

UNOFFICIAL COPY

88099776

PLAT WITH THIS DOCUMENT

ANNEXATION AGREEMENT

THIS AGREEMENT, is made and entered into this 3rd day of November, 1987, by and between the VILLAGE OF GLENVIEW, ILLINOIS (hereinafter referred to as the "Village"), by and through its President and Board of Trustees (hereinafter, together with their agents and representatives, collectively referred to as the "Corporate Authorities"); and NORWOOD DEVELOPMENT CORPORATION, INC., an Illinois Corporation, 7458 N. Harlem Avenue, Chicago, Illinois, as Contract Purchaser, and Devon Bank, as Trustee under Trust No. 1109 and Trust Agreement dated August 1, 1963, 6445 N. Western Avenue, Chicago, Illinois, as Contract Seller (hereinafter collectively referred to as "Owners").

WITNESSETH:

88099776

WHEREAS, the Owners are the owners of record of a certain parcel of real estate, the legal description of which is set forth in Exhibit "A", attached hereto and made a part hereof, consisting of approximately THREE and EIGHT TENTHS (3.8) acres (hereinafter referred to as the "Property"), situated in an unincorporated area of Cook County, which Property is contiguous to the corporate limits of the Village and may be annexed to the Village as provided in Article 7 (territory) and Division 15.1 (annexation) of the Illinois Municipal Code, as amended (Chapter 24, Illinois Revised Statutes 1983), herein referred to as the "Code";

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PROPERTY OF

Property of Cook County Clerk's Office

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PROPERTY OF

PROPERTY OF

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WHEREAS, the Owners desire to have the Property annexed to the Village as shown on the Plat of Annexation attached hereto as Exhibit "B" and made a part hereof, upon certain terms and conditions hereinafter set forth;

WHEREAS, a proposed annexation agreement, in substance and form the same as this Agreement, was submitted to the Corporate Authorities and a public hearing was held thereon, pursuant to notice as provided by statute;

WHEREAS, the Corporate Authorities have determined that the annexation of the Property by the Village on the terms and conditions hereinafter set forth will promote sound planning and serve the best interest of the Village and enable the Village to reasonably control the development of the Property pursuant to existing ordinances, codes and regulations;

WHEREAS, the statutory procedures provided in Section 11-15.1-1 et seq. of the Code with regard to the making of annexation agreements have been fully complied with by the parties to this Agreement;

WHEREAS, Owners propose that the property be developed in all respects in accordance with presently existing ordinances, rules and regulations of the Village, except as otherwise provided herein, including the Village Zoning Ordinance (hereinafter the "Zoning Ordinance"), Subdivision Control Ordinance (hereinafter the "Subdivision Ordinance"), Building Code (hereinafter the "Building Code") and other ordinances, rules and regulations (such ordinances, regulations and codes herein mentioned shall be collectively referred to as the "Village Regulations"), and;

WHEREAS, following published notice, as required by statute and ordinance, on application of the Owners, a public hearing was held on the proposed zoning and preliminary subdivision by the Plan Commission of the

MILLER, FISHBEIN AND
DOWNING, LTD.
ATTORNEYS AT LAW
100 WASHINGTON ROAD
GLENVIEW, ILLINOIS 60045
(312) 226-1100

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the following information is derived from the public records of Cook County, Illinois, as of the date of recording.

The instrument described above was recorded on [REDACTED] at [REDACTED] in Cook County, Illinois.

The instrument was recorded in Cook County, Illinois, on [REDACTED] at [REDACTED] in Cook County, Illinois.

The instrument was recorded in Cook County, Illinois, on [REDACTED] at [REDACTED] in Cook County, Illinois.

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Village (said Commission being duly designated by the Corporate Authorities of the Village to hold such public hearing and hereinafter being referred to as the "Plan Commission") to establish the Property subject to the R-4 Residential District standards and to develop the Property for residential use to permit construction of a twelve (12) lot, single family subdivision as set forth on the Plat of Subdivision attached hereto as Exhibit "C" and made expressly a part hereof. Pursuant to the Zoning Ordinance, said public hearings and notice were held and published in a manner conforming in all respects to law.

