

ORDINANCE NO. 2005-03-047

**AN ORDINANCE APPROVING THE ADDITION OF TERRITORY
TO THE URBANA ENTERPRISE ZONE**

(An Area Along South Philo Road)

WHEREAS, on December 3, 1984 the City Council of the City of Urbana, Champaign County, Illinois (the "City") duly passed Ordinance No. 8485-38 entitled, "An Ordinance Designating An Area As An Enterprise Zone", which such ordinance was duly approved by the Mayor on December 10, 1984 (the "Ordinance"); and

WHEREAS, in connection with a review of the Ordinance and the written application made in connection therewith to the Department of Commerce and Community Affairs (the "Department", now entitled the Department of Commerce and Economic Opportunity) in accordance with the Illinois Enterprise Zone Act (the "Act"), the City Council, on March 18, 1985, duly passed Ordinance No. 8485-65 entitled, "An Ordinance Amending Ordinance No. 8485-38 entitled, 'An Ordinance Designating An Area As An Enterprise Zone'", which such ordinance was duly approved by the Mayor on March 25, 1985 (the "First Amending Ordinance"); and

WHEREAS, approval of the Enterprise Zone, as designated by the Ordinance and the First Amending Ordinance, was made by the Department by certification of the Ordinance and the First Amending Ordinance effective July 1, 1985; and

WHEREAS, the City Council of the City of Urbana, from time to time, has amended said Ordinance and the Department has so approved by certification of the Amending Ordinance; and

WHEREAS, the City Council now finds it necessary and desirable to further amend the terms of the Ordinance as amended, pursuant to Section 5.4 of the Act; and

WHEREAS, on Monday, March 14, 2005 the City duly caused public notice to be published in The News-Gazette, a newspaper of general circulation within the certified Enterprise Zone, as amended, and Champaign County, Illinois, of a public hearing to be held within the certified Enterprise Zone, as amended, on the question of whether to alter the boundaries of the certified Enterprise Zone, as amended, by adding certain parcels thereto. Such public notice was published not more than twenty (20) days nor less than five (5) days before the public hearing scheduled for Tuesday, March 22, 2005 at 3:00 p.m.; and

WHEREAS, on Tuesday, March 22, 2005 the City duly conducted a public hearing at 3:00 p.m. at the Urbana Civic Center, 108 E. Water Street, Urbana, Illinois, a location within the certified Enterprise Zone, as amended, at which such public hearing information was presented and public comment was elicited on the questions as specified in the notice as published

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

Section 1: That Section 2 of the Ordinance, as amended, entitled "Designation and Description of Zone Area", be and the same is hereby further amended to alter the boundaries of the Zone area by adding to such Zone area, as amended, the tract of real estate more particularly described in Exhibit A attached hereto and hereby incorporated by reference, such additional tract being contiguous to the certified Enterprise Zone as amended.

Section 2: This Amending Ordinance shall not become effective unless and until the proposed amendments contained herein are approved by the Department, and the Department issues an amended certificate for the Enterprise Zone established by the Ordinance, as amended, pursuant to the

Act, in which such event this Amending Ordinance shall become effective on the first day of the calendar month following the date in which the amended certificate, together with the Ordinance as heretofore and hereby amended, shall be filed, recorded and transmitted as provided in Section 5.3 of the Act.

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 4th day of April, 2005, A.D.

PASSED by the City Council this 4th day of April, 2005.

AYES: Alix, Chynoweth, Hayes, Patt, Roberts, Wyman

NAYS:

ABSTAINS:

APPROVED by the Mayor this 15th day of April, 2005.

