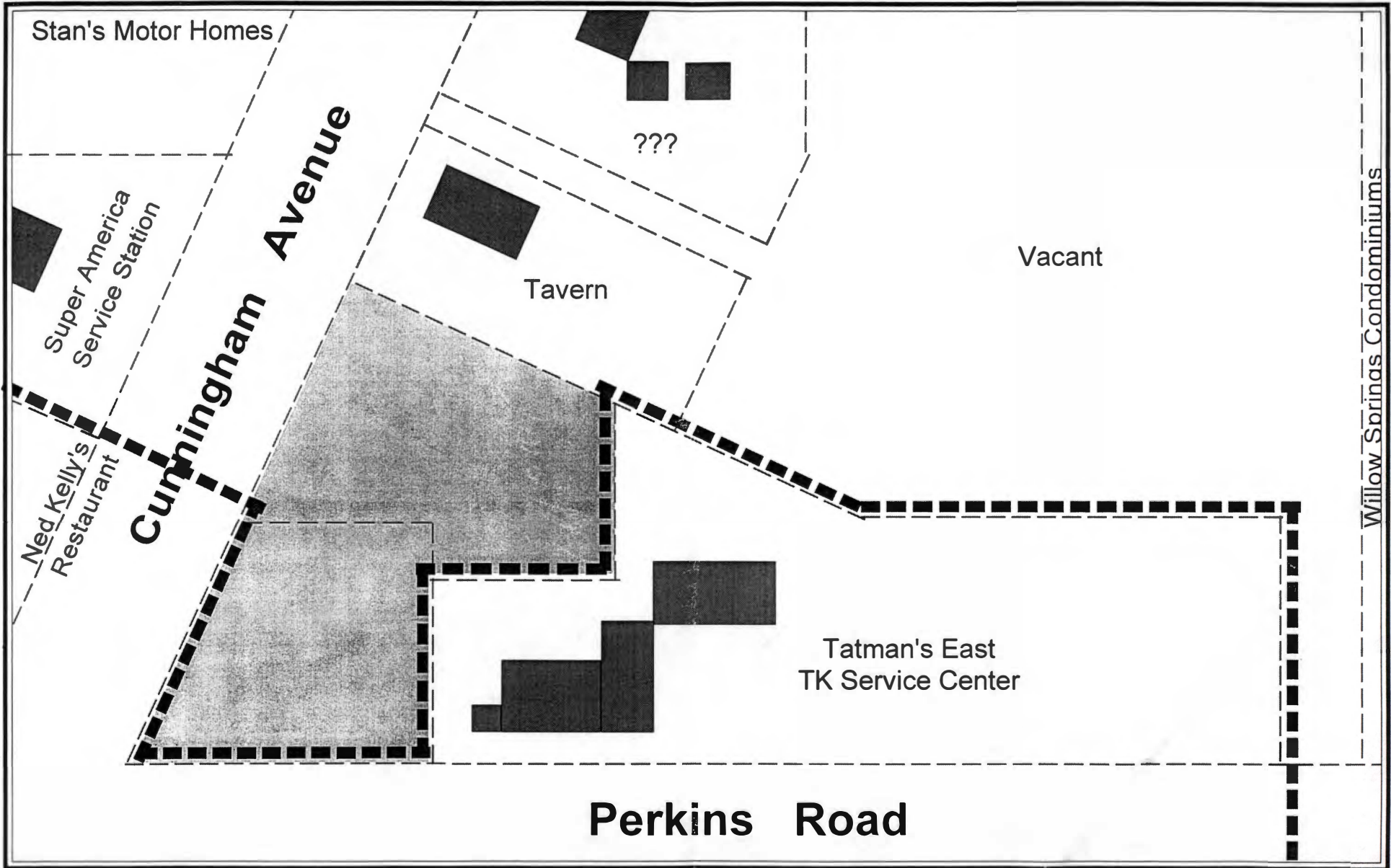
Exhibit A**Legal Descriptions****1602 (Hitchin's)**

Lot 3 of a Subdivision of the South West 1/4 of the South West 1/4 of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, and also, commencing at the South West corner of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, and running thence East along Section line 410.77 feet to the East right of way line of SBI Route No. 25, Federal Rt. No. 45; thence North 65 degrees 14 1/2 minutes East along said East right of way 181.70 feet to the true point of beginning; continuing along said East right of way line North 65 degrees 14 1/2 minutes East 50 feet; thence East 138.24 feet; thence South 0 degrees 32 minutes West 45.40 feet; thence West 159.69 feet to the point of beginning, being a portion of the South West 1/4 of the South West 1/4 of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, all situated in Champaign County, Illinois.