WHEREAS, the Board of Trustees of the Village, by the affirmative vote of at least two-thirds of its members, has approved this Agreement and authorized the President and the Clerk of the Village to execute this Agreement, under which Agreement the zoning classification of the subject real estate will be established subject to the R-4 Residential District Standards, to permit the development for residential use as shown on Exhibit "C".

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, IT IS HEREBY AGREED as follows:

1. ANNEXATION. After the execution of this Agreement, the Corporate Authorities shall adopt an ordinance annexing the Property to the Village, in accordance with all the terms and provisions of this Agreement.

2. ZONING. After the adoption of the annexation ordinance required in Section 1, the Corporate Authorities shall adopt an ordinance amending the Zoning Ordinance to classify the property as R-4 residential district, and shall adopt other appropriate ordinances, if needed, to effectuate the

MILLER, FOREST AND
DOWNING, LTD.
ATTORNEYS AT LAW
800 WAUREGAN ROAD
GLENVIEW, ILLINOIS 60025
(312) 221-1320

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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Cook, Illinois, this _____ day of _____, 20____.

CLERK OF COOK COUNTY

3-15-2020

development of the Property, or parts thereof, in accordance with the evidence submitted and compiled in the approved minutes of the public hearings before the Plan Commission incorporated herein and made a part hereof by this reference, and in accordance with the Preliminary Plat of Subdivision attached hereto as Exhibit "C".

3. SUBDIVISION APPROVAL. Concurrent with the adoption of the zoning ordinance set forth in Section Two (2) hereof, the Village shall approve preliminary subdivision of the Property to permit development of a twelve (12) lot single family subdivision as set forth on Exhibit "C". The Village agrees to diligently review all engineering plans which the Owner may hereafter submit for the entire Property (or for portions thereof if developed in phases) and to approve said plans or to notify the Owner of reasonable proposed revisions or additional requirements. Upon final engineering approval, the Village agrees to approve and execute a final Subdivision Plat, in general conformance with the criteria listed above, and to permit it to be recorded with the Recorder of Deeds for Cook County and/or the Torrens Office.

4. STREETS AND IMPROVEMENTS - DEDICATION. The Village shall accept dedication of all public streets and improvements now or hereafter located on the Property, including storm sewers and water mains, in accordance with the Village Regulations as applicable to the Property. It is understood that this paragraph shall not be applicable to the lateral service lines leading to individual buildings. The current Owner shall deliver to the Village a bill of sale for all accepted improvements.

It is expressly understood that as regards the storm water detention areas as set forth on the preliminary Plat of Subdivision, attached hereto as

MILLER, FOREST AND
DOWNING, LTD
ATTORNEYS AT LAW
800 WASHINGTON ROAD
GLENVIEW, ILLINOIS 60025
(312) 229-3321

886-99776

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The undersigned, being duly sworn, deposes and says that the foregoing is a true and correct copy of the original as the same appears in the files of the undersigned.

I, _____, being duly sworn, depose and say that the foregoing is a true and correct copy of the original as the same appears in the files of the undersigned.

This deposition was taken at _____ on this _____ day of _____, 20____.

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Exhibit "C", the surface maintenance of same shall be the responsibility of the Owner, its successors and assigns, while the Village shall have sole responsibility for the maintenance of all sub-surface pipes, conduits, restrictors and other related mechanical equipment, material and devices.

Owner agrees to grant Village access easements over the subject detention areas for the maintenance purposes hereinbefore set forth. Village agrees, upon completion of any maintenance work herein contemplated, to timely restore the property to the condition pre-existing such work.

Owner agrees that no driveway access will be permitted from Lots 1 and 12 onto Landwehr Road.