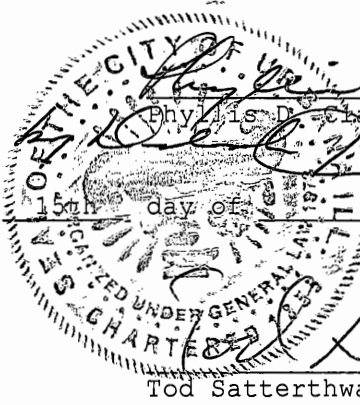
 Phyllis D. Clark
Phyllis D. Clark, City Clerk
[Signature]
Deputy Clerk
Tod Satterthwaite
Tod Satterthwaite, Mayor

Exhibit A
Legal Description

Beginning at a point approximately 105.0 feet West of the Southwest corner of the Northeast Quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, City of Urbana, Champaign County, Illinois, said point being the southwest corner of the previously described City of Urbana Enterprise Zone; thence, westerly, along the south line of the Northwest Quarter of said Section 16, to its intersection with the northwesterly extension of the northeast Right-of-Way line of Philo Road; thence, southeasterly, along said northeast Right-of-Way line, and the northwesterly extension thereof, to its intersection with the southerly extension of the west line of Tract "C" in Modern Research Subdivision, as shown on a plat recorded in Plat Book "M" at page 33 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, northerly, along said west line, and the southerly extension thereof, a distance of 109.62 feet, to the south line of a tract described in a Warranty Deed, recorded April 16, 2001, as Document Number 2001R08531 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, easterly along said south line, and the easterly extension thereof, to the east Right-of-Way line of Washington Square, as shown on the plat of Washington Square First Subdivision, recorded in Plat Book "X" at page 139 in the Office of the Recorder of Deeds, Champaign County, Illinois, said point also being on the west line of Lot 1 of Illinois Power Company Subdivision No. 1, as shown on a subdivision plat recorded in Plat Book "BB" at page 132 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, southerly, along said west line of Lot 1, around a curve to the right, concave to the west, having a radius of 50.00 feet, a chord length of 88.22, for an arc length of 108.50 feet; thence, continuing along said west line of Lot 1, a distance of 40.80 feet; thence, southeasterly, continuing along said west line of Lot 1, a distance of 67.79 feet; thence, easterly, along a south line of said Lot 1, a distance of 130.68 feet; thence, southerly, along a west line of said Lot 1, and the southerly extension thereof, to the northeast Right-of-Way line of Philo Road; thence southeasterly and southerly, along the northeast and east Right-of-Way line of Philo Road, to its intersection with the south Right-of-Way line of Florida Avenue; thence, easterly, along said south Right-of-Way line, to its intersection with the west line of the East 520 feet of the Northwest Quarter of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, City of Urbana, Champaign County, Illinois, said line also being the northerly extension of the west line of Sunnycrest Apartments II Subdivision, as shown on a plat recorded in Plat Book "CC" at page 233 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, southerly, along said west line, and the northerly and southerly extensions thereof, to the south Right-of-Way line of Colorado Avenue; thence, westerly, along said south Right-of-Way line, to a point 394.95 feet east of the west line of the Southwest Quarter of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, said point also being on the east line of a tract described in Warranty Deed, recorded May 6, 1992 as Document Number 92R13185 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, southerly, along said east line, to the southeast corner of said tract; thence, westerly, along the south line of said tract, to the east Right-of-Way line of Philo Road; thence, southerly, along said east Right-of-Way line, to the north line of Lot 1 of Brooks 1st Subdivision, as shown on a plat recorded in Plat Book "X" at page 73; thence,

