

VILLAGE OF PECATONICA

ORDINANCE NO. 2020-28

AN ORDINANCE ANNEXING CERTAIN TERRITORY COMMONLY KNOWN AS
"17135 SUMNER ROAD" TO THE
VILLAGE OF PECATONICA

ADOPTED BY THE
VILLAGE TRUSTEES
OF THE
VILLAGE OF PECATONICA
____ DAY OF JULY, 2020

Published in pamphlet form by authority of the Village Board of the Village of
Pecatonica, Winnebago County, Illinois this _____ day of _____, 2020.

STATE OF ILLINOIS)
COUNTY OF WINNEBAGO) SS.
VILLAGE OF PECATONICA)

CERTIFICATE

I, Gwenn Shirley, certify that I am the duly appointed and acting Village Clerk of the Village of Pecatonica, Winnebago County, Illinois.

I further certify that on July____, 2020 the Corporate Authorities of such Village passed and approved Ordinance No. 2020-28, entitled: AN ORDINANCE ANNEXING CERTAIN TERRITORY COMMONLY KNOWN AS "17135 SUMNER ROAD" TO THE VILLAGE OF PECATONICA.

The pamphlet form of Ordinance No. 2020-28, including the Ordinance and a cover sheet thereof was prepared and a copy of such Ordinance was posted at the _____ and _____ commencing on _____, 2020 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

DATED at Pecatonica, Illinois, this _____ day of _____, 2020.

Gwenn Shirley
Village Clerk

ORDINANCE NO. 2020-28

AN ORDINANCE ANNEXING CERTAIN TERRITORY COMMONLY KNOWN AS
"17135 SUMNER ROAD" TO THE VILLAGE OF PECATONICA, WINNEBAGO
COUNTY, ILLINOIS.

WHEREAS, the Village of Pecatonica (hereinafter "Village") is the owner of record of land within the territory hereinafter described, and said land is uninhabited, and is presently located in an unincorporated area of Winnebago County; and,

WHEREAS, there are two (2) electors residing within the said territory; and

WHEREAS, the said territory is contiguous to the Village; and

WHEREAS, legal notices regarding the intention of the Village of Pecatonica to annex said territory are not required to be sent to any fire protection districts or library districts as the village does not provide like services; and

WHEREAS, upon adoption and approval of this ordinance, notice of its adoption will be sent to the Pecatonica Township Clerk, Trustees, Township Highway Commissioner, Winnebago County Clerk, and post office branches serving the territory; and

WHEREAS, all petitions, documents, and other necessary legal requirements are in full compliance with the all required annexation statutes, including, but not limited to Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8, and all applicable local ordinances; and

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

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PECATONICA, ILLINOIS, that,

Section 1: That the following described property, consisting of approximately 4.75 acres:

See Exhibit "A" – Petition for Annexation with legal description and map, which is appended to and made a part hereof by reference;

being indicated on an accurate map of the annexed territory (See Exhibit "B" which is appended to and made a part hereof by reference), is hereby annexed to the Village of Pecatonica, Winnebago County, Illinois; and the Village President is hereby authorized to execute all documents in furtherance of said annexation.

Section 2: That the Village Clerk is hereby directed to record with the Recorder and to file with the County Clerk a certified copy of this Ordinance, together with the accurate map of the territory annexed appended to the Ordinance.

Section 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. This Ordinance shall be published in pamphlet form.

PASSED by the Village Board this ____ day of _____, 2020.

APPROVED by the President of the Village Board this ____ day of _____, 2020.

President of the Board of Trustees
of the Village of Pecatonica, Illinois

ATTEST:

Village Clerk

Ayes: _____

Nays: _____

Absent: _____

Trustees Voting Aye:

Trustees Voting Nay:

EXHIBIT "A"

PETITION FOR ANNEXATION CONTAINING LEGAL DESCRIPTION AND MAP

PETITION FOR ANNEXATION TO THE VILLAGE OF PECATONICA, ILLINOIS

**TO: The President and Board of Trustees of the Village of Pecatonica,
Winnebago County, Illinois**

The Petitioner(s), David J. Dulaney and Sarah E. Dulaney, Winnebago County, Illinois, who are the title holders of the Property referenced by this Petition, respectfully represents and states under oath:

- 1. That Petitioner(s), David J. Dulaney and Sarah E. Dulaney, are the sole owners of record of the following legally described land (ANNEXATION PROPERTY) comprising approximately four and three quarters (4.75) acres, and is commonly known as "17135 Sumner Road", located adjacent to and west of 645 W. 7th Street and south of and adjacent to 628 Parkview, Pecatonica, Illinois, both parcels being in the village, in Pecatonica Township, Illinois, and legally described as indicated in attached Exhibit "A" and shown on a map attached hereto as Exhibit "B", which exhibits are incorporated herein by reference.**
- 2. That said ANNEXATION PROPERTY is not situated within the limits of any municipality and the ANNEXATION PROPERTY is contiguous to the Village of Pecatonica, Winnebago County, Illinois.**
- 3. That all owners of record and electors of the ANNEXATION PROPERTY are party to this Petition.**
- 4. That the foregoing statements of fact are true to the best of Petitioner's knowledge and information.**

