



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### **m e m o r a n d u m**

**TO:** Mayor Laurel Lunt Prussing

**FROM:** Elizabeth H. Tyler, Ph.D., FAICP, Community Development Director

**DATE:** January 19, 2017

**SUBJECT:** **Plan Case No. 2016-A-01:** Disconnection Petition for a 1.668-acre tract of property at 2209 E. Perkins Road.

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### **Introduction & Background**

The City of Urbana has received a request from Thomas E. Burgin II to disconnect a 1.668-acre parcel from the City, located along the south side of Perkins Road between Brownfield Road and Cooks Lane, addressed as 2209 E. Perkins Road. The subject parcel previously contained a single-family home, which was demolished by the previous owner. Mr. Burgin owns the two lots to the west of 2209 E. Perkins Road, which are in the County and contain a single-family home that he intends to live in. Mr. Burgin says he does not intend to build a new home at 2209 E. Perkins Road or develop the lot. He intends to use it as additional open space for his existing home and lots to the west. He would like to disconnect the property from the City because he does not see a need to have City services at the property.

*Illinois Municipal Code Section 7-3-4, 65 ILCS 5/7-3-4, authorizes a landowner to file a written petition requesting that the corporate authorities disconnect territory from a municipality. The decision by the municipal authorities to grant or to deny such a petition is discretionary.*

A disconnection petition does not require a public hearing before the Plan Commission or City Council. Instead, the Committee of the Whole should consider the petition and make a recommendation to Council to approve or deny the petition.

### **Discussion**

An ordinance approving an annexation agreement for 2209 E. Perkins Road between the City of Urbana, James Tull, and Scott Plunk was passed on December 21, 2009 (Exhibit F). Mr. Tull was the owner at the time the agreement was executed, and Mr. Plunk was interested in purchasing the property. Mr. Plunk wanted to demolish and replace the existing home and large machine shed on the property. The annexation agreement included a major variance to allow these activities to take place. Plunk purchased the property and it was annexed into the City of Urbana on February 1, 2010 (Exhibit G).

Before he could build the new house and shed, Mr. Plunk passed away. His estate sold the property to Mr. Burgin in June 2015. Mr. Burgin does not intend to build a new house or machine shed. He owns the adjacent properties to the west, where he will reside, and plans to keep 2209 E. Perkins Road as open land. While Mr. Burgin does not intend to use the property as was planned when the annexation agreement and subsequent annexation petition were executed, the agreement was in effect when he purchased the property and remains in effect until 2029. Article III, Section 1 of the annexation agreement states that it:

*“...shall be binding upon the parties hereto, and their respective successors and assigns, for a full term of twenty (20) years...”*

The property was rezoned to R-1, Single-Family Residential as a provision of the 2009 annexation agreement. It had been zoned County Conservation-Recreation. The City of Urbana’s 2005 Comprehensive Plan identifies the property and surrounding area as “rural residential”, *“...intended primarily for single-family residential development in areas with unique natural features...Lots typically are larger than in conventional subdivisions.”* This describes the area accurately, with single-family homes on large lots, many containing forested areas. The property’s southern border is the Saline Branch. The property is also within the Urbana-Champaign Sanitary District’s service area.

The surrounding area is developed with single-family homes and is suitable for having City services such as police, fire, and library provided. In addition, the property is a strategic link to future growth areas. Disconnecting the property from the City could slow or stymie future growth in the larger area.

The property is within the City’s Comprehensive Plan planning area. It is in a location that provides a linkage to other properties along Perkins Road, and is in a relatively more developed area along Perkins Road. Disconnecting this property could thwart growth in this area. For these reasons, disconnection would not be in the City’s long-term plans or interests. As stated above, the property is also subject to an annexation agreement until 2029, and Mr. Burgin purchased the property knowing that the property was already part of the City and subject to the agreement.

On the other hand, Mr. Burgin does not intend to build a new single-family home and machine shed on the property, which is why the annexation agreement was created and the property was annexed in the first place. In addition, if the property is disconnected from the City and a future owner would like to build a home on the site, they would be required to connect the home to the sanitary sewer and also be required to annex into the City at that time.

## **Fiscal Impact**

The proposed disconnection would have a minimal negative fiscal impact on the City. As currently assessed, disconnecting the property would remove about \$222 per year in property tax revenues from the City, as well as about \$200 from the Urbana Park District and \$35 from Cunningham Township. Demand for City services at this property is negligible.