easterly, along said north line, to the northeast corner of said Lot 1; thence, southerly, along the east line of said Lot 1, to the southeast corner of said Lot 1, said point also being on the north line of Southgate Shopping Center Subdivision, as shown on a plat recorded in Plat Book "Z" at page 176 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, easterly, along said north line, to the northeast corner of said Subdivision; thence, southerly, along the east line of said Subdivision, to a southeast corner of said Subdivision; thence, westerly, along a south line of said Subdivision, to a southeast corner of said Subdivision; thence, southerly, along an east line of said Subdivision, to the northeast corner of Webber's Replat, as shown on a plat recorded July 12, 2001 as Document Number 2001R18798 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, southerly, along the east line of said Webber's Replat, and the southerly extension thereof, to the south Right-of-Way line of Mumford Drive; thence, easterly, along said south Right-of-Way line, to the northeast corner of a Replat of Lot 1 of Eagle Ridge of Urbana Phase I, as shown on a plat recorded on November 3, 2000 as Document Number 2000R25740 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, southerly, along the east line of said Replat of Lot 1, to the southeast corner of said Replat of Lot 1; thence, westerly, along the south line of said Replat of Lot 1, to the east Right-of-Way line of Philo Road; thence, southerly, along said east Right-of-Way line, and the southerly extension thereof, to its intersection with the south Right-of-Way line of Windsor Road; thence, easterly, along said south Right-of-Way line and the north line of Stone Creek Commons Subdivision No. 1, as shown on a plat recorded October 4, 2002 as Document Number 2002R33058 in the Office of the Recorder of Deeds, Champaign County, Illinois, to the northeast corner of said Stone Creek Commons Subdivision No. 1, said point also being on the east line of the West One-Half of the Northeast Quarter of Section 28, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois; thence, southerly, along said east line, to the north line of Deerfield Trails Subdivision, as shown on a plat recorded July 14, 1978, in Plat Book "Z" at page 238 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, westerly, along the north line of said Deerfield Trails, and the westerly extension thereof, to a point 5.00 feet west of the east Right-of-Way line of Philo Road; thence, northerly, along a line 5.00 feet west of and parallel with the east Right-of-Way line of Philo Road, to its intersection with the easterly extension of the south line of Lot 504 of Ennis Ridge Sixth Subdivision, as shown on a plat recorded in Plat Book "O" at page 12 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, westerly, along said south line and the easterly extension thereof, to the southwest corner of said Lot 504; thence northerly, along the west line of Lots 504 and 503 of said Ennis Ridge Sixth Subdivision, to the southeast corner of Lot 523 of said Ennis Ridge Sixth Subdivision; thence, westerly, along the south line of Lot 523 of said Ennis Ridge Sixth Subdivision, to the southwest corner of said Lot 523, said point also being on the east Right-of-Way line of Vawter Street; thence, northerly, along said east Right-of-Way line, and the northerly extension thereof, to the north Right-of-Way line of Harding Drive; thence, westerly, along said north Right-of-Way line, to the southwest corner of Lot 527 of said Ennis Ridge Sixth Subdivision; thence, northerly, along the west line of Lot 527 and 526 of said Ennis Ridge Sixth Subdivision, and the northerly extension thereof, to the north Right-of-Way line of Colorado Avenue; thence, westerly, along said north Right-of-Way line, to the southwest corner of Lot 1 of Niemann First Subdivision, as shown on a plat recorded August 27, 1992 in Plat Book "BB" at page 195 in the Office of the Recorder of Deeds,

Champaign County, Illinois; thence, northerly, along the west line of said Lot 1, a distance of 418.01 feet, to a northwest corner of said Lot 1; thence, easterly, along a north line of said Lot 1, a distance of 244.32 feet; thence, northerly along the west line of said Lot 1, and the west line of a parcel described in a Trustee's Deed in Trust, dated September 25, 2002 and recorded October 4, 2002, as Document Number 2002R32959 in the Office of the Recorder of Deeds, Champaign County, Illinois, and northerly extension thereof, to its intersection with the south Right-of-Way line of Florida Avenue; thence, easterly, along said south Right-of-Way, to a point 5.00 feet west of the east Right-of-Way line of Philo Road; thence, northerly and northwesterly, along a line 5.00 feet west of, by perpendicular measurement, and parallel with the east and northeast Right-of-Way line of Philo Road, to a point 5.00 feet north of, by perpendicular measurement, the south line of the Northwest Quarter of said Section 16; thence, easterly, along a line parallel with, and 5.00 feet north of, the south line of the Northwest Quarter of said Section 16, to a point approximately 105.0 feet west and 5.00 feet north of, the Southwest corner of the Northeast Quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, City of Urbana, Champaign County, Illinois, said point being on the west line of the previously described City of Urbana Enterprise Zone; thence, southerly, along the west line of said previously described City of Urbana Enterprise Zone, a distance of 5.00 feet, to the Point of Beginning.

