

1600
300
1900

97R29752

ORDINANCE NO. 9798-67

"AN ORDINANCE ANNEXING CERTAIN
TERRITORY TO THE CITY OF URBANA
(FLEX-N-GATE CORPORATION/507 N. SMITH
ROAD) "

DOC # _____
CHAMPAIGN COUNTY, ILL

SMITH _____

and

"MAP SHOWING AREA ANNEXED BY
ORDINANCE NO. 9798-67"

'97 DEC 2 PM 3 57

Barbara A. Dracca

RECORDER

Prepared by

Return to: Phyllis Clark, City Clerk
City of Urbana
P.O. Box 219
Urbana, IL 61801-0219

ORDINANCE NO. 9798-67

**AN ORDINANCE
ANNEXING CERTAIN TERRITORY
TO THE CITY OF URBANA**

(Flex-N-Gate Corporation / 507 N. Smith Road)

FILED

DEC 02 1997

Mark Sheldon
COUNTY CLERK

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 Edge Scott Fire Protection District, and includes certain territory within the Urbana Township, and Notice was given to the Trustees of said Fire Protection District, the Board of Township Trustees, and the Township Commissioner of Highways, said notices being mailed on October 21, 1997, that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, November 3, 1997, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 29th day of October, 1997; and

WHEREAS, a written petition signed by all of the owners of Record, of all land within such territory, has been filed with the City Clerk of the City of Urbana, Illinois, requesting annexation thereof to the City of Urbana; and

WHEREAS, there are no electors residing on the premises; and

THIS ORDINANCE CONSISTS OF 5 PAGES.

Initials SR

WHEREAS, the City Council passed Ordinance No. 9798-28 on September 2, 1997 approving and authorizing the execution of an annexation agreement wherein the Corporate Authorities agreed to expeditiously annex said territory; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's R-4 Multiple Family Residence zoning district and upon annexation will be classified B-3 General Business upon annexation in accordance with the above-referenced annexation agreement; and

WHEREAS, it has been determined that said petition complies with all requirements of the law therefore; 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:

All of Lot 1 of T. Wilson's Subdivision, Champaign County, Illinois, per plat recorded in Plat Book AA, at page 219, as Document Number 96R28042 in the Office of the Recorder of Deeds, Champaign County, Illinois, containing 8.628 Acres, more or less, and situated in Champaign County, Illinois.

Together with the following described adjacent public Right-of-Way which is by operation of the law, automatically annexed with the adoption of an Annexation Ordinance pertaining to this parcel:

Beginning at the Southeast Corner of said Lot 1 of T. Wilson's Subdivision, said corner also lying on the north Right-of-Way line of Federal Aid Route 11 Section 3X; thence, South $1^{\circ} - 14' - 23''$ East, along the southerly extension of the east line of said Lot 1, 344.20 feet to the south Right-of-Way Line of Federal Aid Route 11 Section 3X; thence, South $71^{\circ} - 56' - 16''$ West, along said south Right-of-Way line, 134.48 feet to Point "A" of a tract of Right-of-Way taken by condemnation from Wilson Park Club, Inc., Tract 3-X-3, in Champaign County Court Case 68-C-832; thence, South $15^{\circ} - 47' - 15''$ East, along a Right-of-Way line of Federal Aid Route 11 Section 3X, being course "A-B" of said Tract 3-X-3, 176.01 feet to point "B" of said Tract 3-X-3; thence, South $42^{\circ} 25' 07''$ East, along a Right-of-Way line of Federal Aid Route 11 Section 3X, being course "B-C" of said Tract 3-X-3, 24.84 feet to point "C" of said Tract 3-X-3, said point also lying on the north Right-of-Way line of State Bond Issue Highway Route 10 Section 3-NRH; thence, South $87^{\circ} 22' 27''$ East, along said north Right-of-Way line, 58.25 feet to the southerly extension of the east line of said Lot 1; thence thence, South $1^{\circ} - 14' - 23''$ East, along the southerly extension of the east line of said Lot 1, 152.68 feet to the south Right-of-Way Line of Federal Aid Route 808 Section 201; thence, northwesterly, along said south Right-of-Way line, along a curve concave to the southwest, having a radius of 2814.83 feet, a chord bearing of North $75^{\circ} 05' 39''$ West, for an arc distance of 100.56 feet; thence, North $17^{\circ} 21' 05''$ East, continuing along said south Right-of-Way line, 14.88 feet to the south Right-of-Way line of State Bond Issue Highway Route 10 Section 3-NRH; thence, northwesterly, along said south Right-of-Way line, along a curve concave to the southwest, having a radius of 2777 feet, a chord bearing of North $76^{\circ} 02' 36''$ West, for an arc distance of 304.19 feet; thence, North $04^{\circ} - 23' - 22''$ East, along the southerly extension of a north Right-of-Way Line of Federal Aid Route 11 Section 3X, being an southerly extension of course "F-G" of a tract of Right-of-Way taken by condemnation from Anna Wilson, Tract 3-X-1, in Champaign County Court Case 68-C-832, 351.87 feet to point "F" of said Tract 3-X-1; thence, North $4^{\circ} - 23' - 22''$ East, along a Right-of-Way line of Federal Aid Route 11 Section 3X, being course "F-G" of said Tract 3-X-1, 273.74 feet to point "G" of said Tract 3-X-1; thence, South $87^{\circ} - 42' - 21''$ East, along a Right-of-Way line of Federal Aid Route 11 Section 3X, being course "G-H" of said Tract 3-X-1, 354.24 feet to the Point of Beginning, containing 5.23 Acres, more or less,

