

UNOFFICIAL COPY



0605527046

Doc#: 0605527046 Fee: \$116.00

Eugene "Gene" Moore

Cook County Recorder of Deeds

Date: 02/24/2006 12:25 PM Pg: 0

1 of 6

Property of Cook County Clerk's Office

**CITY OF DES PLAINES
ORDINANCE A - 2 - 05**

**PHASE B DISCONNECTION AND EXCLUSION
ORDINANCE DIS-ANNEXING AND EXCLUDING
CERTAIN TERRITORY IN THE CITY OF DES
PLAINES.**

After recording, please mail to:

John D. McDonough
Special Assistant Corporation Counsel
for the City of Chicago
c/o Law Department
Real Estate and Land Use Division
30 North LaSalle Street
Room 1610
Chicago, IL60602

*Previously recorded in DuPage County
on February 21, 2006, as
Doc. No. R2006-030995*

UNOFFICIAL COPY

CITY OF DES PLAINES

ORDINANCE A - 2 - 05

PHASE B DISCONNECTION AND EXCLUSION ORDINANCE DIS-ANNEXING AND EXCLUDING CERTAIN TERRITORY IN THE CITY OF DES PLAINES.

WHEREAS, the City of Des Plaines ("Des Plaines") and the City of Chicago ("Chicago") entered into an Intergovernmental Agreement for the disconnection and exclusion of certain described territory from Des Plaines and its annexation to Chicago, and additional obligations relating to the termination, alteration and continuation of various utility and infrastructure improvements and services in connection with such change in municipal boundaries

WHEREAS, the territory is to be transferred from Des Plaines to Chicago in two phases; and

WHEREAS, the Phase B Territory, as described in the Intergovernmental Agreement is currently located within the corporate limits of Des Plaines and lies along the common boundary line between Des Plaines and Chicago; and

WHEREAS, the Phase B Territory contains neither electors nor residents and is therefore unoccupied; and

WHEREAS, Des Plaines and Chicago have agreed to a settlement that will constitute a settlement of the debts and municipal property between Chicago and Des Plaines as provided in Section 7-1-31, 7-1-32, and 7-1-33 of the Illinois Municipal Code; and

WHEREAS, Des Plaines and Chicago desire to avoid the time, cost and uncertainties of litigation and Chicago desires to avoid the cost of obtaining utility service by other means; and

WHEREAS, Des Plaines and Chicago are home rule municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970 and, as such, each of them may exercise any power or perform any function related to its respective government and affairs, subject to the limitations stated in such Constitution; now, therefore,

BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: The Phase B Territory, which is legally described as follows:

A part of the North Half of Section 36, Township 41 North, Range 11 East of the Third Principal Meridian, Cook County, state of Illinois, described as follows:

Commencing at the North Quarter Corner of said Section 36; thence South 01 degrees 06 minutes 19 seconds East, 1148.27 feet along the west line of the Northeast Quarter of said Section 36 to the south Right-of-Way line of Old Higgins Road said point being 33.00 feet normally distant south from the centerline of said Old Higgins Road, said point being also the Point of Beginning; thence South 79 degrees 24 minutes 54 seconds East, 297.17 feet along said south Right-of-Way line of Old Higgins Road to the southeasterly Right-of-Way line of the Chicago and Northwestern Railway; thence South 45 degrees 29 minutes 34 seconds West, 1409.15 feet along said southwesterly Right-of-Way line; thence southwesterly 480.46 feet along said southeasterly Right-of-Way line on a curve to the left having a radius of 5238.92 feet, the chord of said curve bears South 42 degrees 51 minutes 49 seconds West, 480.29 feet to the east line of the west 260 feet of the East Half of the Northwest Quarter of said Section 36; thence North 01 degrees 12 minutes 06 seconds West, 1569.70 feet along said east line to the south Right-of-Way line of Old Higgins Road said point being 50.00 feet normally distant south from the centerline of said Old Higgins Road; thence east 29.17 feet along said south Right-of-Way line on a non-tangent curve to the left having a radius of 1378.00 feet, the chord of said curve bears South 79 degrees 15 minutes 11 seconds East, 29.17 feet; thence along said south Right-of-Way line of Old Higgins Road South 79 degrees 51 minutes 34 seconds East, 1060.73 feet to

UNOFFICIAL COPY

the east line of the Northwest Quarter of said Section 36; thence North 01 degrees 06 minutes 19 seconds West 17.29 feet along said west line to the Point of Beginning. (Said parcel contains: 1,044,019 square feet or 23.967 acres, more or less.)

is hereby disconnected and excluded from the City of Des Plaines pursuant to 65 ILCS 5/7-1-25.

