

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION

For Inclusion on Board Agenda

 X

Resolution or Ordinance (Blue) _____ Waiver of First Requested
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: William T. Lichter, Village Manager
DATE: October 11, 2005 (BOT) Date: October 20, 2005
TITLE: BOT 05-12: Illinois State Toll Highway Authority (ISTHA) Annexations
SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration a petition requesting the Village take the following actions on the property:

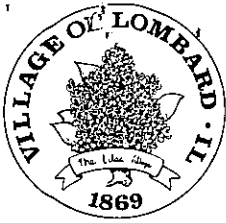
1. Ordinance Authorizing the Execution of an Annexation Agreement (2/3 of Corporate Authorities Vote Required)
2. Ordinance annexing properties into the Village of Lombard.
(UNINCORPORATED)

Staff recommends approval of these ordinances.

FISCAL IMPACT/FUNDING SOURCE:


REVIEW (AS NECESSARY):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *W. T. Lichter* _____ Date *10/12/05*



MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP, Director of Community Development 

DATE: October 20, 2005

SUBJECT: BOT 05-12: ISTHA North-South Tollway Annexations

Attached please find the following items for Village Board consideration as part of the October 20, 2005 Village Board meeting:

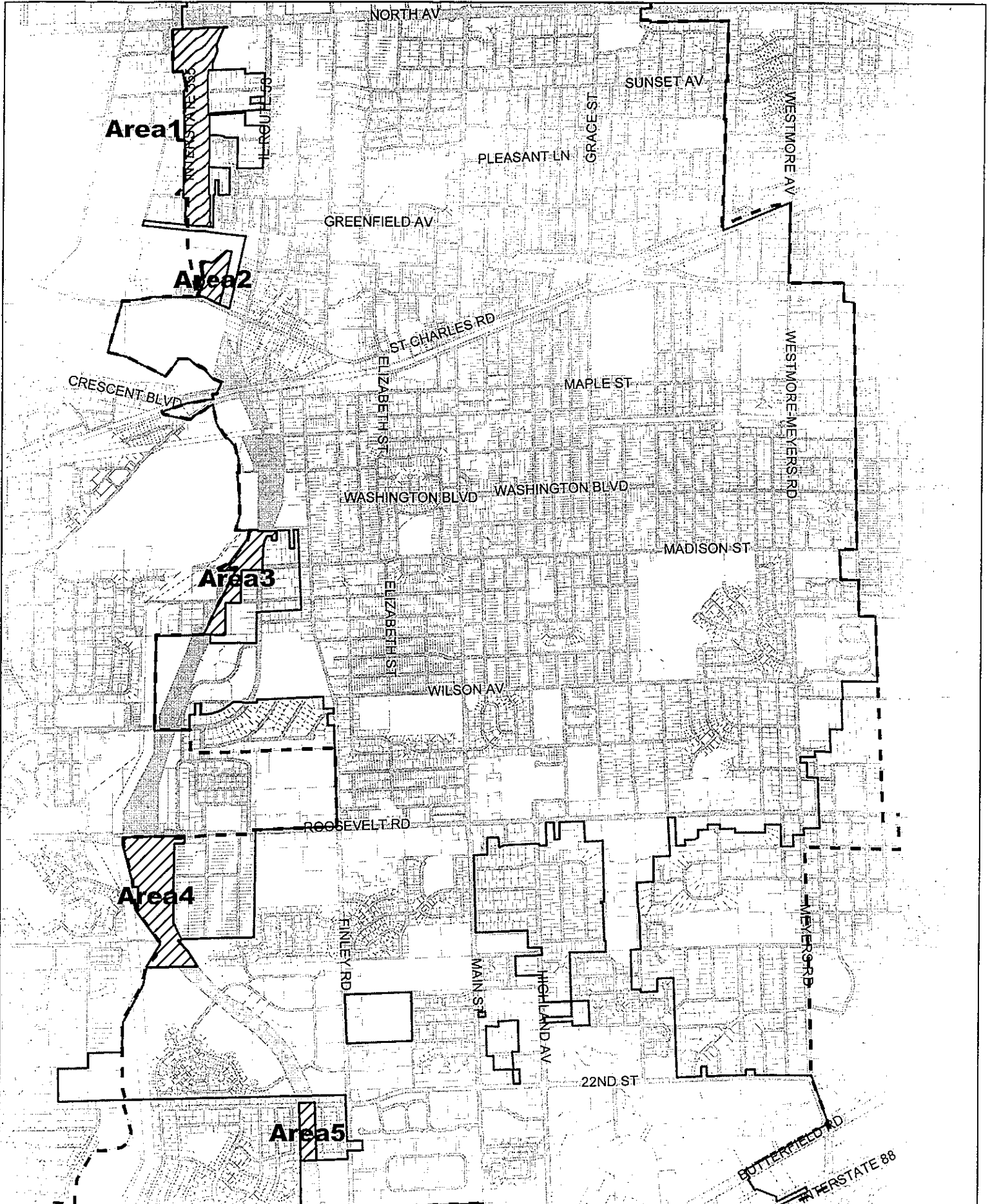
1. An Ordinance granting approval of an intergovernmental annexation agreement between the Illinois State Toll Highway Authority and the Village for selected tracts of land within the North-South Tollway (Interstate 355) right-of-way (the draft agreement is attached to the draft Ordinance).
2. An Ordinance annexing the subject properties.

