

ORDINANCE NO. 0-122-87

87581671

AN ORDINANCE
AUTHORIZING THE EXECUTION OF
AN ANNEXATION AGREEMENT
SIERAKOWSKI - 854 DORSET AVENUE

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WHEREAS, it is in the best interests of the Village of Palatine that a certain Annexation Agreement, a copy of which is attached hereto and made a part hereof, be entered into; and

WHEREAS, the owners of record of the land which is the subject of such agreement are ready, willing and able to enter into such agreement and to perform the obligations as required thereunder; and

WHEREAS, the statutory procedures provided in Division 15.1 of Article II of the Illinois Municipal Code, as amended, for the execution of said annexation agreement have been fully complied with:

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Palatine, Cook County, Illinois, as follows:

SECTION 1: The President is authorized and directed to execute and the Clerk is directed to attest the Annexation Agreement, a copy of which is attached hereto and made a part hereof.

SECTION 2: This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

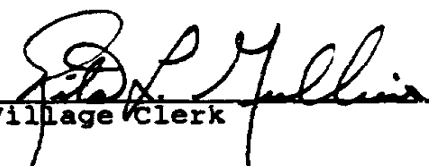
PASSED: This 12 day of October, 1987
AYES: 4 NAYS: 0 ABSENT: 2 PASS: 0
APPROVED by me this 12 day of October, 1987

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President of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this 12 day of October, 1987



Village Clerk

COOK COUNTY CLERK'S OFFICE
100 N. LAUREL ST. CHICAGO, ILL. 60602
TELEPHONE (312) 437-2000

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ANNEXATION AGREEMENT 854 W. DORSET

THIS AGREEMENT, made and entered into this 12
day of October, 1987, by and between the
VILLAGE OF PALATINE, a municipal corporation of Cook County,
Illinois, 200 E. Wood Street, Palatine, IL., 60067
(hereinafter called "the Village") and STEPHEN S. AND MARY
E. SZERAKOWSKI (hereinafter called "the Owner")

W I T N E S S E T H

WHEREAS, the Owner is the holder of legal title to the
real estate which is legally described as follows, to wit:

Lot 6 (except the East 30 feet thereof and except the
West 30 feet thereof) in Block 16 in Arthur T. McIntosh
and Company's Palatine Hills, being a subdivision of
Part of the East half of the Northeast Quarter of
Section 21, Township 42 North, Range 10 East of the
Third Principal Meridian, in Cook County, Illinois.

and

02-21-223-017 *Sm*
B.A.O.

WHEREAS, the Owner desires that the subject property,
which is contiguous to the Village but not included within
the corporate limits of any other municipality, be annexed
to the Village on the terms and conditions hereinafter set
forth and that the subject property be zoned in a "R-2
Single Family Dwelling District classification under the
Village's Zoning Ordinance; and

WHEREAS, the parties hereto wish to enter into a
binding agreement with respect to the annexation of the
subject property, and provide for various other matters to
be contingent upon said annexation, pursuant to the
provisions of Illinois Revised Statutes (1985), c.24, Secs.
11-15-1 et.seq.; and

WHEREAS, there has been filed with the Village Clerk of
the Village of Palatine an annexation petition signed by the
owners of record of all land within the subject property
included in said annexation petition, and covered by this
agreement, and by at least 51% of the electors residing upon
said land; and

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WHEREAS, the Owner proposes that the subject property be annexed with any non-conforming buildings and uses that may exist on said property at the time of annexation, and that the existing well on the subject property be permitted to be used for outside sprinkling only, and further subject to the terms and conditions hereinafter contained; and

WHEREAS, the Village desires to annex the subject property and is agreeable to the use of the subject property in such manner; and

WHEREAS, the Corporate Authorities of the Village, have heretofore held a public hearing on this Agreement and the petition of the Owner to rezone the subject property to "R-2" Single Family Dwelling District classification, as aforesaid, and due notice of said public hearing was published in the manner required by law and said public hearing was held in all respects in a manner conforming to law; and

