

ORDINANCE NO. 2018 -26

***An Ordinance Annexing Property at
River Valley Memorial Gardens***

WHEREAS, the Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, written annexation petitions, signed by the sole legal owner of the territory hereinafter described, being identified as River Valley Memorial Gardens, Inc. (the Owner), has been filed with the Village Clerk of the Village of West Dundee, an Illinois home rule municipal corporation located in Kane County, Illinois (the Village, requesting that said territory be annexed to the Village; and

WHEREAS, the Owner has represented 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, other than the County of Kane, and is contiguous to the corporate boundaries of the Village; 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 interests 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 in Exhibit A is hereby annexed to the Village of West Dundee, Kane County, Illinois.

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 B 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 19 day of November, 2018.

AYES: Price, Hanley, Yuscka, Anderley, Wilbrandt and Kembitzky
NAYS: None
ABSENT: None
ABSTAIN: None

APPROVED:



Christopher Nelson
Village President

(SEAL)

ATTEST:



Barbara Traver
Village Clerk

EXHIBIT A
Legal Description of Properties

Property Index Number: 03-34-100-066

River Valley Memorial Gardens Unit No. 1, being a subdivision of part of the North Half of Section 34, Township 42 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded January 6, 1961 as Document No. 938111; and also River Valley Memorial Gardens Unit No. 3, being a resubdivision of said River Valley Memorial Gardens Unit No. 1, according to the plat thereof recorded November 11, 1962 as Document No. 990180, (excepting therefrom that part previously annexed more particularly described as follows: Beginning at the Southeast corner of said Unit No. 1; thence North 12 degrees 19 minutes 07 seconds East along the East line thereof 15.37 feet; thence Northwesterly being on a curve to the right having a radius of 471.0 feet, an arc distance of 66.23 feet to the Southeasterly line of a 25.0 foot road, (the chord of the last described curve bearing North 46 degrees 05 minutes 17 seconds West, 66.18 feet); thence Southwesterly, Westerly and Northwesterly along the Southerly line of said road being on a curve to the right having a radius of 181.50 feet an arc distance of 355.45 feet (the chord of the last described curve bearing North 65 degrees 10 minutes 07 seconds West 301.31 feet); thence Northwesterly and Westerly, being on a curve to the left having a radius of 25.0 feet an arc distance of 34.51 feet, (the chord of the last described curve bearing North 49 degrees 34 minutes 36 seconds West, 31.83 feet); thence North 89 degrees 07 minutes 09 seconds West along the South line of a 22 foot road 106.48 feet to the present Easterly right of way of State Route 31; thence South 12 degrees 09 minutes 10 seconds West along said Easterly right of way 109.28 feet to the Southerly line of River Valley Memorial Gardens Unit No. 1 aforesaid; thence Southeasterly along said South line 460.0 feet to the point of beginning; and also excepting therefrom that part described as follows: That part of East Half of Southwest Quarter of Section 34, Township 42 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the North line of the Dun-El Airport Road and Route 31 Subdivision, a subdivision of part of Lot 3 of Miller's Hangar's of Section 34 aforesaid with the present East right of way line of State Route 31; thence North 12 degrees 09 minutes 10 seconds East along said right of way line, 416.96 feet to a break in said right of way; thence North 12 degrees 37 minutes 03 seconds East along said right of way line 197.81 feet to the point of beginning; thence continuing North 12 degrees 37 minutes 03 seconds East along said right of way line 56.0 feet; thence South 77 degrees 40 minutes 53 seconds East 67.0 feet; thence South 54 degrees 23 minutes 57 seconds West 75.04 feet; thence North 77 degrees 22 minutes 57 seconds West 17.0 feet to the point of beginning, containing 2339 square feet, in Dundee Township, Kane County, Illinois, and also except that part in State Route 31 previously annexed); containing 3.3841 Acres, in Kane County, Illinois.

Property Index Number 03-34-100-067:

That part of River Valley Memorial Gardens Unit No. 3, being a resubdivision of River Valley Memorial Gardens Unit No. 1, according to the plat thereof recorded November 11, 1962 as Document No. 990180, described as follows: commencing at the intersection of the North line of the Dun-El Airport Road and Route 31 Subdivision, a subdivision of part of Lot 3 of Miller's Hangar's of Section 34 aforesaid with the present East right of way line of State Route 31; thence North 12 degrees 09 minutes 10 seconds East along said right of way line, 416.96 feet to a break in said right of way; thence North 12 degrees 37 minutes 03 seconds East along said right of way line 197.81 feet to the point of beginning; thence continuing North 12 degrees 37 minutes 03 seconds East along said right of way line 56.0 feet to the North line of said Unit No. 3; thence South 77 degrees 40 minutes 53 seconds East along the North line thereof, 67.0 feet;

thence South 54 degrees 23 minutes 57 seconds West 75.04 feet; thence North 77 degrees 22 minutes 57 seconds West 17.0 feet to the point of beginning, containing 2339 square feet, in Dundee Township, Kane County, Illinois.

