ORDINANCE 2016-08

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF
CERTAIN TERRITORY COMMONLY KNOWN AS
THE MOUND REST CEMETERY TO THE TOWN OF CORTLAND

WHEREAS, the Mound Rest Cemetery Association has filed a petition in accordance with 65 ILCS 5/7-1-8, seeking annexation of certain territory owned by it consisting of approximately 4.56 acres to the Town of Cortland; and

WHEREAS, the parcel lies contiguous to, but presently outside of, the boundaries of the Town, and is not within the corporate limits of any municipality; and

WHEREAS, due notice has been provided to public bodies required to receive such notice pursuant to statute; and

WHEREAS, it is in the best interests of the Town of Cortland that the territory be annexed thereto,

NOW THEREFORE, BE IT ORDAINED by the Corporate Authorities of the Town of Cortland, DeKalb County, Illinois as follows:

1. That the territory commonly known as Mound Rest Cemetery, as legally described on attached Exhibit “A”, and indicated on the accurate map of annexed territory attached as Exhibit “B”, appended to and made a part of this Ordinance, is hereby annexed to the Town of Cortland, Illinois.

2. That the official map of the Town of Cortland be amended to reflect extension of corporate limits of the Town of Cortland to include said territory to the far side of any adjacent roadways annexed thereby.

3. That the Town Clerk is hereby directed to record with the Recorder and to file with the County Clerk, a certified copy of this Ordinance, together with the accurate map of the territory annexed appended to said Ordinance.

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

PASSED and this APPROVED this ____ day of _____, 2016.

AYES:
NAYS:
ABSENT:

_____
Russell C. Stokes, Mayor

ATTEST:

_____
Cheryl Aldis, Town Clerk

Exhibit "A"

Parcel 1
Commencing at the Northeast corner of the West half of the Southeast quarter of Section 29 in Township 40 North, Range five East of the 3rd Principal Meridian, and runs thence South on the ¼ - ¼ section line 12.90 chains to a stone in the center of road, thence North 81 degrees West in the center of the road 3.19 chains to a stone, thence North 12.34 chains to a stone on the quarter section line, thence East of said line 3.17 chains to the place of beginning, containing four acres more or less and situated in the County of De Kalb in the State of Illinois.

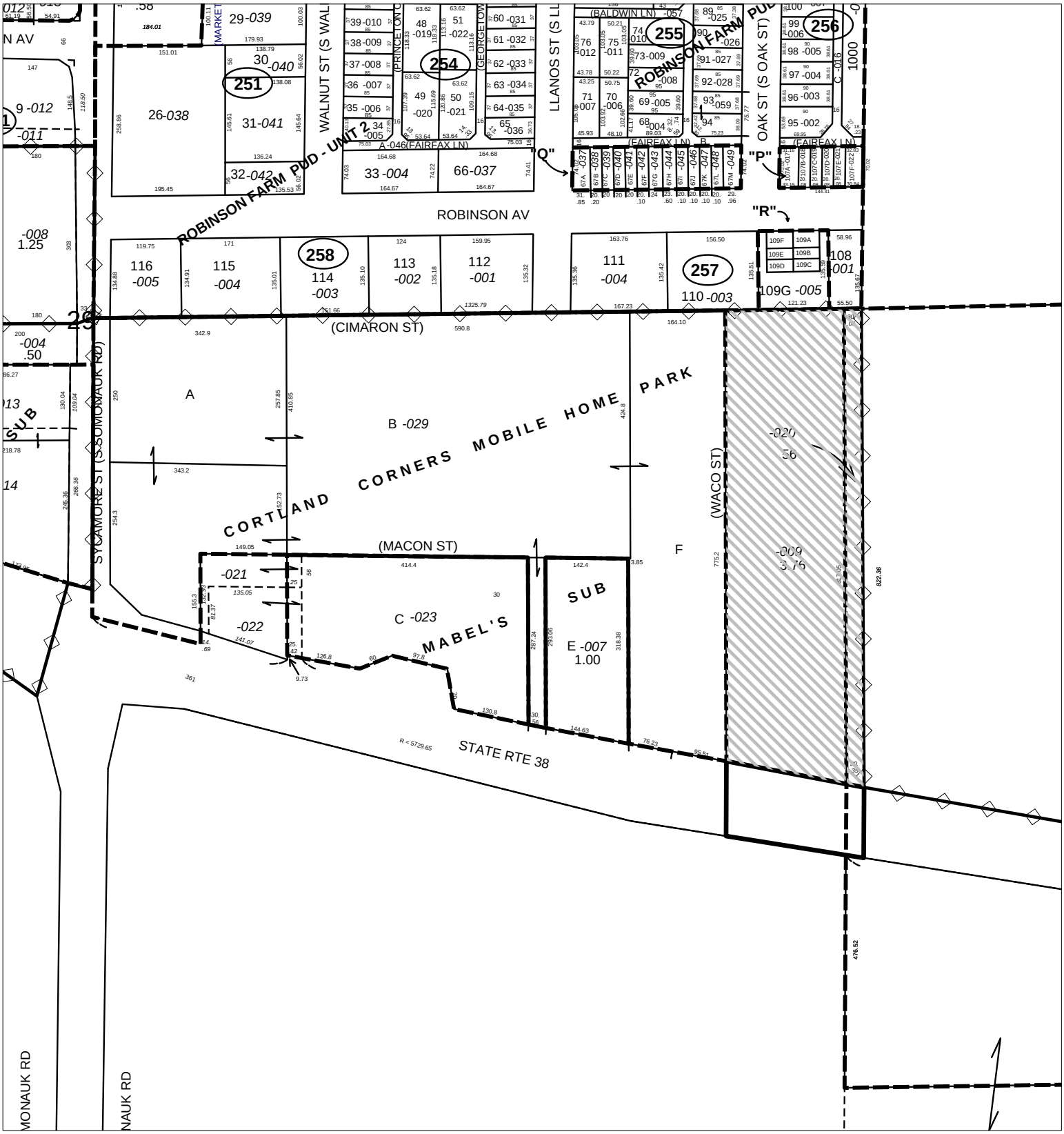
Parcel 2
Part of the Southeast quarter of Section 29, Township 40 North, Range 5 East of the 3rd Principal Meridian, bounded and described as follows:

Beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 29; thence South 1 degree 29 minutes 35 seconds West along the West line of the Northeast Quarter of the said Southeast Quarter, a distance of 817.05 feet to the North line of the Right of Way of Illinois Route 38; thence South 79 degrees 46 minutes 46 seconds East along said North line 30.35 feet; thence North 1 degree 29 minutes 35 seconds East parallel to the West line of the Northeast Quarter of the Southeast Quarter, a distance of 822.38 feet to the North line of the said Southeast Quarter; thence North 89 degrees 53 minutes 55 seconds West along said North line 30.01 feet to the point of beginning, containing 0.56 Acres, more or less, all situated in the Township of Cortland, the County of De Kalb and the State of Illinois.

k:\cemetery\legal descriptions-mound rest cemetery.docx

Parcel 1 legal from 1917 recorded De Kalb County document #66564
Parcel 2 legal from 1994 plat (Willed property of George Robinson to MRC)

Exhibit "B"



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Mound Rest Cemetery

Cortland Township

DeKalb County, Illinois

N
W E
S

Annexed Property

Corporate_Line

Right of Way

STATE OF ILLINOIS)
) SS
COUNTY OF DEKALB)

COPY

PETITION FOR ANNEXATION TO THE TOWN OF CORTLAND

The undersigned Petitioner, being the owner of record, respectfully petition the Town of Cortland to cause the property described in **Exhibit A**, attached hereto and made a part hereof, and depicted on the Plat of Annexation marked as **Exhibit B**, also attached hereto and made a part hereof, to be annexed to the Town of Cortland, County of DeKalb, State of Illinois.

The Petitioner represents to the Town of Cortland as follows:

1. That Petitioner is the legal title holder of the property described in **Exhibit A** (hereinafter referred to as "Subject Property").

2. That the Subject Property is not within the corporate limits of any municipality and is contiguous to the corporate limits of the Town of Cortland.

3. That the Subject Property is located on U.S. Route 38, Cortland, DeKalb County, Illinois.

4. That the Subject Property is presently zoned A-1 Agriculture with a special use (PIN: 09-29-400-009 and 09-29-400-020) under the DeKalb County Zoning Ordinance.

5. That there are no electors residing on the Subject Property.

WHEREFORE, Petitioner respectfully requests:

1. That the Subject Property described in **Exhibit A** and depicted on **Exhibit B** be annexed to the Town of Cortland.

2. That upon annexation to the Town of Cortland the Subject Property described in **Exhibit A** be zoned R-1 Single-Family Residential District.

RESPECTFULLY SUBMITTED this 28th day of June, 2016.

PETITIONER/OWNER:

MOUND REST CEMETERY ASSOCIATION

By: Robert M. Coyle

Robert M Coyle, President

****

ACKNOWLEDGMENT

STATE OF ILLINOIS)
) SS
COUNTY OF DEKALB)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Robert Coyle personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 28th day of June, 2016.

Rita Dixon Nielsen

NOTARY PUBLIC

"OFFICIAL SEAL"
RITA DIXON NIELSEN
Notary Public, State of Illinois
My Commission Expires 03/11/2017

NOTICE OF PROPOSED ANNEXATION

To: Cortland Fire Protection District
30 West North Avenue
Cortland, IL 60112

Please be advised that the Town of Cortland will consider action on a Petition for Annexation from Mound Rest Cemetery Association seeking to annex certain property located at State Route 38 to the Town of Cortland at its regular meeting on July 11, 2016, at 7:00 p.m. A copy of the petition and a full legal description of the property to be annexed is enclosed and incorporated by reference in this notice.

Illinois law requires that this notice be served at least ten days in advance of said annexation. (65 ILCS 5/7-1-1). If you have any comments, questions, or concerns please forward them to:

Cheryl Aldis
Town Clerk
Town of Cortland
P.O. Box 519
Cortland, IL 60112

STATE OF ILLINOIS)
) SS
COUNTY OF DEKALB)

AFFIDAVIT OF SERVICE

I, the undersigned, on oath do hereby state that I served the above Notice of Proposed Annexation upon the within named individual by ( ) Personal Service (XX) Certified or Registered Mail at the address set forth above, on the 28th day of June, 2016.

Cheryl Aldis

SUBSCRIBED and SWORN to
Before me on this 28 day of June, 2016.

Rita Dixon Nielsen
Notary Public

"OFFICIAL SEAL"
RITA DIXON NIELSEN
Notary Public, State of Illinois
My Commission Expires 03/11/2017