## Options

The Committee of the Whole should consider the petition and make a recommendation to City Council.

In Plan Case 2016-A-01, the Committee of the Whole may forward this case to the City Council with a recommendation to:

A. Approve the disconnection petition for 2209 East Perkins Road.

OR

B. Deny the disconnection petition for 2209 East Perkins Road.

## Recommendation

While Mr. Burgin will not use the property as intended by the previous owner, he bought it knowing that it was within the City's borders and subject to a current annexation agreement. Disconnecting the property from the City would remove a strategic link to future growth areas and could stymie the City's long-term plans. For these reasons, staff recommends that the Committee of the Whole recommend that the City Council **DENY** the proposed disconnection petition.

Prepared by:



Kevin Garcia, AICP  
Planner II

cc: Thomas E. Burgin II

Attachments:     Draft Ordinance  
                      Exhibit A: Location Map  
                      Exhibit B: Zoning Map  
                      Exhibit C: Comprehensive Plan Map #2  
                      Exhibit D: Disconnection Petition  
                      Exhibit E: Disconnection Plat  
                      Exhibit F: Annexation Agreement  
                      Exhibit G: Annexation Petition

**ORDINANCE NO. 2017-01-004**

**AN ORDINANCE DISCONNECTING CERTAIN TERRITORY FROM THE CITY OF URBANA**

(2209 East Perkins Road / Thomas E. Burgin II)

WHEREAS, in Ordinance No. 2010-01-005, passed by the Urbana City Council on February 1, 2010 and recorded as Document No. 2010R13552 in the Office of the Recorder, Champaign County, Illinois, the following described property, commonly known as 2209 East Perkins Road, was annexed:

Lot 102, except the west Twenty-Two (22) feet of even width thereof, of Tull's Replat Subdivision, a part of the NW  $\frac{1}{4}$  of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian located in Champaign County, Illinois, as recorded July 27, 2004 as Document # 2004R23616 in the Office of the Champaign County Recorder, Champaign County, Illinois; and,

WHEREAS, Thomas E. Burgin II has petitioned to have the subject tract disconnected from the City of Urbana, and which petition was filed with the City Clerk on the 9<sup>th</sup> day of May, 2016; and,

WHEREAS, as is required by law, the certificate of the County Clerk showing no taxes are due on the subject tract has also been filed with the City Clerk; and,

WHEREAS, the subject tract lies on the border of the corporate limits of the City and disconnecting such tract will not make other lands noncontiguous,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the following described tract and the adjacent right-of-way is hereby disconnected from the City of Urbana, Illinois:

Lot 102, except the west Twenty-Two (22) feet of even width thereof, of Tull's Replat Subdivision, a part of the NW  $\frac{1}{4}$  of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian located in Champaign

County, Illinois, as recorded July 27, 2004 as Document # 2004R23616 in the Office of the Champaign County Recorder, Champaign County, Illinois.

Said tract containing 72,668.646 S.F. (1.668 Acres), more or less, all situated in the City of Urbana, Urbana Township, Champaign County, Illinois.

Together with the following described adjacent public Right-of-Way:

Perkins Road Right-of-Way lying adjacent to the above described parcel, being 66 feet in width.

Encompassing 12,266.021 S.F. (0.282 acre), more or less, all being situated in the City of Urbana, Urbana Township, Champaign County, Illinois.

Section 2. This ordinance shall be effective on the 10<sup>th</sup> day following its passage by the Urbana City Council.

Section 3. The City Clerk is directed to record a certified copy of this Ordinance with the Recorder of Deeds of Champaign County, Illinois.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

AYES:

NAYS:

ABSTAINS:

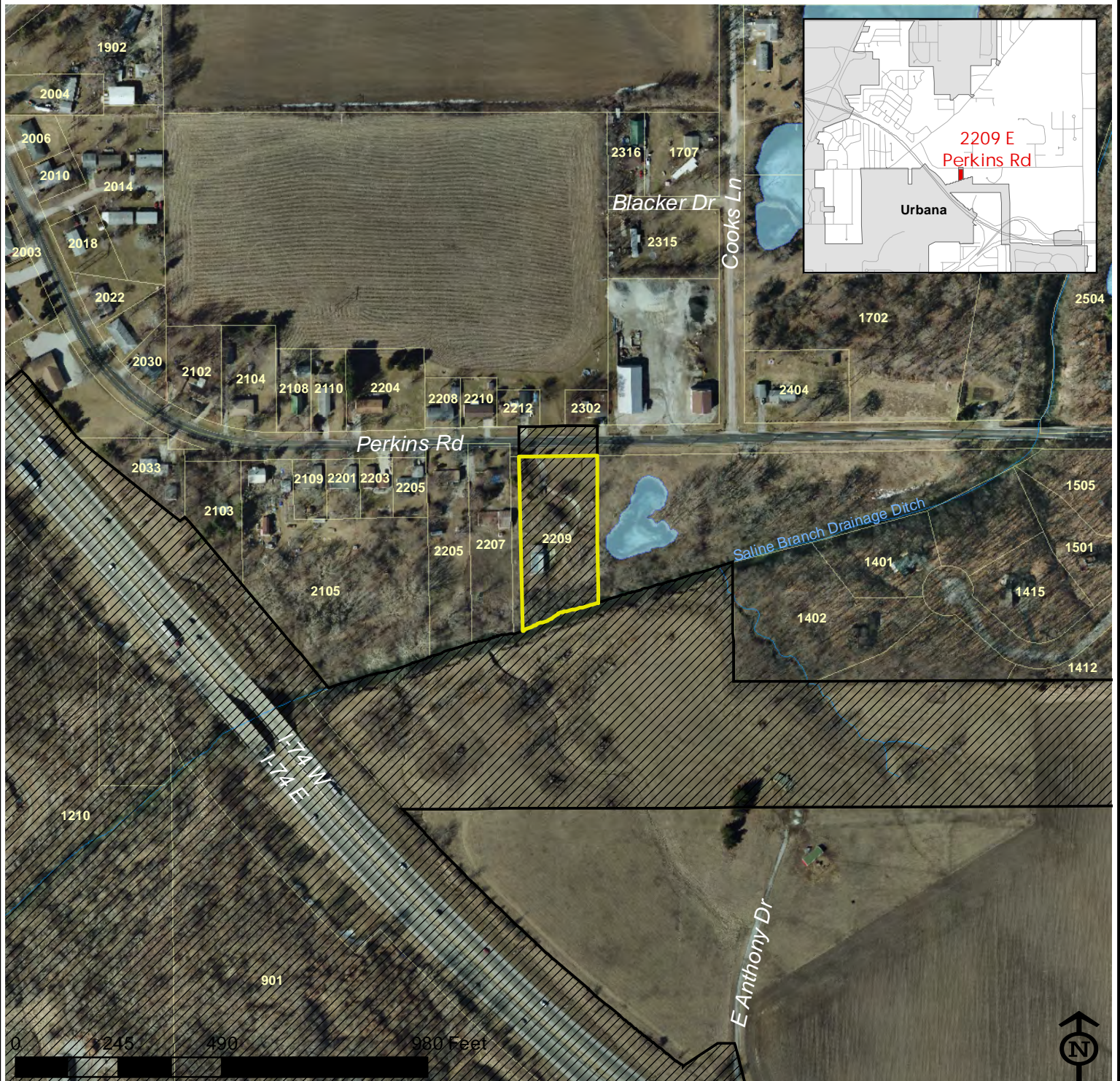
\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



