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Recording Cover Sheet

AFFADAVIT OF MAILING NOTICE OF INTENT
TO ANNEX TERRITORY TO THE CITY OF
URBANA (2912 E. MAIN STREET / URBANA &
CHAMPAIGN SANITARY DISTRICT)

2017R03997
REC ON: 03/09/2017 2:09:01 PM
CHAMPAIGN COUNTY
MARK SHELDEN
REC FEE: 62.00
PAGES 18
PLAT ACT: 0PLAT PAGE:

Prepared for recording by:

Wendy M. Hundley, Adm. Asst.

400 S. Vine Street, Urbana, IL 61801

Return to:

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

(6)

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

STATE OF ILLINOIS)
) SS.
COUNTY OF CHAMPAIGN)

Phyllis D. Clark, states 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 5/7-1-1 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, the Township Supervisor, the Township Clerk, 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 the Edge-Scott Fire Protection District to the City of Urbana, Illinois, 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 the Edge-Scott Fire Protection District at the addresses indicated on the copy of said notice hereto attached, all notices being mailed on the 8th day of March, 2017, 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
8 day of March, 2017.



Notary Public

OFFICIAL SEAL
LIZABETH KAY MEHARRY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 02/04/2021

EXHIBIT A



Community Development Services
Planning Division
400 South Vine Street
Urbana, IL 61801
(217) 384-2440
FAX (217) 384-2367
www.urbanaininois.us

March 1, 2017

NOTICE TO TOWNSHIP OFFICIALS AND FIRE PROTECTION DISTRICT OF ANNEXATION PETITION

TO:

Urbana Township Board of Trustees

Jack Price
405 McGee Circle
Urbana, IL, 61802

Mark Sapoznik
308 Yankee Ridge Lane
Urbana, IL, 61802

Constance Wilder
2312 Slayback Street
Urbana, IL, 61802

Carol Edwards
2605 Brownfield Road
Urbana, IL, 61802

Urbana Township Supervisor

Jeffery Johnstone
2312 East Perkins Road
Urbana, IL, 61802

Urbana Township Clerk

Mike Murphy
2312 East Perkins Road
Urbana, IL, 61802

Urbana Township Commissioner of Highways

Jim Prather
2312 East Perkins Road
Urbana, IL, 61802

and

Trustees of Edge-Scott Fire Protection District

Linda Barcus
2605 E. California Avenue
Urbana IL 61802

Jeremy Delanty
403 Carrie Avenue
Urbana, IL 61802

Mark McDuffy
507 E. Dodson Drive
Urbana IL 61802



Chief of the Edge-Scott Fire Protection District

Steve Thuney
703 Doisy Lane
Champaign, IL, 61822

Location Map



Cases: 2016-A-02 and 2297-M-16
Subject: Annexation Agreement and Zoning Amendment
Addresses: 2912 East Main Street
Petitioners: Urbana & Champaign Sanitary District

 Subject Property
 City of Urbana

Recording Cover Sheet

FILED

MAR 09 2017

Andy Milton
CHAMPAIGN COUNTY CLERK

**AN ORDINANCE APPROVING AN ANNEXATION
AGREEMENT (2912 E. MAIN STREET / URBANA
& CHAMPAIGN SANITARY DISTRICT)
[ORDINANCE NO. 2017-03-012]**

*ORDINANCE

*AGREEMENT

*MAP

Prepared for recording by:

Wendy M. Hundley, Adm. Asst.

400 S. Vine Street, Urbana, IL 61801

Return to:

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

Passed: March 06, 2017

Signed: March 07, 2017

ORDINANCE NO. 2017-03-012

FILED

MAR 08 2017

Marilyn Mullen
CHAMPAIGN COUNTY CLERK

AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT

(2912 E. Main Street / Urbana & Champaign Sanitary District)

WHEREAS, an Annexation Agreement between the City of Urbana, Illinois, and the Urbana & Champaign Sanitary District has been submitted for the Urbana City Council's consideration; and

FILED

MAR 09 2017

Marilyn Mullen
CHAMPAIGN COUNTY CLERK

WHEREAS, said agreement governs a tract totaling approximately 14,592 square feet located at 2912 East Main Street, Urbana, Illinois, and said tract is legally described as follows:

A part of the Northeast Quarter of Section 15, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Outlot 3 in East Urbana Industrial Center Number 1 Subdivision, as recorded in Plat Book "BB" at Page 117 in the Recorder's Office of Champaign County, Illinois.

