

Annexation (Illico  
Annexation Agreement)

ORDINANCE NO. 469

VILLAGE OF BELLEVUE, ILLINOIS

AN ORDINANCE AUTHORIZING THE  
EXECUTION OF AN ANNEXATION AGREEMENT FOR  
PROPERTY OWNED BY ILLICO INCORPORATED

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 Illico Incorporated, successor by merger to Illico Independent Oil Company ("Owner") pertaining to property owned by the 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 recommended in favor of such rezoning; and

WHEREAS, the legal owner of record of the territory which is the subject of said Agreement, the 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 the 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 14TH DAY OF DECEMBER, 1998.

5 AYES

0 NAYS

1 ABSENT

VILLAGE OF BELLEVUE, ILLINOIS

By: \_\_\_\_\_  
Ralph E. Wilson, President

Attest: \_\_\_\_\_  
Carol S. Howard, Clerk

398-1567

ANNEXATION AGREEMENT

THIS AGREEMENT is made by and between THE VILLAGE OF BELLEVUE, PEORIA COUNTY, ILLINOIS, a municipal corporation (hereinafter the "Village"), and ILLICO INCORPORATED (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 facilitate its development; 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 (65 ILCS 5/11-15.1-1 et seq.), this proposed Annexation Agreement was submitted to the Board of Trustees for the Village and a public hearing was 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 hereby acknowledged), shall enact an Ordinance annexing the real estate owned by Petitioner and described on Exhibit A attached hereto to the Village. In addition, that Village: (i) shall immediately rezone the annexed property to the C-3 District (which District allows, among other things, use of the Territory as a service station dispensing gasoline and other fuels, a convenience store, and uses similar and/or accessory to the foregoing uses), and grant in respect to the Territory any and all necessary variances to bring the Territory into complete compliance with all provisions of Section 6.4 Restrictions Applying to All Commercial Real Estate of the Zoning Ordinance of the Village or waive any non-conforming conditions; (ii) hereby agrees not to enact additional taxes on the sale of petroleum products, or additional general sales taxes that would apply to the sale of petroleum products (acknowledging the Petitioner has been advised by Village that the Village currently imposes no taxes on the sale of petroleum products), for a period of ten (10) years from the date of this Agreement and (iii) hereby agrees to issue a Class C liquor license to Petitioner, and to waive the license fee for partial 1998.

IN WITNESS WHEREOF, the Village and Petitioner have caused this Annexation Agreement to be executed as of \_\_\_\_\_, 1998.

ILLICO INCORPORATED

VILLAGE OF BELLEVUE, PEORIA  
COUNTY, ILLINOIS

By: \_\_\_\_\_  
David L. Golwitzer, President

By: \_\_\_\_\_  
Ralph E. Wilson, President

ATTEST:

\_\_\_\_\_  
Carol S. Howard, Village Clerk

**EXHIBIT A**

**LEGAL DESCRIPTION**

Lots 4, 5, 6 and 7 in Mardell Subdivision, a subdivision of part of the SE 1/4 of Section 12, T8N, R7E of the 4th P.M., as shown on the plat thereof recorded April 20, 1948 in Plat Book "T", page 43, Peoria County, Illinois.

PIN: 17-12-454-027

Address: 3508 W. Harmon Highway