All situated in Champaign, County, Illinois.

commonly known for reference as 507 N. Smith Road, Urbana, Illinois, be and the same is hereby annexed to the City of Urbana, Illinois. The above-described parcel, prior to annexation, has the parcel index number 30-21-09-426-012, and following annexation the said parcel should bear the parcel index number 91-21-09-426-012.

Section 2. That the City Clerk be authorized and directed to record a certified copy of this Ordinance together with an accurate map of the territory hereinabove described in the Recorder's Office of Champaign County, Illinois.


Section 3. 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 County Clerk and County Election Authority of Champaign County, Illinois.

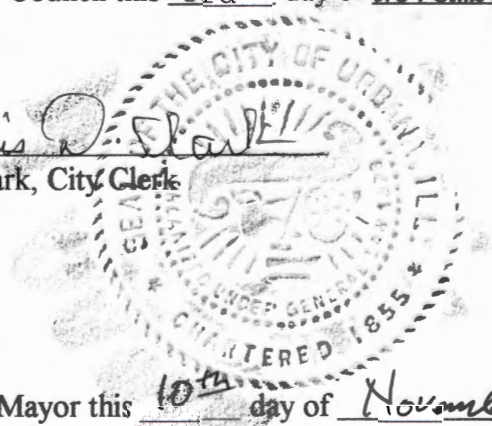
Section 4. The Zoning Ordinance of the City of Urbana, Illinois, and the Zoning Map of Urbana, Illinois, are hereby amended to classify the real property herein annexed as B-3 General Business upon annexation and in accordance with an annexation agreement approved and authorized on September 2, 1997 by Council Ordinance No. 9798-28.

Section 5. 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 regular meeting of said Council on the 3rd day of November, 1997, A.D.

PASSED by the City Council this 3rd day of November, 1997.


Phyllis D. Clark, City Clerk



APPROVED by the Mayor this 10th day of November, 1997.


Tod Satterthwaite, Mayor

- AYES:** Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman
- NAYS:**
- ABSTAIN:**

9798-67

97R26795

12.00
3.00
15.00

IN THE CIRCUIT COURT OF THE SIXTH
JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

DOC # _____
CHAMPAIGN COUNTY, ILL

IN RE: PETITION TO ANNEX CERTAIN
TERRITORY TO THE CITY OF URBANA,
ILLINOIS

'97 OCT 29 PM 3 44

FLEX-N-GATE CORPORATION / 507 N.
SMITH ROAD (30-21-09-426-012)

Barbara A. Praca
RECORDER

NOTICE OF FILING OF AFFIDAVIT OF
MAILING OF NOTICE OF ANNEXATION

Prep

Return to: Phyllis Clark, City Clerk
City of Urbana
P.O. Box 219
Urbana, IL 61801-0219

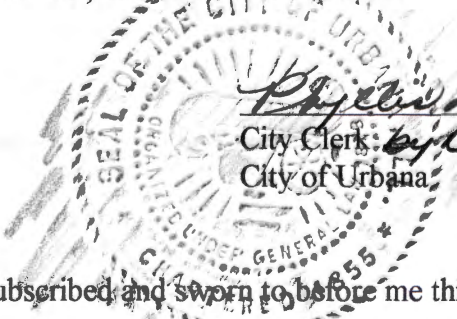
**AFFIDAVIT OF MAILING NOTICE OF INTENT
TO ANNEX TERRITORY TO THE CITY OF URBANA**

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, in compliance with the provisions of Section 5/7-1-1 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-1), by sending a notice by certified mail, postpaid, to each of the Board of Township Trustees and the Township Commissioner of Highways, indicated on the copy of said notice hereto attached, made a part of this Affidavit, and marked "Exhibit A"; and that she gave notice of the pending action to be taken on an Ordinance annexing certain territory lying within the boundaries of Edge Scott Fire Protection District to the City of Urbana, Illinois, in compliance with the provisions of Section 5/7-1-1 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-1), by sending a notice by certified mail, postpaid to each of the Trustees of Edge Scott Fire Protection District at the addresses indicated on the copy of said notice hereto attached, all notices being mailed on the 21st day of October, 1997, 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, made a part of this Affidavit, and marked "Exhibit A."