\_\_\_\_\_  
Laurel Lunt Prussing, Mayor



# Exhibit A - Location Map

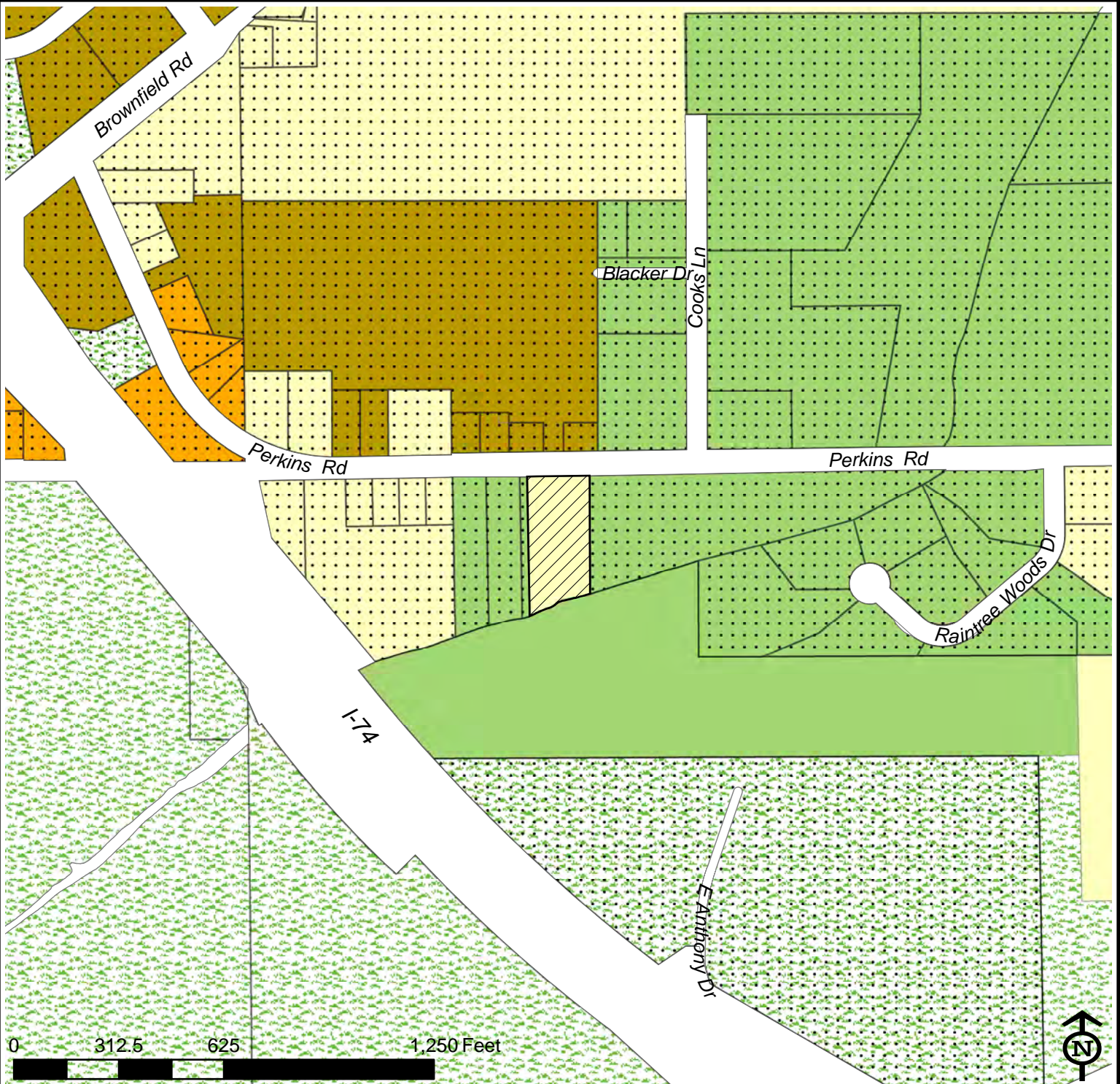


Case: 2016-A-01  
 Subject: Disconnection Petition  
 Location: 2209 E Perkins Rd  
 Petitioner: Tom Burgin

 Urbana City Limits  
 Subject Property



# Exhibit B - Zoning Map



Case: 2016-A-01  
 Subject: Disconnection Petition  
 Location: 2209 E Perkins Rd  
 Petitioner: Tom Burgin

- |   |                  |   |        |   |    |
|---|------------------|---|--------|---|----|
|  | Subject Property |  | AG     |  | R3 |
|  | County Parcels   |  | CR/CRE |  | R4 |
|   |                  |  | R1     |   |    |



# Map #2

## Northeast Urbana / Champaign County

**Future Olympian Drive**  
Further study to determine exact location and design east of Cunningham Avenue.

**High Cross Road Corridor Study Area:**  
to determine transportation needs of High Cross Road. Goals to provide better access and preserve natural features.  
2005

**Agricultural**

This area shown in detail on Map #1

**Improvement to Airport Road necessary as area develops**

**Long Term needs: School, Park**

Residential Expansion Opportunity  
Sewers Available

**Institutional**  
U of I Brownfield Woods  
Nat. Res. Research

St. Joseph School District

**Regional Business**

**Residential**

Somerset Subdivision (developing)