1604 (Church)

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2308 0107



Proposed Annexation
Tatman East Auto Center Expansion Plan

May 8, 1995

SCALE: 1" = 400'



TATMANS CARSTAR EAST

BUILDING CODE

BOCA 1990
 USE GROUPS S-1 STORAGE MODERATE
 CONSTRUCTION TYPE 2C (UNPROTECTED NON-COMBUSTIBLE)
 REQUIREMENTS
 EXTERIOR WALLS (EXCEPT WEST) 0 HR. RATING
 EXTERIOR WEST WALL 0 HR. RATING
 OPENINGS (WEST WALL) 0 HR. RATING FOR UP TO 10% OF WALL
 STAIRWAY WALLS 2 HR. RATING
 INTERIOR WALLS 0 HR. RATING
 ROOF STRUCTURE 0 HR. RATING
 AREA ALLOWED 8,400 BASE NUMBER
 75' x 2' x 8,400 12,600 STREET FRONTAGE INCREASE
 200% INCREASE = 18,000 S.F. SPRINKLER INCREASE
 NET TOTAL = 37,000 S.F.

AREA OF PROPOSED BUILDING: 19,280 S.F. 1ST FLR OK
 AREA OF PROPOSED BUILDING: 5,370 S.F. 2ND FLR OK

STRUCTURAL NOTES

ROOF DESIGN LOADS	OFFICE DESIGN LOADS	STAIRWAY DESIGN LOADS	STORAGE DESIGN LOADS
30 PSF SNOW	50 PSF LIVE	80 PSF LIVE	200 PSF LIVE
11 PSF ROOFING	20 PSF PARTITION	2 PSF FLOORING	85 PSF PRECAST & TOPPING
4 PSF DECK AND INSULATION	7 PSF FLOORING	85 PSF PRECAST+TOPPING	3 PSF CEILING
4 PSF JOISTS	85 PSF PRECAST+TOPPING	3 PSF CEILING	288 PSF TOTAL LOAD
3 PSF CEILING & LIGHTING	3 PSF CEILING	170 PSF TOTAL LOAD	
3 PSF MECHANICAL AND MISC	215 PSF TOTAL LOAD		
55 PSF TOTAL LOAD			

