

ORDINANCE NUMBER 06 - 39

**ORDINANCE GRANTING REQUEST FOR RE-ZONING FOR  
THE PROPERTY PERTAINING TO THE DEVELOPMENT  
LOCATED ON THE SOUTHEAST CORNER OF  
STATE ROUTE 25 AND STATE ROUTE 68,  
KANE COUNTY, ILLINOIS**

**WHEREAS**, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, application has been made by Jose Rivera ("Owner") under Petition No. P/Z 06-07-02 for re-zoning of the .66 acre property located on the southeast corner of State Route 25 and State Route 68, Kane County, Illinois from F-1, Farming District to B-2, Community Business District; and

**WHEREAS**, the Planning and Zoning Commission (hereinafter the "Commission") of the Village of East Dundee, pursuant to notice and pursuant to the East Dundee Code of Ordinances, Chapter 156.05(B)(3) held a hearing on July 13, 2006, on Petition No. P/Z 06-07-02; and

**WHEREAS**, pursuant to said hearing, the Commission approved the Petition conditioned upon the entry of an Annexation Agreement with the Village of East Dundee by a vote of 5 ayes, 0 nays, and 4 absent.

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE AND COOK COUNTIES, ILLINOIS, AS FOLLOWS:**

**Section One.** That the recommendation of the Commission is hereby approved and adopted and that the application for re-zoning of the .66 acre property located on the southeast corner of State Route 25 and State Route 68, Kane County, Illinois from F-1, Farming District to B-2, Community Business District under Petition No. 06-07-02 is hereby granted.

**Section Two.** That the following described real estate located on the southeast corner of State Route 25 and State Route 68, Kane County, Illinois is hereby re-zoned from F-1, Farming District to B-2, Community Business District:

Part of the West Half of Section 24, Township 42 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the center line of State Route 63 with the center of State Route 25; thence Easterly along the center line of State Route 63, 485.07 feet for the place of beginning; thence West along a line that forms an angle of 90 degrees 00 minutes to the right, with the prolongation of the last described course, 108.6 feet; thence North parallel with the center line of State Route 25, 256.4 feet to the center line of State Route 63; thence Easterly along said center line, 110.0 feet to the place of beginning, (except that part lying with in State Route 63), situated in the County of Kane, in the State of Illinois.

**Section Three. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section Four. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Five. Publication.** This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 18<sup>th</sup> day of Sept, 2006, pursuant to a roll call vote as follows:

AYES: Ruffalo, VanOstenbridge, Scarpelli, O'Leary,  
Gorman, Pres. Bartels

NAYES: \_\_\_\_\_

ABSENT: Carlini

Approved by me this 18<sup>th</sup> day of Sept, 2006.

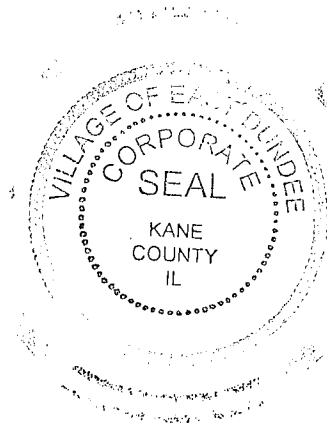
Jerald Bartels  
JERALD BARTELS, President

Published in pamphlet form this 25 day of Sept, 2006, under the authority of the President and Board of Trustees.

**ATTEST:**

*Susan Norton*  
SUSAN NORTON, Village Clerk

Recorded in the Village Records on Sept 25, 2006.



STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF KANE            )

**CERTIFICATION OF ORDINANCES AND MINUTES**

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of East Dundee, Kane County, Illinois (the "*Village*"); and as such officer, I am the keeper of the journal of proceedings, books, records, minutes, and files of the Village and of the President and Board of Trustees (the "*Corporate Authorities*") thereof.

I do further certify that the foregoing constitutes a full, true, and complete transcript of the minutes of the legally convened regular meeting of the Corporate Authorities held on the 18th day of September, 2006, insofar as same relates to the adoption of ordinances entitled:

AN ORDINANCE approving the Route 25 Redevelopment Plan and Project.

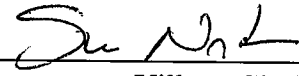
AN ORDINANCE designating the Route 25 Redevelopment Project Area.

AN ORDINANCE adopting tax increment financing for the Village of East Dundee, Kane County, Illinois, in connection with the designation of the Route 25 Redevelopment Project Area.

true, correct, and complete copies of which said ordinances as adopted at said meeting appear in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Corporate Authorities on the adoption of said ordinances were taken openly; that the votes on the adoption of said ordinances were taken openly; that said meeting was held at a specified time and place convenient to the public; that an agenda for said meeting was posted on a day which was not a Saturday, Sunday or legal holiday for Illinois municipalities and not less than 48 hours prior to said meeting at the location where said meeting was held and at the principal office of the Corporate Authorities; that said agenda described or made specific reference to said ordinances' that a true, correct and complete copy of said agenda as so posted is attached hereto; that notice of said meeting was duly given to all newspapers, radio or television stations, and other news media requesting such notice; and that said meeting was called and held and said ordinances passed in strict accordance with the provisions of "AN ACT in relation to meetings," approved November 11, 1957, as amended, and the Illinois Municipal Code, as amended, and the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the seal of the Village, this 18th day of September, 2006.

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

(SEAL)

**Village Clerk to Attach Agenda**

