



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

MEMORANDUM

TO: Mayor Diane Wolfe Marlin

FROM: Lorrie Pearson, AICP, Community Development Services Director
Katherine Trotter, Planner I

DATE: February 11, 2021

SUBJECT: **An Ordinance Annexing Certain Territory to the City of Urbana (2005 North Willow Road / Michele R. and William R. Scott)**

Introduction and Background

Staff requests that City Council consider the attached ordinance to annex 2005 North Willow Road into Urbana. The 0.47 acre tract of property is currently owned by Michele R. and William R. Scott. The proposed effective date of the annexation is February 23, 2021.

Issues and Discussion

The property at 2005 North Willow Road is currently contiguous to the city limits to the south. Michele and William Scott purchased the property in 2003. The home is already connected to the Urbana-Champaign Sanitary District sewer, so no new sewer connection will be required. The property owners are petitioning to annex so that they are within the City's fire response service area. Since the property is immediately contiguous to Urbana, it can be immediately annexed and assigned R-1, Single-family residential, zoning without the need for an annexation agreement. Any future development on the site would be built to the codes and requirements of the City of Urbana.

Options

1. Forward the Ordinance to City Council with a recommendation for approval as part of the consent agenda.
2. Forward the Ordinance to City Council with a recommendation for approval with suggested changes.
3. Forward the Ordinance to City Council with a recommendation for denial.

Recommendation

Staff recommends approval of the proposed Ordinance and placement on the consent agenda.

Attachment #1: Annexation Location Map

Attachment #2: Annexation Petition submitted by Owners

cc: Michele R. & William R. Scott (Petitioners)

ORDINANCE NO. 2021-02-004

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(2005 North Willow Road / Michele R. and William R. Scott)

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the hereinafter described territory is situated in unincorporated territory adjacent to and contiguous to the City of Urbana, Illinois, and is part of the Eastern Prairie Fire Protection District, and includes certain territory within the Urbana Township, and Notice was given to the Trustees of said Fire Protection District, the Board of Township Trustees, and the Township Commissioner of Highways, said notices being mailed on February 4, 2021, that this Ordinance would be voted upon at the regular meeting of this Council at 7:00 p.m., Monday, February 22, 2021, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 4th day of February, 2021; and

WHEREAS, a written petition signed by all of the Owners of Record and at least fifty-one percent (51%) of the electors residing therein, of all land within such territory, has been filed with the City Clerk of the City of Urbana, Illinois, requesting annexation thereof to the City of Urbana; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County’s R-1, Residential zoning district and upon annexation will be classified City R-1, Single-Family in accordance with the provisions for direct zoning conversion specified in the Urbana Zoning Ordinance; and

WHEREAS, it has been determined that said petition complies with all requirements of the law therefore; and

WHEREAS, the majority of the Members of the Council are of the opinion that it would be for the best interests of the people of the City of Urbana, Illinois, that said territory be annexed to and made a part of the said City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

The following described territory be and the same is hereby annexed to the City of Urbana, Illinois:

A part of the Southeast Quarter of Section 5, Township 19 North, Range 9 East of the Third Principal Meridian, more particularly described as follows:

Lot 89 in Timber Hills Fifth Subdivision, in the County of Champaign, State of Illinois, as per plat recorded in Book "Y" at page 286 as Document No. 78 R 3340.

commonly known for reference as 2005 North Willow Road, Urbana, Illinois. The above-described parcel, prior to annexation, has the parcel index numbers 30-21-05-427-025, and following annexation the said parcel should bear the parcel index numbers 91-21-05-427-025.

Section 2.

That the City Clerk be authorized and directed to record a certified copy of this Ordinance together with an accurate map of the territory herein above described in the Recorder's Office of Champaign County, Illinois in the Office of the County Clerk and County Election Authority of Champaign County, Illinois.

Section 3.

The Zoning Ordinance of the City of Urbana, Illinois, and the Zoning Map of Urbana, Illinois, are hereby amended to classify the real property herein annexed as R-1, Single-Family upon annexation.

Section 4.

The territory annexed herein is assigned to City of Urbana Ward 5.

Section 5.

To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 23rd day of February 2021 following its passage by the Urbana City Council.