As the Board is aware, staff has been working with ISTHA representatives to effectuate the annexation of those ISTHA parcels along the North-South Tollway that are within the Village's ultimate municipal boundaries. The agreement follows the format the ISTHA has previously entered into with other municipalities and sets forth the terms and conditions of annexation.

For ease of reference and to reduce printing costs, staff is providing the Board with maps depicting the areas subject to the annexation.. Staff does have copies of the respective plats of annexation should any of the Board member wish to see them.

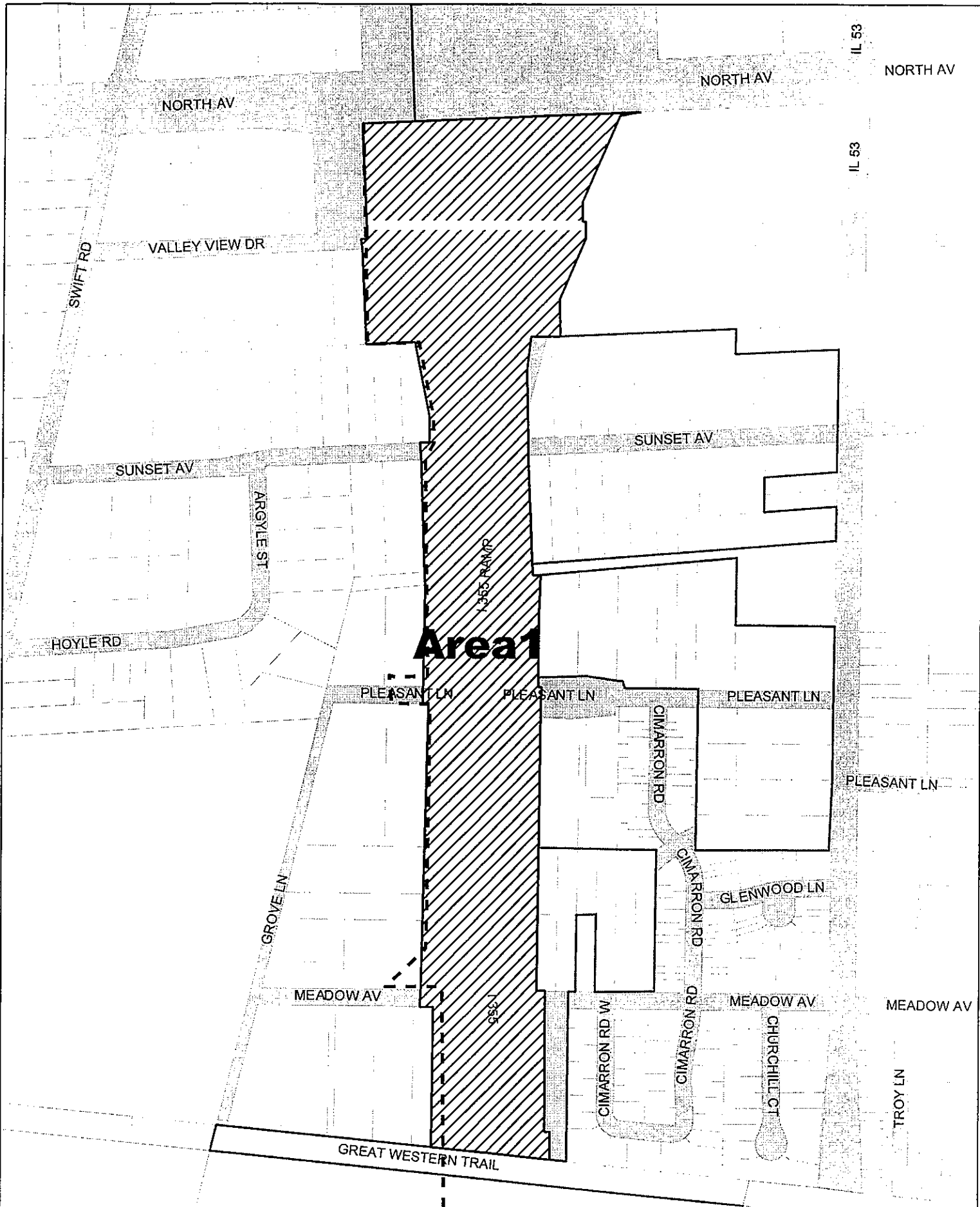
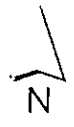
Location Map

