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ORDINANCE NO. 9798-135

AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF URBANA (BERINGER COMMONS
SUBDIVISION NO. 1 / INVOLUNTARY
ANNEXATION)

and

MAP SHOWING AREA ANNEXED BY CITY
ORDINANCE NO. 9798-135

98 R 19531

DOC # _____
CHAMPAIGN COUNTY, ILL

'98 JUL 1 PM 4 17

Barbara A. Driscoll
RECORDER

Prepared for recording by:

Deborah J. Roberts *DJR*

Deputy Clerk

Return to:

Phyllis D. Clark, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801

1400
300
1700

98 R 19531

FILED

JUL 01 1998

Mark Sheldon
COUNTY CLERK

ORDINANCE NO. 9798-135

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

(Beringer Commons Subdivision No. 1 / Involuntary Annexation)

WHEREAS, a motion describing the real property set forth below was duly adopted by the Urbana City Council on June 8, 1998, in which said motion the Urbana City Council determined to contemplate the question of whether the property therein described should be annexed to the City of Urbana, Illinois, and directed the City Clerk to publish Notice that the annexation of the properties therein described would be considered by the Urbana City Council at a Special meeting on June 22, 1998, and

WHEREAS, the City Clerk of Urbana, Illinois duly published such Notice on June 11, 1998 in The News-Gazette, a newspaper having general circulation in the City of Urbana, Illinois, and the area proposed to be annexed, a Certificate of Publication therefor being on file with the City Clerk's Office, and

WHEREAS, the hereinafter described territory is unincorporated territory wholly surrounded by and contiguous to the City of Urbana, Illinois within the meaning of Section 7-1-13 of the Illinois Municipal Code, and

WHEREAS, said unincorporated territory 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 June 10, 1998, that this Ordinance would be voted upon at a special meeting of this Council at 7:30 p.m., Monday, June 22, 1998, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 19th day of June, 1998 ; and

WHEREAS, the City Council passed Ordinance No. 9192-20 on August 5, 1991 approving and authorizing the execution of an annexation agreement wherein the property owners agreed to annex to the City of Urbana within five years from the date a final plat of the Subdivision was recorded in the Champaign County Recorder's Office; 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 R-2 Single Family Residential upon annexation in accordance with the above-referenced annexation agreement; 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 Urbana City Council finds and determines that the property described below is surrounded by property previously annexed to the City of Urbana, Illinois, within the meaning of Section 7-1-13 of the Illinois Municipal Code.

Section 2. That the following described real estate, viz:

All of Lots 110, 111, 112, 116, 123, 127, 129, 131, and 133 of Beringer Commons Subdivision No. 1, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book BB, at page 143, in the Office of the Recorder of Deeds, Champaign County Illinois. All situated in Champaign County Illinois and encompassing 2.61 Acres, more or less.

Together with the adjacent unincorporated public Rights-of-Way, which are by operation of the law automatically annexed with the adoption of an Annexation Ordinance pertaining to this parcel, described as follows:

That portion of Abbey Road Right-of-Way, which lies adjacent to the above described tract.

The above described Right-of-Way containing 0.043 Acre, more or less, all situated in Champaign County, Illinois

commonly known for reference as 2706 Coddington Circle, 2708 Coddington Circle, 2710 Coddington Circle, 2709 Greystone Court, 403 N. Abbey Road, 402 N. Abbey Road, 310 N. Abbey Road, 306 N. Abbey Road, and 302 N. Abbey Road, 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 30-21-10-401-010, 30-21-10-401-011, 30-21-10-401-012, 30-21-10-401-016, 30-21-10-401-023, 30-21-10-402-010, 30-21-10-402-008, 30-21-10-402-006, and 30-21-10-402-004, and following annexation the said parcels should bear the parcel index numbers 91-21-10-401-010, 91-21-10-401-011, 91-21-10-401-012, 91-21-10-401-016, 91-21-10-401-023, 91-21-10-402-010, 91-21-10-402-008, 91-21-10-402-006, and 91-21-10-402-004, respectively.

Section 3. 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.

