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P. 88-63  
Annexation (Lathewth)  
3428 Glenview Road

Box  
384

ORDINANCE NO. 2943

AN ORDINANCE TO ANNEX CERTAIN TERRITORY  
TO THE VILLAGE OF GLENVIEW, COOK COUNTY,  
ILLINOIS

WHEREAS, on the 6th day of December, 1988, 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 3428 Glenview Road, which said Annexation Agreement is incorporated herein by reference; and

WHEREAS, pursuant to said Annexation Agreement of the day of December 6, 1988, 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 any municipality, that it is contiguous to the present village limits of the Village of Glenview, and that all property owners, and electors have signed said petition as required by statute.

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 facts and statements contained in the preamble to this ordinance are found to be true and correct and are hereby adopted as part of this ordinance.

Section 2: The property commonly known as 3428 Glenview Road and is legally described as:

Lot "A" in Kempston Countryside, being a subdivision in the east half of the northwest quarter of Section 33, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, 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 3: 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 6th day of December, 1988, which said Annexation Agreement is incorporated herein by reference.

Section 4: 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 of the territory annexed, attached hereto and made a part hereof.

Section 5: 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.

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WITH THIS  
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WHEREAS, the Owner desires 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:

"Code";

(Chapter 24, Illinois Revised Statutes 1983), herein referred to as the and Division 15.1 (annexation) of the Illinois Municipal Code and amended Village and may be annexed to the Village as provided in Article 7 (territory) of Cook County, which property is contiguous to the corporate limits of the (hereinafter referred to as the "Property") situated in an unincorporated area hereof and made a part hereof, consisting of approximately .53 acres estate, the legal description of which is set forth in Exhibit "A", attached WHEREAS, the Owner is the owner of record of a certain parcel of real

## ARTICLE II

(hereinafter referred to as "Owner"). referred to as the "Corporate Authorities"; and HONORABLE M. LARKETT, (hereinafter, together with their agents representatives, collectively to as the "Village"), by and through its President and Board of Trustees 1988, by and between the VILLAGE OF GLENVIEW, ILLINOIS (hereinafter referred THIS AGREEMENT is made and entered into this 10th day of December

## ANNEXATION AGREEMENT

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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, Owner proposes 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 Owner and this public hearing was held on the proposed zoning and preliminary subdivision by the Plan Commission of the 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 two (2) single family residences on a two (2) lot, single family

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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 notices 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, adopt an ordinance granting a variance of the ten foot side yard building easement to allow the existing residence to remain 7.1 feet from the eastern side yard lot line, adopt an ordinance granting a variance of the thirty foot front yard building easement to allow the existing residence to remain 19 feet from the front lot line, adopt an ordinance granting a variance of the 60' minimum lot width to allow the newly created lot 2 upon which the existing house rests to be 57' in width and shall adopt other appropriate ordinances, if needed, to

effectuate the 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 two (2) lot single family subdivision as set forth on Exhibit "C". 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 Recorded of Deeds of 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 agreement between the owner and Northfield Township regarding sanitary sewer service to the existing residence shall be acceptable to the Village.

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.

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The tap-on fee for water applicable to the subject premises shall be in accordance with the rates and schedules as now established by the Village of Glenview and shall be payable at the time each plumbing permit is issued.

6. STORM SEWER FACILITIES: Owner shall cooperate with the Village and the developer of the newly created Lot 1 to provide for adequate and effective storm water runoff and drainage of the required sump pump discharge from newly created Lot 2.

7. ANNEXATION, BUILDING PERMITS AND OTHER FEES: In connection with the annexation and development of the Property, Owner shall be required to pay 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 building and improvements, subject to the Owner being in full compliance with all Village Regulations.

9. SCHOOL AND PARK DISTRICT DONATIONS: The parties hereto acknowledge that, pursuant to Village Ordinance 1528, no cash donations are to be made by petition to the Glenview Park District, Community Consolidated District 44 or Northfield Township High School District 225.

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

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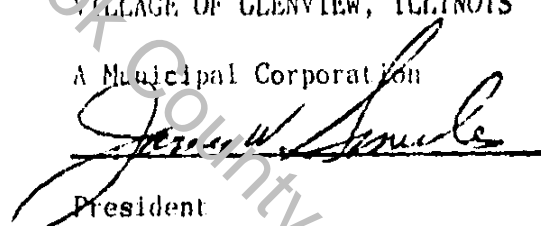
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11. SUCCESSORS AND ASSIGNS: This Annexation Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns, including but not limited to successor owners of record, successor developers and successor lessees and upon any successor municipal authority of the Village and successor of municipalities for a period of twenty (20) years from the date of execution hereof, and any extended time that may be agreed to by amendments.


IN WITNESS WHEREOF, the parties have set forth hands and affixed their seals this 6th day of December, 1988, the same being done after public hearing, notice and statutory requirements having been fulfilled.

VILLAGE OF GLENVIEW, ILLINOIS

A Municipal Corporation

  
President

ATTEST:

  
Village Clerk

  
HONORE M. LARWETH, OWNER

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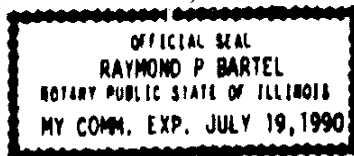
STATE OF ILLINOIS )

COUNTY OF COOK )

On this 30<sup>th</sup> day of November, 1988 before me a Notary Public in and for the County of Cook, State of Illinois personally appeared Honore M. Larweth, who being known to me to be the sole owner of the property herein described and that she acknowledged the execution of this instrument as her free and voluntary act and deed.

In witness whereof I have hereunto set my hand and official seal this 30<sup>th</sup> day of November, 1988.

  
Notary Public





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## TABLE OF EXHIBITS

Exhibit "A"

Legal Description

Exhibit "B"

Plat of Annexation

Exhibit "C"

Preliminary Plat of  
Subdivision

Property of Cook County Clerk's Office

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## EXHIBIT "A"

### PARCEL #1

LOT 1, IN HONORE LARWETH'S RESUBDIVISION OF LOT A IN KEMPSTON COUNTRYSIDE,  
BEING A SUBDIVISION IN THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 33,  
TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN,  
IN COOK COUNTY, ILLINOIS.

### PARCEL #2

LOT 2 IN HONORE LARWETH'S RESUBDIVISION OF LOT A IN KEMPSTON COUNTRYSIDE,  
BEING A SUBDIVISION IN THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 33,  
TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN,  
IN COOK COUNTY, ILLINOIS.

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AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF ILLINOIS )  
                          ) SS  
COUNTY OF COOK )

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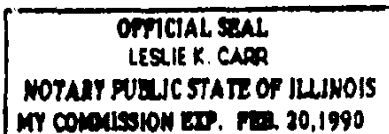
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SONIA ELLIOTT being first duly sworn on oath, deposes and states that: 1. she caused the foregoing notice to be served upon the ~~Trustees~~ of the Glenbrook Fire Protection District, the Northfield Township Board of Auditors and the Highway Commissioner by mailing true and correct copies of same by certified mail to said persons and by depositing same in the United States Mail, Glenview, Illinois, on the 14th day of September, 1988, postage prepaid.

Sonia Elliott  
Sonia Elliott

SUBSCRIBED AND SWORN TO  
before me this 10 day  
of January, 1989.

Leslie K. Carr  
NOTARY PUBLIC



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[Signature]

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