5. WATER PRODUCTION FACILITIES. The Village owns and operates public water facilities and agrees to provide water service to the Property on a non-discriminatory basis by means of a connection to be made by the Owner. The tap-on fee for water applicable to the subject premises shall be in accordance with the rates and schedules now established by the Village of Glenview and shall be payable at the time each plumbing permit is issued.

6. SANITARY SEWER FACILITIES. Owner agrees to construct and install an eight (8) inch sanitary sewer line on the east side of Landwehr Road from the subject property to the existing ten (10) inch sanitary sewer line located at the approximate intersection of Crestwood Drive and Landwehr Road.

7. ANNEXATION, BUILDING PERMIT AND OTHER FEES. In connection with the annexation and development of the Property, Owner shall be required to pay such fees at such rates as exist as of the date such fees are paid.

8. PERMITS. The Village agrees to issue necessary building permits and other permits for construction of the buildings and improvements, subject to the Owner being in full compliance with all Village Regulations.

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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Cook, Illinois, this 1st day of January, 1970.

CLERK OF THE COUNTY OF COOK, ILLINOIS

CLERK OF THE COUNTY OF COOK, ILLINOIS

CLERK OF THE COUNTY OF COOK, ILLINOIS

CLERK OF THE COUNTY OF COOK, ILLINOIS

CLERK OF THE COUNTY OF COOK, ILLINOIS

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9. RIGHT OF RECAPTURE. Owner shall be entitled to pro-rata recapture from all property owners presently not within the corporate limits of the Village of Glenview benefitting from Owner's installation of public improvements.

10. SCHOOL AND PARK DISTRICT DONATIONS. The parties hereto acknowledge that, pursuant to Village Ordinance 1528, the following cash donations are to be made as set forth below:

Glenview Park District: \$ 516.67 per home; or
\$6,200.00 for total development.

Community Consolidated
District 31: \$ 528.66 per home; or
\$6,344.00 for total development.

Northfield Township High \$ 209.00 per home; or
School District 225: \$2,508.00 for total development.

11. ENFORCEMENT AND SEVERABILITY. This Agreement shall be enforceable in any court of competent jurisdiction by any of the parties hereto or by an appropriate action at law or in equity to secure the performance of the covenants herein contained. If any provision of this Agreement is held invalid, such provision shall be deemed to be excised herefrom and the invalidity thereof shall not affect any of the other provisions contained herein.

12. TERM. This Agreement shall be binding upon the parties hereto, their respective heirs, personal representatives, successors and assigns for a full term of twenty (20) years commencing as the date hereof, as provided by statute and to the extent permitted thereby. It is agreed that in the event the annexation of the real estate or the terms of this Agreement are

MILLER, FOREST AND
DOWNING, LTD.
ATTORNEYS AT LAW
1800 WAUWATON ROAD
GLENVIEW, ILLINOIS 60025
(708) 726-1700

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Approved for printing on 11/27/2013 at 11:51 AM

2013-11-27 11:51 AM [Name] [Address] [City, State, Zip]

Phone: [Phone Number]

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challenged in any court proceeding, the period of time during which such litigation is pending shall not be included in calculating said twenty (20) year term.

13. OTHER ORDINANCES. The Village shall pass all ordinances which may be necessary to carry out the term and provisions of this Agreement.

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals this 3rd day of November, 1987, the same being done after public hearing, notice and statutory requirements having been fulfilled.

VILLAGE OF GLENVIEW, ILLINOIS,
A Municipal Corporation

James [Signature]
President

(SEAL)

ATTEST

[Signature]
Village Clerk

OWNERS:

NORWOOD DEVELOPMENT CORPORATION, an Illinois corporation.

