Village of East Dundee

120 BARRINGTON AVENUE
Dundee, Illinois 60118
(312) 426-2822

KENNETH R. SWANSON, President

JILL A. YUCUIS, Clerk

STATE OF ILLINOIS)
)
COUNTY OF KANE)

86196150

CLERK'S CERTIFICATE

I, JILL A. YUCUIS, Village Clerk of the Village of East Dundee, in the County of Kane and State of Illinois, do hereby certify that the foregoing is a true and correct copy of that certain Ordinance now on file in my office entitled: AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS KNOWN AS THE ROAD MATERIAL PROPERTY, which said Ordinance was passed by the Board of Trustees of the Village of East Dundee at a regular meeting held on the 21st day of April, 1986, at which meeting a quorum was present, and approved by the President of the Village of East Dundee on the 21st day of April, 1986.

I further certify that the vote on the question of the passage of the said Ordinance by the Board of Trustees of the Village of East Dundee was taken by Ayes and Nays and recorded in the Journal of the Proceedings of the Board of Trustees of the Village of East Dundee and that the result of said vote was as follows, to wit:

AYES: President: Swanson
Trustees: Rakow, Marvel, Kopp, Giomi, Bartels
NAYS: None.
ABSENT: None.

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Village of East Dundee this 1st day of May, 1986.

Village Clerk
Village of East Dundee

86196150

PLAT WITH THIS DOCUMENT

ORDINANCE NO. 86 - 04

AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS
KNOWN AS THE ROAD MATERIAL PROPERTY

WHEREAS, a written petition, signed by the legal owners of record, herein collectively referred to as the "Owner", and the elector of all land within the territory hereinafter described, herein referred to as the "Subject Property", has been filed with the Village Clerk of the Village of East Dundee, Kane County, Illinois, herein referred to as the "Village", requesting that said territory be annexed to the Village of East Dundee; and

WHEREAS, the Subject Property is contiguous to the Village and not within the corporate limits of any other municipality; and

WHEREAS, the annexation and development of the Subject Property will be beneficial to the Village in that such development will increase the taxable value of the property within the Village, extend the corporate limits and the jurisdiction of the Village, promote the orderly planning and growth of the Village and otherwise enhance and promote the general welfare of the Village; and

WHEREAS, an Annexation Agreement has been drafted by the Village and the Owner concerning the Subject Property, the acceptance and execution by the Village and the Owner being a precondition to this annexation; and

WHEREAS, the Zoning Board of Appeals of the Village has heretofore held a hearing pursuant to notice required by law on the question of classification of the Subject Property upon annexation to the Village; and

WHEREAS, the corporate authorities of the Village, after carefully reviewing the recommendations of the Zoning Board of Appeals and the testimony and other evidence presented at the public hearing concerning the Annexation Agreement, have determined that it is in the best interests of Village to annex the Subject Property subject to all of the terms, conditions and restrictions contained in the Annexation Agreement; and

WHEREAS, the legal owners of record of said territory and the Village of East Dundee having now entered into a valid and binding Annexation Agreement relating to such territory; and

WHEREAS, the Village provides neither fire protection nor a public library and is therefore not required to give notice of the proposed annexation of the Subject Property to any fire protection district or public library district; and

WHEREAS, all petitions, documents, and other necessary legal requirements are in full compliance with the terms of said Annexation Agreement and with the statutes of the State of Illinois, specifically Chapter 24, Section 7-1-8 and Section 11-15.1, Illinois Revised Statutes, 1971, as amended; and

WHEREAS, it is the finding of the corporate authorities that is in the best interests of the Village of East Dundee, that said territory be annexed thereto,

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: THAT the following described territory attached hereto as Exhibit "A" being indicated on an accurate map of the annexed territory, (which is appended to and made a part of this Ordinance) is hereby annexed to the Village of East Dundee, Kane County, Illinois.

SECTION TWO: THAT the Village Clerk is hereby directed to record with the Recorder of Deeds and to file with the County Clerk, of both Kane and Cook counties, a certified copy of this Ordinance, together with the accurate map of the territory annexed appended to said Ordinance.

