

ORDINANCE NO. 371

VILLAGE OF BELLEVUE, ILLINOIS

AN ORDINANCE AUTHORIZING THE
EXECUTION OF AN ANNEXATION AGREEMENT FOR
PROPERTY OWNED BY THE BOARD OF TRUSTEES
OF PLUMBERS LOCAL NO. 63 and PEORIA ASSOCIATION
OF PLUMBING-HEATING-COOLING CONTRACTORS JOINT
EDUCATION TRUST FUND AGREEMENT and DECLARATION
OF TRUST, also known as PLUMBERS LOCAL 63
EDUCATIONAL TRUST FUND

WHEREAS, the Village Board of Trustees has determined that it is in the best interests of the Village to enter into an Annexation Agreement with the Board of Trustees of Plumbers Local No. 63 and Peoria Association of Plumbing-Heating-Cooling Contractors Joint Educational Trust Fund Agreement and Declaration of Trust, also known as Plumbers Local 63 Educational Trust Fund ("Owner") pertaining to property owned by Owner; and

WHEREAS, an Annexation Agreement for such purpose has been drafted, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Agreement calls for rezoning of the property involved, once annexed, and the Village Zoning Commission has passed a resolution approving such rezoning; and

WHEREAS, the legal owner of record of the territory which is the subject of said Agreement, Owner, is ready, willing and able to enter into said Agreement and to perform the obligations as required thereunder; and

WHEREAS, the statutory procedures provided in Division 15.1 of Article 11 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 BELLEVUE, PEORIA COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: It is hereby determined that it is advisable, necessary and in the public interest that the Village enter into an Annexation Agreement with Owner covering the property more particularly described in Exhibit A to the form of Agreement attached hereto.

Section 2: Said Agreement shall be substantially in the form of the Agreement attached hereto and made a part hereof.

Section 3: From and after the effective date of this Ordinance, the President and Clerk of the Village are hereby

authorized and directed to execute said Agreement herein provided for, and to do all things necessary and essential, including the execution of any documents and certificates, necessary to carry out the provisions of said Agreement.

PASSED AND APPROVED THIS 24TH DAY OF AUGUST, 1992.

<u>6</u>	AYES
<u>0</u>	NAYS

VILLAGE OF BELLEVUE, ILLINOIS

By: /s/ LNH
Larry N. Howard, President

Attest: /s/ CSH
Carol S. Howard, Clerk

792-2961.A

Exhibit A

ANNEXATION AGREEMENT

THIS AGREEMENT is made by and between THE VILLAGE OF BELLEVUE, PEORIA COUNTY, ILLINOIS, a municipal corporation (hereinafter the "Village"), and THE BOARD OF TRUSTEES OF PLUMBERS LOCAL NO. 63 and PEORIA ASSOCIATION OF PLUMBING-HEATING-COOLING CONTRACTORS JOINT EDUCATIONAL TRUST FUND AGREEMENT and DECLARATION OF TRUST, also known as PLUMBERS LOCAL 63 EDUCATIONAL TRUST FUND, (hereinafter "Petitioner").

WHEREAS, Petitioner owns certain parcels of real estate which lie in unincorporated Peoria County, Illinois, immediately adjacent and contiguous to the Village, more particularly described on the attached Exhibit A;

WHEREAS, it is the desire of Petitioner to annex the real estate just described to the Village; and

WHEREAS, it is the desire of the Village to annex the same property; and

WHEREAS, the Board of Trustees for the Village, after due and careful consideration, has concluded that the annexation of the real estate owned by Petitioner would further the growth of the Village, enable the Village to control the development of the area, increase the taxable value of the property within the Village, extend the corporate limits and jurisdiction of the Village, permit the sound planning and development of the Village and serve the best interests of the Village and its residents; and

WHEREAS, pursuant to the provisions of Section 11-15.1-1, et seq. of the Illinois Municipal Code (Ill.Rev.Stat. 1989, ch. 24, para. 11-15.1-1, et seq.), this proposed Annexation Agreement will, prior to execution by the Village, be submitted to the Board of Trustees of the Village and a public hearing will be held thereon pursuant to notice, as provided by statute;

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

The Board of Trustees for the Village, upon execution of this Annexation Agreement, and upon the filing of a proper Petition for Annexation by Petitioner (the receipt of which is acknowledged by the execution of the Village), shall enact an Ordinance annexing the real estate owned by Petitioner and described on Exhibit A attached hereto to the Village; provided, however, that the Village: (i) shall then rezone the same property to the C-3 Highway Commercial District, (ii) agrees that it will not require Petitioner to comply with ordinances of the Village regarding the presence of debris, garbage or weeds on the property to be annexed pursuant hereto (including without limitation Village of Bellevue Ordinance No. 302) to the extent that any such conditions existed before the date of annexation, (iii) shall enact an ordinance vacating the alley running between Lots 29, 30 and 31 and Lots 32, 33 and 34 of Szold's Subdivision and (iv) agrees not to assess the cost of all or a portion of any improvements made to Hillsdale Avenue against the Petitioner.

IN WITNESS WHEREOF, the Village and Petitioner have caused this Annexation Agreement to be executed on the dates stated below.

THE BOARD OF TRUSTEES
OF PLUMBERS LOCAL NO. 63
and PEORIA ASSOCIATION OF
PLUMBING-HEATING-COOLING
CONTRACTORS JOINT EDUCATIONAL
TRUST FUND AGREEMENT and
DECLARATION OF TRUST, also
known as PLUMBERS LOCAL 63
EDUCATIONAL TRUST FUND

VILLAGE OF BELLEVUE, PEORIA
COUNTY, ILLINOIS

By: _____
Its: _____

By: _____
Larry N. Howard, President

Dated: August 10, 1992

ATTEST:

Carol S. Howard, Village Clerk

Dated: August 24, 1992

EXHIBIT A

Lots 26, 31, 32, 33 and 34 in Hannah Szold Subdivision, part of the Southwest Quarter of Section 12, Township 8 North, Range 7 East of the Fourth Principal Meridian, situate, lying and being in the County of Peoria and State of Illinois.

PIN: 17-12-381-006 (Lot 26)
17-12-382-003 (Lot 31)
17-12-382-004 (Lot 34)
17-12-382-005 (Lot 33)
17-12-382-006 (Lot 32)

792-2961.A