Said annexation containing 14,591.5129 S.F. (0.335 acres), more or less, all situated in Urbana Township, Champaign County, Illinois.

Permanent Index No. (PIN): 30-21-15-226-005; and

WHEREAS, a Legal Notice was published on the 3rd day of February, 2017, in *The News-Gazette*, a newspaper having general circulation in the City of Urbana, Illinois, that a public hearing would be held before the Urbana City Council on the matter of the proposed annexation agreement on the 6th day of March, 2017; and

WHEREAS, a Notice was mailed to each Trustee of the Edge-Scott Fire

Protection District; each Board of Urbana Township Trustee; and the Urbana Township Clerk, Supervisor, and Commissioner of Highways, said notices being mailed on the 7th day of February, 2017; and

WHEREAS, on the 6th day of March, 2017, the Urbana City Council held a public hearing on the proposed annexation agreement; and

WHEREAS, prior to the aforesaid public hearing held by the Urbana City Council, after due and proper notice, a public hearing was held before the Urbana Plan Commission on the 9th day of February, 2017, to consider the proposed annexation agreement in Case No. 2016-A-02, including the rezoning from County R-2 Single Family Residence to City IN-1 Light Industrial/Office in Case No. 2297-M-16, and voted 6 ayes and 0 nays to forward a recommendation of approval to the Urbana City Council; and

WHEREAS, the City Council has determined that the proposed annexation agreement is in conformance with the goals and objectives of the City of Urbana's 2005 Comprehensive Plan; and

WHEREAS, the City Council, having duly considered all matters pertaining thereto, finds and determines that the proposed annexation agreement will not negatively impact the City of Urbana and would be in the best interests of the City of Urbana and its citizens.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1. An annexation agreement between the City of Urbana, Illinois, and the Urbana & Champaign Sanitary District, in substantially the form of the copy of said agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of

Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said annexation agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

Section 3. The City Clerk is directed to record a certified copy of this Ordinance and the annexation agreement herein approved, as amended, with the Recorder of Deeds of Champaign County, Illinois.

This Ordinance is hereby passed by the affirmative vote of two-thirds of the Corporate Authorities of the City of Urbana, Illinois, then holding office at a regular meeting of the Corporate Authorities, the "ayes" and "nays" being called:

PASSED BY THE CITY COUNCIL this 6th day of March, 2017.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth, Prussing

NAYS:

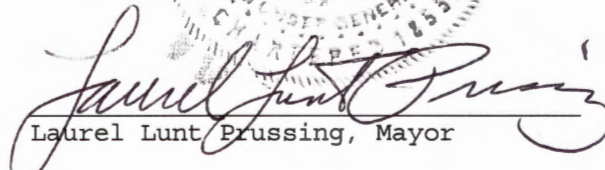
ABSENT:

ABSTAINED:



Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this 7th day of March, 2017.



Laurel Lunt Prussing, Mayor

EXHIBIT A



Community Development Services
Planning Division
400 South Vine Street
Urbana, IL 61801
(217) 384-2440
FAX (217) 384-2367
www.urbanaininois.us

March 1, 2017

NOTICE TO TOWNSHIP OFFICIALS AND FIRE PROTECTION DISTRICT OF ANNEXATION PETITION

TO:

Urbana Township Board of Trustees

Jack Price
405 McGee Circle
Urbana, IL, 61802

Mark Sapoznik
308 Yankee Ridge Lane
Urbana, IL, 61802

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2312 Slayback Street
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Linda Barcus
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Chief of the Edge-Scott Fire Protection District

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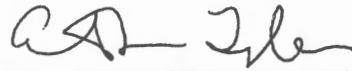
EXHIBIT A

NOTICE IS HEREBY GIVEN, pursuant to Section 5/7-1-1 of the Illinois Municipal Code (65 ILCS 5/7-1-1) that a petition has been received praying that the Urbana City Council pass an ordinance annexing the following described territory to the City of Urbana:

Outlot 3 in East Urbana Industrial Center Number 1 Subdivision, as recorded in Plat Book "BB" at Page 117 in the Recorder's Office of Champaign County, Illinois.

commonly known for reference as 2912 E. Main Street, Urbana, Illinois, and further referenced as Champaign County permanent parcel number 30-21-15-226-005. Said territory lies within the boundaries of the Edge-Scott Fire Protection District and the Urbana Township, and is contiguous to the City of Urbana, Illinois.