7438 N. Harlem Avenue
Chicago, Illinois 60648

By: [Signature]
President

Attest: [Signature]
Secretary

DEVON BANK, as Trustee under Trust No. 1109 and Trust Agreement dated August 1, 1963

6445 N. Western Avenue
Chicago, Illinois 60645

By: [Signature]

Attest: [Signature]

EXCULPATORY RIDER ATTACHED
DEVON BANK

MILLEN, FOREST AND
DOWNING, LTD
ATTORNEYS AT LAW
800 WAUKESHA ROAD
GLENVIEW ILLINOIS 60026
(312) 728-1120

861199776

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Trust Agreement dated July 1, 1954, between the Trustee and the Beneficiaries.

Trust Agreement dated July 1, 1954, between the Trustee and the Beneficiaries.

Trust Agreement dated July 1, 1954, between the Trustee and the Beneficiaries.

Trust Agreement dated July 1, 1954, between the Trustee and the Beneficiaries.

Trust Agreement dated July 1, 1954, between the Trustee and the Beneficiaries.

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings, warranties and agreements herein made on the part of the Trustee while in form purporting to be the representations, covenants, undertakings, warranties and agreements of said Trustee are nevertheless each and every one of them made and intended not as personal representations, covenants, undertakings, warranties and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the DEVON BANK in Chicago or any of the beneficiaries under said Trust Agreement, on account of this instrument or on account of any representation, covenant, undertaking, warranty or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. The Trustee makes no personal representations as to nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any.

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Clerk's Office

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STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, do hereby certify, that Grace Abramo, personally known to me to be the President of NORWOOD DEVELOPMENT CORPORATION, an Illinois corporation with offices at 7458 N. Harlem Avenue, Chicago, Illinois 60648, and Kenneth Noon, personally known to me to be the Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Secretary, they signed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the President of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 3rd day of November, 1987.

Rosemary E. Mulligan
Notary Public

My commission expires July 13, 1990.

(Seal)



MILLER, FOREST AND
DOWNING, LTD
ATTORNEYS AT LAW
600 WAUKEGAN ROAD
OIL ENVIRONMENT, ILLINOIS 60075
(312) 729-3320

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"OFFICIAL SEAL"
Rosemary E. Mulligan
Notary Public, State of Illinois
My Commission Expires 01/31/2020

Property of Cook County Clerk's Office

11/11/19

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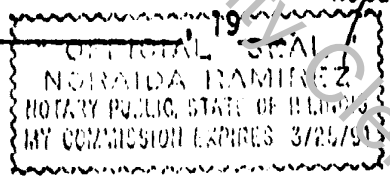
STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

On this 28th day of December, 1987, before me, a Notary Public, in and for the County and State aforesaid, personally appeared PETER A. HAMA and GAIL A. HAMM, who being known to me to be the TRUST OFFICER and ASST. TRUST OFFICER, respectively, of DEVON BANK, and being by me duly sworn, did depose, acknowledge and say: that they are the TRUST OFFICER and ASST. TRUST OFFICER, respectively, of DEVON BANK, the corporation described in and which executed the foregoing instrument; that the instrument was executed and attested on behalf of the corporation as Trustee by authority of its Board of Directors; and that they acknowledge the execution of the instrument to be the voluntary act and deed of the corporation, as Trustee by it voluntarily executed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, this 28th day of December, 1987.

Noraida Ramirez
Notary Public

My commission expires _____ 19____
(Seal)



Michael D. Downing
Attorney for Petitioners
Miller, Forest, and Downing, Ltd.
800 Waukegan Road
Glenview, Illinois 60025
(312) 729-3320
#24104

6538A/0263A/MDD

MILLER, FOREST AND
DOWNING, LTD
ATTORNEYS AT LAW
800 WAUKEGAN ROAD
GLENVIEW, ILLINOIS 60025
(312) 729-3320

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11/15/2011

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TABLE OF EXHIBITS

Exhibit "A"

Legal Description

Exhibit "B"

Plat of Annexation

Exhibit "C"