SECTION THREE: Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

SECTION FOUR: Publication. That a full, true and complete copy of this ordinance shall be published within ten (10) days after passage in pamphet form by authority of the Board.

SECTION FIVE: Repeal. All ordinances or parts thereof in conflict herewith be and the same are hereby repealed and this

ordinance shall be in full force and effect forthwith upon its adoption, approval and publication as provided by law.

Adopted this 21st day of April, 1986, pursuant to a roll call vote as follows:

AYES: Rakow, Marvel, Kopp, Giomi, Bartels, Swanson.

NYES: None

ABSENT: None

Approved by me this 21st day of April, 1986.

President

Published in pamphlet form this 22nd day of April under the authority of the President and Board of Trustees.

Attest:

Village Clerk

Prepared by:
John Regan, Attorney
Early, Collison, Tousey & Regan
400 Federation Place
Elgin, IL 60120

EXHIBIT A

SEPARATE PARCEL 1

That part of the Southwest Quarter of Section 30 lying northerly of the north right of way line of Illinois State Route 72 and commonly known as New Higgins Road and Westerly of the Easterly right of way of Healy Road (except the West one hundred ninety (190) feet thereof and except that part conveyed to the Department of Public Works and Buildings of the State of Illinois by Document 12378247 recorded October 5, 1939 for highway purposes described as follows: that part of the South West quarter of said Section described as being a strip of land sixty six (66) feet in width running from the Northerly right of way line of the proposed Dual highway of State Bond Issue, Route 63 to the center line of Higgins Road as now traveled, center line of said sixty six (66) foot strip being described as follows: Commencing at the South West corner of Section thirty (30), thence North along the West line of said Section, a distance of one thousand four hundred twelve and seventy three one hundredths (1,412.73) feet to a point, thence South Easterly along a line which makes an angle of fifty nine (59) degrees one (1) minute from the South to the South East with said West line a distance of one hundred nine and fifty nine one hundredths (109.59) feet to a point, said line being said Northerly right of way line of the proposed Dual Highway; thence South Easterly along a curve convex to the South West having a radius of ten thousand seventeen and six one hundredths (10,017.06) feet and tangent to the last described course, said curve being said Northerly right of way line of proposed Dual Highway, a distance of seven hundred sixty two and two tenths (762.2) feet to the point of beginning; thence North Easterly along a line, a distance of two hundred forty five and eleven one hundredths (245.11) feet to a point in the aforesaid center line of Higgins Road as now traveled, said point being eight hundred ninety four and fifty one hundredths (894.51) feet from aforesaid West line of said Section thirty (30) as measured along said center line of Higgins Road, in Township 42 North, Range 9 East of the Third Principal Meridain, in Cook County, Illinois.

SEPARATE PARCEL 2

That part of the following described parcel lying Northerly of the North right of way line of Illinois State Route 72, and commonly known as New Higgins Road: The North East quarter of the South East quarter and the East half of the North East quarter of Section thirty-six (36), Township forty-two (42) North, Range eight (8) East of the Third Principal Meridain, also part of Section twenty-five (25) in Township and Range aforesaid bounded and described as follows, to-wit: Beginning at a point on the South line of said Section twenty-five (25), said point being the North West corner of the North East quarter of the North East quarter of Section thirty-

six (36) in Township and Range as aforesaid, thence North eighty (80) degrees twenty-three (23) minutes West nine hundred forty-eight and five tenths (948.5) feet, thence North no (0) degrees fourteen (14) minutes West nine hundred twenty-five and nine tenths (925.9) feet, thence South eighty-one (81) degrees twelve (12) minutes East one thousand four hundred forty-seven and three tenths (1,447.3) feet, thence North four (4) degrees twenty-two minutes East two thousand three hundred sixty five (2,365) feet, thence South eighty (80) degrees nineteen (19) minutes East six hundred sixty-seven and nine tenths (667.9) feet to the East line of said Section twenty-five (25), thence South on said section line three thousand eighty-five and three tenths (3,085.3) feet to the South line of said Section twenty-five (25), thence West on said section line to the point of beginning, in Dundee Township, Kane County, Illinois.