**Rural Residential**

Preserve Natural Amenities with limited conservation residential development

Preserve Significant Vegetation

U of I Phillips Tract

U of I Trelease Woods & Prairie

Develop strategies to protect significant wooded areas from development

Trail Opportunity

Outside UCSD Service Area

Improve interstate interchange access at High Cross Road, Cottonwood Road or 1800E to serve growth south of the interstate. Future study shall take into consideration the intent of the city in its Comprehensive Plan that the sector north of I-74 and east of Brownfield Road as shown on Map #2 be "Rural Residential" and the city should protect this neighborhood as an option that is particularly appropriate in this terrain and only after such consideration will determine an appropriate location.

Location of 2209 E. Perkins Rd.

This area shown in detail on Map #5

Approx. City Limits

This area shown in detail on Map #7

Exhibit C - Comprehensive Plan Map #2

St. Joseph School District





# Petition for Disconnection

# Annexation

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 5/9/2016 Annexation Case No. 2016-A-01

## PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

### 1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Thomas E Burgin II Phone: 217-367-4357  
 Address (street/city/state/zip code): 8 Shuman Cir U  
 Email Address: teburgin@yahoo.com  
 Property Interest of Applicant(s) (Owner, Contract Buyer, etc.): owner

### 2. OWNER INFORMATION

Name of Owner(s): Thomas E Burgin II Phone: 217-367-4357  
 Address (street/city/state/zip code): 8 Shuman Cir U  
 Email Address:

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: 2209 Perkins rd Urbana  
 PIN # of Location: 91-21-10-101-021  
 Lot Size: 1.8 acre  
 Current Zoning Designation: R-1  
 Current Land Use (vacant, residence, grocery, factory, etc): vacant land  
 Legal Description: Lot 102 of Tullis Replat Subdivision, as per Plat recorded July 27, 2004 as Document Number 2004R 23616, And Also except that part dedicated to the people of Urbana Township for Public road purposes in a Dedication of Right of way recorded December 22, 2009 as Document Number 2009R 35816, in Champaign Co, IL.

To the City Council of the City of Urbana

Champaign County, Illinois

The Applicant, Thomas E Burgin II; respectfully states under oath:

That I, Thomas E Burgin II (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 102 of Tull's Replat Subdivision, as per Plat recorded July 27, 2004 as Document Number 2004R 23616, AND ALSO EXCEPT that part dedicated to the People of Urbana Township for public road purposes in a Dedication of Right of Way recorded December 22, 2009, as Document Number 2009R 35816, in Champaign County, Illinois.  
PIN - 91-21-10-101-021, 30-21-10-101-020  
Common address: 2209 E. Perkins Road, Urbana, 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:

Lot 102 of Tull's Replat Subdivision, as per Plat recorded July 27, 2004 as Document Number 2004R 23616, AND ALSO EXCEPT that part dedicated to the People of Urbana Township for public road purposes in a Dedication of Right of Way recorded December 22, 2009, as Document Number 2009R 35816, in Champaign County, Illinois.  
PIN - 91-21-10-101-021, 30-21-10-101-020  
Common address: 2209 E. Perkins Road, Urbana, Illinois

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Also known for reference as 2209 Perkins Rd Urbana, Illinois,  
(street address)

having permanent identification number (PIN) 91-21-10-101-021.

Said territory is upon the border but within the boundary of the City of Urbana, Illinois.

There are no electors residing in the Tract. [or if there are electors] at least fifty-one percent (51%) of all electors residing in said Tract have signed this petition.



APPLICANT(S) RESPECTFULLY REQUESTS:

1. That the above described Tract(s) be disconnected from the City of Urbana by Ordinance of the Mayor and City Council of the City of Urbana, pursuant to Article III, Chapter 18 of the Urbana City Code.
2. That said Tract be disconnected in accordance with the terms of the disconnection 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 5<sup>th</sup> day of May, 20 16

OWNER(S):

By: Thomas E. Dupin II

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Subscribed and sworn to before me this 5<sup>th</sup> day of May, 20 16.

