

2001R38428

RECORDED ON

12-27-2001 2:56:32

CHAMPAIGN COUNTY
RECORDER
BARBARA A. FRASCA

REC. FEE: 20.00

REV FEE:

PAGES: 6

PLAT ACT: 0

PLAT PAGE:

*rec'd 1-24-02
BR*

Recording Cover Sheet

ORDINANCE NO. 2001-11-152

"AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE
CITY OF URBANA (FITTING TRACT / 2500 BLOCK OF
N. CUNNINGHAM AVENUE)"

and

MAP SHOWING AREA ANNEXED BY CITY

Prepared for recording by:

Deborah J. Roberts, Deputy City 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

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FILED

DEC 27 2001

ORDINANCE NO. 2001-11-152

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

Mark Shelden
CHAMPAIGN COUNTY CLERK

(Fitting Tract / 2500 block of 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 November 1, 2001, that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, November 19, 2001, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 1st day of November, 2001; and

WHEREAS, the subject property is owned by the City of Urbana, Illinois; and

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

WHEREAS, the Zoning Ordinance of the City of Urbana, Illinois, and the Zoning Map of Urbana, Illinois, will be amended to automatically classify the zoning district for real property in accordance with the provisions of Article IV, Section IV-5 of the Urbana Zoning Ordinance relevant to annexation.

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

Section 1. That the following described real estate, viz:

Tract 1:

Part of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian in Champaign County, Illinois, more particularly described as follows:

Beginning at a point 104.75 feet North of the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of said Section 4; thence West parallel to the North quarter-quarter line, 345.65 feet to the East right of way line of U.S. Route 45; thence Northeasterly along the East right of way line of U.S. Route 45, 120 feet; thence East parallel to the North quarter-quarter line, 295.14 feet to the quarter section line; thence continuing East parallel to the North quarter-quarter line, 104.61 feet; thence South perpendicular to the North quarter-quarter line, 108.97 feet; thence West parallel to the North quarter-quarter line, 104.35 feet to the point of beginning, in Champaign County, Illinois, EXCEPT that part conveyed to the State of Illinois by deed recorded November 7, 1973 in book 1019 at page 13 as document 73 R 16644, more particularly described as follows:

Beginning at the iron pin in concrete marking the Southwest corner of the above described property, measure Northeasterly along the Easterly existing right of way line of U.S. Route 45 for 119.95 feet to an iron pin; thence deflect $64^{\circ}45'10''$ to the right for 46.28 feet; thence deflect $103^{\circ}22'44''$ to the right to the tangent of a curve to the left having a radius of 468 feet and measure southerly around said curve for 28.00 feet; thence tangent from said curve for 82.77 feet; thence deflect $80^{\circ}02'57''$ to the right for 76.53 feet to the place of beginning, in Champaign County, Illinois.

Tract 2:

Part of the North one-half of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian in Champaign County, Illinois, the boundary of which is described as follows:

Commencing at a point 36.00 feet South of the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 4; thence West 410.90 feet parallel to the South line of the Northeast Quarter of the Northwest Quarter of said Section 4 to the East right of way line of U.S. Route 45; thence Northeasterly 155.00 feet along the said East right of way line of U.S. Route 45; thence East 345.65 feet parallel with the South line of the Northeast Quarter of the Northwest Quarter of said

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Section 4; thence continue East 104.35 feet parallel with the South line of the Northwest Quarter of the Northeast Quarter of said Section 4 to the Place of Beginning; thence North 108.97 feet perpendicular to the South line of the Northwest Quarter of the Northeast Quarter of said Section 4; thence East 61.0 feet parallel to the South line of the Northwest Quarter of the Northeast Quarter of said Section 4; thence South 108.97 feet parallel to the East line of the West one-half of the Northwest Quarter of the Northeast Quarter of said Section 4; thence West 61.0 feet parallel to the South line of the Northwest Quarter of the Northeast Quarter of said Section 4, to the Point of Beginning, in Champaign County, Illinois.

Commonly known for reference as the Fitting Tract, be and the same is hereby annexed to the City of Urbana, Illinois. The above-described parcel prior to annexation has permanent index number 30-21-04-100-007.

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 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 p.m. CDT, December 1, 2001.