The Petitioner respectfully requests the following:

- 1. That the above described ANNEXATION PROPERTY be annexed to the Village of Pecatonica, Illinois by ordinance of the President and Board of Trustees of the Village of Pecatonica, pursuant to Illinois Compiled Statutes, Chapter 65, Paragraph 5/7-1-8, and subject to the parties' execution of the Annexation Agreement in substantially the form attached hereto.**

2. That the parties will cause to be executed all documents required to effect this Petition.
3. That the Village of Pecatonica take such other action be taken as is appropriate.

Dated this 10th day of July, 2020.

Petitioner(s):

David J. Dulaney

Sarah E. Dulaney

Subscribed and sworn to before me this 10th day of July, 2020.

Gwen Shirley
VILLAGE CLERK
VILLAGE OF PECATONICA, ILLINOIS

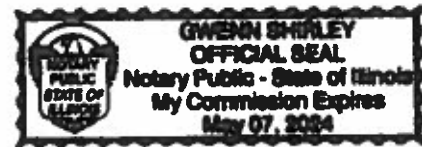


EXHIBIT A

Legal Description

167 09-29-327-002

08

[Handwritten signature]

0373547
Ken Staaf,
Winnebago County Recorder
08/07/2003 09:54A
1 of 4

**WARRANTY
DEED**

RECEIVED AUG 07 2003
[Handwritten signature]

Grantors, **GARY A. HOSPELHORN** and **MARY E. HOSPELHORN**, Individually and as husband and wife, of the Village of Pecatonica, County of Winnebago, State of Illinois, for and in consideration of One Dollar and other valuable consideration in hand paid, convey and warrant to **DAVID J. DULANEY** and **SARAH E. DULANEY**, husband and wife, as Tenants by the Entirety, Grantees, of the Village of Pecatonica, County of Winnebago, State of Illinois, the following described real estate:

(SEE ATTACHED EXHIBIT A FOR COMPLETE LEGAL DESCRIPTION)

Subject to easements, covenants and restrictions of record.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Dated this 30th day of July, 2003.

[Handwritten signature of Gary A. Hospelhorn]

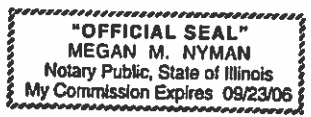
Gary A. Hospelhorn

[Handwritten signature of Mary E. Hospelhorn]

Mary E. Hospelhorn
TUA · 42079

STATE OF ILLINOIS)
)SS.
STEPHENSON COUNTY)

I, the undersigned, a Notary Public in and for said County in the State aforesaid, do hereby certify that , Gary A. Hospelhorn and Mary E. Hospelhorn, Individually and as husband and wife, personally known to me to be the same persons whose names are subscribed to the foregoing document, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said document as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead. Given under my hand and Notarial seal this 30th day of July, 2003.



Megan M. Nyman
Notary Public

Property Index No. 09-29-327-002
Send future tax bill to: David J. and Sarah E. Dulaney
17135 Sumner Road
Pecatonica, IL 61063
Return this document to: David J. and Sarah E. Dulaney
17135 Sumner Road
Pecatonica, IL 61063
PREPARED BY: SNOW, HUNTER, WHITON &
FISHBURN, LTD. (JBW)tlm
Attorney John B. Whiton
8 East Stephenson Street
Freeport, IL 61032
(DEED ONLY)

conceded

STATE OF ILLINOIS
AUG. -7.03
WINNEBAGO COUNTY

STATE & COUNTY TAX # 000029187

REAL ESTATE TRANSFER TAX
0034125
FP326680

-EXHIBIT A-

Part of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of Section 29, Township 27 North, Range 10 East of the Fourth Principal Meridian, bounded as follows, to-wit: Beginning at a point in the middle of the River Road, Five Hundred Twenty-seven and Eight Tenths (527.8) feet Westerly from the intersection of the middle of said road with the East line of said Southwest Quarter (1/4);

thence North, parallel with the East line of said Quarter (1/4) Section, Six Hundred Seventy-two and nine tenths (672.9) feet; thence West, parallel with the North line of said Quarter (1/4) Section Three Hundred Eighteen and two Tenths (318.2) feet; thence South, parallel with the East line of said Quarter Section, Six Hundred Ninety-six and one tenth (696.1) feet to the middle of said road; thence Easterly along the middle of said road, Three Hundred Nineteen and Three tenths (319.3) feet to the place of beginning; situated in the County of Winnebago and State of Illinois.

