



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**  
*Economic Development Division*

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

**TO:** Bruce K. Walden, CAO  
**FROM:** Reed A. Berger, AICP, Economic Development Coordinator  
**DATE:** January 22, 2002  
**SUBJECT:** **Annexation of Freedom Oil - 1812 N. Cunningham Avenue**

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**Introduction**

The Freedom Oil Company, a family-owned business located in Bloomington, Illinois submitted the attached petition to annex a 0.656 acre parcel of land located at 1812 N. Cunningham Avenue as a prerequisite to obtain a permit for connection to the sanitary sewer system.

**Background**

In November 2001 the septic system for Freedom Oil gas station failed. Because the sanitary sewer was in close proximity to the site it was more economical to connect to the system versus attempt to replace the current septic system. In such a case where an unincorporated property contiguous to the City limits seeks a sewer connection it is usually a prerequisite visa vi an intergovernmental agreement with the Urbana Champaign Sanitary District that the property be annexed or have an annexation agreement to permit annexation to occur upon certain conditions.

**Issues and Discussion**

The Freedom Oil service station is located at the intersection of Cunningham Avenue and Kenyon Road (the Interstate 74 frontage road) directly across from the new Bigfoot service station. This business will contribute significant revenues to the City. Costs associated with this annexation are considered insignificant since the right-of-way has been in the City since 1985.



**Staff Recommendation**

Staff recommends that Committee of the Whole forward the attached “Ordinance Annexing Certain Territory to the City of Urbana” to the regular City Council meeting scheduled for 7:30 pm Monday, February 4, 2002.

Prepared by: \_\_\_\_\_  
Reed A. Berger, AICP  
Economic Development Coordinator

c: City Council Packets

ORDINANCE NO. 2002-01-006

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA**

**(Freedom Oil Co. / 1812 N. Cunningham Avenue)**

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 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 January 22, 2002, that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, February 4, 2002, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 22<sup>nd</sup> day of February, 2002; and

WHEREAS, there are no electors residing within such territory; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's B-4 General Business zoning district and upon annexation will automatically be classified B-3 General Business upon annexation in accordance with Article IV, Section IV-5 of 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.

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

Section 1. That the following described real estate, viz:

Part of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, described as follows:

Beginning at an iron pipe at the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section Four (4), Township Nineteen (19) North, Range Nine (9) East of the Third Principal Meridian and running thence South 401 feet to an old iron pipe, thence South 89 degrees 25 minutes West 548.3 feet, thence North 25 degrees 10 minutes East 446.2 feet, thence, South 88 degrees 20 minutes East 360.3 feet to the point of beginning, in Champaign County, Illinois.

EXCEPT, that portion of the land conveyed or dedicated for highway purposes by instruments recorded in Book 257 at page 417 as document 358133 and in Book 531 at page 212 as document 552217,

and also EXCEPT the following described tract:

Beginning at the iron pipe monument at the Northeast corner of the Southwest Quarter of the Southwest Quarter

of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian; and running thence South 401 feet, more or less to an old iron pipe; thence South 89 degrees 18 minutes West 199.50 feet; thence North 24 degrees 51 minutes East 136.40 feet; thence North 65 degrees 09 minutes West 165 feet; thence North 24 degrees 51 minutes East 230 feet; thence North 90 degrees 23 minutes East 195.03 feet to the point of beginning.

All situated in Urbana Township, Champaign County, Illinois and encompassing 0.656 acre, more or less.

commonly known for reference as 1812 N. Cunningham Avenue, Urbana, Illinois, be and the same is hereby annexed to the City of Urbana, Illinois. The above-described parcel, prior to annexation, has the parcel index number 30-21-04-352-003 and following annexation the said parcel should bear the parcel index number 91-21-04-352-003.

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 hereinabove described in the Recorder's Office of Champaign County, Illinois.

Section 3. That the City Clerk be authorized and directed to file, for record, a certified copy of this Ordinance together with an accurate map of the territory hereinabove described in the Office of the County Clerk and County Election Authority of Champaign County, Illinois.

Section 4. The Zoning Ordinance of the City of Urbana, Illinois, and the Zoning Map of Urbana, Illinois, are hereby amended to classify the real property as B-3 General Business upon annexation in accordance with Article IV, Section IV-5 of the Urbana Zoning Ordinance.

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

Section 6. This Ordinance shall take effect at 12:00 p.m. CDT, February 14, 2002.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2002, A.D.