Notice is further given that the Urbana City Council will vote on an ordinance annexing said territory to the City at its regular meeting on Monday, March 20, 2017, at 7:00 p.m. in the City Council Chambers at 400 South Vine Street, Urbana, Illinois 61801.



Director, Community Development Services
City of Urbana, Illinois

Annexation Agreement

This Annexation Agreement is made between the City of Urbana, Illinois ("Urbana") and Urbana & Champaign Sanitary District, (the "Owner"), each a "party" and together the "parties," and is effective on the last date signed by a party hereto. The parties agree as follows:

1. The Property.

The Owner is the owner of record of the real property commonly known as 2912 East Main Street, Urbana, Illinois, having permanent index number 30-21-15-226-005, consisting of approximately 0.338 acres in unincorporated Champaign County (the "Property"). Exhibit A legally describes and shows a true and accurate location map of the Property.

2. Annexation.

- A. The Owner and Urbana shall take all actions necessary or appropriate to cause the Property to be validly annexed to Urbana as provided in this agreement and pursuant to the provisions of 65 ILCS 5/11-15.1-1 *et seq.*, as amended. The Property is contiguous to Urbana and may be immediately annexed.
- B. The Owner hereby waives all rights to disconnect the Property from Urbana during the term of this agreement.

3. Zoning.

- A. Classification. Upon passage of the ordinance annexing the Property to Urbana, Urbana shall classify the Property as part of the IN-1, Light Industrial/Office zoning district to allow its continued use for public utility purposes. Urbana shall not rezone the Property during the term of this agreement except upon a written amendment to this agreement.
- B. Ordinance amendments. Urbana reserves the right to amend the Urbana City Code and the Urbana Zoning Ordinance even if such amendment affects the Property.
- C. Rezoning. The Owner shall not petition for Champaign County rezoning of the Property without a written amendment to this agreement.

4. Owner's duties.

The Owner shall have the following duties:

- A. Before annexation. At all times prior to annexation, the Owner shall have the following duties:
 - (1) Compliance with law. Except as otherwise provided in this agreement, the Owner shall use the Property in compliance with all applicable federal and state laws and all Urbana zoning and building codes and regulations in effect on the effective date of this agreement or an amendment thereto, except to the extent that any requirement has been waived or adjusted in an existing Intergovernmental Agreement or similar instrument.
 - (2) Construction. The Owner shall cause construction of any improvements to the Property to comply with all applicable building and zoning codes, rules, regulations, orders, and other requirements of Urbana.

- B. After annexation. At all times after annexation, the Owner shall have the following duties:
- (1) Zoning designation. The Owner shall comply with all applicable provisions of the Urbana Zoning Ordinance, including those relating to non-conforming structures and uses. The Owner shall accept the Urbana IN-1 Light Industrial/Office zoning classification, as provided for in the Urbana Zoning Ordinance, as amended.
 - (2) Code compliance. The Owner shall comply with all Urbana ordinances in effect unless expressly waived or varied in this agreement. The Owner shall cause all new development, construction, or additions on the Property to comply with any, and all codes, rules, regulations, orders, and other requirements of Urbana, except to the extent that any requirement has been waived or adjusted in an existing Intergovernmental Agreement or similar instrument. The Owner shall submit all building construction plans to Urbana for review and shall pay all applicable building permit fees.
 - (3) Easement. The Owner agrees to execute the easement attached as Exhibit C.

5. Urbana's duties.

Urbana shall annex the Property in accordance with the terms and conditions set forth in this agreement. Urbana shall enact all ordinances and resolutions necessary to effectuate this agreement.

6. Owner's representations.

The Owner represents to Urbana as follows:

- A. Authority. The person signing this agreement on behalf of the Owner has been authorized and empowered to enter into this agreement by and on behalf of such Owner and that this agreement is a legal, valid, and binding obligation of the Owner, enforceable against the Owner in accordance with its terms.
- B. Petition for annexation. The Owner shall, within ninety (90) days of the approval of this agreement, cause the tract to be annexed to the City of Urbana by filing with Urbana a written petition signed by the Owner and all electors residing on the Property requesting annexation of the Property to Urbana and being in proper form to allow annexation of the Property pursuant to the Illinois Municipal Code, as amended.