Toll Highway Annexations



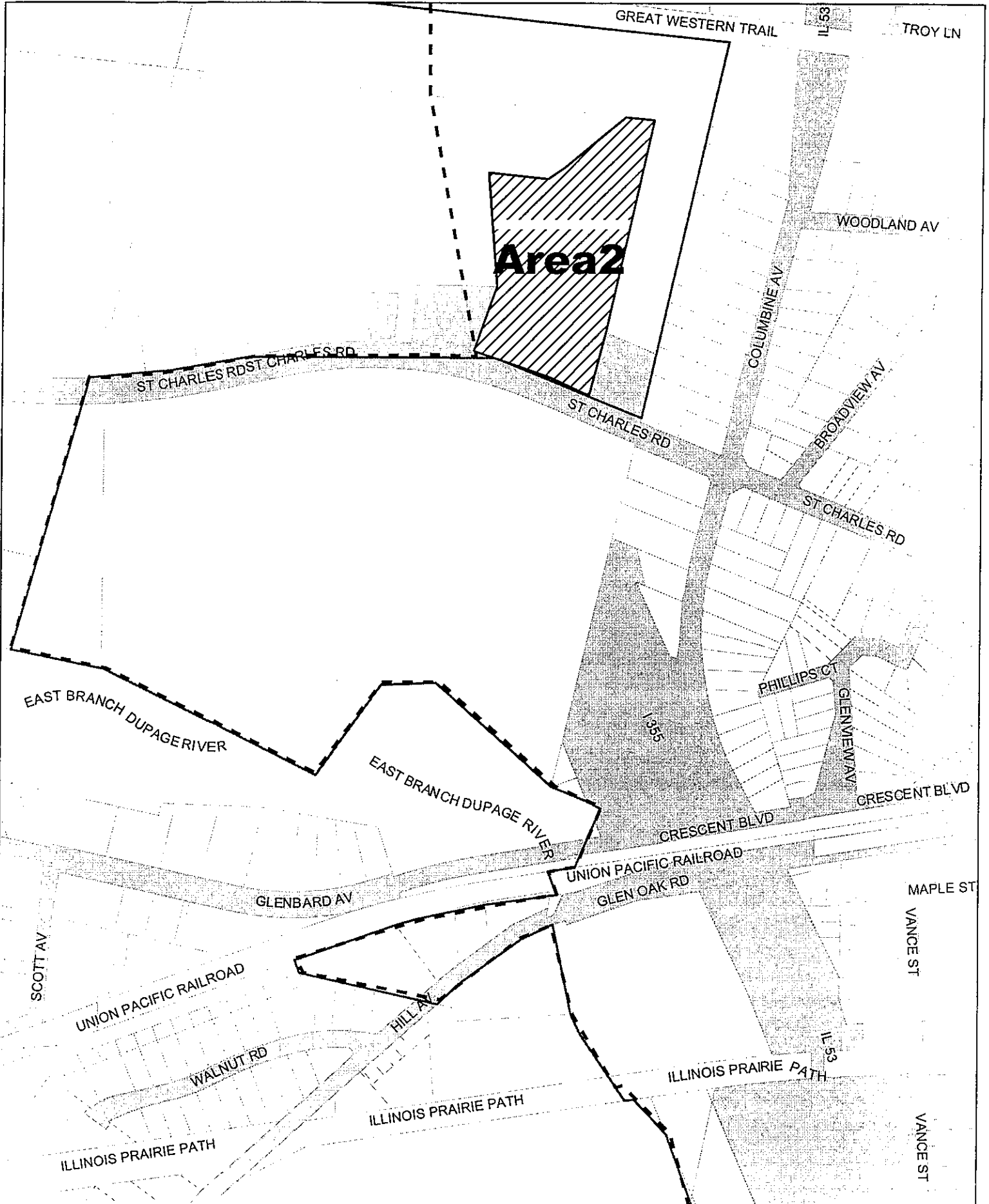
Location Map