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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.

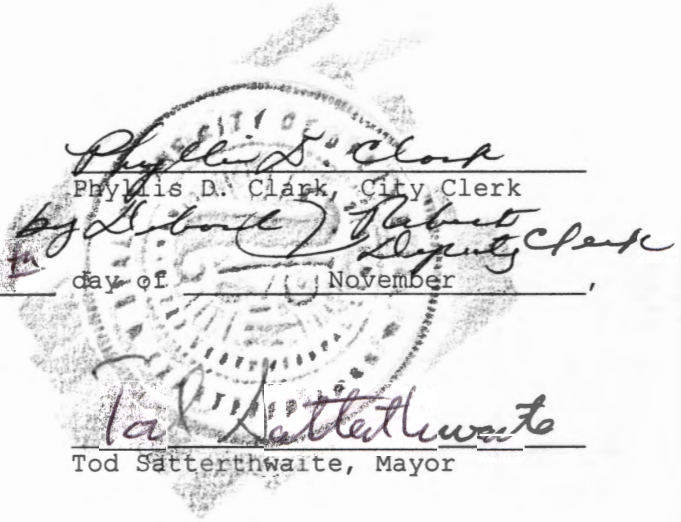
PASSED by the City Council this 19th day of November, 2001.

AYES: Chynoweth, Hayes, Huth, Otto, Patt, Whelan, Wyman

NAYS:

ABSTAINS:

APPROVED by the Mayor this 30th day of November, 2001.



Phyllis D. Clark

 Phyllis D. Clark, City Clerk

Robert Clark

 Robert Clark, Deputy Clerk

Tod Satterthwaite

 Tod Satterthwaite, Mayor

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2001-11-15

2001R31650

Recording Cover Sheet

RECORDED ON
11-01-2001 4:14:40

CHAMPAIGN COUNTY
RECORDER
BARBARA A. FRASCA

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

(FITTING TRACT/N. CUNNINGHAM AVENUE)

REC. FEE: 20.00
REV FEE:
PAGES: 6
PLAT ACT: 0
PLAT PAGE:

Prepared for recording by:

Deborah J. Roberts, Deputy City 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

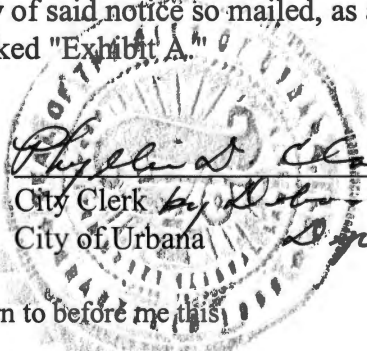
**AFFIDAVIT OF MAILING NOTICE OF INTENT
TO ANNEX TERRITORY TO THE CITY OF URBANA**

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 did cause the attached notice of the pending action to be taken on an Ordinance annexing certain territory lying within the Urbana Township, to be served 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 each of them, 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 did cause the attached 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, to be served 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 Carroll Fire Protection District and each of them, at the addresses indicated on the copy of said notice hereto attached, all notices being mailed on the 1st day of November, 2001, 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
John J. Roberts
Deputy Clerk

Subscribed and sworn to before me this

1st day of November, 2001.

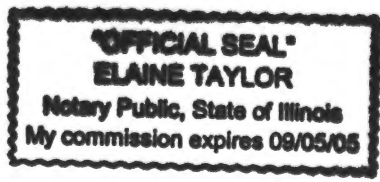
Elaine Taylor

Notary Public

I certify this is a true copy of the Affidavit I recorded in the Recorder's Office, Champaign County, Illinois, on the 1st day of November, 2001.