7. Urbana's representations.

Urbana represents to the Owner as follows:

- A. Authority. The person signing this agreement on behalf of Urbana has been authorized and empowered to enter into this agreement by and on behalf of Urbana; and Urbana has taken or will take all actions necessary to authorize the execution, delivery, and performance of this agreement.
- B. Public hearings. Prior to execution of this agreement, Urbana has held all public hearings required by law.

8. Term.

This agreement will be binding upon the parties and their respective successors and assigns for twenty (20) years commencing as of the effective date of this agreement. If any of the

terms of this agreement, or the annexation or zoning of the Property, is challenged in any court proceeding, or if Urbana files a court action to enforce this agreement, then, to the extent permitted by law, the period of time during which such litigation is pending will not be included in calculating the term of this agreement. The expiration of the term of this agreement will not affect the continuing validity of the zoning of the Property or any ordinance enacted by Urbana pursuant to this agreement.

9. Enforcement.

Any party, or the successor or successors in title of any party hereto, may either in law or in equity, by suit, action, mandamus, injunction, or other proceedings enforce, and compel performance of this agreement. Upon breach by the Owner, or the successor or successors in title of the Owner, Urbana may refuse the issuance of any permits or other approvals or authorizations relating to development of or construction on the Property.

10. Indemnification.

The Owner shall defend and indemnify Urbana from any and all claims arising from the Owner's construction activities under this agreement.

11. Entire agreement; amendments.

This agreement constitutes the entire agreement between the parties, supersedes all other agreements or understandings between them pertaining to the matter of this agreement, and may not be modified or rescinded except by a writing signed by both parties.

12. Assignment.

The Owner's rights and privileges provided pursuant to this agreement are personal to the Owner and are not assignable or voluntarily transferable by the Owner without the express written consent of Urbana, which consent shall not be unreasonably withheld. Such consent will not constitute an amendment to this agreement and may be given without the requirement of notice or a public hearing, except as required by the Illinois Open Meetings Act. The Owner's obligations, undertakings, and guarantees specifically made in this agreement will continue in full force and effect and will not be affected insofar as Urbana is concerned by any sale, transfer, or assignment of any interest in any portion of the Property.

13. Notices.

Except where the terms of this agreement expressly provide otherwise, the parties shall give all notices required or permitted by this agreement in writing, addressed as set forth below, unless another address is provided in writing. Notices will be deemed given when personally delivered; deposited in the U.S. mail, postage prepaid, first class; or delivered to a commercial courier.

Urbana: City of Urbana Planning Division Manager, 400 S. Vine Street, Urbana, Illinois 61801

Owner: Urbana & Champaign Sanitary District, P.O. Box 669, 1100 E. University Avenue, Urbana, IL 61803

14. Waiver.

The failure of either party to insist upon the strict and prompt performance of any term, covenant, or condition of this agreement will not be deemed to waive or to relinquish that party's right thereafter to enforce any such term, covenant, or condition unless the party's waiver is in writing.

15. Severability.

If any provision of this agreement, other than the provisions relating to the requested zoning changes and the ordinances adopted in connection therewith, is held invalid by any court of

competent jurisdiction, such provision will be deemed to be excised here from, and the invalidity thereof shall not affect any of the other provisions contained herein.

16. No presumption.

The parties have had full opportunity to review and to participate in the drafting of this agreement and all documents attached as exhibits. Accordingly, this agreement will be construed without regard to any presumption or other rule of construction whereby any ambiguities within this agreement would be construed or interpreted against the party causing the document to be drafted.

17. City Council approval.

This agreement will be valid only after the Urbana City Council approves it by resolution or ordinance.

18. Covenant running with the land.

The terms of this agreement constitute a covenant running with the land and will inure to the benefit of and be binding upon the successors in title and assigns of the Owner and each of them, as to all or any part of the Property, and upon the successor municipalities of Urbana and the successor corporate authorities of each of them.

19. Recording of agreement.

Not more than thirty (30) days after the effective date of this agreement, Urbana shall record this agreement, or a suitable memorandum hereof, in the Champaign County Office of the Recorder of Deeds at the Owner's sole cost and expense.

20. Exhibits.

All exhibits and schedules attached to this agreement are incorporated into this agreement and are made a part of this agreement by this reference.

