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# Recording Cover Sheet

ORDINANCE NO. 1999-05-049

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE  
CITY OF URBANA (1704 and 1706 N. CUNNINGHAM  
AVENUE)

and

MAP SHOWING AREA ANNEXED

99R19519

DOC # \_\_\_\_\_  
CHAMPAIGN COUNTY, ILL

99 JUN 30 PM 1 40

*Barbara A. Draca*  
RECORDER

Prepared for recording by:

*Alfred J. Robert, Deputy Clerk*

400 S. Vine Street, Urbana, IL 61801

Return to:

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

99R/9519

ORDINANCE NO. 1999-06-049

**FILED**

JUN 30 1999

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

*Mark Sheldon*  
**COUNTY CLERK**

**(1704 and 1706 N. Cunningham Avenue)**

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 Carroll 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 8th, 1999, that this Ordinance would be voted upon at a meeting of this Council at 7:30 p.m., Monday, June 21, 1999, and the Affidavit of mailing such Notice was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 9th day of June, 1999; and

WHEREAS, there are no electors residing within said territory; and

WHEREAS, the City Council passed Ordinance No. 1999-05-035 on May 17, 1999 approving and authorizing the execution of an annexation agreement wherein the property owner agreed to annex the hereinafter described territory to the City of Urbana within thirty days from the effective date of said annexation agreement; and

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WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's B-4 General Business and R-3 Two-Family Residence zoning districts and upon annexation will automatically be classified B-3 General Business and R-3 Single and Two-Family Residential upon annexation in accordance with Article IV, Section IV-5 of the Urbana Zoning Ordinance; 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:

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN CHAMPAIGN COUNTY, ILLINOIS, AND DESCRIBED AS FOLLOWS:

TRACT 1.

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 01 DEGREES 27 MINUTES, 43 SECONDS WEST, 210.53 FEET ALONG THE EAST LINE OF THE SUBDIVISION OF LOT I OF THE SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4,



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THENCE CONTINUING NORTH 01 DEGREES, 27 MINUTES, 43 SECONDS WEST ALONG THE EAST LINE OF SAID SUBDIVISION OF LOT 1 432.42 FEET; THENCE SOUTH 88 DEGREES, 34 MINUTES, 03 SECONDS WEST, 615.28 FEET TO THE EAST RIGHT-OF-WAY LINE OF U. S. ROUTE 45 (ALSO KNOWN AS CUNNINGHAM AVENUE); THENCE SOUTH 23 DEGREES 52 MINUTES WEST 278.92 FEET; THENCE SOUTH 66 DEGREES 08 MINUTES EAST, 412.03 FEET; THENCE NORTH 89 DEGREES, 04 MINUTES, 42 SECONDS EAST, 302.10 FEET, MORE OR LESS, TO A POINT 60 FEET WEST OF THE EAST LINE OF SAID LOT 1; THENCE SOUTH 01 DEGREES, 27 MINUTES, 43 SECONDS EAST, 210.53 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 4, AFORESAID; THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER 60 FEET TO THE PLACE OF BEGINNING,

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 01 DEGREES, 27 MINUTES, 43 SECONDS WEST ALONG THE EAST LINE OF A SUBDIVISION OF LOT 1 OF A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, 210.53 FEET; THENCE SOUTH 89 DEGREES, 04 MINUTES, 42 SECONDS WEST, 362.10 FEET; THENCE NORTH 66 DEGREES 08 MINUTES WEST, 149.03 FEET FOR A TRUE PLACE OF BEGINNING; THENCE NORTH 66 DEGREES 08 MINUTES WEST, 263.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF U. S. ROUTE 45 (CUNNINGHAM AVENUE); THENCE NORTH 23 DEGREES 52 MINUTES EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF U. S. ROUTE 45 (CUNNINGHAM AVENUE), 125.00 FEET; THENCE SOUTH 66 DEGREES 08 MINUTES EAST, 263.00 FEET; THENCE SOUTH 23 DEGREES 52 MINUTES WEST, 125.00 FEET TO THE PLACE OF BEGINNING, IN CHAMPAIGN COUNTY, ILLINOIS.

