

ORDINANCE NO. 2022-12

ORDINANCE AUTHORIZING A SPECIAL USE PERMIT TO OPERATE A SELF-STORAGE FACILITY "xxx WASHINGTON STREET, PECATONICA, ILLINOIS", P.I.N. 0928-104-003, PURSUANT TO TITLE XV, CHAPTER 153, SECTION 153.040(B)(51) OF THE ZONING CODE OF THE VILLAGE OF PECATONICA, ILLINOIS

WHEREAS, the Village of Pecatonica ("Village") is a municipality legally formed pursuant to statute, and has more than 500 inhabitants; and

WHEREAS, GREG R. MANUEL and PATSY S. MANUEL ("Owner"), are owners of certain real property commonly known as "xxx Washington Street, Pecatonica, Illinois", P.I.N. 09-28-104-003, and legally described in Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, said property is located within the village limits of the Village, and is thereby subject to regulation by all applicable ordinances of the Village, including, but not limited to, the zoning ordinances of the Village as codified under Title XV, Chapter 153 of its Village Code; and

WHEREAS, said property is zoned Industrial, ID, under the zoning ordinances of the Village; and

WHEREAS, said property owner has filed an Application for Special Use Permit to operate a "self-storage facility" at said property, which proposed use is a special use under Title XV, Chapter 153, Section 153.40(B)(51), of the zoning ordinances of the Village; and

WHEREAS, a hearing before the Village Planning and Zoning Commission ("Commission") of the Village was scheduled for April 21, 2022 at 6:00 p.m. for the purpose of hearing and taking testimony and exhibits in favor of and against Application for Special Use Permit, and notice of said hearing as required by applicable provisions of 65 ILCS 5/11-13-1 *et seq.* and the Village Code was given; and

WHEREAS, on April 21, 2022, at 6:00 p.m. the Commission did convene and conduct a hearing on the Application for Special Use Permit with 6 of 7 members present; and after all testimony was taken, said Commission did discuss, consider and deliberate the required findings of fact, and a motion having been made and seconded to recommend approval of a special use permit for a "self-storage facility" at the property to the Board of Trustees, a vote was then taken with 6 for said recommendation, 0 against, and 1 absent, said recommendation, and the motion having received the minimum required 4 votes in favor, the Commission did report to the Board of Trustees that said special use was recommended by the Commission, and has now referred said question to the Board of Trustees for further consideration.

BE IT ORDAINED by the President and the Board of Trustees of the Village of Pecatonica, Illinois.

Section 1. The recitals as stated above are fully incorporated herein by reference.

Section 2. That a Special Use Permit to operate a "Self-Storage Facility" at the property commonly known as "xxx Washington Street, Pecatonica, Illinois", P.I.N. 09-28-104-003, is hereby approved subject to the following conditions:

(1) The applicant and/or owner shall follow the plans as submitted to the Village as part of its Application or submitted during the Application process. The Special Use Permit shall terminate upon a failure to follow said plans or upon a modification of the footprint of the building; and

(2) The owner shall comply with all applicable Village ordinances and regulations.

(3) This Special Use Permit shall terminate should the Owner fail to comply with all applicable Village ordinances and regulations, or sell the property.

Section 3. This special use permit shall not run-with-the-land.

Section 4. That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Motion by: _____

Second by: _____

AYES: _____

NAYS: _____

ABSENT: _____

ADOPTED by the Board of Trustees this _____ day of _____,
2022.

APPROVED by the Village President of the Board of Trustees this _____ day of
_____, 2022.

