

ORDINANCE NO. 733

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 CEHOG I, LLC ("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.

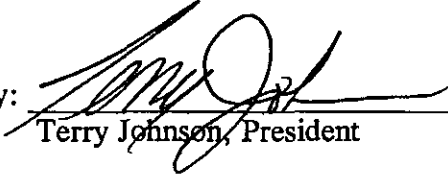
PASSED AND APPROVED THIS 27 DAY OF JUNE, 2017.

5 AYES

0 NAYS

1 ABSENT

VILLAGE OF BELLEVUE, ILLINOIS

By: 
Terry Johnson, President

Attest: _____
Jennifer Wilson, Village Clerk

317-1061

ANNEXATION AGREEMENT

THIS AGREEMENT is dated as of June 27, 2017 between the Village of Bellevue, Peoria County, Illinois, an Illinois municipal corporation (the "Village"), and CEHOG I, LLC, a Delaware limited liability company ("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 C-3 Highway Commercial District.

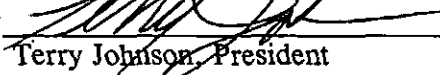
3. Licenses. The Village agrees to issue to Owner, upon annexation of the Property, a Class F (beer and wine) liquor license and up to five (5) video gaming terminal licenses, subject to compliance by Owner with all applicable liquor control and video gaming ordinances, laws and regulations.

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

CEHOG I, LLC

VILLAGE OF BELLEVUE, ILLINOIS

By: _____

By:  _____
Terry Johnson, President

Its: _____

Attest: _____
Jennifer Wilson, Village Clerk

EXHIBIT A

LEGAL DESCRIPTION

Lot 3 and part of Lot 2 of KICKAPOO HEIGHTS ADDITION, being a part of the Southeast Quarter of Section 12, Township 8 North, Range 7 East of the Fourth Principal Meridian, more particularly bounded and described as follows, to-wit: Commencing at the Northwest corner of said Lot 3; thence South 79 degrees 11 minutes East along the Southerly right-of-way line of Airport Road and the Northerly line of said Lots 3 and 2, a distance of 148.69 feet; thence South 0 degrees 40 minutes West, a distance of 80.30 feet to the Southerly line of said Lot 2 and the Northerly right-of-way line of Lincoln Avenue; thence South 89 degrees 58 minutes West along said Southerly line of Lots 2 and 3 and the Northerly right-of-way line of Lincoln Avenue, a distance of 145.14 feet to the Southwest corner of said Lot 3 and the Easterly right-of-way line of Kickapoo Lane; thence North 0 degrees 0 minutes East along the Easterly right-of-way line of Kickapoo Lane and the Westerly line of said Lot 3, a distance of 108.44 feet to the Place of Beginning; situated in the County of Peoria and State of Illinois.

PIN: 17-12-481-001

ADDRESS: 3222 W. Harmon Highway, Peoria, IL