AND FURTHER EXCEPTING THEREFROM THE FOLLOWING:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, THENCE NORTH 01 DEGREES, 27 MINUTES, 43 SECONDS WEST ALONG THE EAST LINE OF A SUBDIVISION OF LOT 1 OF A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 4, 210.53 FEET; THENCE SOUTH 89 DEGREES, 04 MINUTES, 42 SECONDS WEST, 362.10 FEET; THENCE NORTH 66 DEGREES 08 MINUTES WEST, 149.03 FEET; THENCE NORTH 23 DEGREES 52 MINUTES EAST, 155

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FEET FOR A TRUE PLACE OF BEGINNING; THENCE NORTH 66 DEGREES 05 MINUTES WEST, 263.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF U. S. ROUTE 45; THENCE NORTH 23 DEGREES 52 MINUTES EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF U. S. ROUTE 45, 123.92 FEET; THENCE NORTH 88 DEGREES, 34 MINUTES, 03 SECONDS EAST, 215.00 FEET; THENCE SOUTH 01 DEGREES, 25 MINUTES, 57 SECONDS EAST, 160.57 FEET; THENCE SOUTH 23 DEGREES 52 MINUTES WEST, 70.62 FEET TO THE PLACE OF BEGINNING, IN CHAMPAIGN COUNTY, ILLINOIS.

TRACT II:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, THENCE NORTH 01 DEGREES, 27 MINUTES, 43 SECONDS WEST ALONG THE EAST LINE OF A SUBDIVISION OF LOT 1 OF A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 4, 210.53 FEET; THENCE SOUTH 89 DEGREES, 04 MINUTES, 42 SECONDS WEST, 362.10 FEET; THENCE NORTH 66 DEGREES 08 MINUTES WEST, 149.03 FEET; THENCE NORTH 23 DEGREES 52 MINUTES EAST, 155 FEET FOR A TRUE PLACE OF BEGINNING; THENCE NORTH 66 DEGREES 05 MINUTES WEST, 263.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF U. S. ROUTE 45; THENCE NORTH 23 DEGREES 52 MINUTES EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF U. S. ROUTE 45, 123.92 FEET; THENCE NORTH 88 DEGREES, 34 MINUTES, 03 SECONDS EAST, 215.00 FEET; THENCE SOUTH 01 DEGREES, 25 MINUTES, 57 SECONDS EAST, 160.57 FEET; THENCE SOUTH 23 DEGREES 52 MINUTES WEST, 70.62 FEET TO THE PLACE OF BEGINNING, IN CHAMPAIGN COUNTY, ILLINOIS

ENCOMPASSING 5.69 ACRES, MORE OR LESS

TOGETHER WITH THE FOLLOWING DESCRIBED ADJACENT PUBLIC RIGHTS-OF-WAY WHICH ARE BY OPERATION OF THE LAW, AUTOMATICALLY ANNEXED WITH THE ADOPTION OF AN ANNEXATION ORDINANCE PERTAINING TO THIS PARCEL:

PERKINS ROAD RIGHT-OF-WAY LYING ADJACENT TO TRACT I BEING 60 FEET IN WIDTH AND ENCOMPASSING 0.08 ACRE, MORE OR LESS AND CUNNINGHAM AVENUE (U.S. ROUTE 45) LYING ADJACENT TO TRACTS I AND II BEING 120 FEET IN WIDTH AND ENCOMPASSING 0.43 ACRE, MORE OR LESS.

commonly known for reference as 1704 N. Cunningham Avenue and 1706 N. Cunningham Avenue, Urbana, Illinois, be and the same is hereby annexed to the City of Urbana, Illinois. The



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above-described parcels, prior to annexation, have the parcel index numbers 30-21-04-352-018 and 30-21-04-352-019, respectively, and following annexation the said parcels should bear the parcel index numbers 91-21-04-352-018 and 91-21-04-352-019.

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.

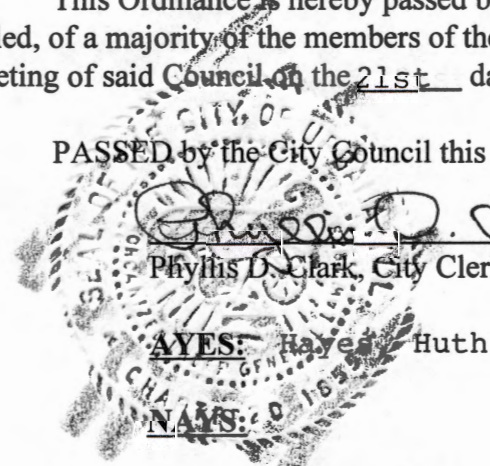
Section 4. The Zoning Ordinance of the City of Urbana, Illinois, and the Zoning Map of Urbana, Illinois, are hereby amended to classify the real property herein annexed as B-3 General Business and R-3 Single and Two-Family Residential upon annexation and in accordance with Article IV, Section IV-5 of the Urbana Zoning Ordinance.