Section 6.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code. Upon approval of this Ordinance, the City Clerk is directed to record a certified copy with the Champaign County Office of the Recorder of Deeds and transmit one copy of the recorded Ordinance to the petitioner.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called of a majority of the corporate authorities of the City of Urbana, Illinois, at a meeting of said corporate authorities.

PASSED BY THE CITY COUNCIL this ____ day of _____, 2021.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, 2021.

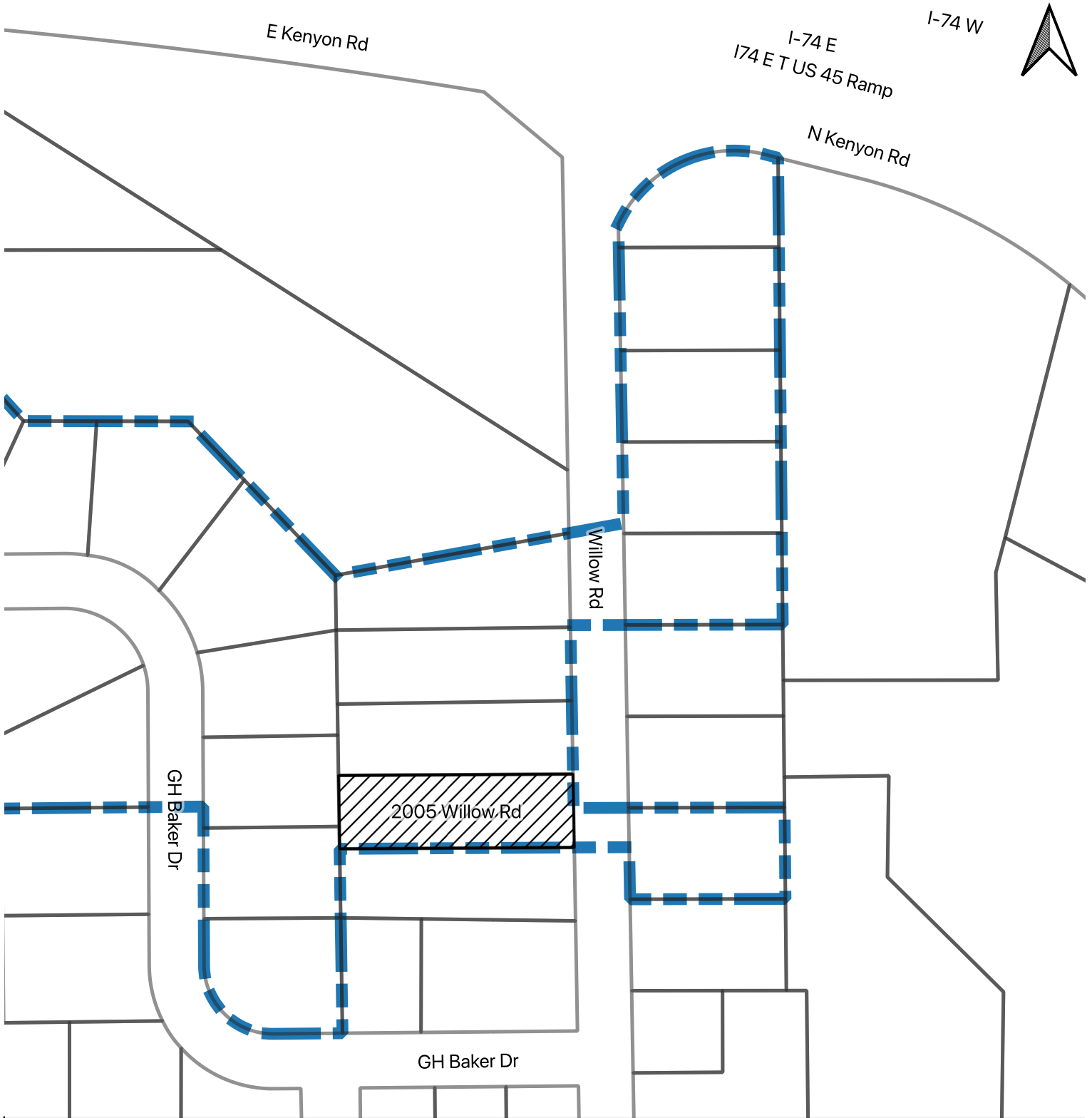
Diane Wolfe Marlin, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly appointed and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the _____ day of _____, 2021, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled “An Ordinance Annexing Certain Territory to the City of Urbana (2005 North Willow Road / Plan Case 2020-A-03)” which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2021, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.