EXHIBIT B
Plat of Annexation

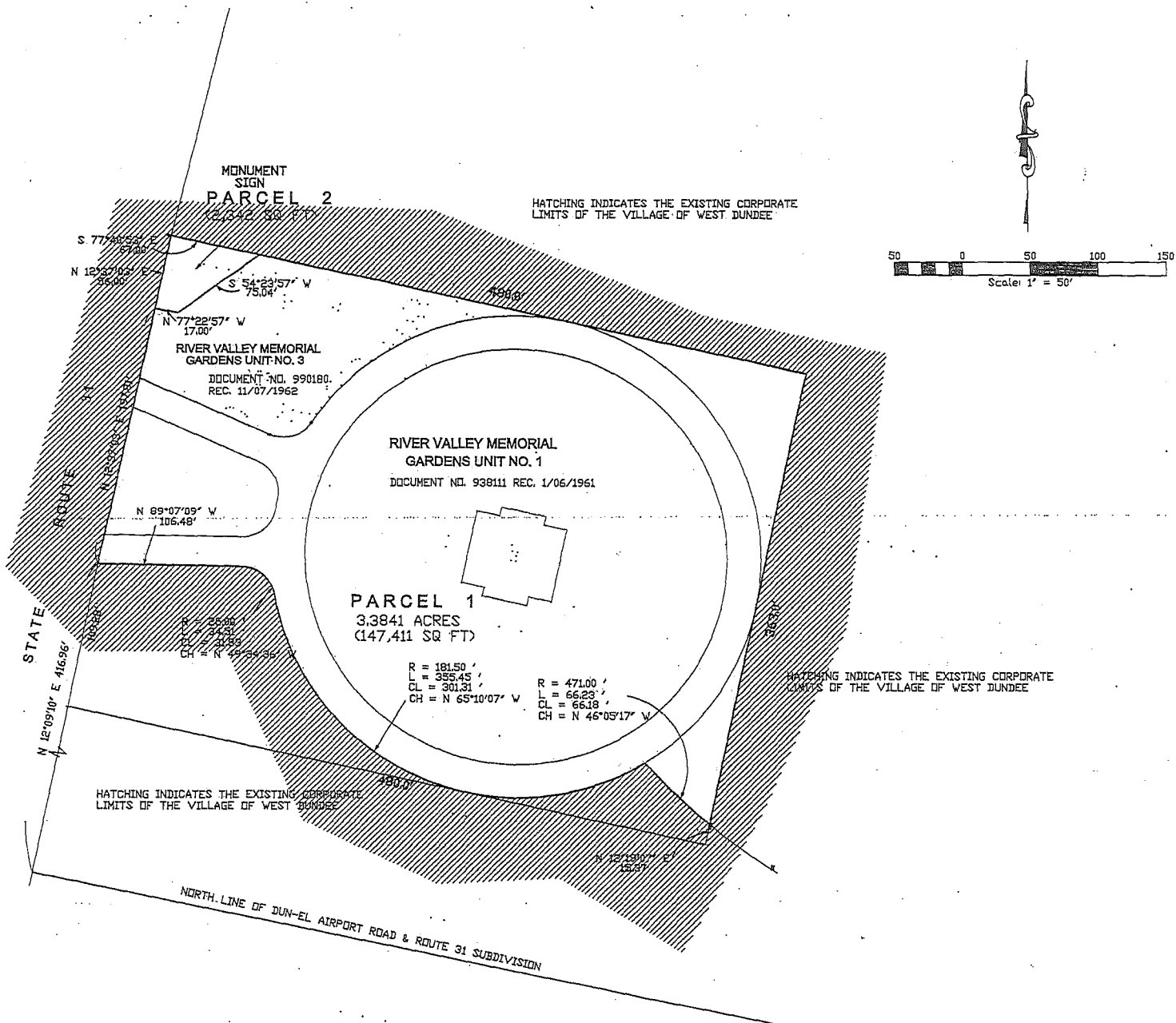
MAP OF TERRITORY ANNEXED TO THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS

BY ORDINANCE NO. _____ PASSED _____

OF PROPERTY DESCRIBED AS:

PARCEL 1:
River Valley Memorial Gardens Unit No. 1, being a subdivision of part of the North Half of Section 34, Township 42 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded January 8, 1961 as Document No. 938111; and also River Valley Memorial Gardens Unit No. 3, being a resubdivision of said River Valley Memorial Gardens Unit No. 1, according to the plat thereof recorded November 11, 1962 as Document No. 990180, (excepting therefrom that part previously annexed more particularly described as follows: Beginning at the Southeast corner of said Unit No. 1; thence North 12 degrees 19 minutes 07 seconds East along the East line thereof 15.37 feet; thence Northwesterly being on a curve to the right having a radius of 471.0 feet, an arc distance of 66.23 feet to the Southeasterly line of a 25.0 foot road, (the chord of the last described curve bearing North 46 degrees 05 minutes 17 seconds West, 66.18 feet); thence Southwesterly, Westerly and Northwesterly along the Southerly line of said road being on a curve to the right having a radius of 181.50 feet an arc distance of 355.45 feet (the chord of the last described curve bearing North 65 degrees 10 minutes 07 seconds West 301.31 feet); thence Northwesterly and Westerly, being on a curve to the left having a radius of 25.0 feet an arc distance of 34.51 feet, (the chord of the last described curve bearing North 49 degrees 34 minutes 36 seconds West, 31.83 feet); thence North 89 degrees 07 minutes 09 seconds West along the South line of a 22 foot road 106.48 feet to the present Easterly right of way of State Route 31; thence South 12 degrees 09 minutes 10 seconds West along said Easterly right of way 109.28 feet to the Southerly line of River Valley Memorial Gardens Unit No. 1 aforesaid; thence Southeasterly along said South line 460.0 feet to the point of beginning; and also excepting therefrom that part described as follows: That part of East Half of Southwest Quarter of Section 34, Township 42 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the North line of the Dun-El Airport Road and Route 31 Subdivision, a subdivision of part of Lot 3 of Miller's Hangar's of Section 34 aforesaid with the present East right of way line of State Route 31; thence North 12 degrees 09 minutes 10 seconds East along said right of way line, 416.86 feet to a break in said right of way; thence North 12 degrees 37 minutes 03 seconds East along said right of way line 197.81 feet to the point of beginning; thence continuing North 12 degrees 37 minutes 03 seconds East along said right of way line 56.0 feet; thence South 77 degrees 40 minutes 53 seconds East 67.0 feet; thence South 54 degrees 23 minutes 57 seconds West 75.04 feet; thence North 77 degrees 22 minutes 57 seconds West 17.0 feet to the point of beginning, containing 2339 square feet, in Dundee Township, Kane County, Illinois, and also except that part in State Route 31 previously annexed; containing 3.3841 Acres, in Kane County, Illinois.

PARCEL 2: That part of River Valley Memorial Gardens Unit No. 3, being a resubdivision of River Valley Memorial Gardens Unit No. 1, according to the plat thereof recorded November 11, 1962 as Document No. 990180, described as follows: commencing at the intersection of the North line of the Dun-El Airport Road and Route 31 Subdivision, a subdivision of part of Lot 3 of Miller's Hangar's of Section 34 aforesaid with the present East right of way line of State Route 31; thence North 12 degrees 09 minutes 10 seconds East along said right of way line, 416.86 feet to a break in said right of way; thence North 12 degrees 37 minutes 03 seconds East along said right of way line 197.81 feet to the point of beginning; thence continuing North 12 degrees 37 minutes 03 seconds East along said right of way line 56.0 feet to the North line of said Unit No. 3; thence South 77 degrees 40 minutes 53 seconds East along the North line thereof, 67.0 feet; thence South 54 degrees 23 minutes 57 seconds West 75.04 feet; thence North 77 degrees 22 minutes 57 seconds West 17.0 feet to the point of beginning, containing 2339 square feet, in Dundee Township, Kane County, Illinois,



STATE OF ILLINOIS
COUNTY OF KANE Jss

I, Charles J. Hill, an Illinois Land Surveyor, do hereby certify that the above is an accurate map of Territory annexed to the Village of West Dundee, by Ordinance No. _____ entitled "An Ordinance Annexing Certain Territory in Dundee Township, Kane County, Illinois, to the Village of West Dundee, Illinois, passed by the Village Board of West Dundee, SEPT 18, 2018, A.D., 2018.

(Signature)
Charles J. Hill - I.P.L.S. #2700
(My License expires 11-30-18)



STATE OF ILLINOIS
COUNTY OF KANE Jss

This is to certify that this accurate map of Territory Annexed is identified as that incorporated into and made a part of the Village of West Dundee Ordinance No. _____ adopted by the Village Board of West Dundee on the _____ Day of _____, 2018.

By: _____ Attest: _____
Village President Village Clerk

THIS PLAT IS BEING RECORDED BY:

Name: _____
Address: _____

JOB NO. C 59,726 ANNX

Prepared by:
Alan J. Coulson, P.C.
Professional Land Surveyors
645 S. 8th Street, (Rte. 31),
West Dundee, Illinois 60118
Phone: (847) 426-2911