



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Laurel Lunt Prussing, Mayor

FROM: Elizabeth H. Tyler, FAICP, Director

DATE: March 9, 2012

SUBJECT: Initiate Annexation of 2609 and 2607 Somerset Drive in the Somerset Subdivision No. 2 and 2409 Somerset Drive in the Somerset Subdivision No. 3

Introduction and Background

Staff is requesting that the City Council initiate annexation of three properties located at 2409, 2609, and 2607 Somerset Drive as “surrounded territory”. A notice of intent is required to proceed under the “wholly surrounded” annexation process stipulated under the Illinois Municipal Code. The properties are located in Somerset Subdivision No. 2 and 3 in north Urbana. The City is obligated to annex these properties in accordance with an annexation agreement between the City of Urbana and the developer of the Somerset Subdivision. Each of the lots has been developed with a single-family home.

As a prerequisite for receiving sanitary sewer service for the territory to be subdivided as the Somerset Subdivision, the developer was required to enter into an annexation agreement with the City of Urbana in 1994. Since the Subdivision was developed in phases, the developer, Donald Flessner/Flessner Development Company, entered into three separate annexation agreements with the City of Urbana.

According to these annexation agreements, subsequent property owners have been obligated to submit a signed annexation petition to cause annexation of their property, and the City of Urbana is obligated to annex and provide City services. In conformance with these agreements, City staff initiated the annexation process for the entire Somerset Subdivision in August of 2009. This process included sending an initial informational letter to all property owners, holding an informational meeting, and sending follow-up letters to property owners.

A total of 71 properties have been subject to annexation under the annexation agreements for Somerset Subdivision. The property owners of 55 of the properties returned signed petitions for annexation and were annexed into the City of Urbana by Ordinance No. 2010-04-028, adopted by the City Council on May 3, 2010 (and effective May 13, 2010). Four properties thereby became wholly surrounded by Urbana’s corporate boundaries. In accordance with State statutes, these four properties were annexed under the involuntary annexation process by the passage of Ordinance No. 2010-05-037 by City Council on June 7, 2010 (and effective June 17, 2010). Another four properties submitted petitions and were annexed in 2011 and one in early 2012. There are now only the three subject properties remaining that need to be annexed to complete the obligations of the annexation agreements. These properties became

wholly surrounded following the annexation of 2702 Somerset Drive on March 1, 2012 (Ordinance No. 2012-02-012). Section 7-1-13 of the Illinois Municipal Code permits a municipality to annex unincorporated territory of 60 acres or less that is wholly surrounded by the corporate boundaries of the municipality. Annexation of these three properties would complete the annexation of the entire subdivision.

Discussion

The City is currently seeking compliance with the agreement for the remaining properties that have not yet been annexed to date. To comply with Illinois State Statute concerning City-initiated annexation of “wholly surrounded” areas of less than 60 acres, a “Notice of Intent to Annex” (See Exhibit B) must be initiated by the City Council. The Committee of the Whole should consider whether to forward the notice to City Council, who would then vote on whether to direct publication of the notice. Once approved, the City Clerk would publish the notice in the *News-Gazette* at least 10 days prior to the Committee of the Whole meeting when the annexation petition will be considered. The remainder of the annexation process would then be the same as that for a voluntary annexation process. Staff is anticipating that the three subject properties will be presented for annexation to the Committee of the Whole for review and discussion on April 9, 2012 and forwarded to City Council for final action on April 16, 2012.

Fiscal Impact

The fiscal implications to the City of Urbana for annexing these properties should be positive as the City would begin to receive property taxes from them. In return, City services will be provided.

Recommendation

Staff recommends that the Committee of the Whole forward the attached “Notice of Intent to Annex” concerning 2409, 2609, and 2607 Somerset Drive to the City Council’s regular meeting on March 19, 2012 with a recommendation for APPROVAL.