Phyllis D. Clark

Phyllis D. Clark, City Clerk



031650

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

TO:

Ken Buchanan
501 McGee Road
Urbana, IL 61802

Gregory F. Foster
310 Yankee Ridge Lane
Urbana, IL 61802

David Lemke
1781 Independence
Urbana, IL 61802

Paul Tatman
2802 E. Slayback Road
Urbana, IL 61802

Urbana Township Board of Trustees

and

Don Flessner
Urbana Township Supervisor
2312 E. Perkins Road
Urbana, IL 61802

and

Jim Prather
Urbana Township Commissioner of Highways
2312 E. Perkins Road
Urbana, IL 61802

and

Thomas E. Harnsberger
2104 E. Barnes Street
Urbana, IL 61802

Barney Bryson
2102 E. Barnes Street
Urbana, IL 61802

Robert Venable
1912 Kenneth Street
Urbana, IL 61802

Trustees of Carroll Fire Protection District

You and each of you are hereby notified, pursuant to the provisions of Section 5/7-1-1 of the Illinois Municipal Code, as amended (65 ILCS 5/7-1-1), 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:

Tract 1:

Part of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian in Champaign County, Illinois, more particularly described as follows:

Beginning at a point 104.75 feet North of the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of said Section 4; thence West parallel to the North quarter-quarter line, 345.65 feet to the East right of way line of U.S. Route 45; thence Northeasterly along the East right of way line of U.S. Route 45, 120 feet; thence East parallel to the North quarter-quarter line, 295.14 feet to the quarter section line; thence continuing East parallel to the North quarter-quarter line, 104.61 feet; thence South perpendicular to the North quarter-quarter line, 108.97 feet; thence West parallel to the North quarter-quarter line, 104.35 feet to the point of beginning, in Champaign County, Illinois, EXCEPT that part conveyed to the State of Illinois by deed recorded November 7, 1973 in book 1019 at page 13 as document 73 R 16644, more particularly described as follows:

Beginning at the iron pin in concrete marking the Southwest corner of the above described property, measure Northeasterly along the Easterly existing right of way line of U.S. Route 45 for 119.95 feet to an iron pin; thence deflect $64^{\circ}45'10''$ to the right for 46.28 feet; thence deflect $103^{\circ}22'44''$ to the right to the tangent of a curve to the left having a radius of 468 feet and measure southerly around said curve for 28.00 feet; thence tangent from said curve for 82.77 feet; thence deflect $80^{\circ}02'57''$ to the right for 76.53 feet to the place of beginning, in Champaign County, Illinois.

Tract 2:

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Commencing at a point 36.00 feet South of the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 4; thence West 410.90 feet parallel to the South line of the Northeast Quarter of the Northwest Quarter of said Section 4 to the East right of way line of U.S. Route 45; thence Northeasterly 155.00 feet along the said East right of way line of U.S. Route 45; thence East 345.65 feet parallel with the South line of the Northeast Quarter of the Northwest Quarter of said Section 4; thence

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continue East 104.35 feet parallel with the South line of the Northwest Quarter of the Northeast Quarter of said Section 4 to the Place of Beginning; thence North 108.97 feet perpendicular to the South line of the Northwest Quarter of the Northeast Quarter of said Section 4; thence East 61.0 feet parallel to the South line of the Northwest Quarter of the Northeast Quarter of said Section 4; thence South 108.97 feet parallel to the East line of the West one-half of the Northwest Quarter of the Northeast Quarter of said Section 4; thence West 61.0 feet parallel to the South line of the Northwest Quarter of the Northeast Quarter of said Section 4, to the Point of Beginning, in Champaign County, Illinois.

commonly known for reference as the Fitting Tract, Urbana, Illinois, and further referenced as Champaign County permanent parcel number 30-21-04-100-007. 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 consider an Ordinance annexing the above-described territory to the City at its regular meeting Monday, November 19, 2001 at 7:30 p.m. in the Council Chambers of the City Building located at 400 South Vine Street, Urbana, Illinois.

Phyllis A. Clark
City Clerk *by Debra J. Roberts*
City of Urbana, Illinois *Deputy Clerk*