21. Third-party beneficiaries.

This agreement is made for the mutual benefit of the parties hereto and is not intended to confer any rights to any third party. No third party may bring any action to enforce any of the terms herein.

[Signature page follows]

The duly authorized representatives of the Owner and Urbana are signing this agreement on the dates stated below their signatures.

Urbana & Champaign Sanitary District

City of Urbana, Illinois

By: *Diana Lenik*
Diana Lenik
President
Date:

By: *Laurel Lunt Prussing*
Laurel Lunt Prussing
Mayor
Date: *3/8/17*

Attest:

Phyllis Clark
Phyllis Clark
City Clerk



STATE OF ILLINOIS)
) ss.
COUNTY OF CHAMPAIGN)

I, the undersigned, a notary public in and for the said County, in the State aforesaid do hereby certify that Diana Lenik, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument in her capacity as the duly authorized President of the Urbana & Champaign Sanitary District as her free and voluntary act, and the free and voluntary act of the Urbana & Champaign Sanitary District for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this *2nd* day of *March* 2017.

Theresa Marie Plotner
Notary Public

Attachments: Exhibit A: Legal Description
Exhibit B: Location Map
Exhibit C: Easement

"OFFICIAL SEAL"
THERESA MARIE PLOTNER
Notary Public, State of Illinois
My commission expires 10/27/19

EXHIBIT A: PROPERTY LEGAL DESCRIPTION & PLAT OF SURVEY

The Property is legally described as:

"A part of the Northeast Quarter of Section 15, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Outlot 3 in East Urbana Industrial Center Number 1 Subdivision, as recorded in Plat Book "BB" at Page 117 in the Recorder's Office of Champaign County, Illinois.

Said annexation containing 14,591.5129 S.F. (0.335 acres), more or less, all situated in Urbana Township, Champaign County, Illinois.



MAP SHOWING AREA ANNEXED BY CITY ORDINANCE #2017-XX-XXX
 CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS
 DATE: Xxxxx XX, 2017

AREA OF ANNEXATION	
EXISTING CITY LIMITS	
NEW CITY LIMITS	
RIGHT OF WAY LINE	
PROPERTY ADDRESS	8812
LOT NUMBER	418

ENGINEERING DIVISION

CITY ENGINEER/PUBLIC WORKS DIRECTOR

DRAWN BY: B.W.F. 12/28/17
 CHECKED BY: B.O. 1/7/2017

EXHIBIT B: EASEMENT LEGAL DESCRIPTION & PLAT OF SURVEY

PERMANENT UTILITY EASEMENT

The Grantors, The Urbana Champaign Sanitary District, for and in consideration of One Dollar and other good and valuable consideration, herewith and hereby gives, grants and conveys unto the Grantee herein, THE CITY OF URBANA, a municipal corporation of the State of Illinois, a perpetual easement, privilege, right, and authority for use by public utilities to construct, reconstruct, repair and maintain their facilities upon, under and within a part of the real estate described as follows:

The northerly 10.00 feet of even and equal width of Outlot 3 in East Urbana Industrial Center Number 1 Subdivision, as recorded in Plat Book "BB" at Page 117 in the Recorder's Office of Champaign County, Illinois.

Said easement having an area of 450.00 square feet, more or less, all situated in Urbana Township, Champaign County, Illinois, and being as shown on the attached plat.

In consideration of the grant of the easement hereinabove contained and of payment thereof, the GRANTOR(S) and GRANTEE hereby agree as follows:

1. During the performance of the construction work, the GRANTEE, its contractors and agents and the public utilities locating facilities within the above described easement, shall have exclusive use of the permanent easement area as is necessary to the orderly and economical performance of the construction work.
2. The public utilities shall be constructed of such materials and maintained in such manner as the GRANTEE, or the public utility locating facilities within the above described easement, may deem suitable.
3. The GRANTEE, its contractor, or the public utility locating facilities within the above described easement, shall regrade all disturbed ground, so that the surface of the real estate above described shall be restored to a condition of safety and amenity, and shall remove from the above described real estate all surplus soil and debris resulting from any such construction work.
4. The GRANTOR(S) shall have all rights, now herein granted, to the ownership, use and occupation of the above described real estate, except that the GRANTOR(S) shall place no permanent building or structure over or within the permanent easement herein granted, in such a manner as to damage the public utilities, or restrict the use thereof, or deny the GRANTEE, or the public utility locating facilities within the above described easement, reasonable access thereto for the purpose of the use, repair, replacement, or maintenance thereof.
5. The GRANTEE will indemnify and save harmless the GRANTOR(S), their heirs, executors, administrators, and assigns, from any and every claim, demand, suit, damage, and payment thereof, in respect thereto, or in respect of any of them with reference to injury to persons or damage to property caused by any of the work performed by the GRANTEE under this grant, and will require its contractors, or the public utilities locating facilities within the above described easement, to so indemnify and save harmless the said GRANTOR(S), their heirs, executors, administrators, and assigns.