Preliminary Plat of
Subdivision

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MILLER, FOSTER AND
DOWING, LTD
ATTORNEYS AT LAW
800 WAUREGAN ROAD
GLENVIEW ILLINOIS 60025
(312) 724-1100

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Property of Cook County Clerk's Office

2010-01-01

2010-01-01

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2010-01-01

2010-01-01

EXHIBIT "A"

PARCEL 2:

The South 362.45' feet of the East 243.80 feet of the West 573.80 feet (except the 12.45 feet of the West 100.00 feet thereof) of that part of Lot 3 lying in the S.E. 1/4 of Sec. 20-T.42 N.-R.12 E. of the 3rd P.M. in the Superior Court Partition of the South 3/4 of the S.E. 1/4 and of the East 10 acres of the South 76 rods of the S.W. 1/4 of Sec. 20 aforesaid;

PARCEL 3:

The South 264.0 feet (except the North 113.0 feet thereof) of the West 330.0 feet of that part of Lot 3 lying in the S.E. 1/4 of Sec. 20-T.42 N.-R.12 E. of the 3rd P.M. in the Superior Court Partition of the South 3/4 of the S.E. 1/4 and of the East 10 acres of the South 76 rods of the S.W. 1/4 of said Sec. 20, all in Cook Co., IL; and

PARCEL 4:

The North 113.0 ft. of the South 264.0 of the West 330.0 ft. of that part of Lot 3 lying in the S.E. 1/4 of Sec. 20-T.42 N.-R.12 E. of the 3rd P.M. in the Superior Court Partition, of the South 3/4 of the S.E. 1/4 and of the East 10 acres of the South 76 rods of the S.W. 1/4 of Sec. 20-T.42 N.-R.12 E. of the 3rd P.M., all in Cook Co., Illinois.

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"A" 113,113

Notwithstanding to the 6,000 referendum
to any other County Board of Cook County
to the Board of Cook County, Cook County
to the Board of Cook County, Cook County
to the Board of Cook County, Cook County

Notwithstanding to the 6,000 referendum
to any other County Board of Cook County
to the Board of Cook County, Cook County
to the Board of Cook County, Cook County
to the Board of Cook County, Cook County

Notwithstanding to the 6,000 referendum
to any other County Board of Cook County
to the Board of Cook County, Cook County
to the Board of Cook County, Cook County
to the Board of Cook County, Cook County

COOK COUNTY

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Annexation
P-87-50
Hampton Court
(Norwood Development)
3215 Landwehr

ORDINANCE NO. 2811

WHEREAS, on the 3d day of November, 1987, an Annexation Agreement was entered into by and between the Village of Glenview, a home rule municipality, and certain property owners owning property commonly known as Windsor Estates Subdivision, which said Annexation Agreement is incorporated herein by reference; and

WHEREAS, pursuant to said Annexation Agreement of the 3d day of November, 1987, there was filed with the Clerk of the Village of Glenview a certain petition to annex to the said Village of Glenview, the said property hereinafter described; and

WHEREAS, the President and Board of Trustees of the Village of Glenview have independently determined that said property described in the aforesaid petition is not within the corporate limits of said municipality, that it is contiguous to the present village limits of the Village of Glenview, and that all property owners and more than 51% of the electors residing therein, have signed said petition as required by statute; and

WHEREAS, the President and Board of Trustees of the Village of Glenview have determined that annexation of the said property is in the public interest and will promote the public health, safety and welfare of the Village of Glenview and its residents.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Glenview, Cook County, Illinois, that

Section 1: The property commonly known as 3215 Landwehr Road, and is legally described as follows:

PARCEL 2: The South 362.45' feet of the East 243.80 feet of the West 573.80 feet (except the 12.45 feet of the West 100.00 feet thereof) of that part of Lot 3 lying in the S.E. 1/4 of Sec. 20-T.42 N.-R.12 E. of the 3rd P.M. in the Superior Court Partition of the South 3/4 of the S.E. 1/4 and of the East 10 acres of the South 76 rods of the S.W. 1/4 of Sec. 20 aforesaid.