Property addresses include 909 Washington Square; 1303, 1305, 1307, 1309, 1311, 1315, 1317, 1405 East Florida Avenue; 1100, 1701, 1702 - 1705, 1708, 1710, 1717, 1803, 1805, 1806, 1808, 1809, 1810, 1813, 1815, 1818, 1819, 1821, 1900, 1901, 1903, 2001, 2003, 2005, 2006, 2010 - 2024 (even), 2026, 2028, 2102 - 2112 (even) South Philo Road; 1207, 1209, 1303, 1305, 1504, 1508 East Colorado Avenue; 1401 East Harding Drive; 1501 - 1603 (odd) East Mumford Drive; 1501, 1701, 1705 East Windsor Road; 2702, 2710, 2805, 2810 South Boulder Drive.

"EXHIBIT A"

Beginning at a point approximately 105.0 feet West of the Southwest corner of the Northeast Quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, City of Urbana, Champaign County, Illinois, said point being the southwest corner of the previously described City of Urbana Enterprise Zone; thence, westerly, along the south line of the Northwest Quarter of said Section 16, to its intersection with the northwesterly extension of the northeast Right-of-Way line of Philo Road; thence, southeasterly, along said northeast Right-of-Way line, and the northwesterly extension thereof, to its intersection with the southerly extension of the west line of Tract "C" in Modern Research Subdivision, as shown on a plat recorded in Plat Book "M" at page 33 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, northerly, along said west line, and the southerly extension thereof, a distance of 109.62 feet, to the south line of a tract described in a Warranty Deed, recorded April 16, 2001, as Document Number 2001R08531 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, easterly along said south line, and the easterly extension thereof, to the east Right-of-Way line of Washington Square, as shown on the plat of Washington Square First Subdivision, recorded in Plat Book "X" at page 139 in the Office of the Recorder of Deeds, Champaign County, Illinois, said point also being on the west line of Lot 1 of Illinois Power Company Subdivision No. 1, as shown on a subdivision plat recorded in Plat Book "BB" at page 132 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, southerly, along said west line of Lot 1, around a curve to the right, concave to the west, having a radius of 50.00 feet, a chord length of 88.22, for an arc length of 108.50 feet; thence, continuing along said west line of Lot 1, a distance of 40.80 feet; thence, southeasterly, continuing along said west line of Lot 1, a distance of 67.79 feet; thence, easterly, along a south line of said Lot 1, a distance of 130.68 feet; thence, southerly, along a west line of said Lot 1, and the southerly extension thereof, to the northeast Right-of-Way line of Philo Road; thence southeasterly and southerly, along the northeast and east Right-of-Way line of Philo Road, to its intersection with the south Right-of-Way line of Florida Avenue; thence, easterly, along said south Right-of-Way line, to its intersection with the west line of the East 520 feet of the Northwest Quarter of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, City of Urbana, Champaign County, Illinois, said line also being the northerly extension of the west line of Sunnycrest Apartments II Subdivision, as shown on a plat recorded in Plat Book "CC" at page 233 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, southerly, along said west line, and the northerly and southerly extensions thereof, to the south Right-of-Way line of Colorado Avenue; thence, westerly, along said south Right-of-Way line, to a point 394.95 feet east of the west line of the Southwest Quarter of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, said point also being on the east line of a tract described in Warranty Deed, recorded May 6, 1992 as Document Number 92R13185 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, southerly, along said east