George G. Bryan

Notary Public



My Commission Expires: \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

STATE OF ILLINOIS                    }  
  }  
COUNTY OF CHAMPAIGN            }    SS


**CERTIFICATE OF COUNTY CLERK**

I, GORDY HULTEN, County Clerk in and for the County of Champaign, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, or delinquent special assessments against the following described tract of land, as appears from the records in my said Office:

Legal Description: Lot 102 of Tull's Replat Subdivision, except the West 22 feet, as per Plat recorded July 27, 2004 as Document Number 2004R23616, AND ALSO EXCEPT that part dedicated to the People of Urbana Township for public road purposes in a Dedication of Right of Way recorded December 22, 2009, as Document Number 2009R 35816, Champaign County Illinois.

PIN: 91-21-10-101-021

Given under my hand and seal of said Office this 2<sup>nd</sup> day of June, A.D. 2016.

  
\_\_\_\_\_  
**Gordy Hulten, County Clerk  
Champaign County, Illinois**

**(Seal)**



All of the property annexed by City of Urbana Ordinance Number 2010-01-005, dated February 1, 2010 and recorded as Document Number 2010R13552 in the Office of the Recorder, Champaign County, Illinois, being described as;

A part of the Northwest Quarter of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian, Urbana Township, Champaign County, Illinois, being more particularly described as follows:

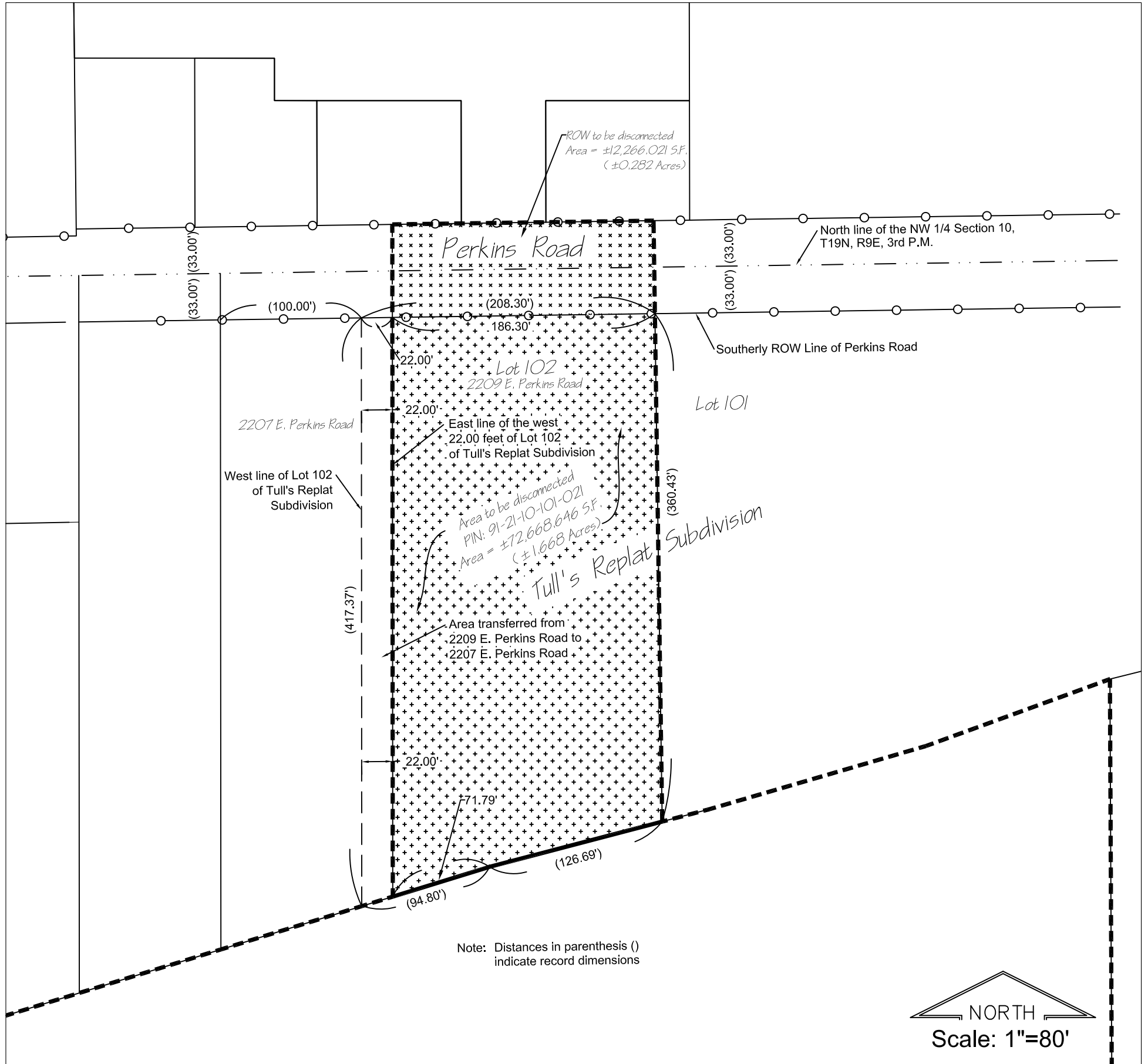
Lot 102, except the west Twenty-Two (22) feet of even width thereof, of Tull's Replat Subdivision, a part of the NW 1/4 of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian located in Champaign County, Illinois, as recorded July 27, 2004 as Document # 2004R23616 in the Office of the Champaign County Recorder, Champaign County, Illinois.