BY: _____
WILLIAM SMULL, Village President
Village of Pecatonica, Illinois

ATTEST:

GWENN SHIRLEY, Village Clerk
Village of Pecatonica, Illinois

EXHIBIT "A"

Ordinance 2022-12

Legal Description of PIN 09-28-104-003

8 0 1 0 9 7 8 6
Tx:40065374

**TRUSTEE'S DEED -
JOINT TENANTS**

2021040195
Filed for Record in
WINNEBAGO COUNTY IL
LORI GUMMOW, CLERK & RECORDER
11/08/2021 11:30:41 AM
DEED Pages: 2
ST STAMP FEE 21.50
CO STAMP FEE 10.75
RECORDING FEE 36.00
RHSP FEE 9.00

**THIS INDENTURE, made this
November 2, 2021, between**

21.500

MARGARET A. BAUCH, Trustee of THE WILLIAM H. BAUCH FAMILY TRUST, dated January 12, 2011, Grantor, and Grantees, GREG R. MANUEL and PATSY S. MANUEL, husband and wife, NOT AS TENANTS IN COMMON BUT AS JOINT TENANTS

THE PROPERTY COMMONLY KNOWN AS: Washington Street, Pecatonica, IL 61063

PROPERTY CODE: 09-28-104-003

WITNESSETH, That Grantor in consideration of the sum of Ten Dollars, and other good and valuable consideration in hand paid, does hereby grant, sell and convey unto said Grantees, the following described real estate, situated in the County of Winnebago, and State of Illinois, to-wit:

Part of the West Half (1/2) of Block Twenty-two (22) as designated upon the Map of the Village of Pecatonica, which Map is recorded in Book Y of Deeds on Page 496 in the Recorder's Office of Winnebago County, Illinois, bounded and described as follows, to-wit: Beginning at a point in the West line of said Block, 99 feet South of the Northwest corner of said Block; thence East parallel with the North line of said Block, 165 feet to the East line of the West Half (1/2) of said Block; thence South, parallel with the West line of said Block, 80 feet; thence West, parallel with the North line of said Block, 165 feet to the West line of said Block; thence North along the West line of said Block; 80 feet to the place of beginning, in Winnebago County, Illinois.

ALSO DESCRIBED AS the Southerly 80 feet of the Northerly 179 feet of the Westerly Half (1/2) of Block Twenty-two (22) in the Plat of the Village of Pecatonica; situated in the County of Winnebago and State of Illinois.

together with the hereditaments, tenements and appurtenances thereunto belonging.

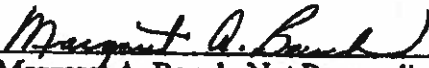
SUBJECT TO: Restrictions, covenants, and easements of record, if any, and general real estate taxes for the year 2021 and thereafter situated in Winnebago County, Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

TUAWW300816.COM

TO HAVE AND TO HOLD the same unto said Grantees, and their heirs and assigns forever.

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustee by the terms of said deed or deeds in trust delivered to said trustee in pursuance of the trust agreement above mentioned.

IN WITNESS WHEREOF, said Grantor, as trustee, has hereunto set her hands and seal the day and year first above written.

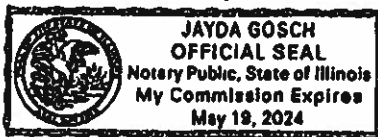

Margaret A. Bauch, Not Personally,
but as Trustee As Aforesaid

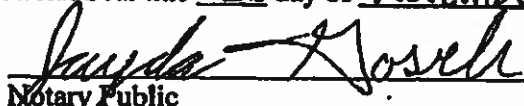
AFFIX TRANSFER TAX STAMP
OR
Exempt under provisions of Paragraph
(b) of 35 ILCS 200/31-45, Real Estate
Transfer Tax Law.

Date
Buyer, Seller or Representative

STATE OF ILLINOIS)
COUNTY OF WINNEBAGO) I, the undersigned, a Notary Public, in
DO HEREBY CERTIFY THAT: MARGARET A. BAUCH, who is personally known
to me to be the same person whose name is subscribed to the foregoing instrument, as
having executed the same, appeared before me this day in person and acknowledged that
she signed, sealed and delivered the said instrument as her free and voluntary act for the
purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and Notarial Seal this 2nd day of November 2021.




Notary Public

Return to and Future Taxes to: Greg R. Manuel and Patsy S. Manuel,

7923 Kelana Dr, Rockford, IL 61101

This Instrument Prepared By: Reese & Reese Attorneys, 979 North Main Street,
Rockford, IL 61103 815/968-8851

WINNEBAGO COUNTY RECORDER