



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Economic Development Division

m e m o r a n d u m

TO: Bruce Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director

DATE: April 18, 2002

SUBJECT: Involuntary Annexations - Beringer Commons Subdivision

Description

Staff is requesting the City Council to approve the attached ordinance to cause the annexation of eight unincorporated properties in Beringer Commons Subdivision that are completely surrounded by the City of Urbana's corporate boundaries. A map is attached showing the location of the lots proposed to be annexed.

Background

An annexation agreement between the City of Urbana and the developer of Beringer Commons Subdivision was approved and authorized by City Council on August 5, 1991 (Council Ordinance No. 9192-20). The agreement required that these properties be annexed into the City in 1999.

Issues & Approvals

While some owners have agreed to comply with the annexation agreement, several property owners have refused or ignored the City's request to annex. Staff intends to annex all property in Beringer Commons Subdivision before July 1, 2002 to enforce the terms of the annexation agreement. If annexations do not take effect until or after July 1, 2002, it will mean another year that a few individuals not only continue to violate the terms of the annexation agreement, but also avoid another year of paying City property taxes, whereas the majority of the property owners in Beringer Commons have complied with the agreement.

Staff sent the attached letter to property owners regarding the process, cost, and benefits associated with annexation including an invitation to meet with staff on April 11, 2002. No residents attended the informational meeting. To date there has been no response from any of the property owners or residents affected by this proposed annexation.

Options

Council's options included approving the attached ordinance; to suggest specific changes or modifications; to defer action; or to reject the proposed annexation.

Fiscal Impact

The eight properties proposed to be annexed has a combined assessed valuation of roughly \$330,000.

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, May 6, 2002.

Prepared by: _____
Reed Berger, Economic Development Coordinator

Attachments: Ordinance
Notice of Annexation
Letter to Property Owners
Location Map

c: Mayor Satterthwaite and City Council Members
City Department Heads

ORDINANCE NO. 2002-04-44

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(Involuntary Annexation of Lots in Beringer Commons Subdivision Wholly Surrounded by Urbana's Corporate Limits)

WHEREAS, on March 25, 2002, the Urbana City Council directed the City Clerk to publish Notice that the annexation of the properties therein described was being contemplated and would be considered by the Urbana City Council at its regular meeting on May 6, 2002, and

WHEREAS, the City Clerk of Urbana, Illinois duly published such Notice on April 17, 2002 in The News-Gazette, a newspaper having general circulation in the City of Urbana, Illinois, a Certificate of Publication therefore being on file with the City Clerk's Office, and

WHEREAS, the hereinafter described territory is unincorporated territory wholly surrounded by and contiguous to the City of Urbana, Illinois within the meaning of Section 5/7-1-13 of the Illinois Municipal Code, and

WHEREAS, said unincorporated territory is part of the Edge-Scott 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 April 19, 2002, that this Ordinance would be voted upon at a regular meeting of this Council at 7:30 p.m., Monday, April, 2002, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the _____ day of April, 2002 ; and

WHEREAS, the City Council passed Ordinance No. 9192-20 on August 5, 1991 approving and authorizing the execution of an annexation agreement and amended said agreement by passing Ordinance No. 2001-08-096 on August 20, 2001; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's R-4 Multiple Family Residence zoning district and upon annexation will be classified R-2 Single Family Residential upon annexation in accordance with the above-referenced annexation agreement as amended; 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 Urbana City Council finds and determines that the property described below is surrounded by property previously annexed to the City of Urbana, Illinois, within the meaning of Section 7-1-13 of the Illinois Municipal Code.

Section 2. That the following described real estate is hereby annexed to the City of Urbana, Illinois, viz:

Lot 213 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.2964 Acre, more or less.

Commonly known for reference as 411 N. Beringer Circle and also identified as Parcel Index Number 30-21-10-402-024.

and

Lot 208 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.2805 Acre, more or less.

Commonly known for reference as 401 N. Beringer Circle and also identified as Parcel Index Number 30-21-10-402-029.

and

Lot 203 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated

in Champaign County, Illinois and containing 0.2520 Acre, more or less.

Commonly known for reference as 205 N. Beringer Circle and also identified as Parcel Index Number 30-21-10-402-034.

and

Lot 245 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.3839 Acre, more or less.

Commonly known for reference as 406 N. Beringer Circle and also identified as Parcel Index Number 30-21-10-405-007.

and

Lot 247 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.3727 Acre, more or less.

Commonly known for reference as 402 N. Beringer Circle and also identified as Parcel Index Number 30-21-10-405-009.

and

Lot 244R of A Replat of Lots 242, 243, and 244 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded as Document Number 1999R25805, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.3732 Acre, more or less.

Commonly known for reference as 408 N. Beringer Circle and also identified as Parcel Index Number 30-21-10-405-014.

and

Lot 252 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.4138 Acre, more or less.

Commonly known for reference as 306 N. Beringer Circle and also identified as Parcel Index Number 30-21-10-406-003.

and

A commons area of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.093 Acre, more or less.