EXHIBIT B: EASEMENT LEGAL DESCRIPTION & PLAT OF SURVEY

- 6. The grant herein contained shall constitute a covenant which runs with the land and shall be binding upon the heirs, executors, administrators, and assigns of the GRANTOR(S) and the terms and conditions herein set forth shall be binding upon the GRANTOR(S) and the GRANTEE and the public utilities locating facilities within the above described easement.

IN WITNESS WHEREOF, the Grantor has executed this easement this 2^d day of March, 2017 A.D.

BY: Diana Lenk

STATE OF ILLINOIS)
) S.S.
COUNTY OF CHAMPAIGN)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that Diana Lenk personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered such instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 2nd day of March, 2017 A.D.

Theresa Marie Plotner
Notary Public



Accepted on behalf of the City of Urbana.

BY: William R. Gray
William R. Gray
Public Works Director/City Engineer

Date: 3/7/17

EXHIBIT B: EASEMENT LEGAL DESCRIPTION & PLAT OF SURVEY



**Proposed Permanent Easement
2912 E. Main Street**



Community Development Services
Planning Division
400 South Vine Street
Urbana, IL 61801
(217) 384-2440
FAX (217) 384-2367
www.urbanaininois.us

March 10, 2017

Office of the City Clerk
City of Urbana, Illinois

RE: Petition for Annexation by the Urbana & Champaign Sanitary District, 2912 East Main St.,
Ordinance # 2017-03-013

Please accept the attached Petition for Annexation which was submitted by the Urbana & Champaign Sanitary District for their property located at 2912 East Main Street, Urbana, Illinois, also identified as Permanent Index Number 30-21-15-226-005.

This Petition is scheduled to be reviewed by the City of Urbana's Committee of the Whole on March 13, 2017, and, if forwarded with approval, is scheduled to be heard by the City Council of Urbana on March 20, 2017, under Ordinance # 2017-03-013.

Sincerely,

Marcus Ricci, MS, MUP
Planner II
mericci@urbanaininois.us

att: Petition for Application with draft Legal Description and Plat of Survey

cc: Mike McCormick, Erwin, Martinkus, & Cole, Attorneys; Representative for Applicant
Rick Manner, Executive Director, Urbana & Champaign Sanitary District, Applicant

FILED

MAR 10 2017

Phyllis D. Clark
City Clerk



Petition for Annexation

ANNEXATION

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 02-23-2017 Annexation Case No. 2017-A-01

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Urbana & Champaign Sanitary District** Phone: 217- **367-3409**
Address (street/city/state/zip code): **1100 E. University Avenue, Urbana, IL 61802**
Email Address: **rmanner@u-csd.com**
Property Interest of Applicant(s) (Owner, Contract Buyer, etc.): **Owner**

2. OWNER INFORMATION

Name of Owner(s): **Same as Applicant** Phone: **Same as Above**
Address (street/city/state/zip code): **Same as Above**
Email Address: **Same as Above**
Is this property owned by a Land Trust? Yes No
If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Location of Subject Site: **2912 E. Main Street, Urbana, IL 61802**
PIN # of Location: **30-21-15-226-005**
Lot Size: **.34 acres more or less ; 14,592 square feet**
Current Zoning Designation: **R-2 Single Family**
Proposed Zoning Designation: **IN 1 - Light Industrial / office**
Current Land Use (vacant, residence, grocery, factory, etc): **UCSD Pump Station and related activities**
Proposed Land Use: **Same**
Present Comprehensive Plan Designation: **Residential**
Legal Description (If additional space is needed, please submit on separate sheet of paper):
Outlot3 in East Urbana Industrial Center Number 1 Subdivision, as recorded in Plat Book "BB" at Page 117 in the Recorder's Office of Champaign County, Illinois