PASSED by the City Council this \_\_\_ day of \_\_\_\_\_, 2002.

AYES:

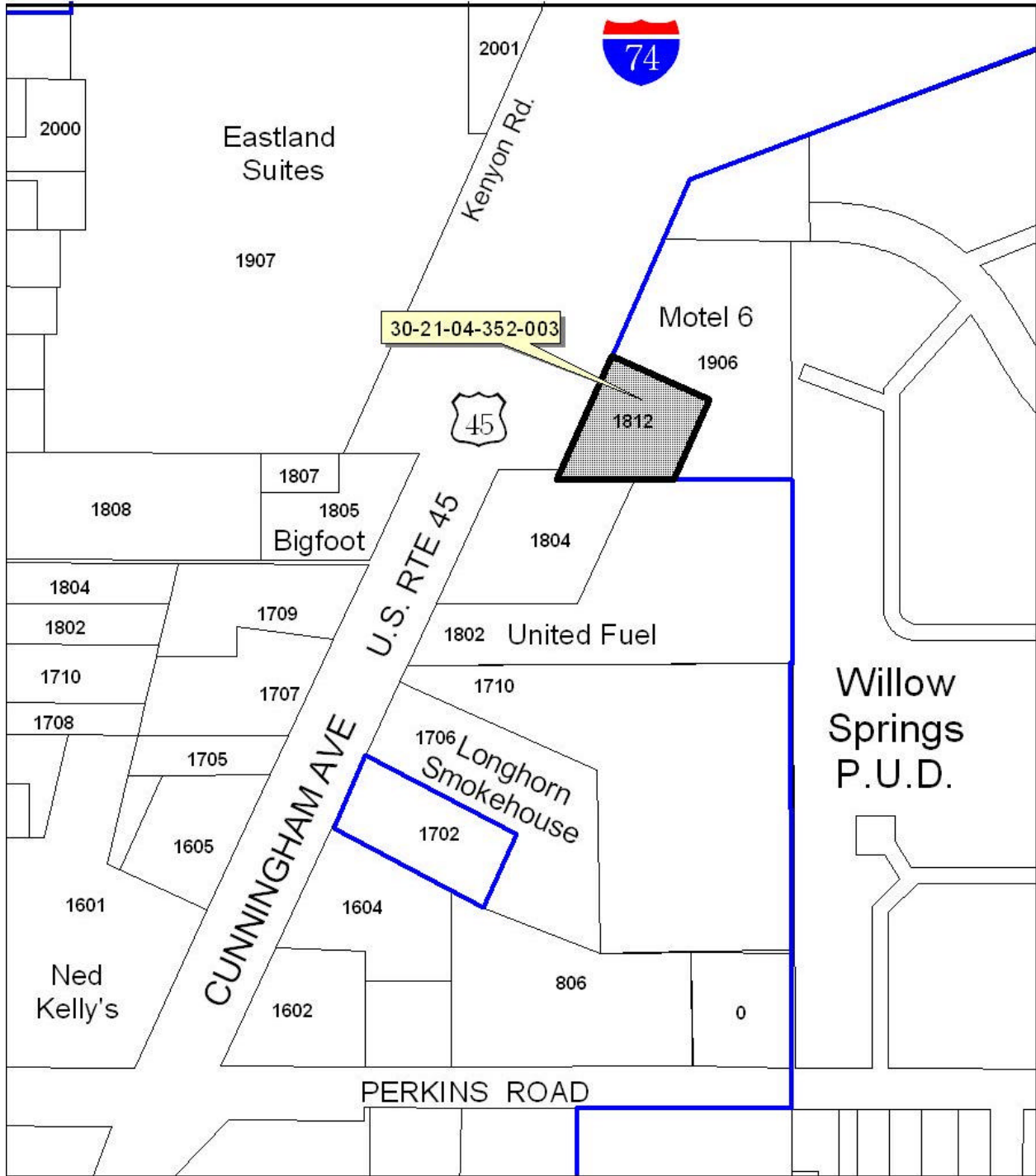
NAYS:

ABSTAINS:

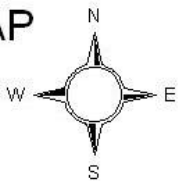
\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

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Tod Satterthwaite, Mayor



**PROPOSED ANNEXATION - LOCATION MAP**  
**Freedom Oil - 1812 N. Cunningham Avenue**



prepared January 18, 2001 by Community Development Services - rab