Commonly known for reference as Parcel Index Number 30-21-10-406-006.

Together with the adjacent unincorporated public Rights-of-Way, which are by operation of the law automatically annexed with the adoption of an Annexation Ordinance pertaining to these parcels.

Section 3. 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 4. 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 5. 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-2 Single Family Residential upon annexation and in accordance with an annexation agreement approved and authorized on August 5, 1991 by Council Ordinance No. 9192-20 as amended.

Section 6. The territory annexed herein is assigned to City of Urbana Ward 6.

Section 7. This Ordinance shall take effect at 12:00 p.m. CDT, May 16, 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.

Phyllis D. Clark, City Clerk

AYES:

NAYS:

ABSTAINED:

APPROVED by the Mayor this _____ day of _____, 2002.

Tod Satterthwaite, Mayor

NOTICE OF ANNEXATION

Pursuant to the Illinois Municipal Code (65 ILCS 5/7-1-13), 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 and take action on an ordinance annexing such territory at a regular meeting of the Urbana City Council on Monday, May 6, 2002 at 7:30 p.m in the City Council Chambers of the City Building, 400 South Vine Street, Urbana, Illinois.

Lot 213 of Beringer Commons Subdivision No. 2b, Urbana Township, Champaign County, Illinois, per plat recorded in Plat Book CC at page 63, in the Office of the Recorder, Champaign County, Illinois. Situated in Champaign County, Illinois and containing 0.2964 Acre, more or less.

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Commonly known for reference as Parcel Index Number 30-21-10-406-006.

Together with the adjacent unincorporated public Rights-of-Way, which are by operation of the law automatically annexed with the adoption of an Annexation Ordinance pertaining to these parcels.

Questions regarding the proposed annexations should be directed to Reed Berger, Economic Development Coordinator (phone 217-384-2442) or email raberger@city.urbana.il.us.

Phyllis D. Clark, City Clerk

April 4, 2002

RE: «FIRST_NAME» «LAST_NAME»
«ADDR2»
P.I.N. «PIN»

Dear Property Owner:

Your property along with several other properties in Beringer Commons comprise areas of less than 60 acres of unincorporated territory surrounded by the Urbana City limits (see attached map). State law provides that the City can cause the annexation of unincorporated territory wholly surrounded by a municipality if that area comprises less than 60 acres. Therefore, the City Council of the City of Urbana will consider the question of annexation of your property at its regular meeting on May 6, 2002. We want to work with each of you to answer questions you may have. The following is a timetable for considering annexation of your property:

- ✓ **Information meeting to discuss annexation – April 11, 2002** at 7:00 PM at the Urbana City Council Chambers, 400 S. Vine Street, Urbana, Illinois. Representatives of the City will be attending and will answer questions from residents and property owners.
- ✓ **Council committee considers information about annexation** – April 22, 2002 at 7:30 PM in the Urbana City Council Chambers, 400 S. Vine Street, Urbana.
- ✓ **Council considers action to annex territory** – May 6, 2002 at 7:30 PM in the Urbana City Council Chambers, 400 S. Vine Street, Urbana.
- ✓ **Effective date of annexation** – If approved, you will officially be within the city limits and eligible to receive city services on May 16, 2002 at 12:00 Noon.

What does annexation mean to you?

Recycling. As an Urbana resident you will be eligible to participate in the U-Cycle Program. You will be assigned a date for recycling pickup and provided with free recycling containers and information on how the program works. You will receive a bill for a fee of \$24 per year for the U-Cycle program.

Library Services. As a resident, you will be able to apply for a resident library card. The Urbana Free Library has agreed to allow for reimbursement of recently purchased library cards on a pro-rata basis after your property is annexed into the City of Urbana. We will provide confirmation that your property has been annexed. Please contact the Urbana Free Library at 367-4057 with any questions.

City Council Representation. As a resident of Urbana, you will be able to vote in the City of Urbana and Cunningham Township elections. Your property is anticipated to be in Ward 6. Mr. Joseph Whelan is the alderperson. He can be reached at 367-4248.

Fall and Spring Leaf Collection Program. Each fall and spring, the City collects leaves and non-woody plant material. Though not yet in the City, we have arranged to include you in the Spring program beginning April 15th. Please see the attached flyer for details or call 384-2342.

Snow and Ice Removal Services. The Department of Public Works will provide snow plowing services. Typically your street will be plowed within 15 hours after snowfall stops.

Building Permits. Once you are in the City, you need to contact the Building Safety Division regarding new construction or major repairs. Please contact our staff at 384-2431 with questions.

Professional Fire Protection. The City of Urbana Fire Department has fully staffed fire apparatus 24 hours daily, which improves response times. Responding engines are equipped with advanced life support personnel and supplies enhancing the survival in a medical emergency. In the non-emergency realm the Urbana Fire Department will conduct free fire safety checks of any residence and install smoke detectors and batteries also free of charge. Our non-emergency phone is 384-2420.