PARCEL 3: The South 264.0 feet (except the North 112.0 thereof) of the West 330.0 feet of that part of Lot 3 lying in the S.E. 1/4 of Sec. 20-T.42 N.-R.12 E. of the 3rd P.M. in the Superior Court Partition of the South 3/4 of the S.E. 1/4 and of the East 10 acres of the South 76 rods of the S.W. 1/4 of said Sec. 20, all in Cook Co., IL; and

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2025/03/20

PARCEL 4: The North 113.0 ft. of the South 204.0 of the West 330.0 ft. of that part of lot 3 lying in the S.E. 1/4 of Sec. 20-T. 42N.-R.12 E. of the 3rd P.M. in the Superior Court Partition, of the South 3/4 of the S.E. 1/4 and of the East 10 acres of the South 76 rods of the S.W. 1/4 of Sec. 20-T.42 N.-R.12 E. of the 3rd P.M., all in Cook Co., Illinois.

be and the same is hereby annexed to the Village of Glenview, Cook County, Illinois, pursuant to the provisions of Chapter 24, Section 11-15.1-3 of the Illinois Revised Statutes.

Section 2: This ordinance is subject to an Annexation Agreement hereto entered into by and between the Village of Glenview and the said property owners dated the 3rd day of November, 1987, which said Annexation Agreement is incorporated herein by reference.

Section 3: The Clerk of the Village of Glenview is hereby authorized and directed to record with the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with an accurate map and plat of annexation of the territory annexed, attached hereto and made a part hereof.

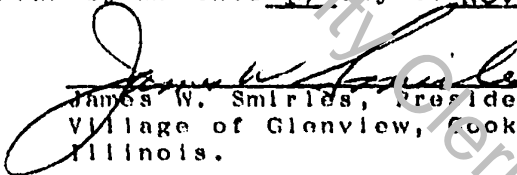
Section 4: Every section and provision of this ordinance shall be separable, and the invalidity of any portion of this ordinance shall not affect the validity of any other portion hereof.

Section 5: This ordinance shall take effect upon its passage, approval and publication according to law.

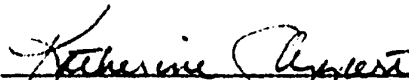
PASSED this 17 day of November, 1987

AYES: 5 NAYS: 0 ABSENT: 1 ABSTENTION: 0

APPROVED by me this 17 day of November, 1987


James W. Smirlas, President of the Village of Glenview, Cook County, Illinois.

ATTESTED and FILED in my office this 17 day of November, 1987.


Katherine G. Appert, Clerk of the Village of Glenview, Cook County, Illinois

PROPERTY OF COOK COUNTY CLERK'S OFFICE

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Property of Cook County Clerk's Office

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The undersigned hereby certifies that she is the Village Clerk and that as such she is custodian of the records of the municipality and keeper of the minutes of the Village Board; and she further certifies that the foregoing is a true and correct copy of Ordinance No. 2811, duly enacted by the President and Board of Trustees of the Village of Glenview at a regular meeting thereof on the 17 day of November, 1987, and passed on roll call vote as shown on the foregoing; and she further certifies that due notice of the consideration of said ordinance was given to the Trustees of the Glenbrook Fire Protection District on September 17, 1987 and October 5, 1987, by Certified Mail.

Dated this 17 day of November, 1987

Katherine G. Appert
Katherine G. Appert, Clerk of
the Village of Glenview, Cook
County, Illinois.

Property Of Cook County Clerk's Office

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88099776

DEPT-09 MISC. \$1.60
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#2186 # B *-88-099776
COOK COUNTY REFORMER

\$1.60

66.00
6 Copies
ML

UNOFFICIAL COPY

Property of Cook County Clerk's Office

12/24/11 10:17 AM

88000000

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COOK COUNTY CLERK
11/21/11 10:17 AM
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