Toll Highway Annexations



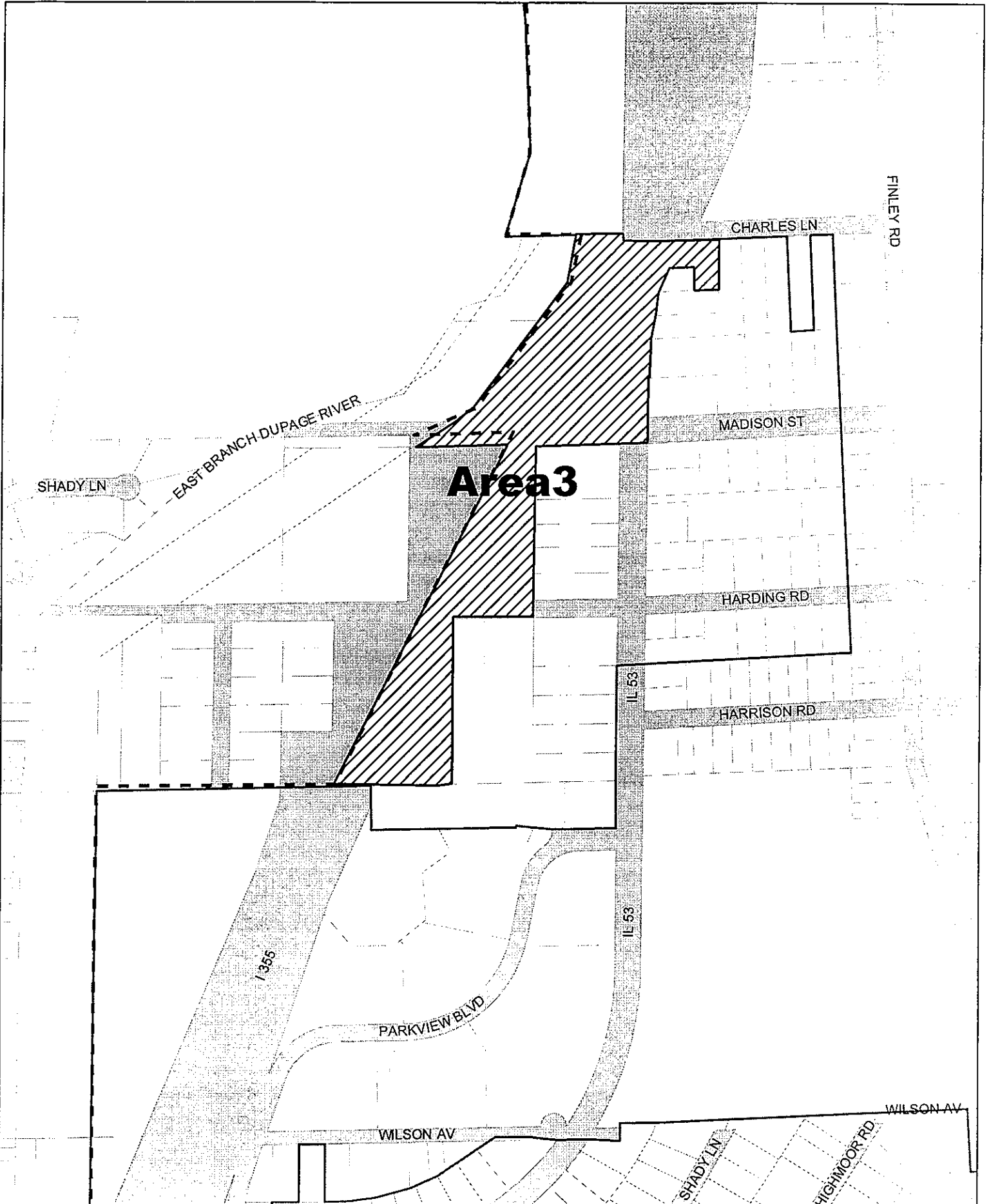
Location Map

Toll Highway Annexations