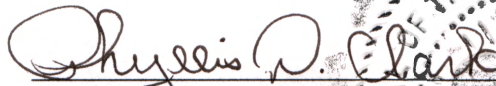
Section 4. That the City Clerk be authorized and directed to file, for record, a certified copy of this Ordinance together with an accurate map of the territory hereinabove described in the Office of the County Clerk and County Election Authority of Champaign County, Illinois.

Section 5. 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 R-2 Single Family Residential upon annexation and in accordance with an annexation agreement approved and authorized on August 5, 1991 by Council Ordinance No. 9192-20.

Section 6. 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 Special meeting of said Council on the 22nd day of June, 1998, A.D.

PASSED by the City Council this 22nd day of June, 1998.



Phyllis D. Clark, City Clerk

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

NAYS:

ABSTAINED:

APPROVED by the Mayor this 1st day of July, 1998.



Tod Satterthwaite, Mayor

(4)

98R18203

1200
300
1500

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

DOC # _____
CHAMPAIGN COUNTY, ILL

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

'98 JUN 19 PM 3 21

RE: BERINGER COMMONS SUBDIVISION
NO. 1/INVOLUNTARY ANNEXATION AS FOLLOWS:
2706 CODDINGTON CIRCLE; 2708 CODDINGTON
CIRCLE; 2710 CODDINGTON CIRCLE; 2709
GREYSTONE COURT; 403 N. ABBEY ROAD; 402
N. ABBEY ROAD; 310 N. ABBEY ROAD; 306 N.
ABBAY ROAD; AND 302 N. ABBEY ROAD

Barbara A. Draca
RECORDER

Submitted by:

Deborah S. Roberts

Deputy City Clerk
Position

Return to:

Phyllis D. Clark, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 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, in compliance with the provisions of Section 5/7-1-13 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-13), 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 5/7-1-13 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-13), 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 11th day of June, 1998, 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
City of Urbana
by Deborah Roberts, Deputy Clerk

Subscribed and sworn to before me this

19 day of June, 1998

Susan D. Rothmel
Notary Public

I certify this is a true copy of the Affidavit I recorded in the Recorder's Office, Champaign County, Illinois, on the 19th day of June, 1998.

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

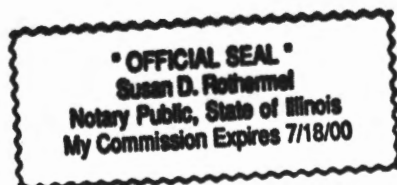


EXHIBIT A**NOTICE OF INTENT TO ANNEX TERRITORY
TO THE CITY OF URBANA****TO:**

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

Dennis Collins
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 Section 5/7-1-13 of the Illinois Municipal Code, as amended (65 ILCS 5/7-1-13), that the Council of the City of Urbana, Illinois, will consider passage of an Ordinance annexing the following described territory to the City of Urbana:

98R18203
98R18203

All of Lots 110, 111, 112, 116, 123, 127, 129, 131, and 133 of Beringer Commons Subdivision No. 1, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book BB, at page 143, in the Office of the Recorder of Deeds, Champaign County Illinois. All situated in Champaign County Illinois and encompassing 2.83 Acres, more or less.

commonly known for reference as 2706 Coddington Circle, 2708 Coddington Circle, 2710 Coddington Circle, 2709 Greystone Court, 403 N. Abbey Road, 402 N. Abbey Road, 310 N. Abbey Road, 306 N. Abbey Road, and 302 N. Abbey Road, Urbana, Illinois, and further referenced as Champaign County permanent parcel numbers 30-21-10-401-010, 30-21-10-401-011, 30-21-10-401-012, 30-21-10-401-016, 30-21-10-401-023, 30-21-10-402-010, 30-21-10-402-008, 30-21-10-402-006, and 30-21-10-402-004. 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 a special meeting June 22, 1998 at 7:30 p.m. in the Council Chambers of the City Building located at 400 South Vine Street, Urbana, Illinois.

Phyllis D. Clark

City Clerk
City of Urbana, Illinois

by Deborah J. Roberts, Deputy Clerk