WIND LOADING

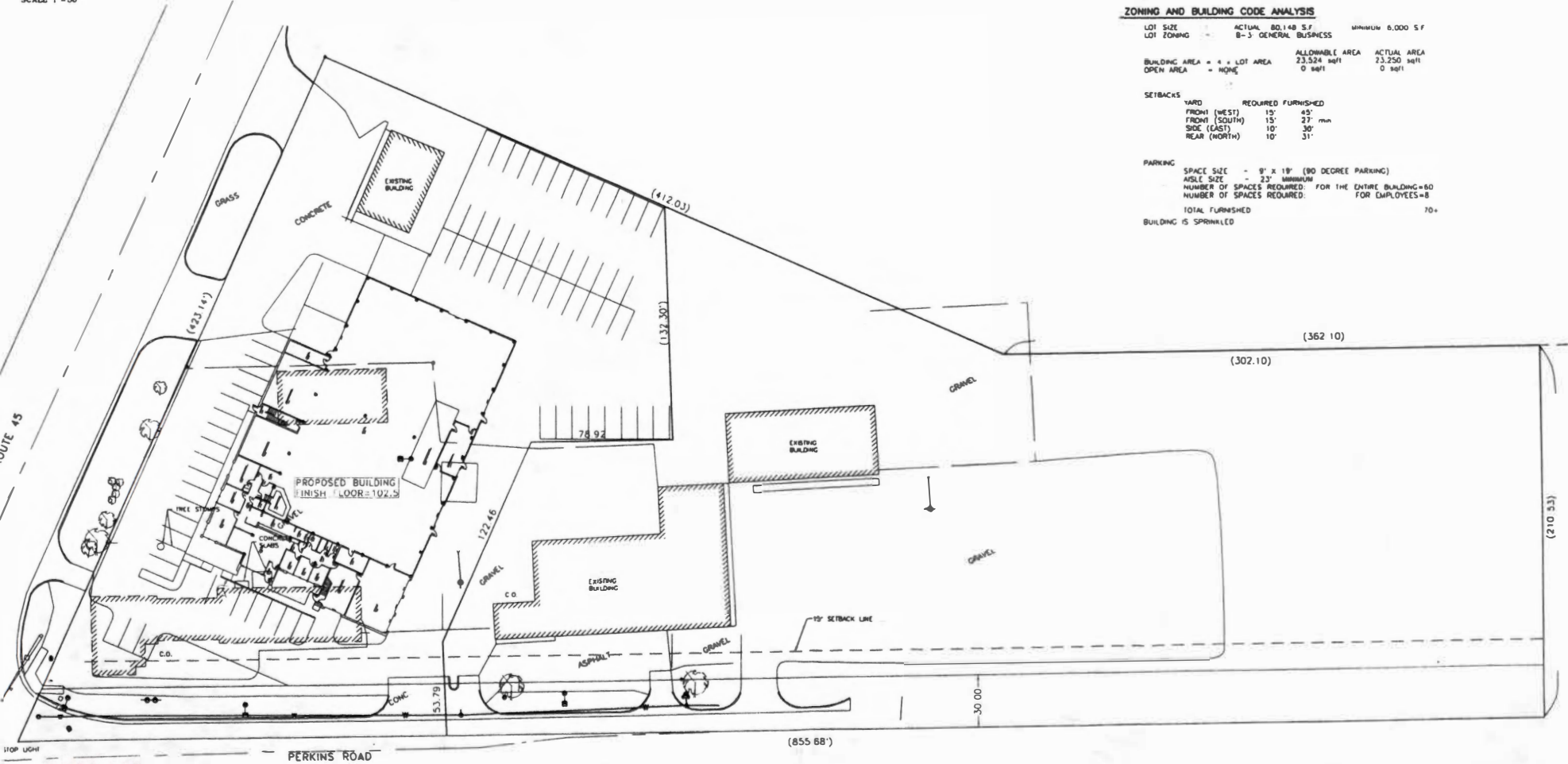
ZONING AND BUILDING CODE ANALYSIS

LOT SIZE	ACTUAL	MINIMUM
LOT ZONING	80,148 S.F. B-3 GENERAL BUSINESS	6,000 S.F.
BUILDING AREA = 4 x LOT AREA	23,224 sqft	23,250 sqft
OPEN AREA = NONE	0 sqft	0 sqft

SETBACKS	REQUIRED	FURNISHED
FRONT (WEST)	15'	45'
FRONT (SOUTH)	15'	27' min
SIDE (EAST)	10'	30'
REAR (NORTH)	10'	31'

PARKING	REQUIRED	FURNISHED
SPACE SIZE	9' x 18'	(90 DEGREE PARKING)
ASILE SIZE	23'	MINIMUM
NUMBER OF SPACES REQUIRED: FOR THE ENTIRE BUILDING=80		
NUMBER OF SPACES REQUIRED: FOR EMPLOYEES=8		
TOTAL FURNISHED		70+

BUILDING IS SPRINKLED



2308
 0108
 2508

STOP LIGHT PERKINS ROAD

2308
 0108

2301 0224
95R10868

1300
200
16

DOC # _____
CHAMPAIGN COUNTY, ILL

INDEXED

NOTICE OF FILING OF AFFIDAVIT OF MAILING OF NOTICE OF ANNEXATION

'95 JUN 7 PM 3 48

Naomi D. Johnson

RECORDER

Return to - City Clerk
400 S. Union St.
Urbana, Ill 61801

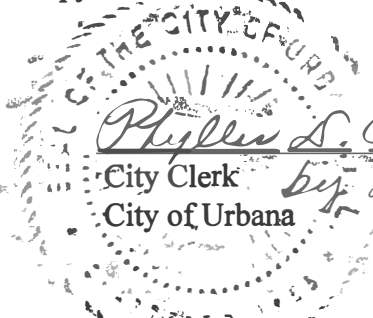
**AFFIDAVIT OF MAILING NOTICE OF INTENT
TO ANNEX TERRITORY TO THE CITY OF URBANA**

STATE OF ILLINOIS)
) SS.
COUNTY OF CHAMPAIGN)

Phyllis D. Clark, being first duly sworn on oath, states that she is the duly elected and qualified City Clerk of the City of Urbana, Illinois; and

That she gave notice of the pending action to be taken on an Ordinance annexing certain territory lying within the Urbana Township to the City of Urbana, Illinois, in compliance with the provisions of Section 7-1-1 of the Illinois Municipal Code, as amended, by sending a notice by certified mail, postpaid, to each of the Board of Township Trustees and the Township Commissioner of Highways, said notices being mailed to the Urbana Township Clerk's Office as directed by the said Trustees, said notice hereto attached, and made a part of this Affidavit; and that she gave notice of the pending action to be taken on an Ordinance annexing certain territory lying within the boundaries of Carroll Fire Protection District to the City of Urbana, Illinois, in compliance with the provisions of Section 7-1-1 of the Illinois Municipal Code, as amended, by sending a notice by certified mail, postpaid, to each of the Trustees of Carroll Fire Protection District at the addresses indicated on the copy of said notice hereto attached, all notices being mailed on the 6th day of June, 1995, by this Affiant, at the Post Office in the City of Urbana, Illinois, being more than ten (10) days prior to the time mentioned in said notice as the time at which the Council of the City of Urbana would take action on the proposed Ordinance of Annexation; and

That a copy of said notice so mailed, as aforesaid, is hereto attached, and made a part of this Affidavit.