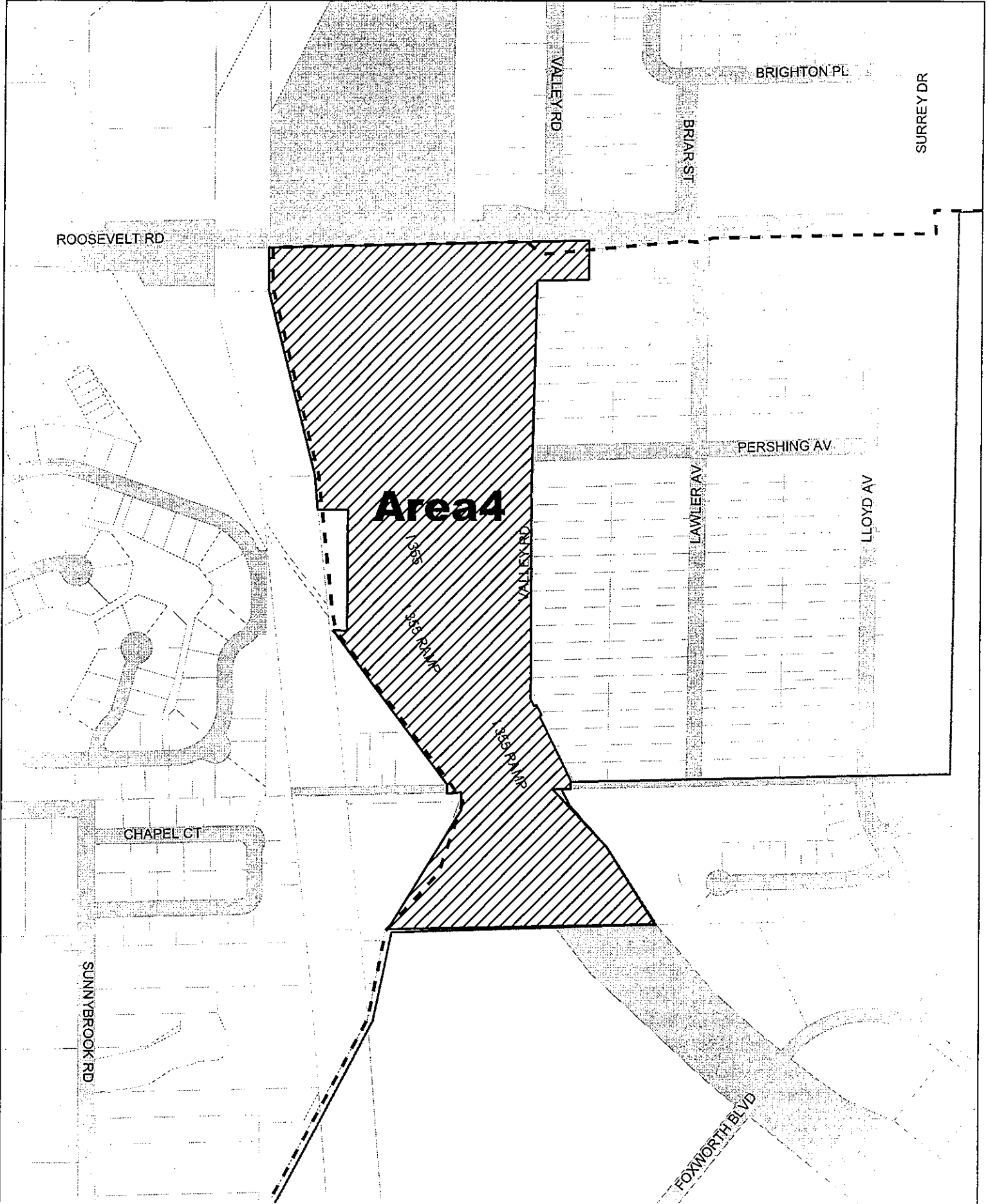
Location Map

Toll Highway Annexations