DATED at Urbana, Illinois, this _____ day of _____, 2021.

Location Map

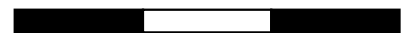


Case No. 2020-A-03
Subject Scott Petition to Annex
Address 2005 N. Willow Rd.
Petitioner William and Michele Scott

Legend

-  Subject Property
-  Municipal Boundary

0 100 200 300 ft



Petition for Annexation
To
THE CITY COUNCIL OF THE CITY OF URBANA
CHAMPAIGN COUNTY, ILLINOIS

The Petitioners, Michele R. and William R. Scott, respectfully state under oath:

1. Petitioners are the sole owners of record of the following legally described tract of land, except any public right-of-way property to wit:

A part of the Southeast Quarter of Section 5, Township 19 North, Range 9 East of the Third Principal Meridian, more particularly described as follows:

Lot 89 in Timber Hills Fifth Subdivision, in the County of Champaign, State of Illinois, as per plat recorded in Book "Y" at page 286 as Document No. 78 R 3340.

Parcel No. 30-21-05-427-025
Address: 2005 North Willow Road

2. Said Tract is not situated within the corporate limits of any municipality, but is contiguous to the City of Urbana, Illinois at the time of annexation.
3. Both electors reside on the tract.

PETITIONERS RESPECTFULLY REQUEST:

1. That said Tract described above herein be annexed to the City of Urbana, Illinois pursuant to Section 5/7-1-8 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-8).

Dated this 28 day of January, 2021.

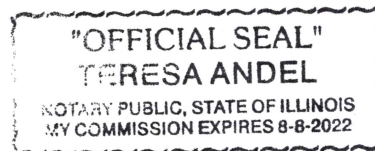
Owner:
Michele R. Scott
Michele R. Scott
William R. Scott
William R. Scott

1-28-21
Date
1-28-21
Date

Subscribed and sworn to before me this

28 day of January, 2021, A.D.

Teresa Andel
Notary Public



08-08-2022
My Commission Expires

LEGAL DESCRIPTION

A portion of the Southeast Quarter of Section 5, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