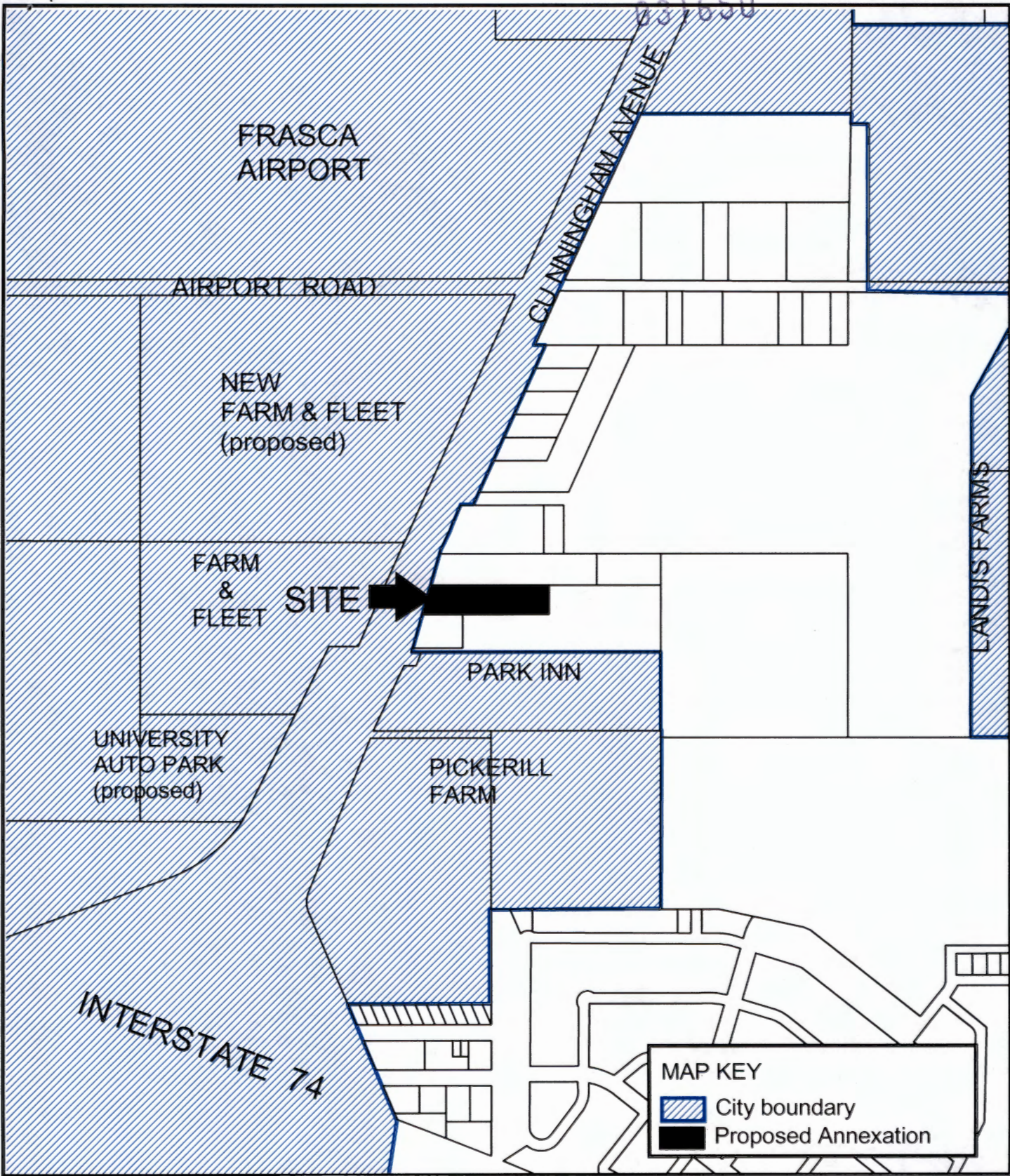
Additional important information

Please note that I expect that the northern part of what is being annexed will be dedicated as public right-of-way at the November 5, 2001 Council meeting. Thus, when the above Tract is annexed at the November 19, 2001 Council meeting, that northern portion will already be dedicated as public right-of-way. Since the timing of the dedication of the public right-of-way is such, I wanted to explain to you why it is not described as right-of-way in this notice.

Furthermore, I wanted to call to your attention that the annexation of the entire Tract will then bring the Urbana City limits adjacent to and contiguous with another strip of public right-of-way that has already been dedicated. Thus, after the annexation of the whole Tract on November 19, 2001, there will be an 80 foot dedicated public right-of-way along the entire north boundary of the Tract herein proposed to be annexed.

Jack Waaler
Jack Waaler, City Attorney

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Proposed Annexation to City of Urbana

Fitting Tract / N. Cunningham Avenue

prepared October 29, 2001 by RAB - Community Development Services

