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97R29750

ORDINANCE NO. 9798-7

"AN ORDINANCE ANNEXING CERTAIN
TERRITORY TO THE CITY OF URBANA (ROSE
FARM) "

DOC # _____
CHAMPAIGN COUNTY, ILL

and

"MAP SHOWING AREA ANNEXED BY CITY
ORDINANCE NO. 9798-7"

'97 DEC 2 PM 3 57

Barbara A. Prasca
RECORDER

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

ORDINANCE NO. 9798-7

AN ORDINANCE
ANNEXING CERTAIN TERRITORY
TO THE CITY OF URBANA

(Rose Farm)

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 Philo 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 June 26, 1997, that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, July 7, 1997, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 3rd day of July, 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 6 PAGES.

Initials SR

WHEREAS, the City Council passed Ordinance No. 9697-87 on February 17, 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 AG-2 Agriculture and R-4 Multiple Family Residence zoning districts and upon annexation will be classified R-4 Medium Density Multiple Family Residential and 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:

The West One-Half of the Northeast Quarter of Section 28 Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois,

Except the following described tract:

Beginning at the Southwest corner of the said Northeast Quarter of Section 28, proceed on a local bearing of South 89° 43' 00" East, along the South line of the said Northeast Quarter of Section 28, a distance of 1320.60 feet, to the Southeast corner of the said West One-Half of the Northeast Quarter of Section 28; thence, North 00° 00' East, along the East line of the said West One-Half of the Northeast Quarter of Section 28, a distance of 659.71 feet; thence, North 89° 43' 00" West, along a line being parallel with the said South line of the Northeast Quarter of Section 28, a distance of 1320.60 feet, to the West line of the said Northeast Quarter of Section 28; thence, South 00° 00' 00" West, along the said West line of the Northeast Quarter of Section 28, a distance of 659.71 feet, to the Point of Beginning, encompassing 20.000 Acres, more or less, and situated in the City of Urbana, Champaign County, Illinois.

The above described tract being the same Tract described in Warranty Deed recorded in Deed Record Book 2337 at Page 0345, as Document Number 95R21246, in the Office of the Recorder, Champaign County, Illinois.

Except, Philo Road and Windsor Road Right-of-Way, being more particularly described as follows;

Right-of-Way Tract 1:

A portion of the Northeast Quarter of Section 28, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

Commencing at the Northwest corner of said Northeast Quarter; thence S00°43'23"E, along the west line of said Northeast Quarter, 500.00 feet, to the southwest corner of a tract previously conveyed as Right-of-Way by Document Number 92R15797, recorded in Book 1822 at Page Number 480 in the Office of the Recorder, Champaign County, Illinois, said point being the True Point of Beginning; thence, continuing S00°43'23"E, along said west line, 1494.77 feet; thence N89°33'51"E, 40.00 feet; to the east Right-of-Way line of Philo Road (Ridge Road) as shown on Deerfield

Trails subdivision plat, recorded in Plat Book Z at Page 23, as Document Number 78R15349, in the Office of the Recorder, Champaign County, Illinois; thence $N00^{\circ}43'23''W$, along a line parallel with, and 40.00 feet easterly of, the west line of said Northeast Quarter, 1494.97 feet; to the south line of said previously conveyed Right-of-Way; thence $S89^{\circ}16'37''W$, along said south line, 40.00 feet to the Point of Beginning containing 1.373 acres (59794.748 square feet), more or less.

The above described Right-of-Way being the same Right-of-Way described in a Dedication of Right-of-Way for Public Road Purposes recorded in Deed Record Book 2490 at Page 0609, as Document Number 97R03166, in the Office of the Recorder, Champaign County, Illinois

Right-of-Way Tract 2:

A part of the Northwest Quarter of the Northeast Quarter of Section 28, Township 19 North, Range 9 East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Northeast Corner of said Northwest Quarter of the Northeast Quarter; thence, $S1^{\circ}22'-44''E$, an assumed bearing, along the East line of said Northwest Quarter of the Northeast Quarter, a distance of 31.50 feet to the existing south Right-of-Way line of Windsor (Philo) Road, said point also being the Point of Beginning; thence, continuing $S1^{\circ}22'-44''E$, along said East line, a distance of 18.50 feet; thence, $S88^{\circ}54'-52''W$, along a line parallel with, and 50.00 feet Southerly of, the North line of said Northwest Quarter of the Northeast Quarter, a distance of 1229.93 feet; thence, $S43^{\circ}54'-52''W$, a distance of 71.97 feet; thence, $S0^{\circ}43'-23''E$, along a line parallel with, and 40.00 feet Easterly of, the West line of said Northwest Quarter of the Northeast Quarter, a distance of 399.36 feet; thence, $S89^{\circ}16'-37''W$, a distance of 40.00 feet, to the West line of said Northwest Quarter of the Northeast Quarter; thence, $N0^{\circ}43'-23''W$, along said West line, a distance of 468.50 feet; thence, $N88^{\circ}54'-52''E$, along a line parallel with, and 31.50 feet Southerly of, the North line of said Northwest Quarter of the Northeast Quarter, a distance of 1320.29 feet, to the Point of Beginning, said tract containing 1.00 acre (43720.44 square feet), more or less, and situated in the City of Urbana, Champaign County, Illinois.