To the City Council of the City of Urbana
Champaign County, Illinois

The Applicant, Urbana & Champaign Sanitary District; respectfully states under oath:

That I, Rick Manner, Executive Director (*applicant*), am either the sole owner or am authorized by the owner(s) of record of the following legally described land (hereinafter sometimes referred to as the "Tract"), except any public right-of-way property wit: (*Insert Legal Description*)

Outlot3 in East Urbana Industrial Center Number 1 Subdivision, as recorded in Plat Book "BB" at Page 117 in the Recorder's Office of Champaign County, Illinois

All situated in Champaign County, Illinois.

Together with the following described adjacent public right-of-way which is by operation of the law, automatically annexed with the adoption of an Annexation Ordinance pertaining to this parcel:

Not applicable

Also known for reference as 2912 East Main Street Urbana, Illinois,
(*street address*)

having permanent identification number (PIN) 30-21-15-226-005 .

That said territory is not situated within the corporate limits of any municipality, but is contiguous to the City of Urbana, Illinois.

That at least fifty-one percent (51%) of any and all electors (registered voters) residing in said Tract have signed this petition.

APPLICANT(S) RESPECTFULLY REQUESTS:

1. That the above described Tract(s) be annexed to the City of Urbana by Ordinance of the Mayor and City Council of the City of Urbana, pursuant to Section 7-1-8 of Chapter 24 of the Illinois Municipal Code of the State of Illinois, as amended.
2. That said Tract be annexed in accordance with the terms of the annexation agreement passed by the City Council on March 6, _____, 20 17 as Ordinance No. _____ and approved by the Mayor of the City of Urbana.

NOTE: *All property owners must sign this annexation petition. In the case of corporate ownership, the person(s) signing must be authorized to do so by the corporation board.*

Dated this 15th day of February, 20 17

OWNER(S):

By: Rob Manner

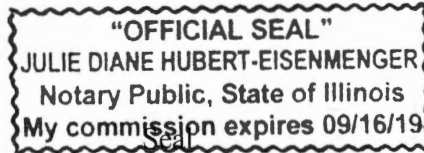
By: _____

By: _____

By: _____

Subscribed and sworn to before me this 15th day of February, 20 17.

Julie Diane Hubert-Eisenmenger
Notary Public



My Commission Expires: 16th day of September, 20 19.

The undersigned, being electors (registered voters) residing in said Tracts, respectfully state under oath:

- 1. I am currently registered to vote in Champaign County, Illinois and currently reside in said Tracts.
2. I have read and understand the petition to annex said Tracts and hereby and herewith join in the petition for annexation of said Tracts to the City of Urbana.

ELECTORS:

SIGNATURE ADDRESS (PLEASE PRINT)
1. (None)
2.
3.

COUNTY OF CHAMPAIGN)
) SS
STATE OF ILLINOIS)

I, _____, Notary Public in the aforesaid County and State, do hereby certify that each of the persons who signed this petition personally appeared before me and acknowledged that they signed the said petition as their free and voluntary act for the uses and purposes set forth therein.

_____)
Notary Public

Seal

My Commission expires the _____ day of _____, 20_____.

EXHIBIT A: PROPERTY LEGAL DESCRIPTION & PLAT OF SURVEY

The Property is legally described as:

"A part of the Northeast Quarter of Section 15, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Outlot 3 in East Urbana Industrial Center Number 1 Subdivision, as recorded in Plat Book "BB" at Page 117 in the Recorder's Office of Champaign County, Illinois.

Said annexation containing 14,591.5129 S.F. (0.335 acres), more or less, all situated in Urbana Township, Champaign County, Illinois.



MAP SHOWING AREA ANNEXED BY CITY ORDINANCE #2017-XX-XXX
 CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS
 DATE: Xxxxx XX, 2017

AREA OF ANNEXATION	
EXISTING CITY LIMITS	
NEW CITY LIMITS	
RIGHT OF WAY LINE	
PROPERTY ADDRESS	28XX
LOT NUMBER	448

ENGINEERING DIVISION

CITY ENGINEER/PUBLIC WORKS DIRECTOR

DRAWN BY: B.M.F. 1262217
 CHECKED BY: W.B.G. 1270217