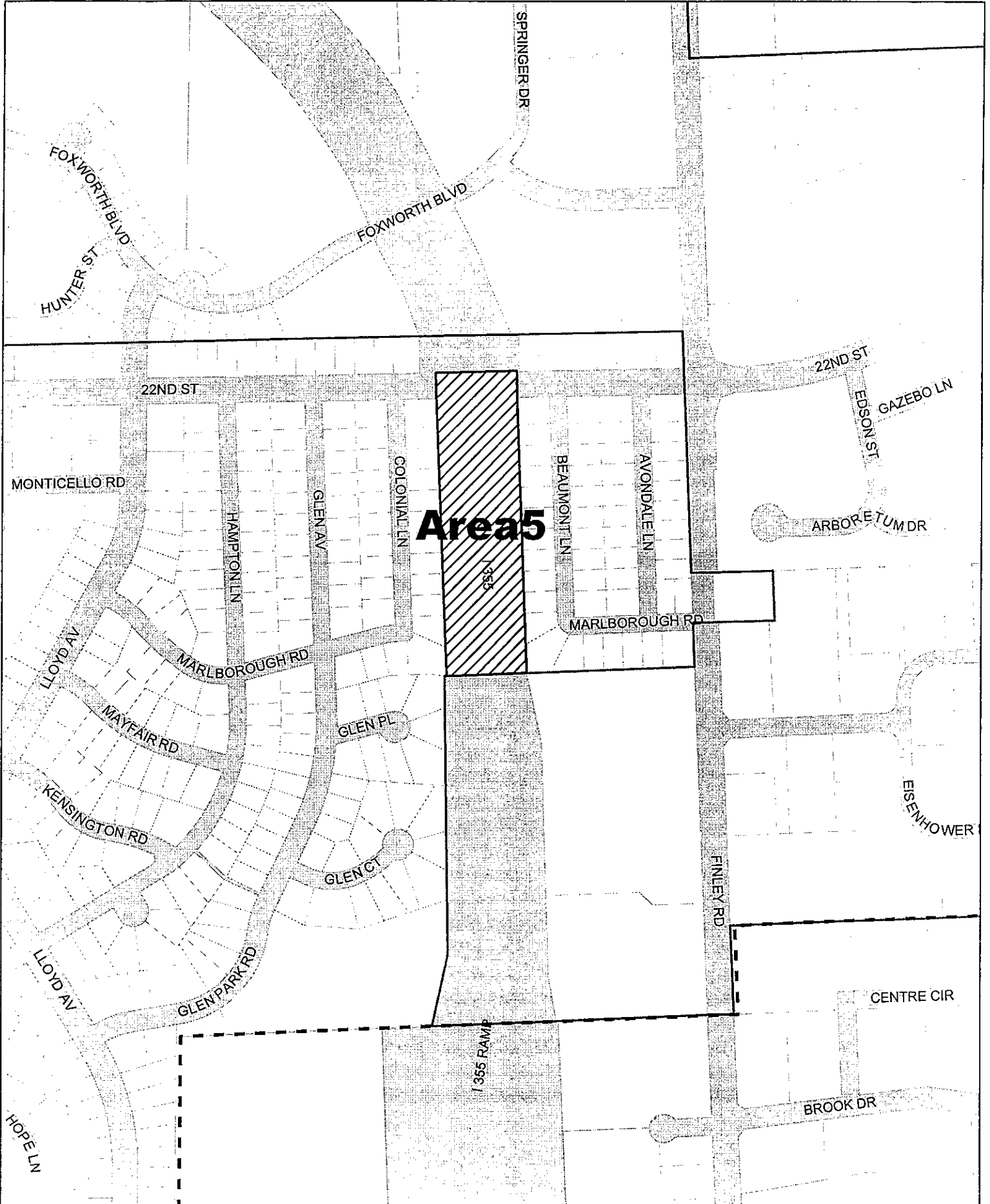
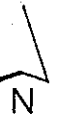
Location Map

