

FILED

JUN 25 2004

ORDINANCE NO. 2004-03-024

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

*Mark Sheldon*  
CHAMPAIGN COUNTY CLERK

**(Approximately 31 Total Acres on Three Separate Tracts  
Located on the South Side of Colorado Avenue Approximately 395 Feet  
East of Philo Road / Hingtgen & Naugle Tract)**

WHEREAS, the hereinafter described territory is situated in unincorporated territory adjacent to and contiguous to the City of Urbana, Illinois and includes certain territory within the Urbana Township, and Notice was given to the Trustees of both the Edge-Scott Fire Protection District and Philo Fire Protection District, the Board of Township Trustees, and the Township Commissioner of Highways, said notices being mailed on Wednesday, February 25, 2004, that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, March 15, 2004, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 2<sup>nd</sup> day of March, 2004; 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. 2003-12-139 on December 1, 2003 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 R-2, Single-Family Residence zoning district and upon annexation Tract I will be classified B-3, General Business and Tracts II and III will be classified R-2, Single-Family Residential 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.:

**Tract I:**

A part of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, more particularly described as follows:

The North One-half of the East One-half of the West 789.90 feet of the North 661.71 feet of the South Half of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian. Containing approximately 3 acres.

Being the same tract as described in a Warranty Deed, dated April 29, 1992 and recorded in Book 1815 at page 858, as Document Number 92R13184, in the Office of the Recorder of Deeds, Champaign County, Illinois.

PIN# 30-21-21-200-026

**Tract II:**

The North 661.75 feet of the East 370.04 feet of the West 1159.94 feet of the Southwest Quarter of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois. Containing approximately 5.63 acres.

PIN# 30-21-21-200-034

**Tract III:**

The North Half of the South Half of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, Except all that part that lies West of the East line of the following described tract of land: The North 661.75 feet of the East 370.04 feet of the West 1159.94 feet of the Southwest Quarter of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, situated in Champaign County, Illinois. Containing approximately 22.37 acres.

PIN# 30-21-21-200-035

This property is located on the south side of Colorado Avenue east of Philo Road and west of Stone Creek Boulevard. Tract I lies within the boundaries of Philo Fire Protection District and the Urbana Township while Tracts II and III lie within the Edge-Scott Fire Protection District and the Urbana Township. Tracts I, II and III are all contiguous to the City of Urbana, Illinois.

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 property herein annexed as B-3, General Business for Tract I and R-2, Single-Family Residential for Tracts II and III upon annexation and in accordance with an annexation agreement approved and authorized on December 1, 2003 by Council Ordinance No. 2003-12-139.

Section 5. The territory annexed herein is assigned to City of Urbana Ward 6.

Section 6. To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 16<sup>th</sup> day of March 2004 following its passage by the Urbana City Council.

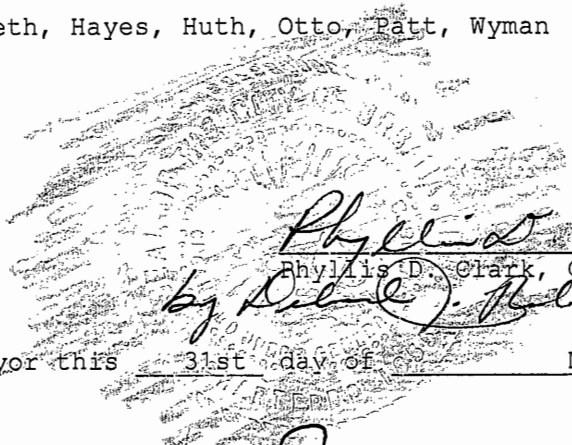
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 15<sup>th</sup> day of March 2004, A.D.

PASSED by the City Council this 15th day of March,  
2004.

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

NAYS:

ABSTAINS:



*Rhyllis D. Clark*  
Rhyllis D. Clark, City Clerk

*by Debra J. Helms* Deputy Clerk

APPROVED by the Mayor this 31st day of March,

2004.

*James H. Hayes, Jr.*  
Tod Satterthwaite, Mayor

**JAMES H. HAYES, JR.**  
**MAYOR PRO-TEM**

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Recording Cover Sheet

ORDINANCE NO. 2004-03-024

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA (APPROXIMATELY 31 TOTAL ACRES ON THREE SEPARATE TRACTS LOCATED ON THE SOUTH SIDE OF COLORADO AVENUE APPROXIMATELY 395 FEET EAST OF PHILO ROAD / HINGTGEN & NAUGLE TRACT)

FILED

JUN 25 2004

Mark Sheldon  
CHAMPAIGN COUNTY CLERK

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

2004R19704  
RECORDED ON  
06/25/2004 04:25:13PM  
CHAMPAIGN COUNTY  
RECORDER  
BARBARA A. FRASCA  
REC FEE: 27.00  
REV FEE:  
PAGES: 6  
PLAT ACT: 0

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

The Petitioners, John Hingtgen and Virgil Naugle, respectfully state under oath:

1. Petitioners are the sole owners of record of the following legally described land (hereinafter sometimes referred to as Tracts I, II and III), except any public right-of-way property to wit:

**Tract I:**

A part of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, more particularly described as follows:

The North One-half of the East One-half of the West 789.90 feet of the North 661.71 feet of the South Half of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian. Containing approximately 3 acres.

