

ORDINANCE NO. 12-50

An Ordinance Authorizing the Execution of an Annexation Agreement Between the Village of East Dundee and the Buettner Family Limited Partnership No. 2 (Quail Run aka Blue Flame Energy)

WHEREAS, the Buettner Family Limited Partnership No. 2, an Illinois limited partnership (the "Owner"), is the sole owner of record of property consisting of 1.3703+ acres, more or less, commonly known as 14N679 Route 25, Dundee, Kane County, Illinois, assigned property index numbers of 03-36-105-014 and 03-35-228-007 and is legally described as follows (the "Property"):

That part of the northeast quarter of Section 35, and part of the northwest quarter of Section 36, Township 42 north, Range 8 east of the Third Principal Meridian described as follows: beginning at the intersection of the southerly line extended westerly of Fox River Bluffs Unit No. 3, being a subdivision of part of said Sections 35 and 36, with the easterly right of way line of State Route 25, as conveyed to the State Department of Public Works and Buildings by warranty deed recorded January 29, 1968, as document number 1106610; thence northerly along said easterly right of way line, a distance of 179.36 feet; thence easterly along a line which forms an angle of 92 degrees 42 minutes 35 seconds to the right with the prolongation of the last described course, a distance of 349.83 feet to the westerly line extended southerly of Lot 8 in Fox River Bluffs Unit No. 3, as aforesaid; thence southerly along said westerly line extended southerly a distance of 162.16 feet to the southerly line extended westerly of Fox River Bluffs No. 3 as aforesaid; thence westerly along said southerly line, extended westerly, a distance of 349.70 feet to the place of beginning, being situated in Dundee Township, Kane County, Illinois, and containing 1.3703+ acres.

WHEREAS, the Property is not located within the corporate boundaries of any municipality, has not been annexed to any municipality, is contiguous to the corporate boundaries of the Village of East Dundee (the "Village") and may be annexed to the Village; and

WHEREAS, the Village desires to enter into that certain Annexation Agreement attached hereto and incorporated herein as Exhibit "A" (the "Agreement"); and

WHEREAS, the Owner and the Village are ready, willing and able to enter into the Agreement and perform the obligations as required therein; and

WHEREAS, pursuant to 65 ILCS 5/11-15.1-1, *et seq.*, a public hearing has been held before the President and Board of Trustees pursuant to lawful notice and the Owner and the Village have otherwise complied fully with all laws and ordinances applicable to the Agreement; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village to approve and execute the Agreement.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of East Dundee as follows:

SECTION 1: Upon receipt from the Owner of an executed copy of the Agreement, the Village President is hereby authorized and directed to immediately execute, and the Village Clerk is hereby authorized and directed to immediately attest, such copy of the Agreement.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed, to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Ayes: 7-Justices Ruffalo, Gorman, Lynam, Miller, VanDokkenbridge, Skillicorn
Nays: 0
Absent: 0
Abstain: 0
& Pres. Bartels

APPROVED:

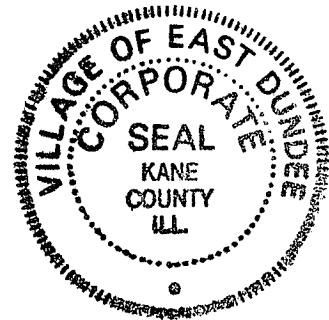
Jerald Bartels
Village President Jerald Bartels

(SEAL)
ATTEST: Jennifer Rehberg
Village Clerk Jennifer Rehberg

Passed: 6/30/12
Approved: 6/30/12
Published: 7/7/12

Prepared by/Mail to:
Michael J. Smoron
Zukowski Rogers Flood & McArdle
50 North Virginia Street
Crystal Lake, IL 60014
815.459.2050

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CERTIFICATION

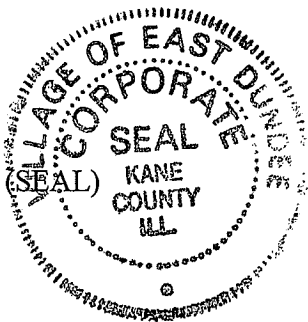
I, JENNIFER REHBERG, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of East Dundee, Kane County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village.

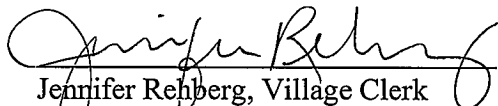
I do hereby further certify that at a regular meeting of the President and Board of Trustees of the Village of East Dundee, held on the 30th day of June, 2012, the foregoing Ordinance entitled *An Ordinance Authorizing the Execution of an Annexation Agreement Between the Village of East Dundee and the Buettner Family Limited Partnership No. 2. (Quail Run aka Blue Flame Energy)*, was duly passed by the President and Board of Trustees of the Village of East Dundee.

The pamphlet form of Ordinance No 12-50, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the East Dundee Village Hall, 120 Barrington Avenue, East Dundee, IL, commencing on the 7th day of July, 2012, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

IN WITNESS WHEREOF, I have affixed my name as Clerk and caused the seal of said Village to be affixed hereto this 7th day of July, 2012.




Jennifer Rehberg, Village Clerk
Village of East Dundee,
Kane County, Illinois