WHEREAS, all other matters in addition to those specifically referred to above which are included in this Annexation Agreement have been duly considered by the parties hereto, and the annexation of the subject property for the uses as permitted under the applicable Zoning Ordinances will inure to the benefit and improvement of the Village and its residents and will promote the sound planning and development of the Village and will otherwise enhance and promote the general welfare of the people of the Village;

NOW, THEREFORE, in consideration of the foregoing premises and the mutual covenants herein contained, the parties agree as follows:

(1) Subject to the provisions of the Illinois Revised Statutes (1985), c.24, Secs. 11-15-1 et seq., the Owner, agrees to do all things necessary or appropriate to cause the subject property to be duly and validly annexed to the

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Village, as promptly as practicable after the execution of this Agreement and upon the occurrence of such annexation, however, the remaining provisions of this Agreement shall apply.

(2) Upon annexation, the subject property shall be rezoned to "R-2" Single Family Dwelling District classification in accordance with the Village's Zoning Ordinance.

(3) The Owner will be permitted to continue use of the well on the subject property provided that the use of said well is limited to outside sprinkling only and that there is no connection whatsoever of said well to the domestic water supply to be provided to the subject property as hereinafter provided. The Owner will be required, within six (6) months after the date of this Agreement to obtain the necessary permits and respectively make connections to the Village sewer and water system in Dorset Avenue at its sole expense and upon payment of the required Village fees and charges therefor, including any recapture fees related thereto. Said connections shall be in accordance with all applicable Village, Metropolitan Sanitary District, County, and State requirements and regulations.

(4) The Village agrees to enact such ordinances and resolutions as are necessary to effect the terms of this Agreement. In the event of annexation, the Owner agrees not to object to a special assessment, special service area, or some other method to install a public sidewalk along the north side of Dorset Avenue if it is determined by the Village that said sidewalk is needed.

(5) Except as provided in this Agreement, the Owner shall comply with all ordinances, codes and other regulations of the Village and pay all fees and charges as provided by the Village ordinances from time to time in force and effect.

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(6) If any provision of this Agreement is held invalid, such provisions shall be deemed to be excised herefrom and the invalidity thereof shall not affect any of the other provisions contained herein.

(7) This Agreement shall inure to the benefit of and be binding upon the successors in title of the Owner and upon the corporate authorities of the Village and successor municipalities. This Agreement shall be valid and binding for a period of twenty (20) years from the date of execution. A true copy of this Agreement shall be filed in the Office of the Recorder of Deeds of Cook County, Illinois, as notice of said requirement of all future owners. This Agreement may be amended from time to time with the consent of the Owner and the Village pursuant to the statutes in such case made and provided.

VILLAGE OF PALATINE

Frank R. Munch
Village President

ATTEST:

J. P. Yellin
Village Clerk

Stephen S. Sierakowski
STEPHEN S. SIERAKOWSKI

Mary E. Sierakowski
MARY E. SIERAKOWSKI

WITNESS:

Diane C. Smith

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COMMUNITY DEVELOPMENT

SEP 28 1987

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STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, RITA L. MULLINS, do hereby certify that I am the duly elected, qualified and acting Clerk of the Village of Palatine, Cook County, Illinois, and that I am the keeper of the records, journals, entries, ordinances and resolutions of the said Village of Palatine.

I do further certify that the foregoing Ordinance is a true and correct copy of an ordinance passed and adopted by the Board of Trustees of the Village of Palatine at a Regular meeting held on the 12 day of October, 1987, and that said ordinance as aforesaid was deposited and filed in the office of the Village Clerk on the 13th day of October, 1987.

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

I further certify that the vote of the Board of Trustees on the motion to adopt said ordinance was as follows:

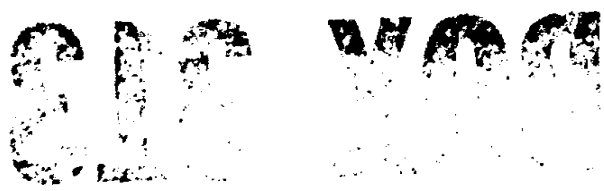
AYES: 4 NAYS: 0 ABSENT: 2 PASS: 0

BY WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Palatine this 27 day of October, 1987.

Rita L. Mullins
Rita L. Mullins, Village Clerk
Village of Palatine, Illinois

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(S E A L)



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