The above described Right-of-Way being the same Right-of-Way described in a Dedication of Right-of-Way for Public Road Purposes recorded in Deed Record Book 1822 at Page 0480, as Document Number 92R15797, in the Office of the

Recorder, Champaign County, Illinois.

The above described Tract containing in all, 57.37 Acres, more or less, all situated in Champaign County, Illinois.

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

That portion of the Philo (Ridge) Road Right-of-Way, being 72.00 to 80.00 feet in width, that is adjacent to the above described tract that has not been previously annexed to the City of Urbana, containing 3.18 Acres, more or less.

All situated in Champaign County, Illinois.

commonly known for reference as **Rose Farm**, Urbana, Illinois, be and the same is hereby annexed to the City of Urbana, Illinois. The above-described parcels, prior to annexation, have the parcel index numbers **30-21-28-200-006, 30-21-28-200-016, 30-21-28-200-018, and 30-21-28-200-019**, and following annexation the said parcels should bear the parcel index numbers **93-21-28-200-006, 93-21-28-200-016, 93-21-28-200-018, and 93-21-28-200-019**, respectively.

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.

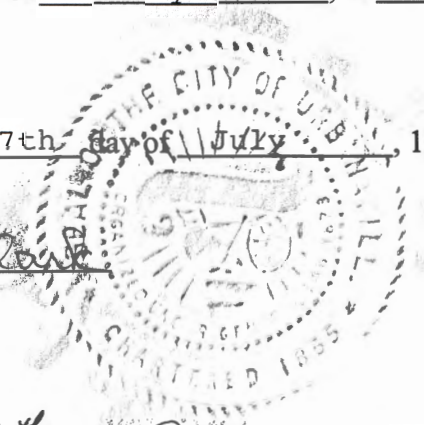
Section 4. The Zoning Ordinance of the City of Urbana, Illinois, and the Zoning Map of Urbana, Illinois, are hereby amended to classify the real property herein annexed R-4 Medium Density Multiple Family and B-3 General Business upon annexation and in accordance with an annexation agreement approved and authorized on February 17, 1997 by Council Ordinance No. 9697-87.

Section 5. This Ordinance shall be in full force and effect from after its passage and recording as provided by law.

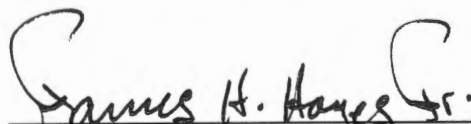
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 7th day of July, 1997, A.D.

PASSED by the City Council this 7th day of July, 1997.


Phyllis D. Clark, City Clerk



APPROVED by the Mayor this 16th day of July, 1997.

 (James H. Hayes, Jr., Mayor Pro-tem)
Tod Satterthwaite, Mayor

AYES: Hayes, Huth, Kearns, Patt, Taylor, Wyman

NAYS:

ABSTAIN:

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

The Petitioner, Clinton C. Atkins, respectfully states under oath:

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

Tract 1: (Green Farm)

The West Half (W 1/2) of the Southeast Quarter (SE 1/4) and the East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 22, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois.

The above described tract being the same Tract described in Warranty Deed recorded in Deed Record Book 2337 at Page 0614, as Document Number 95R21328, in the Office of the Recorder, Champaign County, Illinois.

Except, Windsor Road Right-of-Way, being more particularly described as follows;

Windsor Road, formerly Illinois Route 130, right-of-way, being 50 feet in width, containing 3.03 Acres, more or less.

Said tract containing 158.07Acres, more or less, all situated in Champaign County, Illinois.

Tract 2: (Noel Farm)

The East half of the Southeast Quarter of Section 22, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, except that part of the land conveyed to the State of Illinois by documents 86R857 and 86R858, and except that part of the Southeast Quarter of the Southeast Quarter of Section 22 lying South of the Abandoned Norfolk & Western Railroad.

The above described tract being the same Tract described in Warranty Deed recorded in

Deed Record Book 2488 at Page 0650, as Document Number 97R02560, in the Office of the Recorder, Champaign County, Illinois.

Said tract containing 66.34 Acres, more or less, all situated in Champaign County, Illinois.

Tract 3: (Miller Farm)

All of the Northwest Quarter of Section 22, and the Southwest Quarter of the Northeast Quarter of Section 22, also, that portion of the Northeast Quarter of the Northeast Quarter of Section 21 lying north of the abandoned Norfolk & Western Railroad; all in Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois.