Phyllis D. Clark
City Clerk: by Robert J. Roberts, Deputy Clerk
City of Urbana

Subscribed and sworn to before me this
21st day of October, 1997.

I certify this is a true copy of the Affidavit I recorded in the Recorder's Office, Champaign County, Illinois, on the 29th day of October, 1997.

Elaine Taylor
Notary Public

Phyllis D. Clark
Phyllis D. Clark, City Clerk

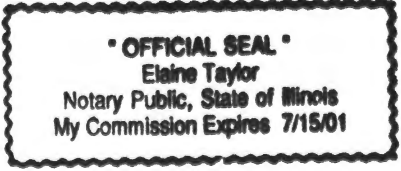
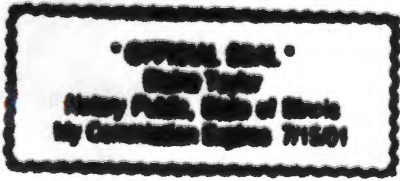


EXHIBIT A

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

TO:

Paul Tatman
3005 Kyle Street
Urbana, IL 61801

Maurice M. Schiff
303 Carrie Avenue
Urbana, IL 61801

Gregory F. Foster
310 Yankee Ridge Lane
Urbana, IL 61801

David Lemke
1781 Independence
Urbana, IL 61801

Urbana Township Board of Trustees

and

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

and

Dorthea Hunt
405 Ira Street
Urbana, IL 61801

Dale Hubert
2706 E. Main Street
Urbana, IL 61801

Linda Barcus
2605 E. California Avenue
Urbana, IL 61801

Trustees of Edge-Scott Fire Protection District

NOTICE IS HEREBY GIVEN, pursuant to the provisions of pursuant to Section 5/7-1-1 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-1), 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:

Lot 1 in T. Wilson's Subdivision, Champaign County, Illinois, as recorded in Plat Book "CC" at page 219 in the Recorder's Office of Champaign County, Illinois.

Containing 8.628 acres, more or less, all situated in Champaign County, Illinois.

commonly known for reference as 507 N. Smith Road, Urbana, Illinois, and further referenced as Champaign County permanent parcel number 30-21-09-426-012. Said territory lies within the boundaries of Edge-Scott 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 November 3, 1997 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 *by Deborah J. Roberts, Deputy Clerk*
City of Urbana, Illinois

97 98-67

Petition for Annexation
to
THE CITY COUNCIL OF THE CITY OF URBANA
CHAMPAIGN COUNTY, ILLINOIS

The Petitioner, **Khan Family Partnership, L.P. an Illinois Limited Partnership**, respectfully states under oath:

1. Petitioner is the sole owner of record of the following legally described land (hereinafter sometimes referred to as the Tract), except any public right-of-way property to wit:

Lot 1 in T. Wilson's Subdivision, Champaign County, Illinois, as recorded in Plat Book "CC" at page 219 in the Recorder's Office of Champaign County, Illinois.

Containing 8.628 acres, more or less, all situated in Champaign County, Illinois.

Commonly known as **507 N. Smith Road** and also identified as Parcel Index Number **30-21-09-426-012**.

2. Said territory is not situated within the corporate limits of any municipality, but is contiguous to the City of Urbana, Illinois

3. There are no electors residing in said Tract.

PETITIONER RESPECTFULLY REQUESTS:

1. That said Tract described above herein be annexed to the City of Urbana, Illinois pursuant to Section 5/7-1-8 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-8).
2. That said Tract be annexed in accordance with the terms of the annexation and development agreement passed by the Urbana City Council on September 2, 1997 as Ordinance No. 9798-28 and approved by the Mayor of the City of Urbana.

Dated this 14th day of October, 1997.

PETITIONER:

Khan Family Partnership, L.P., an Illinois Limited Partnership

By: 

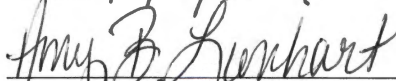
Shahid R. Khan

Its: General Partner

October 14, 1997
Date



Attest: 10/14/97


Notary Public