Said tract containing 72,668.646 S.F. (1.668 Acres), more or less, all situated in the City of Urbana, Urbana Township, Champaign County, Illinois.

**Together with the following described adjacent public Right-of-Way:**

Perkins Road Right-of-Way lying adjacent to the above described parcel, being 66 feet in width.


Encompassing 12,266.021 S.F. (0.282 acre), more or less, all being situated in the City of Urbana, Urbana Township, Champaign County, Illinois.



**MAP SHOWING AREA  
DISCONNECTED BY CITY  
ORDINANCE #2016-XX-XXX  
CITY OF URBANA, ILLINOIS  
CHAMPAIGN COUNTY  
DATE: XXXX XX, 2016**

AREA OF DISCONNECTION	
EXISTING CITY LIMITS	
NEW CITY LIMITS	
RIGHT-OF-WAY	

**ENGINEERING DIVISION**



\_\_\_\_\_  
CITY ENGINEER/PUBLIC WORKS DIRECTOR

CAD: B.W.F. 06/20/2016  
CHECKED: W.R.G. 06/22/2016

Passed: December 21, 2009  
Signed: December 23, 2009

**COPY**

ORDINANCE NO. 2009-12-128

**AN ORDINANCE APPROVING AND AUTHORIZING  
THE EXECUTION OF AN ANNEXATION AGREEMENT**

**(2209 E. Perkins Road / James E. Tull Sr.)**

WHEREAS, an Annexation Agreement between the City of Urbana, Illinois, James E. Tull Sr., and Scott Plunk has been submitted for the Urbana City Council's consideration, a copy of which is attached; and

WHEREAS, said agreement governs a tract totaling approximately 1.6 acres located at 2209 East Perkins Road and said tract is legally described as follows:

Lot 102, except the west Twenty-Two (22) feet of even width thereof, of Tull's Replat Subdivision, a part of the NW ¼ of Section 10, Township 19 North of the Third Principal Meridian located in Champaign County, Illinois, as recorded July 27, 2004 as Document #2004R23616 in the Office of the Champaign County Recorder. Champaign County, Illinois.

WHEREAS, The City Clerk of Urbana, Illinois, duly published notice on the 5th day of December, 2009 in the News-Gazette, a newspaper of general circulation in the City of Urbana, that a public hearing would be held with the City Council of Urbana on the matter of the proposed Annexation Agreement and the proposed rezoning of the tract; and

WHEREAS, the City of Urbana, Illinois also mailed notice of the public hearing to each of the Trustees of the Carroll Fire Protection District on the matter; and

WHEREAS, on the 21<sup>st</sup> day of December, 2009, the Urbana City Council held a public hearing on the proposed Annexation Agreement; and

WHEREAS, prior to the aforesaid public hearing held by the Urbana City Council, after due and proper notice, a public hearing was held before the



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Urbana Plan Commission on the 10<sup>th</sup> day of December, 2009, to consider the proposed Annexation Agreement and the rezoning from Champaign County CR, Conservation-Recreation to the City R-1, Single-Family Residential Zoning District upon annexation in Plan Case Nos. 2009-A-07 and 2120-M-09; and

WHEREAS, by a vote of five ayes to one nay, the Urbana Plan Commission voted to forward the proposed Annexation Agreement and rezoning from Champaign County CR, Conservation-Recreation to the City R-1, Single-Family Residential Zoning District upon annexation in Plan Case Nos. 2009-A-07 and 2120-M-09 to the Urbana City Council with a recommendation for approval; and