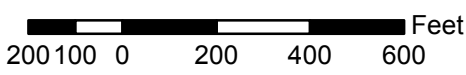
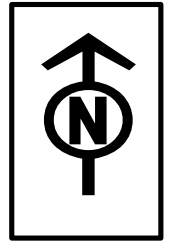
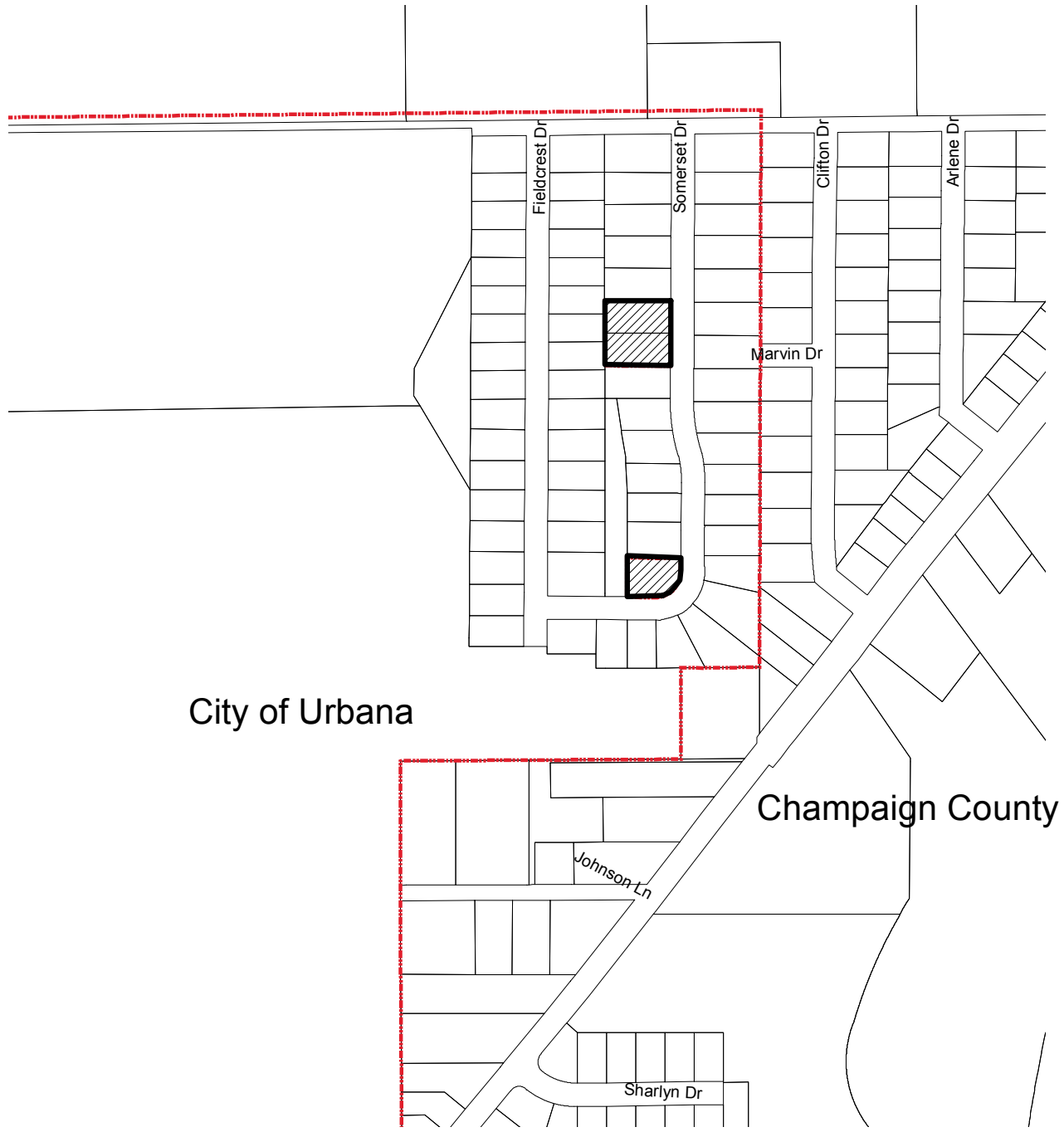
Prepared by:

Rebecca Bird, AICP, Planner II

Attachments: Exhibit A: Location Map
 Exhibit B: Notice of Intent to Annex

cc: John Hall, Champaign County Planning and Zoning Department
 Vicki Mayes, Urbana Parks District
 Debra Reynolds, 2609 Somerset Dr
 Susan Hublein, 2607 Somerset Dr
 Lonnie Lee Coffey, 2409 Somerset Dr

Exhibit A: Location Map



Case: 2011-A-11
Subject: Somerset Surrounded Territory Annexation
Location: 2409, 2607, and 2609 Somerset Dr., Urbana

 Subject Property
 Corporate Limits



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division
400 S. Vine Street
Urbana, IL 61801
(217) 384-2440

March XX, 2012

NOTICE OF INTENT TO ANNEX

Pursuant to the Illinois Municipal Code, notice is hereby given that the annexation of the territory described below is contemplated by the Corporate Authorities of the City of Urbana, Illinois, and that they propose to consider an ordinance annexing such territory at an Urbana City Council Committee of the Whole meeting on April 9, 2012 at 7:00 p.m. in the City Council Chambers, 400 South Vine Street, Urbana, Illinois and to take action on said ordinance at a regular meeting of the Urbana City Council on April 16, 2012 at 7:00 p.m. in the City Council Chambers, 400 South Vine Street, Urbana, Illinois.

The territory under consideration consists of three tracts of property totaling approximately 0.968 acres and being more commonly known as 2409 Somerset Drive (PIN #30-21-03-129-010), 2607 Somerset Drive (PIN #30-21-03-129-008), and 2609 Somerset Drive (PIN#30-21-03-129-007). The territory to be annexed is legally described as follows:

A part of the Northwest Quarter of Section 3, Township 19 North, Range 9 East of the Third Principal Meridian, Urbana Township, Champaign County, Illinois, being more particularly described as follows:

Lot 327 in Somerset Subdivision No.3, as per Plat recorded as Document number 1998R33828, in the Office of the Recorder of Deeds, Champaign County, Illinois.

Containing 13,226.876 S.F. (0.304 Acres) and commonly known for reference as 2409 Somerset Drive and also identified as Parcel Index Number: 30-21-03-129-010.

AND;

Lot 213 in Somerset Subdivision No.2, as per Plat recorded in Plat Book "CC" at Page 154, in the Office of the Recorder of Deeds, Champaign County, Illinois.

Containing 14,474.918 S.F. (0.332 Acres), commonly known for reference as 2607 Somerset Drive and also identified as Parcel Index Number: 30-21-03-129-008

AND;

Lot 214 in Somerset Subdivision No.2, as per Plat recorded in Plat Book "CC" at Page 154, in the Office of the Recorder of Deeds, Champaign County, Illinois.

Containing 14,444.778 S.F. (0.332 Acres), commonly known for reference as 2609 Somerset Drive and also identified as Parcel Index Number: 30-21-03-129-007.

Said annexation containing 42,146.572 S.F. (0.968 Acres), more or less, all situated in Urbana Township, Champaign County, Illinois.

If you have any questions regarding the annexation, please contact Rebecca Bird at 217-384-2440 or rbird@urbanainline.us.

Phyllis D. Clark, City Clerk