



ORDINANCE NO. 814

AN ORDINANCE OF THE VILLAGE OF MACKINAW,
TAZEWELL COUNTY, ILLINOIS, AUTHORIZING THE
ANNEXATION OF VACANT LAND THAT ADJOINS ROUTE 9
AND THE MACKINAW INDUSTRIAL PARK.

Published in pamphlet form by authority of the Village
President and Board of Trustees of the Village of
Mackinaw

SEPTEMBER 28, 2010

ORDINANCE NO. 514

AN ORDINANCE AUTHORIZING THE ANNEXATION OF VACANT LAND THAT
ADJOINS ROUTE 9 AND THE MACKINAW INDUSTRIAL PARK

WHEREAS, the Village of Mackinaw recently acquired the following described property from Peter A. Kehlert and Todd M. Vetter:

All that portion of the abandoned Conrail Railroad Right-of-Way lying South of the original King Drive Right-of-Way as denoted on the Plat of Mackinaw Industrial Park Subdivision in the Village of Mackinaw, Tazewell County, Illinois, recorded in Plat Book "GG", Page 5, as Document No. 722486 in the Tazewell County Recorder's Office and East of the King Drive Right of Way extension as shown on the Annexation Map of King Drive Mackinaw Industrial Park, Village of Mackinaw, Tazewell County, Illinois, recorded in Plat Book "BBB", Page 156, as Document No. 05-22769 in the Tazewell County Recorder's Office, being a part of the Southeast Quarter of Section 17, Township 24 North, Range 2 West of the Third Principal Meridian, being more particularly described as follows: Commencing at the Southwest corner of said original King Drive Right of Way; thence South 8°20'02" East, a distance of 100 feet to the Southerly right of way line of the former Conrail Railroad; thence North 81°39'58" East, 56 feet along the Southerly line of the former Conrail Railroad to the Point of Beginning; thence North 8°20'02" West, 75 feet along the Easterly right of way of the King Drive Extension; thence Northeasterly 39.27 feet along the arc of a curve concave to the Southeast with a radius of 25 feet and the 35.36 foot chord of said arc; bears North 36°39'58" East to a Point of Tangency; thence North 81°39'58" East 572.1 feet along the Northerly right of way of the former Conrail Railroad; thence South 0°0'18" East, 101.07 feet to the Southerly right of way of said Conrail Railroad; thence along said Southerly right of way South 81°39'58" West to the point of beginning,

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which property is vacant land that is a green space that is located between King Drive and Route 9 and was acquired by the Village of Mackinaw in a deed recorded as Document No. 201000005124 in the Recorder's Office of Tazewell County, Illinois.

WHEREAS, the Trustees of the Village of Mackinaw have determined that it is in the best interest of the Village to annex the above described property; and

WHEREAS, the Trustees of the Village of Mackinaw have determined that the property to be annexed fulfills the statutory requirements of the Illinois Municipal Code, 65 ILCS 5/7-1-9 regarding the annexation of property that is owned by the annexing municipality. The foregoing described property is uninhabited, unincorporated and contiguous to the Village of Mackinaw; and

WHEREAS, a public hearing was held on September 14, 2010 by the Village of Mackinaw Planning Commission and Zoning Board. A report of Findings has been submitted to the trustees of VILLAGE. Said report of findings recommend that the property subject to be annexed, be annexed to the Village of Mackinaw and that the zoning of aforesaid property be Industrial District.

WHEREAS, the Board of Trustees of the Village of Mackinaw, pursuant to 65 ILCS 5-7-1-9 are annexing this property by Ordinance; and

NOW, THEREFORE, be it ordained by the Trustees of the Village of Mackinaw as follows:

SECTION ONE: The Trustees of the Village of Mackinaw find as facts the recitals hereinabove set forth.

SECTION TWO: Pursuant to 65 ILCS 5/7-1-9, the following described property is hereby annexed into the Village of Mackinaw:

All that portion of the abandoned Conrail Railroad Right-of-Way lying South of the original King Drive Right-of-Way as denoted on the Plat of Mackinaw Industrial Park Subdivision in the Village of Mackinaw, Tazewell County, Illinois, recorded in Plat Book "GG", Page 5, as Document No. 722486 in the Tazewell County Recorder's Office and East of the King Drive Right of Way extension as shown on the Annexation Map of King Drive Mackinaw Industrial Park, Village of Mackinaw, Tazewell County, Illinois, recorded in Plat Book "BBB", Page 156, as Document No. 05-22769 in the Tazewell County Recorder's Office, being a part of the Southeast Quarter of Section 17, Township 24 North, Range 2 West of the Third Principal Meridian, being more particularly described as follows: Commencing at the Southwest corner of said original King Drive Right of Way; thence South 8°20'02" East, a distance of 100 feet to the Southerly right of way line of the former Conrail Railroad; thence North 81°39'58" East, 56 feet along the Southerly line of the former Conrail Railroad to the Point of Beginning; thence North 8°20'02" West, 75 feet along the Easterly right of way of the King Drive Extension; thence Northeasterly 39.27 feet along the arc of a curve concave to the Southeast with a radius of 25 feet and the 35.36 foot chord of said arc; bears North 36°39'58" East to a Point of Tangency; thence North 81°39'58" East 572.1 feet along the Northerly right of way of the former Conrail Railroad; thence South 0°0'18" East, 101.07 feet to the Southerly right of way of said Conrail Railroad; thence along said Southerly right of way South 81°39'58" West to the point of beginning,

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SECTION THREE: The property described within this Ordinance is hereby, pursuant to the recommendation of the Zoning Board, zoned Industrial District.

SECTION FOUR: The President is hereby authorized and directed to sign and the Village Clerk is authorized and directed to attest the passing of the Ordinance for the annexation of the above described property.

SECTION FIVE: The Village Clerk is hereby directed to record a certified copy of this Ordinance and to mail or deliver a certified copy of this Ordinance to the Tazewell County Supervisor of Assessment so that the Supervisor of Assessment's records are changed to reflect that fact that the foregoing described property is annexed to the Village of Mackinaw.

SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, by vote of at least three-fourths of the corporate authorities now holding office, and approval in the manner provided by law.

PASSED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, this 27th day of September, 2010.

APPROVED:



Craig Friend, President of the Board of Trustees of the Village of Mackinaw

ATTEST:



Village Clerk

(Corporate Seal)

AYES: 6

NAYES: 0

ABSENT: 0

Vote of Village President due super majority requirement

AYE: X

NAY: _____

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS
VILLAGE OF MACKINAW)

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the 27th day of *September, 2010*, insofar as same relates to the adoption of *Ordinance No. 814*, entitled:

"An Ordinance of the Village of Mackinaw, Tazewell County, Illinois, Authorizing the Annexation of Vacant Land that Adjoins Route 9 and the Mackinaw Industrial Park"

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of *Ordinance No.814*, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on *September 28, 2010* and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by six members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 11th day of *October, 2010*.



[Redacted Signature]

Village Clerk