

ORDINANCE NO. 2003-06-058

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

(1702 North 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 4, 2003, that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, June 19, 2003, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 6th day of June, 2003; and

WHEREAS, a written petition signed by all of the Owners of Record and at least fifty-one percent (51%) of the electors residing therein, 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, the City Council passed Ordinance No. 1999-05-035 on May 17, 1999 approving and authorizing the execution of an annexation agreement; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's B-4, General Business 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.:

A tract of land being a part of the Southwest Quarter of the Southwest Quarter of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, the boundary of which is described as follows:

Beginning at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 4, proceed North 01 degree 27 minutes 43 seconds West 210.54 feet along the East line of the Subdivision of "Lot 1 of a subdivision of the Southwest Quarter of the Southwest Quarter of Section 4" thence South 89 degrees 04 minutes 42 seconds West 362.10 feet; thence North 66 degrees 08 minutes 00 seconds West 149.52 feet to the True Point of Beginning; thence North 66 degrees 08 minutes 00 seconds West 263.00 feet to the Easterly right-of-way line of U.S. Route 45 (Cunningham Avenue); thence North 23 degrees 52 minutes 00 seconds East 125.00 feet along the said Easterly right-of-way line; thence South 66 degrees 08 minutes 00 seconds East 263.00 feet; thence South 23 degrees 52 minutes 00 seconds West 125.00 feet to the True Point of Beginning, encompassing 0.755 acres more or less in Champaign County, Illinois.

commonly known for reference as 1702 North Cunningham Avenue, 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 30-21-04-352-015, and following annexation the said parcels should bear the parcel index numbers 91-21-04-352-015.

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 herein above described in the Recorder's Office of Champaign County, Illinois 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

027557

property herein annexed as B-3, General Business upon annexation and in accordance with an annexation agreement approved and authorized on May 17, 1999 by Council Ordinance No. 1999-05-035.

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

Section 6. To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 30th day of June 2003 following its passage by the Urbana City Council.

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 16th day of June, 2003, A.D.

PASSED by the City Council this 16th day of June, 2003.

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

NAYS:

ABSTAINS:

Phyllis D. Clark
Phyllis D. Clark, City Clerk
Robert [unclear] Deputy Clerk

APPROVED by the Mayor this 27th day of June, 2003.

Tod Satterthwaite
Tod Satterthwaite, Mayor

(5)

2003R27557

Recording Cover Sheet

ORDINANCE NO. 2003-06-058

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA (1702 NORTH CUNNINGHAM AVENUE)

and

MAP SHOWING AREA ANNEXED BY CITY

RECORDED ON
FILED 0-27-03 12:02:23

JUN 27 2003
CHAMPAIGN COUNTY
RECORDER
BARBARA A. FRASCA

Mark Hoffman
REC FEE: 26.00
REV FEE:
CHAMPAIGN COUNTY CLERK 5
PLAT ACT: 0
PLAT PAGE:

Prepared for recording by:

Deborah J. Roberts, 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

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

The Petitioner, James Burch, respectfully states under oath:

1. The 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:

A tract of land being a part of the Southwest Quarter of the Southwest Quarter of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, the boundary of which is described as follows:

Beginning at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 4, proceed North 01 degree 27 minutes 43 seconds West 210.54 feet along the East line of the Subdivision of "Lot 1 of a subdivision of the Southwest Quarter of the Southwest Quarter of Section 4" thence South 89 degrees 04 minutes 42 seconds West 362.10 feet; thence North 66 degrees 08 minutes 00 seconds West 149.52 feet to the True Point of Beginning; thence North 66 degrees 08 minutes 00 seconds West 263.00 feet to the Easterly right-of-way line of U.S. Route 45 (Cunningham Avenue); thence North 23 degrees 52 minutes 00 seconds East 125.00 feet along the said Easterly right-of-way line; thence South 66 degrees 08 minutes 00 seconds East 263.00 feet; thence South 23 degrees 52 minutes 00 seconds West 125.00 feet to the True Point of Beginning, encompassing 0.755 acres more or less in Champaign County, Illinois.

Parcel Index Number 30-21-04-352-015

2. Said Tract is not situated within the corporate limits of any municipality, but is contiguous to the City of Urbana, Illinois at the time of annexation.
3. There are no electors residing in said Tract.

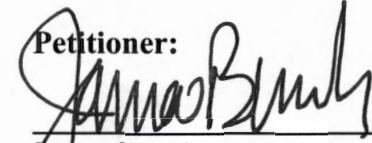
PETITIONERS RESPECTFULLY REQUESTS:

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 an annexation and development agreement passed by the Urbana City Council on May 17, 1999

as Ordinance No. 1999-05-035 and approved by the Mayor of the City of Urbana.

Dated this 3rd day of June, 2003.

Petitioner:



James Burch

Date

6/3/2003

Subscribed and sworn to before me this

____ day of _____, 2003, A.D.

Notary Public

My Commission Expires: _____