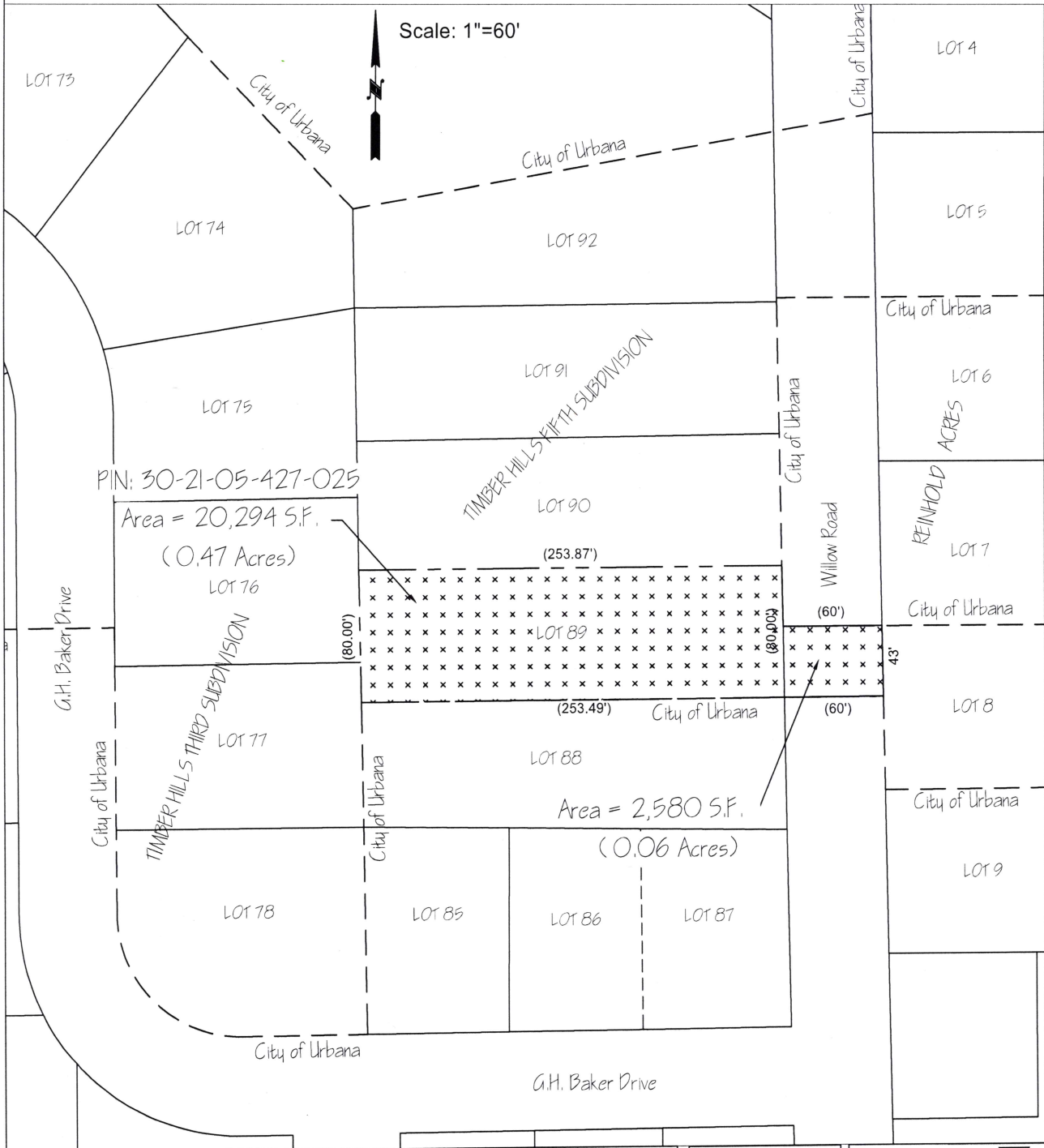
Lot 89 of the Timber Hills Fifth Subdivision recorded as document number 1978R03340, dated February 16, 1978, in the office of the recorder of Champaign County, Illinois.

All situated in Champaign County, Illinois and containing 20,294 square feet (0.47 acres), more or less.




Together with the following described adjacent public right-of-way, which is by operation of the law, automatically annexed with the adoption of an Annexation Ordinance pertaining to this parcel:


That part of Willow Road right-of-way being 60 feet in width that lies adjacent to the above described parcel that was not previously annexed by Ordinance 8788-37.

All situated in Champaign County, Illinois and containing 2,580 square feet (0.06 acres), more or less.



MAP SHOWING AREA ANNEXED BY CITY ORDINANCE #2021-__-__
 CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS
 DATE: JANUARY XX, 2021

AREA OF ANNEXATION 
 NEW CITY LIMITS 
 EXISTING CITY LIMITS 
 PROPERTY ADDRESS **2005 Willow Road**

ENGINEERING DIVISION 
PUBLIC WORKS DIRECTOR
 DRAWN BY: D.A.R. 1/15/2021
 CHECKED: D.A.R. 1/15/2021



Petition for Annexation

ANNEXATION

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 10-15-2021 Annexation Case No. 2020-A-03

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **William R and Michele R Scott** Phone: **217-714-2000**
 Address (street/city/state/zip code): **2005 North Willow Road**
 Email Address: **mrs7859@aol.com**
 Property Interest of Applicant(s) (Owner, Contract Buyer, etc.): **Owners**

2. OWNER INFORMATION

Name of Owner(s): **William R and Michele R Scott** Phone: **217-714-2000**
 Address (street/city/state/zip code): **2005 North Willow Road**
 Email Address: **mrs7859@aol.com**
 Is this property owned by a Land Trust? Yes No
If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Location of Subject Site: **2005 North Willow Road Urbana, IL 61801**
 PIN # of Location: **30-21-05-427-025**
 Lot Size: **80' x 253.49' (20,596.71 sq ft)**
 Current Zoning Designation: **Single Family Residence**
 Proposed Zoning Designation: **Single Family Residence**
 Current Land Use (vacant, residence, grocery, factory, etc): **Residence**
 Proposed Land Use: **Residence**
 Present Comprehensive Plan Designation: **Single Family Residence**
 Legal Description (If additional space is needed, please submit on separate sheet of paper):
Lot 89 In Timber Hills Fifth Subdivision, Section 05 Township 19N, Range 9E as per plat recorded in Book "Y" at page 286 as Document No. 78 R 3340. Situated in Champaign County, Illinois.