 *Phyllis D. Clark*
City Clerk *by Deborah J. Roberts, Deputy Clerk*
City of Urbana

Subscribed and sworn to before me this

6th day of June, 1995.

Elaine Taylor

Notary Public

• OFFICIAL SEAL •
Elaine Taylor
Notary Public, State of Illinois
My Commission Expires 7/15/97

**NOTICE OF INTENT TO ANNEX TERRITORY
TO THE CITY OF URBANA**

TO:

Paul Tatman
Urbana Township Clerk's Office
2312 Perkins Road
Urbana, IL 61801

Maurice M. Schiff
Urbana Township Clerk's Office
2312 Perkins Road
Urbana, IL 61801

Gregory F. Foster
Urbana Township Clerk's Office
2312 Perkins Road
Urbana, IL 61801

David Lemke
Urbana Township Clerk's Office
2312 Perkins Road
Urbana, IL 61801

Urbana Township Board of Trustees

and

Tracy A. Wingler
Urbana Township Commissioner of Highways
2312 E. Perkins Road
Urbana, IL 61801

and

Russell L. Brown
1803 Cindy Lynn
Urbana, IL 61801

Paul Tatman
c/o Tatman's Auto Body
805 Perkins Road
Urbana, IL 61801

T. E. Harnsberger
2104 E. Barnes Street
Urbana, IL 61801

Trustees of Carroll Fire Protection District

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Section 7-1-1 of the Illinois Municipal Code, that a Petition has been received praying that the Council of the City of Urbana, Illinois, pass an Ordinance annexing the following described territory to the City of Urbana:

Tract 1

Lot 3 of a Subdivision of the South West 1/4 of the South West 1/4 of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, and also, commencing at the South West corner of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, and running thence East along Section line 410.77 feet to the East right of way line of SBI Route No. 25, Federal Rt. No. 45; thence North 65 degrees 14 1/2 minutes East along said East right of way 181.70 feet to the true point of beginning; continuing along said East right of way line North 65 degrees 14 1/2 minutes East 50 feet; thence East 138.24 feet; thence South 0 degrees 32 minutes West 45.40 feet; thence West 159.69 feet to the point of beginning, being a portion of the South West 1/4 of the South West 1/4 of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, all situated in Champaign County, Illinois.

Tract 2

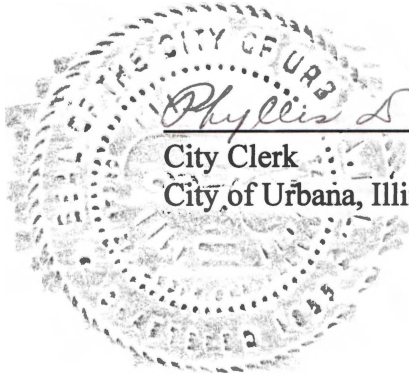
A tract of ground being a part of the Southwest Quarter of the Southwest Quarter of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, the boundary of which is described as follows:

From the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 4, proceed South 89 degrees, 04 minutes, 42 seconds West 544.58 feet along the South line of said Section 4; thence North 01 degrees, 58 minutes, 47 seconds West 165.00 feet to the true point of beginning; thence South 89 degrees, 04 minutes, 42 seconds West 132.31 feet; thence North 01 degrees, 58 minutes, 47 seconds West 45.54 feet; thence South 89 degrees, 04 minutes, 42 seconds West 137.69 feet to the Easterly right of way line of U. S. Route 45 (Cunningham Avenue); thence North 23 degrees, 52 minutes, 00 seconds East 191.27 feet along said right of way; thence South 66 degrees, 08 minutes, 00 seconds East 207.30 feet; thence South 01 degrees, 58 minutes, 47 seconds East 132.30 feet to the true point of beginning, situated in Champaign County, Illinois.

Commonly known for reference as **1602 N. Cunningham Avenue and 1604 N. Cunningham Avenue**, and further referenced as P.I.N. **30-21-04-352-007 and 30-21-04-352-016**, respectively.

Said territory lies within the boundaries of Carroll Fire Protection District and the Urbana Township, and is contiguous to the City of Urbana, Illinois.

Notice is further given that the Council of the City of Urbana will vote on an Ordinance annexing said territory to the City at its regular meeting **June 19, 1995** at 7:30 p.m. in the Council Chambers of the City Building located at 400 South Vine Street, Urbana, Illinois.



Phyllis S. Clark

City Clerk
City of Urbana, Illinois

by Deborah J. Roberts, Deputy Clerk