line, to the southeast corner of said tract; thence, westerly, along the south line of said tract, to the east Right-of-Way line of Philo Road; thence, southerly, along said east Right-of-Way line, to the north line of Lot 1 of Brooks 1st Subdivision, as shown on a plat recorded in Plat Book "X" at page 73; thence, easterly, along said north line, to the northeast corner of said Lot 1; thence, southerly, along the east line of said Lot 1, to the southeast corner of said Lot 1, said point also being on the north line of Southgate Shopping Center Subdivision, as shown on a plat recorded in Plat Book "Z" at page 176 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, easterly, along said north line, to the northeast corner of said Subdivision; thence, southerly, along the east line of said Subdivision, to a southeast corner of said Subdivision; thence, westerly, along a south line of said Subdivision, to a southeast corner of said Subdivision; thence, southerly, along an east line of said Subdivision, to the northeast corner of Webber's Replat, as shown on a plat recorded July 12, 2001 as Document Number 2001R18798 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, southerly, along the east line of said Webber's Replat, and the southerly extension thereof, to the south Right-of-Way line of Mumford Drive; thence, easterly, along said south Right-of-Way line, to the northeast corner of a Replat of Lot 1 of Eagle Ridge of Urbana Phase I, as shown on a plat recorded on November 3, 2000 as Document Number 2000R25740 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, southerly, along the east line of said Replat of Lot 1, to the southeast corner of said Replat of Lot 1; thence, westerly, along the south line of said Replat of Lot 1, to the east Right-of-Way line of Philo Road; thence, southerly, along said east Right-of-Way line, and the southerly extension thereof, to its intersection with the south Right-of-Way line of Windsor Road; thence, easterly, along said south Right-of-Way line and the north line of Stone Creek Commons Subdivision No. 1, as shown on a plat recorded October 4, 2002 as Document Number 2002R33058 in the Office of the Recorder of Deeds, Champaign County, Illinois, to the northeast corner of said Stone Creek Commons Subdivision No. 1, said point also being on the east line of the West One-Half of the Northeast Quarter of Section 28, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois; thence, southerly, along said east line, to the north line of Deerfield Trails Subdivision, as shown on a plat recorded July 14, 1978, in Plat Book "Z" at page 238 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, westerly, along the north line of said Deerfield Trails, and the westerly extension thereof, to a point 5.00 feet west of the east Right-of-Way line of Philo Road; thence, northerly, along a line 5.00 feet west of and parallel with the east Right-of-Way line of Philo Road, to its intersection with the easterly extension of the south line of Lot 504 of Ennis Ridge Sixth Subdivision, as shown on a plat recorded in Plat Book "O" at page 12 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, westerly, along said south line and the easterly extension thereof, to the southwest corner of said Lot 504; thence northerly, along the west line of Lots 504 and 503 of said Ennis Ridge Sixth Subdivision, to the southeast corner of Lot 523 of said Ennis Ridge Sixth Subdivision; thence, westerly, along the south line of Lot 523 of said Ennis Ridge Sixth Subdivision, to the southwest corner of said Lot 523, said point also being on the east Right-of-Way line of Vawter Street; thence, northerly, along said east Right-of-Way line, and the northerly extension thereof, to the north Right-of-Way line of Harding

Drive; thence, westerly, along said north Right-of-Way line, to the southwest corner of Lot 527 of said Ennis Ridge Sixth Subdivision; thence, northerly, along the west line of Lot 527 and 526 of said Ennis Ridge Sixth Subdivision, and the northerly extension thereof, to the north Right-of-Way line of Colorado Avenue; thence, westerly, along said north Right-of-Way line, to the southwest corner of Lot 1 of Niemann First Subdivision, as shown on a plat recorded August 27, 1992 in Plat Book "BB" at page 195 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, northerly, along the west line of said Lot 1, a distance of 418.01 feet, to a northwest corner of said Lot 1; thence, easterly, along a north line of said Lot 1, a distance of 244.32 feet; thence, northerly along the west line of said Lot 1, and the west line of a parcel described in a Trustee's Deed in Trust, dated September 25, 2002 and recorded October 4, 2002, as Document Number 2002R32959 in the Office of the Recorder of Deeds, Champaign County, Illinois, and northerly extension thereof, to its intersection with the south Right-of-Way line of Florida Avenue; thence, easterly, along said south Right-of-Way, to a point 5.00 feet west of the east Right-of-Way line of Philo Road; thence, northerly and northwesterly, along a line 5.00 feet west of, by perpendicular measurement, and parallel with the east and northeast Right-of-Way line of Philo Road, to a point 5.00 feet north of, by perpendicular measurement, the south line of the Northwest Quarter of said Section 16; thence, easterly, along a line parallel with, and 5.00 feet north of, the south line of the Northwest Quarter of said Section 16, to a point approximately 105.0 feet west and 5.00 feet north of, the Southwest corner of the Northeast Quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, City of Urbana, Champaign County, Illinois, said point being on the west line of the previously described City of Urbana Enterprise Zone; thence, southerly, along the west line of said previously described City of Urbana Enterprise Zone, a distance of 5.00 feet, to the Point of Beginning.