

**ORDINANCE NO.** 12-32

***An Ordinance Authorizing the Execution of an Annexation Agreement Between the Village of East Dundee and GAT Properties, an Illinois Limited Liability Company Formerly Known as Our Secret LLC***

WHEREAS, the GAT Properties, an Illinois limited liability company formerly known as Our Secret LLC (the "Owner"), is the sole owner of record of property located on Illinois Route 25, Dundee, Kane County, Illinois, and legally described as follows (the "Property"):

Parcel One: Lots A, 5, 6, 9, 10, 13 and 14 of Fox River Bluffs Unit No. 3 in the Township of Dundee, Kane County, Illinois; and

Parcel Two: The south 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 common corners of the above sections; thence north along the west lot of Section 25, 9.7 feet; thence northwesterly 124.15 feet on a line making an angle of 80 degrees, 51 minutes, 0 seconds, to the northwest with the west line of said Section 25, to the center line of the Elgin-Dundee Road for a point of beginning; thence southeasterly along said last course 380 feet on a line making an angle of 89 degrees, 58 minutes, 0 seconds to the southeast with the center line of Elgin-Dundee Road; thence southwesterly parallel with the center line of said road 343.9 feet; thence northwesterly 380 feet on a line making an angle of 89 degrees, 58 minutes, 0 seconds to the northwest with said last described line to the center line of the Elgin-Dundee Road; thence northeasterly on the center line of said road 343.9 feet to the point of beginning, in Kane County; and

Parcel Three: A part of the northwest quarter of Section 36, Township 42 north, Range 8 east of the Third Principal Meridian, described as follows: commencing at the northeast corner of Lot 14 of Fox River Bluffs Unit Number 3, as laid out and plotted of record, for a point of beginning; thence westerly along the northerly line of said Fox River Bluffs Unit Number 3, 369.75 feet; thence northerly at right angles with said last mentioned course and along the easterly line of land now owned by Walter Eseling, a distance of 171.95 feet; thence easterly and parallel with the northerly line of said Fox River Bluffs Unit Number 3, a distance of 369.75 feet; thence southerly in a straight line to the point of beginning, in Kane County, Illinois.

and;

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") on the conditions and terms described below; and

WHEREAS, the Owner and the Village are ready, willing and able to enter into the Agreement and perform the obligations as required therein on the conditions and terms described below; 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 Owners and the Village have otherwise complied fully with all laws and ordinances applicable to 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 Owners of at least one originally executed, notarized and recordable 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 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: Pursuant to the Village's home rule powers, this Ordinance shall be in full force and effect as of July 1, 2012 at 12:00 a.m. due to the urgency of increasing the Village's revenues and enhancing its tax base, and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Ayes: 7 - Trustees Ruffalo, Gorman, Lynnam, Miller, Van Ostenbridge,

Nays: 0 Skillicorn & Pres. Bartels

Absent: 0

Abstain: 0

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  
Z:\E\East Dundee\GatGuns\Ordinance.AA.doc

**CERTIFICATION**

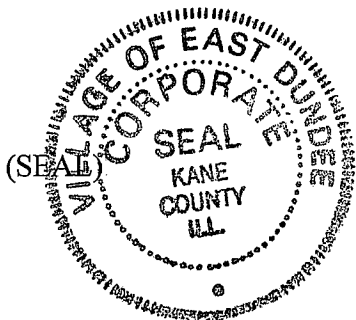
I, JENNIFER REHBERG, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of East Dundee, Kane County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village.

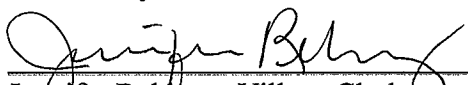
I do hereby further certify that at a regular meeting of the President and Board of Trustees of the Village of East Dundee, held on the 30<sup>th</sup> day of June, 2012, the foregoing Ordinance entitled *An Ordinance Authorizing the Execution of an Annexation Agreement Between the Village of East Dundee and GAT Properties, an Illinois limited liability company formerly known as Our Secret LLC* was duly passed by the President and Board of Trustees of the Village of East Dundee.

The pamphlet form of Ordinance No. 12-32, 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 7<sup>th</sup> 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 7<sup>th</sup> day of July, 2012.



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