Being the same tract as described in a Warranty Deed, dated April 29, 1992 and recorded in Book 1815 at page 858, as Document Number 92R13184, in the Office of the Recorder of Deeds, Champaign County, Illinois.

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PIN# 30-21-21-200-035

2. Said Tract is not situated within the corporate limits of any municipality, but is, or will be, contiguous to the City of Urbana, Illinois at the time of annexation.

3. At least fifty-one percent (51%) of all electors residing in said Tract have signed this petition.

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 terms of an annexation agreement to be passed by the City of Urbana by Ordinance No. 2003-12-139 and approved by the Mayor of the City of Urbana.

Dated this 6 day of February, 2004.

Owners:

*John Hingtgen*  
John Hingtgen

2/6/04  
Date

*Virgil Naugle*  
Virgil Naugle

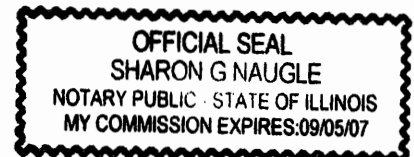
2-6-04  
Date

Subscribed and sworn to before me this

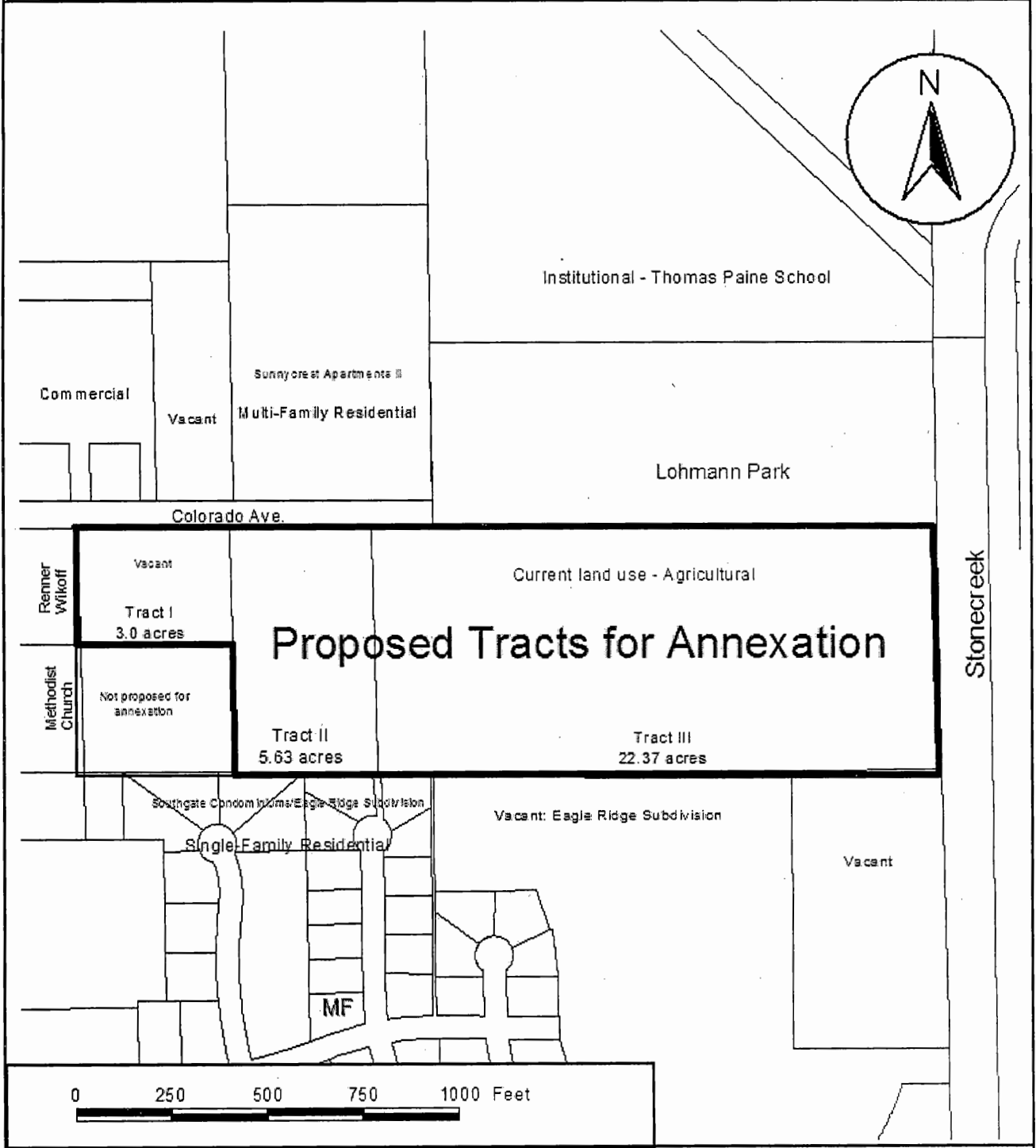
6<sup>th</sup> day of February, 2004, A.D.

*Sharon G Naugle*  
Notary Public

My Commission Expires: 9-5-07



# Location Map



Petitioner: John Hingtgen and Virgil J. Naugle  
 South side of Colorado Ave. east of Philo Rd.  
 Golliday Tract.  
 1871-A-03 Golliday Tract Annexation Agreement  
 1871-M-03 Rezone from County R-2 to City B-3 General Business  
 for Tract I

Prepared November 5, 2003 by Community Development Services - lcf