SEPARATE PARCEL 3

That part of the following described parcel lying Southerly of the South right of way line of Illinois State Route 72, and commonly known as New Higgins Road: The North East quarter of the South East quarter and the East half of the North East quarter of Section thirty-six (36), Township forty-two (42) North, Range eight (8) East of the Third Principal Meridain, also part of Section twenty-five (25) in Township and Range aforesaid bounded and described as follows, to-wit: Beginning at a point on the South line of said Section twenty-five (25), said point being the North West corner of the North East quarter of the North East quarter of Section thirty-six (36) in Township and Range as aforesaid, thence North eighty (80) degrees twenty-three (23) minutes West nine hundred forty-eight and five tenths (948.5) feet, thence North no (0) degrees fourteen (14) minutes West nine hundred twenty-five and nine tenths (925.9) feet, thence South eighty-one (81) degrees twelve (12) minutes East one thousand four hundred forty-seven and three tenths (1,447.3) feet, thence North four (4) degrees twenty-two minutes East two thousand three hundred sixty five (2,365) feet, thence South eighty (80) degrees nineteen (19) minutes East six hundred sixty-seven and nine tenths (667.9) feet to the East line of said Section twenty-five (25), thence South on said section line three thousand eighty-five and three tenths (3,085.3) feet to the South line of said Section twenty-five (25), thence West on said section line to the point of beginning, in Dundee Township, Kane County, Illinois.

SEPARATE PARCEL 4

That part of the South East 1/4 of Section 13 and part of the North East 1/4 of Section 24, all in the Township 42 North, Range 8, East of the Third Principal Meridian, described as follows: Beginning at a point on the East line of the South East 1/4 of Section 13, 1299 feet North of the South East corner thereof; thence South 000 degrees, 27 minutes, 00 seconds West along the East line

of said South East 1/4 1299 feet to the South East corner of said South East 1/4; thence South 000 degrees, 06 minutes, 00 seconds West along the East line of the North East 1/4 of said Section 24, 1348.1 feet to the Northerly line of said State Route No. 63; thence South 073 degrees, 20 minutes, 00 seconds West along said Northerly line 715.2 feet; thence Southwesterly along said Northerly line along a curve to the right 673.5 feet; thence North 002 degrees, 45 minutes, 00 seconds East 3024 feet to a point North 088 degrees, 42 minutes, 00 seconds West from the point of beginning; thence South 088 degrees, 42 minutes, 00 seconds East 1209.9 feet to the point of beginning (except therefrom that part of the North East 1/4 of said Section 24, described as follows: Beginning on the East line of said Quarter on the North right of way line of the State of Illinois Highway Route 63; thence North 650 feet along the East line of said Quarter; thence West 350 feet perpendicular to said East line; thence South 756.34 feet parallel with said East line and to said right of way line; thence Northeasterly 365.80 feet along said right of way line to point of beginning); in the Township of Dundee, Kane County, Illinois.

SEPARATE PARCEL 5

The South half of Lot 1 and the South 5 acres of the North half of said Lot 1 (except that part of said Lot 1 and of said South 5 acres lying Southeasterly of the Northwesterly right of way line of Healy Road) in the Northwest Quarter of Section 30, Township 42 North, Range 9 East of the Third Principal Meridian in Cook County, Illinois. Also the South half of Lot 2 and the South 5 acres of the North half of said Lot 2 (except that part of said Lot 2 and of said South 5 acres lying Southeasterly of the Northwesterly right of way line of Healy Road) in the Northwest Quarter of Section 30, Township 42 North, Range 9 East of the Third Principal Meridian in Cook County, Illinois. Excepting the West 190.0 feet of the South half of said Lot 2 and Also excepting the West 190.0 feet of South 5 acres of the North half of said Lot 2 conveyed to the Commonwealth Edison Company by Document No., 18454231, recorded April 10, 1962.

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