

ORDINANCE NO. O-172-91

AN ORDINANCE AUTHORIZING THE EXECUTION OF A  
PRE-ANNEXATION AGREEMENT  
1113 W. WOOD STREET

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WHEREAS, a public hearing on a Pre-Annexation Agreement was held on December 9, 1991 by the President and Board of Trustees of the Village of Palatine; 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 Pre-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 Pre-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 9th day of December, 1991

AYES: 6 NAYS: 0 ABSENT: 0 PASS: 0

APPROVED by me this 9th day of December, 1991

  
\_\_\_\_\_  
President of the Village of Palatine

DEPT-09 10:30  
T04444 1800 9336 12/30/91 12144106  
45317 110 \*71-689107  
COOK COUNTY REGISTER

ATTESTED and FILED in the office of the Village Clerk this 9th day of December, 1991

  
\_\_\_\_\_  
Village Clerk

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16.00 Box 318

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## PRE-ANNEXATION AGREEMENT 1113 W. WOOD STREET

THIS AGREEMENT, made and entered into this 9th day of December, 1991 by and between the VILLAGE OF PALATINE a municipal corporation of Cook County, Illinois, 200 E. Wood Street, Palatine, Illinois 60067 (hereinafter called "the VILLAGE") and John and Linda Saitta (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:

The east 1/2 of Lot 1 in Block 5 in Arthur T. McIntosh and Company's Chicago Avenue Farms, a subdivision in the Southeast Quarter of Section 16, Township 42 North, Range 10, East of the Third Principal Meridian, recorded May 3, 1926 as Document #9261330 in Cook County.

(hereinafter sometimes called "the subject property"); and

WHEREAS, the VILLAGE desires to have the right to annex the subject property and the OWNER desires that the subject property which is not included within the corporate limits of any other municipality and is in close proximity to the Palatine corporate limits be annexed to the VILLAGE on the terms and conditions hereafter set forth at such time as the subject property becomes contiguous to the VILLAGE and that the subject property be zoned in an "R-2" General Residence District 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 (1989), c.24, Secs. 11-15-1 et seq.; and

WHEREAS, there will be 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 the electors residing upon said land; and

WHEREAS, the OWNER agrees, upon annexation to the VILLAGE, to be subject to the codes, ordinances, and regulations of the VILLAGE, and further subject to the terms and conditions

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hereinafter contained.

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 (1989) c. 24, Secs. 11-15-1 et seq., the OWNER upon written direction from the VILLAGE 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 upon its becoming contiguous to the VILLAGE, and upon the occurrence of such annexation, the remaining provisions of this Agreement shall apply.

(2) Upon annexation, the subject property shall be rezoned to "R-2" General Residence District classification in accordance with the VILLAGE's Zoning Ordinance; provided, however, the OWNER and all successor owners of any interest in the subject property shall be obligated, upon written direction from the VILLAGE, to petition for annexation and to submit a Plat of Annexation to the VILLAGE as provided herein.

(3) The OWNER will be permitted to connect the existing residence on the subject property to the VILLAGE's ten inch (10") sanitary sewer in the Clyde Avenue right-of-way or the Wood Street right-of-way at the OWNER's sole expense. The OWNER agrees to secure the necessary VILLAGE permits and pay all applicable connection fees and charges, including any recapture fees of record. In lieu of installing a meter in the well, the OWNER hereby agrees to pay the usual and customary flat rate charge for sanitary sewer users.

(4) OWNER shall be permitted to maintain the existing well that services the subject property for as long as it complies with State health standards. OWNER hereby agrees to abide by the water use restrictions that are adopted by the VILLAGE pursuant to State mandated water conservation standards.

(5) Upon annexation of the subject property and Clyde Avenue right-of-way, the VILLAGE may vacate that portion of the Clyde

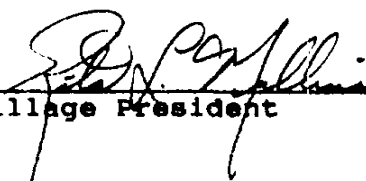
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and the OWNER agrees to insert a reference to this AGREEMENT in any deed, mortgage, or other document conveying any interest in the subject property. This AGREEMENT shall be valid and binding for a period of twenty (20) years from the date of execution. 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.

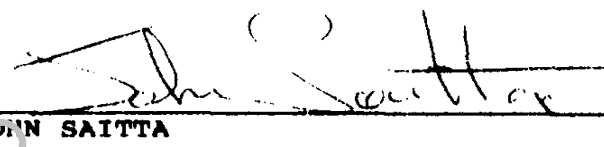
IN WITNESS WHEREOF, the parties hereto have caused this Annexation Agreement to be executed the day and year first above written.

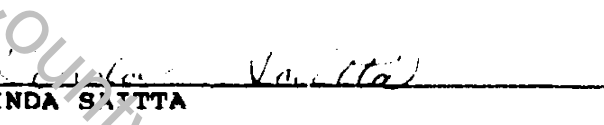
VILLAGE OF PALATINE

  
\_\_\_\_\_  
Village President

ATTEST:

  
\_\_\_\_\_  
Village Clerk

  
\_\_\_\_\_  
JOHN SAITTA

  
\_\_\_\_\_  
LINDA SAITTA

Property of Cook County Clerk's Office

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STATE OF ILLINOIS )  
                          )  
COUNTY OF COOK    )

I, MARGARET R. DUER, 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 as a Regular meeting held on the 7<sup>th</sup> day of December 1971, and that said ordinance as aforesaid was deposited and filed in the office of the Village Clerk on the 9<sup>th</sup> day of December, 1971.

I do further certify that the original, of which the foregoing is a true copy, is entrusted to my care for safekeeping 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: 2    ABSENT: 0    PASS: 0

BY WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Palatine this 11<sup>th</sup> day of December 1971.

Margaret R. Duer  
Margaret R. Duer  
Palatine Village Clerk

( S E A L )

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