To the City Council of the City of Urbana

Champaign County, Illinois

The Applicant, William R and Michele R Scott; respectfully states under oath:

That I, William R and Michele R Scott (*applicant*), am either the sole owner or am authorized by the owner(s) of record of the following legally described land (hereinafter sometimes referred to as the "Tract"), except any public right-of-way property wit: (*Insert Legal Description*)
Lot 89 In Timber Hills Fifth Subdivision, Section 05 Township 19N, Range 9E as per plat recorded in Book "Y" at page 286 as Document No. 78 R 3340. Situated in Champaign County, Illinois.

All situated in Champaign County, Illinois.

Together with the following described adjacent public right-of-way which is by operation of the law, automatically annexed with the adoption of an Annexation Ordinance pertaining to this parcel:
North Willow Road with 60' right of way as platted in Timber Hills Fifth Subdivision recorded in Book "Y" at page 286 as Document No. 78 R 3340. Situated in Champaign County, Illinois.

Also known for reference as 2005 North Willow Road Urbana, Illinois,
(*street address*)

having permanent identification number (PIN) 30-21-05-427-025 .

That said territory is not situated within the corporate limits of any municipality, but is contiguous to the City of Urbana, Illinois.

That at least fifty-one percent (51%) of any and all electors (registered voters) residing in said Tract have signed this petition.

APPLICANT(S) RESPECTFULLY REQUESTS:

1. That the above described Tract(s) be annexed to the City of Urbana by Ordinance of the Mayor and City Council of the City of Urbana, pursuant to Section 7-1-8 of Chapter 24 of the Illinois Municipal Code of the State of Illinois, as amended.
2. That said Tract be annexed in accordance with the terms of the annexation agreement passed by the City Council on _____, 20 _____ as Ordinance No. _____ and approved by the Mayor of the City of Urbana.

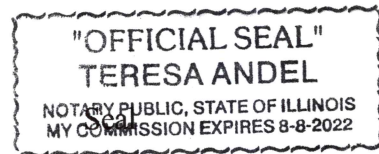
NOTE: All property owners must sign this annexation petition. In the case of corporate ownership, the person(s) signing must be authorized to do so by the corporation board.

Dated this 28 day of January, 20 21

OWNER(S):
 By: Michael Platt
 By: [Signature]
 By: _____
 By: _____

Subscribed and sworn to before me this 28 day of January, 20 21.

Teresa Andel
Notary Public

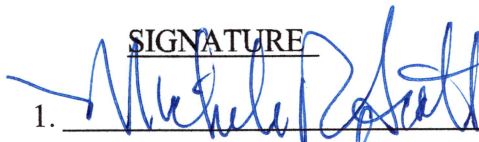
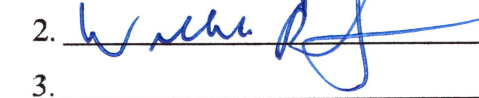


My Commission Expires: 8th day of August, 20 22.

The undersigned, being electors (registered voters) residing in said Tracts, respectfully state under oath:

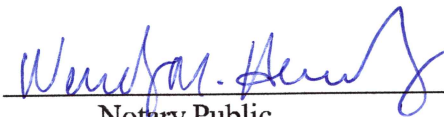
1. I am currently registered to vote in Champaign County, Illinois and currently reside in said Tracts.
2. I have read and understand the petition to annex said Tracts and hereby and herewith join in the petition for annexation of said Tracts to the City of Urbana.

ELECTORS:

<u>SIGNATURE</u>	<u>ADDRESS (PLEASE PRINT)</u>
1. 	2005 N WILLOW RD URBANA IL
2. 	2005 N WILLOW RD URBANA IL
3. _____	_____

COUNTY OF CHAMPAIGN)
) SS
 STATE OF ILLINOIS)

I, Wendy M. Hundley, Notary Public in the aforesaid County and State, do hereby certify that each of the persons who signed this petition personally appeared before me and acknowledged that they signed the said petition as their free and voluntary act for the uses and purposes set forth therein.



 Notary Public



My Commission expires the 10th day of July, 2021.