

ORDINANCE NO. 0-173-87

87680302

AN ORDINANCE
AUTHORIZING THE EXECUTION OF
AN ANNEXATION AGREEMENT
807 WEST BALDWIN ROAD (BRANDT'S; THE LITTLE CAFE)

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 14 day of December, 1987
AYES: 5 NAYS: 0 ABSENT: 1 PASS: 5

APPROVED by me this 14 day of December, 1987

[Signature]

President of the Village of Palatine
[Signature]

ATTESTED and FILED in the office of the Village Clerk this 14 day of December, 1987

[Signature]

Village Clerk

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ANNEXATION AGREEMENT BRANDT'S - THE LITTLE CAFE

THIS AGREEMENT, made and entered into this 14
day of December, 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 PATRICIA GRISCO AND
MARCIA BALDREE (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:

Lots 1, 2, 3, 19 and 20 except that part taken by
condemnation described as follows: That part of Lot 1
described as follows: Beginning at the NE corner of
said Lot 1; thence South on the East line thereof 10
feet; thence NW to a point on the North line of said
Lot 1, said point being 10 feet West of the point of
beginning; thence East 10 feet to the point of
beginning, in Cook County, Illinois, in Block 1 in
Frank E. Merrill and Company's Greater Palatine
Subdivision in the NE 1/4 of Section 16, Township 42
North, Range 10 East of the 3rd Principal Meridian, in
Cook County, Illinois.

and;

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 "B-2"
General Service District Classification, and granted a
Special Use for a restaurant and bar 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

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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

WHEREAS, the Owner proposes that the subject property be annexed with any buildings and uses that may exist on said property at the time of annexation, 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 "B-2" General Service District classification, and to grant a Special Use for a restaurant and bar 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

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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 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 zoned "B-2" General Service District classification, and shall be granted a Special Use for the existing restaurant and bar on the subject property in accordance with the Village's Zoning Ordinance.

(3) The Owner will be permitted to connect into the Village water line on Quentin Road and to extend and connect into the Village sanitary system. The Owner shall obtain the necessary permits and respectively make connections to the Village sewer and water system at its sole expense and upon payment of the required Village fees and charges therefor, including any recapture fees related thereto. Said connections and extension shall be in accordance with all applicable Village, Metropolitan Sanitary District, County, and State requirements and regulations. The Owner shall be required to cap the existing well on the subject property and submit an affidavit from a State of Illinois

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licensed well driller that the well has been properly capped.

(4) The Village agrees to accept the Cook County approved liquor license for the subject property until its expiration on April 30, 1988. The Village also agrees after the aforementioned date to approve and to issue to Owner, its assigns, successors, nominees or tenants a Class "D" and a Class "D-A" liquor license, provided that the applicant complies with the procedures and otherwise qualifies for said licenses under the standards set forth in Section 3-29 of the Village Alcoholic Beverages Code, as amended from time to time.

(5) The Village agrees to enact such ordinances and resolutions as are necessary to effect the terms of this Agreement. Upon annexation, the Owner agrees not to object to a special assessment, special service area, or some other method to install a public sidewalk in the right-of-way adjacent to the subject property if it is determined by the Village during the term of this Agreement that said sidewalk is needed.

(6) 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. Village annexation fees shall be waived.

(7) 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.

(8) This Agreement shall inure to the benefit of and be binding upon the successors in title of the Owner and

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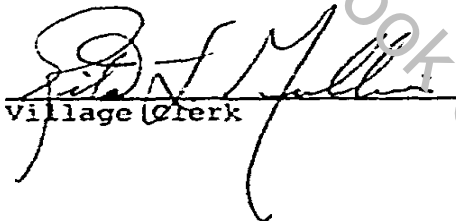
upon the corporate authorities of the Village and successor municipalities. This Agreement shall be valid and binding for a period of twenty (20) years from the date of execution. A true copy of this Agreement shall be filed in the Office of the Recorder of Deeds of Cook County, Illinois, as notice of 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



Village President

ATTEST:



Village Clerk



PATRICIA GRISCO



MARCIA BALDRES

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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.

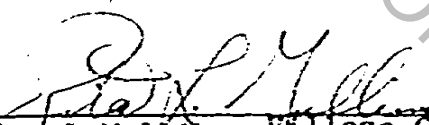
I do further certify that the foregoing Ordinance is a true and correct copy of an ordinance passed and adopted by the Board of Trustees of the Village of Palatine at a Regular meeting held on the 14th day of December, 1987, and that said ordinance as aforesaid was deposited and filed in the office of the Village Clerk on the 15th day of December, 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: 5 NAYS: 0 ABSENT: 1 PASS: 0

BY WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Palatine this 21 day of December, 1987.


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

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