

ORDINANCE 2021-14

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE VILLAGE OF WEST DUNDEE (Adjacent to Voyageur Landing)

WHEREAS, ERT Elgin, LLC (the "Owner"), submitted a petition to the Village Clerk requesting certain property, as hereinafter described, be annexed to the Village of West Dundee (the "Village"); and

WHEREAS, the Owner has certified to the Village that there are no electors residing upon said territory; and

WHEREAS, said territory is not within the corporate limits of any other municipality, and is contiguous to the corporate boundaries of the Village; and

WHEREAS, the Village does not provide public library services; and

WHEREAS, all petitions, documents and other necessary legal requirements are in full compliance with the statutes of the State of Illinois, including but not limited to, 65 ILCS 5/7-1-1, et seq.; and

WHEREAS, it is in the best interest of the Village that said territory be annexed thereto.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the VILLAGE OF WEST DUNDEE, Kane County, Illinois, as follows:

SECTION 1: That the territory legally described as follows is hereby annexed to the Village of West Dundee, Kane County, Illinois:

Parcel 1: The West fraction of the Southwest fractional quarter of Section 35, Township 42 North, Range 8 East of the Third Principal Meridian, lying Northerly of the Northerly line of Parcel No. N-4D-671 being an easement acquired by the Illinois State Toll Highway Commissioner through proceedings filed in the Circuit Court of Kane County, Illinois, as Case No. 57-344, (except that part described as follows: Commencing at a point on the West Line of said Section 35, 73.9 feet North of the Southwest corner thereof, said point being on the North line of a permanent roadway easement acquired by the Illinois State Toll Highway Commissioner through proceedings filed in the Circuit Court of Kane County, Illinois, as Case No. 57-344; thence East along the North line of said permanent roadway easement, 932.65 feet for the point of beginning; thence North 15 degrees 00 minutes East 239.0 feet; thence North 7 degrees 49 minutes East 474.48 feet; thence North 6 degrees 52 minutes 20 seconds West 641.35 feet; thence North 40 degrees 11 minutes West 143.50 feet; thence North 5 degrees 18 minutes West 197.00 feet; thence North 21 degrees 20 minutes 40 seconds West 278.42 feet;

thence North 11 degrees 28 minutes 40 seconds West 190.65 feet; thence North 78 degrees 31 minutes 20 seconds East 164.0 feet to the Westerly bank of the Fox River; thence Southerly along the meandering Westerly bank of the Fox River, 2225 feet to a point of intersection with the North line of the aforesaid permanent roadway easement; thence West along said North line of said permanent roadway easement, 384.25 feet to the point of beginning, and also excepting therefrom that part described as follows: Commencing at a point on the West line of said Southwest fractional quarter 73.9 feet North of the Southwest corner thereof, said point being on the North line of aforesaid Parcel No. N-4D-671; thence South 89 degrees 05 minutes East along the North line thereof 506.33 feet for a place of beginning; thence continuing South 89 degrees 05 minutes East 426.32 feet; thence North 15 degrees East 239.0 feet; thence North 07 degrees 49 minutes East 474.48 feet; thence North 06 degrees 52 minutes 20 seconds West 641.35 feet then North 40 degrees 11 minutes West 143.50 feet; thence North 05 degrees 18 minutes West 161.75 feet; thence North 90 degrees West 368.44 feet; thence South 0 degrees 1601.94 feet to the place of beginning), in the Township of Dundee, Kane County, Illinois. Containing 37.59 Acres more or less. (PIN: 03-35-300-011); and,

Parcel 2: That part of the SW fractional quarter of Section 35 Township 42 North Range 8 East of the Third Principal Meridian described as follows: Commencing at a point of the west line of said Southwest Fractional Quarter 73.9 feet North of the Southwest corner thereof, said point beginning on the North line of aforesaid parcel No. N-4D-671, thence South 89 degrees 05 minutes east along the north line thereof 506.33 feet for a place of beginning, thence continuing South 89 degrees 05 minutes East 426.33 feet; thence North 15 degrees East 239.0 feet, thence North 07 degrees 49 minutes East 474.48 feet, thence North 06 degrees 52 minutes 20 seconds West 641.35 feet, thence North 40 degrees 11 minutes West 143.50 feet; thence North 05 degrees 18 minutes West 161.74 feet, thence North 90 degrees West 368.44 feet; thence South 0 degrees 1601.94 feet to the place of beginning, in the Township of Dundee, Kane County, Illinois. Containing 17.87 Acres more or less (PIN: 03-35-300-012).

SECTION 2: That the Village Clerk of the Village of West Dundee is hereby directed to record in the Office of the Recorder and to file in the Office of the County Clerk of Kane County, Illinois, and the post office serving the territory within 30 days of the effective date of this Ordinance, a certified copy of this Ordinance, together with a plat of annexation, attached hereto as Exhibit A and made a part hereof by this reference.

SECTION 3: 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 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: 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.

PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois,
and approved by the President of said Village this 17th day of May, 2021.

AYES: Trustees Price, Yuscka, Alopogianis, Anderley, Wilbrandt and Kembitzky
NAYS: None
ABSENT: None

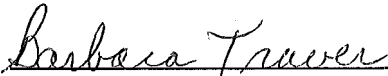
APPROVED:



Christopher Nelson
Village President

(SEAL)

ATTEST:



Barbara Traver
Village Clerk

EXHIBIT A PLAT OF ANNEXATION