Section 5. The territory annexed herein is assigned to City of Urbana Ward 5.

Section 6. This Ordinance shall take effect at 12:00 a.m. CDT, June 29, 1999.

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 21<sup>st</sup> day of June, 1999, A.D.

PASSED by the City Council this 21<sup>st</sup> day of June, 1999.

  
Phyllis D. Clark  
Phyllis D. Clark, City Clerk

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

NAYS:

ABSTAINED:

APPROVED by the Mayor this 28<sup>th</sup> day of June, 1999.

Tod Satterthwaite  
Tod Satterthwaite, Mayor

(5)

99R17196

1300  
300  
1600

# Recording Cover Sheet

DOC # \_\_\_\_\_  
CHAMPAIGN COUNTY, ILL  
\_\_\_\_\_

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

(1704 AND 1706 N. CUNNINGHAM AVENUE)

\*99 JUN 9 PM 4 04

1999-06-049

*Barbara A. Dracca*  
RECORDER

Prepared for recording by:

*Robert J. Robert, Deputy Clerk*

400 S. Vine Street, Urbana, IL 61801

Return to:

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

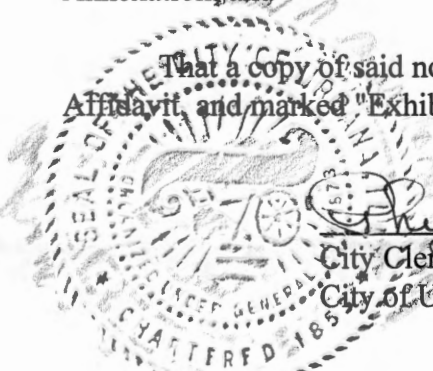
**AFFIDAVIT OF MAILING NOTICE OF INTENT  
TO ANNEX TERRITORY TO THE CITY OF URBANA**

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 Carroll 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 Carroll Fire Protection District at the addresses indicated on the copy of said notice hereto attached, all notices being mailed on the 8th day of June, 19 99, 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

Subscribed and sworn to before me this

8th day of June, 1999.

Deborah J. Roberts  
Notary Public

I certify this is a true copy of the Affidavit I recorded in the Recorder's Office, Champaign County, Illinois, on the 9th day of June, 1999.

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

Dennis Collins  
**Urbana Township Commissioner of Highways**  
2312 E. Perkins Road  
Urbana, IL 61801

and

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

Robert Venable  
1912 Kenneth Street  
Urbana, IL 61801

Glen Mueller  
2408 E. Airport Road  
Urbana, IL 61801

**Tustees of Carroll 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:

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN CHAMPAIGN COUNTY, ILLINOIS, AND DESCRIBED AS FOLLOWS:

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TRACT II:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, THENCE NORTH 01 DEGREES, 27 MINUTES, 43 SECONDS WEST ALONG THE EAST LINE OF A SUBDIVISION OF LOT 1 OF A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 4, 210.53 FEET; THENCE SOUTH 89 DEGREES, 04 MINUTES, 42 SECONDS WEST, 362.10 FEET; THENCE NORTH 66 DEGREES 08 MINUTES WEST, 149.03 FEET; THENCE NORTH 23 DEGREES 52 MINUTES EAST, 155 FEET FOR A TRUE PLACE OF BEGINNING; THENCE NORTH 66 DEGREES 08 MINUTES WEST, 263.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF U. S. ROUTE 45; THENCE NORTH 23 DEGREES 52 MINUTES EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF U. S. ROUTE 45, 123.92 FEET; THENCE NORTH 88 DEGREES, 34 MINUTES, 03 SECONDS EAST, 215.00 FEET; THENCE SOUTH 01 DEGREES, 25 MINUTES, 57 SECONDS EAST, 160.57 FEET; THENCE SOUTH 23 DEGREES 52 MINUTES WEST, 70.62 FEET TO THE PLACE OF BEGINNING, IN CHAMPAIGN COUNTY, ILLINOIS

ENCOMPASSING 5.69 ACRES, MORE OR LESS

commonly known for reference as 1704 N. Cunningham Avenue and 1706 N. Cunningham Avenue, Urbana, Illinois, and further referenced as Champaign County permanent parcel numbers 30-21-04-352-018 and 30-21-04-352-019, 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 21, 1999 at 7:30 p.m. in the Council Chambers of the City Building located at 400 South Vine Street, Urbana, Illinois.



City Clerk

City of Urbana, Illinois