Police Protection. Upon annexation to the City, you will be served by the Urbana Police Department. The Department is extremely responsive and will be available to answer any questions you may have. Please feel free to contact them at their non-emergency number at 384-2320.

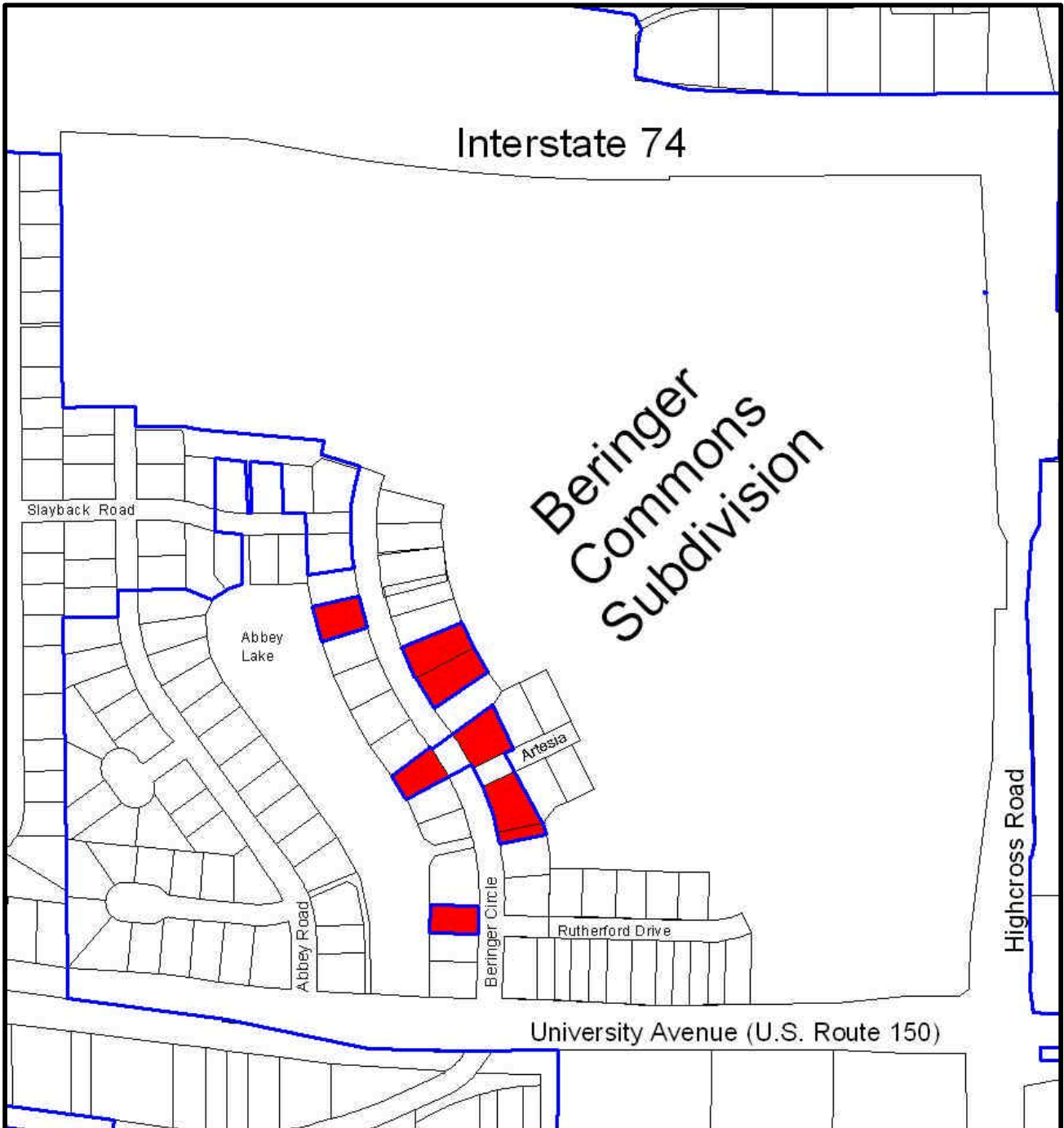
Parks & Recreation. Upon annexation to the City, you will have access to the Urbana Park District services at resident rates. Please call 367-1544 for details.

Changes in tax bill. Your real estate tax bill **will not** be impacted by annexation to the City of Urbana **until your June 2003 payment**. At that time you can anticipate an increase of roughly 20%. You may be interested to know that the tax rate for Urbana citizens has been consistently lowered over the last several years.

The staff of the City of Urbana look forward to meeting you at the **April 11, 2002** information meeting at the Urbana City Council Chambers. In the meantime, if you have any questions, please contact me at 384-2442 or send email to my attention at raberger@city.urbana.il.us. I also encourage you to browse our web site at **www.city.urbana.il.us** for more information about City services.

Sincerely,

Reed A. Berger, AICP
Community Development Services



Involuntary Annexation

Territory in Beringer Commons Subdivision surrounded by City Limits

prepared March 20, 2002 by Community Development Services - RAB