WHEREAS, the Urbana City Council has determined that the proposed Annexation Agreement is in conformance with the goals and objectives of the City of Urbana's 2005 Comprehensive Plan; and

WHEREAS, the Urbana City Council has determined that the proposed rezoning contained within the Annexation Agreement is in conformance with the LaSalle Criteria; and

WHEREAS, the Urbana City Council, having duly considered all matters pertaining thereto, finds and determines that the proposed annexation agreement will not negatively impact the City of Urbana and would be in the best interests of the City of Urbana and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the Annexation Agreement between the City of Urbana, Illinois, James E. Tull Sr., and Scott Plunk, a copy of which is attached and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the major variance contained within said Annexation Agreement, is hereby approved to allow for the construction of a combination residence and accessory storage building in which the accessory storage use

**COPY**

is larger in area than the principal residential use, subject to the conditions required in the Agreement.

Section 3. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver, and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said Annexation Agreement, for and on behalf of the City of Urbana, Illinois.

Section 4. The City Clerk is directed to record a certified copy of this Ordinance and the Annexation Agreement herein approved, as amended, with the Recorder of Deeds of Champaign County, Illinois.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of two-thirds of the members of the Corporate Authorities of the City of Urbana, Illinois, then holding office, at a regular meeting of said Council.

PASSED by the City Council this 21st day of December, 2009.

AYES: Bowersox, Gehrig, Lewis, Marlin, Roberts, Smyth, Stevenson, Mayor Prussing

NAYS:

ABSTAINS:



*Phyllis J. Clark*  
City Clerk  
*Deputy Clerk*

APPROVED by the Mayor this 21st day of December, 2009.

2009.

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor



# COPY

ORDINANCE NO. 2010-01-005

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA**  
**(2209 East Perkins Road / Scott Plunk)**

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 Carroll Fire Protection District, and includes certain territory within 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 that this Ordinance would be voted upon, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois; and

WHEREAS, a written petition signed by all of the Owners of Record and at least fifty-one percent (51%) of the electors, 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 property is subject to an adopted annexation agreement between James Tull Sr., Scott Plunk, and the City of Urbana adopted at the regular meeting of the Urbana City Council on December 21, 2009 under Ordinance Number 2009-12-128; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's CR, Conservation-Recreation zoning district and upon annexation will be classified City R-1, Single Family Residential Zoning District in accordance with the provisions of the annexation agreement and the Urbana Zoning Ordinance; and

WHEREAS, the annexation agreement for the territory approved a variance to allow for the construction of a combination residence and accessory storage building in which the accessory storage use is larger in area than

the principal residential use, subject to the conditions required in the agreement; 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.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the following described real estate is hereby annexed to the City of Urbana, viz.:

Lot 102, except the west Twenty-Two (22) feet thereof, of Tull's Replat Subdivision, a part of the NW  $\frac{1}{4}$  of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian located in Champaign County, Illinois, as recorded as Document #2004R23616 in the Office of the Champaign County Recorder, Champaign County, Illinois.

All situated in Urbana Township, Champaign County, Illinois, and containing 1.668 Acres, more or less.

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

All of the Perkins Road Right-of-Way, lying adjacent to the above described tract, being 66 feet in width. All situated in Champaign County, Illinois and containing 0.282 Acres, more or less.

commonly known for reference as 2209 E. Perkins Road, Urbana, Illinois, be and the same is hereby annexed to the City of Urbana, Illinois. The above-described parcel, prior to annexation, having parcel index numbers 30-21-10-101-019 and a portion of 30-21-10-101-018.

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

# COPY

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 Residential 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 11<sup>th</sup> day of February, 2010 following its passage by the Urbana City Council.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 1st day of February, 2010, A.D.

PASSED by the City Council this 1st day of February, 2010.

AYES: Bowersox, Gehrig, Lewis, Marlin, Roberts, Smyth, Stevenson, Mayor Prussing

NAYS:

ABSTAINS:



*[Handwritten signatures]*  
D. Clark, City Clerk  
*[Signature]* Deputy Clerk

APPROVED by the Mayor this 1st day of February, 2010.

*[Signature]*  
Laurel Lunt Prussing, Mayor