AFFIDAVIT OF EXCEPTION TO THE PLAT ACT
-765 ILCS 205



State of Illinois
County of Winnebago

) SS

Gary Joseph Horn being duly sworn on oath, states that he/she
resides at 1735 Summit Rd Pecatonica IL 60103 and the attached deed represents:
Street City State Zip Code

Review and Initial the Exemption Which is Applicable to the Attached Deed:

The attached deed does not represent any type of division of an existing parcel of land.

The division or subdivision of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access.

The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access.

The sale or exchange of parcels of land between owners of adjoining and contiguous land.

The conveyance of parcels of land or interests therein for use as a right of way for railroads or other public utility facilities and other pipe lines, which does not involve any new streets or easements of access.

The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access.

Note: Winnebago County's zoning ordinance states that newly created agriculture parcels with less than six (6) acres or frontage of less than 250 ft. requires a Special Use Permit. See the Regional Planning & Economic Development Department, Zoning Division, Room 301, for details.

Section 765 ILCS 205/5 of the Illinois Compiled Statutes states that whoever knowingly submits a false affidavit is in violation and may be prosecuted. This non-compliance may also result in your revision not being processed.

Affiant further states that this affidavit is made and submitted for the purpose of inducing the Recorder of Winnebago County, Illinois to accept the attached deed for recording.

"OFFICIAL SEAL"
MEGAN M. NYMAN
Notary Public, State of Illinois
My Commission Expires 09/23/06

Subscribed and Sworn to Before Me On This 30th Day of July, 2003.

Notary Megan M. Nyman (Notary's Signature) (Notary seal)

This affidavit only ensures the Recorder's Office compliance with the State Plat Act. If the property is located within a municipality or within 1 1/2 miles of a municipality, local ordinances may apply. For your protection, it is recommended that you have this land division reviewed and approved by the municipality.

Name of Municipality Where Property is Located: _____

_____ <i>Municipal Planning Official's Signature</i>	_____ <i>Print Name</i>	_____ <i>Date</i>
_____ <i>Municipal Addressing Official's Signature</i> <small>(may be same as Planning Official)</small>	_____ <i>Print Name</i>	_____ <i>Date</i>

Property Address(es) is (are) attached: Yes No

This form provided by:
Winnebago County Recorder's Office, Kenneth W. Staaf, Recorder
404 Elm Street, Room 405, Rockford, IL 61101; Phone: 815-987-3100; FAX: 815-961-3261
Form effective date August 1, 2002

EXHIBIT "B"

Map



17135 W SUMNER RD

Parcel Number
09-29-327-002

Alternate Parcel Number
461C011

Property Size
Sq. Feet: 206037 - Acres: 4.73

Property Use
Single Family Residence (0031)

Legal Description
W318.2FT OF E515.5FT OF SPT LOT 11 SEC: 29 TWP: 027 RANGE: 010 ACRES: 5.00

EXHIBIT "B"

ACCURATE MAP (TO BE ATTACHED PRIOR TO RECORDING)

STATE OF ILLINOIS
COUNTY OF WINNEBAGO
VILLAGE OF PECATONICA

)
) SS.
)

CERTIFICATE

I hereby certify that the foregoing is an "ORIGINAL ORDINANCE"; that said Ordinance was passed on the ____ day of July, 2020 that the record of the final vote on its passage is found in the journal of ordinances; that it was published in pamphlet form on the _____ day of _____, 2020.

GWENN SHIRLEY
Village Clerk

STATE OF ILLINOIS)
COUNTY OF WINNEBAGO) SS.
VILLAGE OF PECATONICA)

CERTIFICATE

I, the undersigned, hereby certify that I am the duly appointed and acting Village Clerk of the Village of Pecatonica, County of Winnebago, and State of Illinois, and as such Village Clerk, I am keeper of the Journals, records and files of the Village of Pecatonica, Illinois. I do hereby certify that the attached and foregoing is a full, true and correct copy of the Ordinance entitled: AN ORDINANCE ANNEXING CERTAIN TERRITORY COMMONLY KNOWN AS "17052 SUMNER ROAD" TO THE VILLAGE OF PECATONICA adopted by the President and Board of Trustees of the Village of Pecatonica, at its regular/special meeting held on the ____ day of July, 2020, and as signed by the President of Pecatonica, Illinois, on the ____ day of _____, 2020, and attested to by the Village Clerk, all as appears from the official records of said Village in my care and custody.

IN WITNESS WHEREOF, I have hereunto affixed by official signature and the corporate seal of the Village of Pecatonica, Illinois, this ____ day of _____, 2020.

GWENN SHIRLEY
Village Clerk of the Village of Pecatonica, Illinois