The above described tract being part of a Tract described in Warranty Deed recorded in Deed Record Book 2403 at Page 0791, as Document Number 96R11842, in the Office of the Recorder, Champaign County, Illinois. Said tract containing 206.80 Acres, more or less, all situated in Champaign County, Illinois.

Tract 4: (Miller 19' Strip)

A tract of land being part of the Southwest Quarter of Section 15 and the Southeast Quarter of Section 16, all in Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, the boundary of which is described as follows:

beginning at the Southeast corner of said Southeast Quarter of Section 16, proceed South 89°-45'-13" West along the South line of said Southwest Quarter, 715.04 feet to the Northerly Right-of-Way line of the Norfolk and Southern Railroad (now abandoned); thence North 47°-35'-45" West along said Northerly Right-of-Way line, 11.62 feet to the Southwest corner of Lot 14 in Weller's Lincolnwood Third Section, a Subdivision in Champaign County, Illinois; thence North 88°-52'-10" East along the South line of said Weller's Lincolnwood Third Section, a Subdivision in Champaign County, Illinois and along the South line of Urbana-Scott's Subdivision, Champaign County, Illinois, 723.44 feet to the Southeast corner of Lot 2 in said Urbana-Scott's Subdivision, said point being on the East line of said Southeast Quarter of Section 16 and being 19.04 feet North of said Southeast corner of the Southeast Quarter of Section 16; thence North 89°-08'-28" East along the South line of a tract of land described in a warranty deed recorded in Book 768 at page 371 in the Champaign County Recorder's Office, 1322.74 feet to the East line of the West One-Half of said Southwest Quarter of Section 15; thence South 00°-43'-26" East along said East line of the West One-Half of the Southwest Quarter, 19.04 feet to the Southeast corner of said West One-Half of the Southwest Quarter; thence South 89°-08'-

28" West along the south line of said West One-Half of the Southwest Quarter, 1322.67 feet to the Point of Beginning.

The above described tract being part of a Tract described in Warranty Deed recorded in Deed Record Book 2403 at Page 0791, as Document Number 96R11842, in the Office of the Recorder, Champaign County, Illinois. Said tract containing 1.38 Acres, more or less, all situated in Champaign County, Illinois.

Commonly known for reference as **Stone Creek Golf Course Development** , and further referenced as P.I.N. **30-21-22-100-001, 30-21-22-100-002, 30-21-21-200-012, 30-21-22-400-004, and 30-21-22-400-006** .

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 the Tracts.

PETITIONER RESPECTFULLY REQUESTS:

1. That said Tracts 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 Tracts be annexed in accordance with the terms of the annexation agreement passed by City Council **February 17, 1997** as Ordinance No. **9697-87** and approved by the Mayor of the City of Urbana.

Dated this 11 day of June, 1997.

PETITIONER:



Clinton C. Atkins

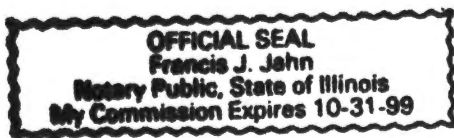
Subscribed and sworn to before me this

11th day of June, 1997 A.D.



Notary Public

My Commission Expires: 10-31-99



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

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The above described Right-of-Way being the same Right-of-Way described in a Dedication of Right-of-Way for Public Road Purposes recorded in Deed Record Book 2490 at Page 0609, as Document Number 97R03166, in the Office of the Recorder, Champaign County, Illinois

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line parallel with, and 31.50 feet Southerly of, the North line of said Northwest Quarter of the Northeast Quarter, a distance of 1320.29 feet, to the Point of Beginning, said tract containing 1.00 acre (43720.44 square feet), more or less, and situated in the City of Urbana, Champaign County, Illinois.

The above described Right-of-Way being the same Right-of-Way described in a Dedication of Right-of-Way for Public Road Purposes recorded in Deed Record Book 1822 at Page 0480, as Document Number 92R15797, in the Office of the Recorder, Champaign County, Illinois.

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Commonly known for reference as Rose Farm, and further referenced as P.I.N. 30-21-28-200-006, 30-21-28-200-016, 30-21-28-200-018, 30-21-28-200-019.

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 the Tract

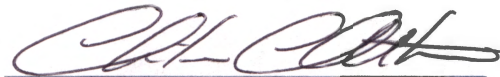
PETITIONER RESPECTFULLY REQUESTS:

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 agreement passed by City Council **February 17, 1997** as Ordinance No. **9697-87** and approved by the Mayor of the City of Urbana.

Dated this 11 day of June, 1997.

PETITIONER:



Clinton C. Atkins

Subscribed and sworn to before me this

11th day of June, 1997, A.D.



Notary Public

My Commission Expires: 10/31/99