SECTION 2: Des Plaines hereby agrees to a settlement of the debts and municipal property between Chicago and Des Plaines as provided in Section 7-1-31, 7-1-32, and 7-1-33 of the Illinois Municipal Code in the total amount of \$200,000.

SECTION 3: Within the time required by law, the Mayor shall cause to be filed for record in the respective offices of the Recorders of Deeds for both Cook and DuPage Counties, Illinois, in the manner and form prescribed by the statute, a certified copy of this ordinance and an accurate map of the Phase B Territory hereby disconnected all as required by law, and in accordance with the Intergovernmental Agreement.

SECTION 4: If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.

PASSED this 21 day of November, 2005.

APPROVED this 23 day of November, 2005.

VOTE: AYES 6 NAYS 1 ABSENT 1


MAYOR


ATTEST:


CITY CLERK

Published in pamphlet form this 23 day of November, 2005.


CITY CLERK

Approved as to form:


David R. Wiltse, City Attorney

UNOFFICIAL COPY


STATE OF ILLINOIS)
)
 COUNTY OF COOK)

CLERK'S CERTIFICATE

I, DONNA McALLISTER, do hereby certify that I am the qualified and acting CITY CLERK* of the City of Des Plaines, Cook County, Illinois, AND THAT AS SUCH, I am the officer duly designated by law to keep the minutes, ordinances, resolutions and proceedings of the City Council of the City of Des Plaines.

I further certify that the attached and foregoing copy of ORDINANCE A-2-03 is a true and correct original of the records of the City of Des Plaines kept by the City and certified pursuant to the provision of 5/8-1203 of the Code of Civil Procedure.

IN WITNESS WHEREOF, I hereunto affix my signature and impress hereon the corporate seal of the said City of Des Plaines, Cook County, Illinois, this 23 day of November, 2005.



 DONNA McALLISTER, City Clerk
 City of Des Plaines, County of Cook

*Per the provisions of 65 ILCS 5/3.1-20-5
 of the Illinois Compiled Statutes (2002)

UNOFFICIAL COPY

Phase B

PIN's:

08-36-103-002, 08-36-103-003, 08-36-103-004, 08-36-103-005
08-36-103-006, 08-36-103-007, 08-36-103-008, 08-36-103-009
08-36-103-010, 08-36-103-011, 08-36-103-012, 08-36-103-013
08-36-103-014, 08-36-103-015, 08-36-103-016, 08-36-103-017
08-36-103-023, 08-36-103-024

08-36-104-001, 08-36-104-002, 08-36-104-003, 08-36-104-004
08-36-104-005, 08-36-104-006, 08-36-104-011, 08-36-104-011

08-36-105-001, 08-36-105-002, 08-36-105-003, 08-36-105-004
08-36-105-005, 08-36-105-020, 08-36-105-023, 08-36-105-024
08-36-105-027, 08-36-105-029

08-36-106-022, 08-36-106-024

08-36-202-047, 08-36-202-048

08-36-500-003, 08-36-500-004, 08-36-500-005, 08-36-500-006
08-36-500-007, 08-36-500-008, 08-36-500-009, 08-36-500-010
08-36-500-011, 08-36-500-012, 08-36-500-013, 08-36-500-014
08-36-500-015, 08-36-500-016, 08-36-500-017, 08-36-500-018
08-36-500-019

Address: Old Higgins Road and Mount Prospect Road, Chicago Illinois

UNOFFICIAL COPY



Doc#: 0605527046 Fee: \$116.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 02/24/2006 12:25 PM Pg: 0
1 of 6

PLAT

0605527046

02.24.06

DOCUMENTS
WITH THIS

PLAT

SEE PLAT INDEX