

ORDINANCE NO. 712

VILLAGE OF BELLEVUE, ILLINOIS

AN ORDINANCE AUTHORIZING THE
EXECUTION OF AN ANNEXATION AGREEMENT

WHEREAS, the Village Board of the Village of Bellevue has determined that it is in the best interests of the Village to enter into an Annexation Agreement with Phillip J. Wright ("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 a portion of the property involved, once annexed, and the Village's 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 VILLAGE BOARD 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 City 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 Village Clerk 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 14 DAY OF June, 2016.

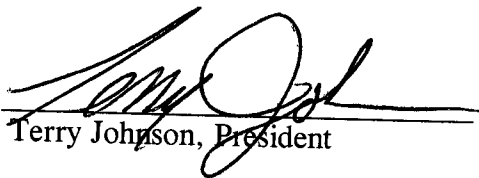
5 AYES

1 NAYS

0 ABSENT

VILLAGE OF BELLEVUE, ILLINOIS

By:


Terry Johnson, President

Attest:



Crystal Murphy, Village Clerk

EXHIBIT A

LEGAL DESCRIPTION OF WRIGHT PROPERTY

PIN: 17-14-202-001, 17-14-127-001, 17-14-202-002 and 17-14-202-003

Address: 4833 – 4837 W. Middle Rd., Peoria County, IL

PARCEL 1:

LOTS 4, 5, AND 6 IN SWORDS AND EVANS SUBDIVISION OF THE WEST ½ OF THE NORTH EAST ¼ OF SECTION 14, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, EXCEPTING THEREFROM 600 FEET OF EVEN WIDTH OFF THE SOUTH AND THEREOF ALSO EXCEPTING THEREFROM, EXCEPT THE COAL AND OTHER MINERALS UNDERLYING THE SURFACE OF SAID LAND AND ALL RIGHT AND EASEMENTS IN FAVOR OF THE ESTATE OF SAID COAL AND OTHER MINERALS.

PARCEL 2:

A PART OF LOT 3 IN SWORDS AND EVANS SUBDIVISION OF PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 14, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SNYDER AVENUE WITH THE WEST LINE OF THE NORTHEAST ¼ OF SAID SECTION 14; THENCE NORTH 0 DEGREES 0 MINUTES ALONG THE WEST LINE OF THE NORTHEAST ¼ OF SAID SECTION 14 AND THE WEST LINE OF SAID LOT 3, A DISTANCE OF 339.89 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING NORTH 0 DEGREES 00 MINUTES ALONG THE WEST LINE OF THE NORTHEAST ¼ OF SAID SECTION 14 AND THE WEST LINE OF SAID LOT 3, A DISTANCE OF 1393.39 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTH WESTERN RAILWAY COMPANY AND THE NORTH LINE OF SAID LOT 3; THENCE IN AN EASTERLY DIRECTION ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTH WESTERN RAILWAY COMPANY AND THE NORTH LINE OF SAID LOT 3 ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1905.1 FEET, FOR AN ARC DISTANCE OF 247.68 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 1394.41 FEET TO A POINT 339.89 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF SNYDER AVENUE; THENCE NORTH 89 DEGREES 54 MINUTES WEST, A DISTANCE OF 247.50 FEET TO THE POINT OF BEGINNING, (EXCEPT THE COAL AND OTHER MINERALS UNDERLYING THE SURFACE OF SAID LAND AND ALL RIGHTS AND EASEMENTS IN FAVOR OF THE ESTATE OF SAID COAL AND OTHER MINERALS) SITUATE, LYING AND BEING IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

PARCEL 3:

A PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 14, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF OUTLOT "A" OF LIGHT'S CENTER, A SUBDIVISION IN THE NORTHEAST $\frac{1}{4}$ AND THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 14, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF SNYDER AVENUE; THENCE NORTH 0 DEGREES 0 MINUTES ALONG THE EAST LINE OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 14, A DISTANCE OF 297.0 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING NORTH 0 DEGREES 0 MINUTES ALONG THE EAST LINE OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 14, A DISTANCE OF 1486.28 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTH WESTERN RAILWAY COMPANY; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTH WESTERN RAILWAY COMPANY, ON A CURVE TO THE LEFT HAVING A RADIUS OF 1905.1 FEET FOR AN ARC DISTANCE OF 82.88 FEET; THENCE SOUTH 83 DEGREES 38 MINUTES 55 SECONDS WEST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTH WESTERN RAILWAY COMPANY, A DISTANCE OF 160.39 FEET; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTH WESTERN RAILWAY COMPANY, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 2961.0 FEET FOR AN ARC DISTANCE OF 671.50 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF F.A.I. ROUTE 474; THENCE SOUTH 18 DEGREES 05 MINUTES 58 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF F.A.I. ROUTE 474, A DISTANCE OF 242.85 FEET; THENCE SOUTH 15 DEGREES 03 MINUTES 51 SECONDS EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF F.A.I. ROUTE 474, A DISTANCE OF 379.54 FEET; THENCE SOUTH 28 DEGREES 17 MINUTES 52 SECONDS EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF F.A.I. ROUTE 474, A DISTANCE OF 938.37 FEET; THENCE SOUTH 34 DEGREES 21 MINUTES 11 SECONDS EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF F.A.I. ROUTE 474, A DISTANCE OF 155.04 FEET; THENCE NORTH 84 DEGREES 52 MINUTES 35 SECONDS EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF F.A.I. ROUTE 474, A DISTANCE OF 41.38 FEET; THENCE SOUTH 1 DEGREE 40 MINUTES 35 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF F.A.I. ROUTE 474, A DISTANCE OF 61.39 FEET; THENCE SOUTH 34 DEGREES 21 MINUTES 11 SECONDS EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF F.A.I. ROUTE 474, A DISTANCE OF 121.51 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SNYDER AVENUE; THENCE SOUTH 00 DEGREES 04 MINUTES 35 SECONDS WEST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF F.A.I. ROUTE 474, 50.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF SNYDER AVENUE; THENCE SOUTH 89 DEGREES 55 MINUTES 25 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SNYDER AVENUE, A DISTANCE OF 61.13 FEET; THENCE NORTH 0 DEGREES 0 MINUTES, A DISTANCE OF 209.0 FEET; THENCE NORTH 72 DEGREES 52 MINUTES 52 SECONDS EAST, A DISTANCE OF 98.10 FEET; THENCE NORTH 57 DEGREES 52 MINUTES 16 SECONDS EAST, A DISTANCE 110.70 FEET TO THE POINT OF BEGINNING, (EXCEPT THE COAL AND OTHER MINERALS UNDERLYING THE SURFACE OF SAID LAND AND ALL RIGHTS AND EASEMENTS IN FAVOR OF THE ESTATE OF SAID COAL AND OTHER MINERALS) SITUATE, LYING AND BEING IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

ANNEXATION AGREEMENT

THIS AGREEMENT is dated as of May 24, 2016 between the Village of Bellevue, Peoria County, Illinois, an Illinois municipal corporation (the "Village"), and Phillip J. Wright ("Owner").

RECITALS

WHEREAS, Owner owns a certain parcel of real estate which lies in unincorporated Peoria County, Illinois, immediately adjacent and contiguous to the Village, more particularly described on the attached Exhibit A (the "Property"); and

WHEREAS, it is the desire of Owner to annex the Property to the Village; and

WHEREAS, it is the desire of the Village to annex the Property and facilitate its development; and

WHEREAS, the Village Board for the Village, after due and careful consideration, has concluded that the annexation of the Property 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 Village Board 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:

1. Annexation. Owner agrees to execute and deliver to the Village a Petition for Annexation requesting annexation of the Property to the Village, contingent on the approval and

execution of this Agreement by the Village. The Village agrees to annex the Property to the Village upon compliance with all applicable procedural requirements.

2. Rezoning. Immediately upon annexation of the Property, the Village agrees to adopt an ordinance amending the zoning map of the Village to rezone the Property to the R-1 General Residential District.

3. Compliance with Village Ordinances. The Village represents to the Owner that, as of the date of this Agreement, the Property is in substantial compliance with all ordinances of the Village.

IN WITNESS WHEREOF, the Village and the Owner have caused this Annexation Agreement to be executed as of the date first stated above.

VILLAGE OF BELLEVUE, ILLINOIS

Phillip J. Wright

By: _____
Terry Johnson, President

Attest: _____
Crystal Murphy, Clerk

EXHIBIT A

LEGAL DESCRIPTION OF WRIGHT PROPERTY

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