

ORDINANCE NUMBER - 11-40

***An Ordinance Authorizing the Execution of an Annexation
Agreement Between the Village of East Dundee
and Pima Illinois, LLC***

WHEREAS, Pima Illinois, LLC (the "Owner"), is the sole current owner of record of property commonly known as 14N963 Route 25, Dundee, Kane County, Illinois, and legally described as follows (the "Property"):

Parcel One: The northerly half of that part of Sections 25, 26, 35 and 36, Township 42 north, Range 8 east of the Third Principal Meridian, described as follows: commencing at the southwest corner of Section 25; thence north along the west line of said Section 9.7 feet; thence westerly 124.15 feet on a line making an angle of 80 degrees, 51 minutes, 0 seconds to the northwest, with said west line of Section 25, to the center line of the Elgin and Dundee Road for a point of beginning; thence easterly along said last course, 380 feet on a line making an angle of 89 degrees, 58 minutes 0 seconds to the southeast with the centerline of the Elgin and Dundee Road; thence southerly parallel with the centerline of said road, 343.9 feet; thence westerly 380 feet on a line making an angle of 89 degrees, 58 minutes 0 seconds to the northwest with said center line to the center line of the Elgin and Dundee Road; thence northerly along the center line of said road, 343.9 feet to the point of beginning, in Dundee Township, Kane County, Illinois; and

Parcel Two: That part of the southwest quarter of Section 25, of the southeast quarter of Section 26 and of the northwest quarter of Section 36, all in Township 42 north, Range 8 east of the Third Principal Meridian, described as follows: commencing at the southwest corner of the southwest quarter of said Section 25; thence north along the west line of said southwest quarter 9.7 feet; thence westerly along a line forming an angle of 80 degrees, 51 minutes, 0 seconds to the northwest with said west line, 124.15 feet to the center line of State Route 25 for the point of beginning; thence easterly along the last described course and said course extended on a line forming an angle of 89 degrees, 58 minutes, 0 seconds to the southeast with said center line 380 feet; thence southerly parallel with said center line, 171.95 feet; thence easterly along a line forming an angle of 89 degrees, 58 minutes 0 seconds to the southeast with said center line 370 feet; thence northerly parallel with said center line, 340.95 feet; thence westerly along a line forming an angle of 80 degrees, 51 minutes, 0 seconds to the northwest with the west line of the southwest quarter of Section 25, 750 feet to the center line of said State Route 25; thence southerly along said center line 169 feet to the point of beginning, in Dundee Township, Kane County, Illinois (together, the "Property").

Common address of the Property: 14N963 Route 25, Dundee, Illinois 60118; and

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

WHEREAS, the Village desires to enter into that certain Annexation Agreement dated on the date hereof and 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; and

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 four executed copies 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 four copies 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: 6 - Justices Gorman, Lynam, Nieller, VanOstenbridge, Skellicorn
Nays: 0 † President Bartels

Absent: 1 - Justice Ruffalo

Abstain: 0

APPROVED:

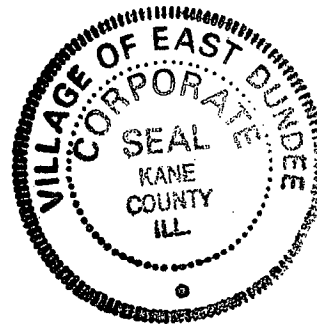
Jerald Bartels
Village President Jerald Bartels

(SEAL)
ATTEST: Jennifer Rehberg
Village Clerk Jennifer Rehberg

Passed: September 19, 2011

Approved: September 19, 2011

Published: September 21, 2011



Prepared by/Mail to:
Michael J. Smoron
Zukowski Rogers Flood & McArdle
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Crystal Lake, IL 60014
815.459.2050
Z:\E\East Dundee\Pima Illinois LLC\Ordinance.AA.doc

CERTIFICATION

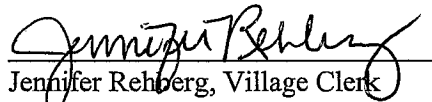
I, JENNIFER REHBERG, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of East Dundee, Kane County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village.

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 19th day of September, 2011, the foregoing Ordinance entitled *An Ordinance Authorizing the Execution of an Annexation Agreement Between the Village of East Dundee and Pima Illinois, LLC*, was duly passed by the President and Board of Trustees of the Village of East Dundee.

The pamphlet form of Ordinance No 11-40, 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 19th day of September, 2011, 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 19th day of September, 2011.


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