Toll Highway Annexations



Location Map

Toll Highway Annexations



ORDINANCE _____

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

(BOT 05-12: ISHTA Annexations)

(See also Ordinance No.(s)_____)

WHEREAS, it is in the best interest of the Village of Lombard, DuPage County, Illinois that a certain Intergovernmental Annexation Agreement (hereinafter the "Agreement") between the Illinois State Toll Highway Authority (IATHA) and the Village pertaining to the properties generally located within the North-South (Interstate 355) right-of-way, Lombard, Illinois and legally described in Section 2 below, be entered into; and,

WHEREAS, the Agreement has been drafted and a copy is attached hereto and incorporated herein as Exhibit "A"; and,

WHEREAS, the ISTHA, as legal owner of the lots of record, which is the subject of said Agreement, is ready, willing and able to enter into said Agreement and to perform the obligations as required thereunder; and,

WHEREAS, the statutory procedures provided in Chapter 65 ILCS 5/11-15.1-1 through 5/11-15.1-5, as amended, for the execution of said Agreement have been complied with; a hearing on said Agreement having been held, pursuant to proper notice, by the President and Board of Trustees on October 20, 2005.

NOW, THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the Village President and Village Clerk be and hereby are authorized to sign and attest to the Agreement attached hereto and marked Exhibit "A", by and between the Village of Lombard; and,

SECTION 2: This Ordinance is limited and restricted to the property generally located within the right-of-way of the North-South Tollway (Interstate 355), Lombard, Illinois legally described as follows:

AREA 1

LOTS 13 THROUGH 22 AND 34 THROUGH 40 (EXCEPT THOSE PORTIONS LYING WITHIN ROADS AND HIGHWAYS) IN MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 8, BEING IN PART OF THE NORTH HALF OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1946 AS DOCUMENT NO. 494624, AND ALSO THAT PART OF LOTS 23, 25, AND 26 IN SAID MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 8 (EXCEPT THAT PART TAKEN BY THE STATE OF ILLINOIS IN CASE NO. C73-1856) AND (EXCEPT THAT PORTION THEREOF LYING WITHIN ROADS AND HIGHWAYS, AS SHOWN ON THE PLAT AND EXCEPT THE EAST 33 FEET OF LOT 26), BEING MORE PARTICULARLY DESCRIBED AS LYING WEST AND NORTHWESTERLY OF A LINE DRAWN BY BEGINNING AT THE NORTHEAST CORNER OF LOT 26 AFORESAID, AND RUNNING THENCE SOUTH 79 DEGREES 22 MINUTES 23 SECONDS WEST, 78.30 FEET; THENCE SOUTH 25 DEGREES 30 MINUTES 31 SECONDS WEST, 364.63 FEET TO A POINT ON A LINE WHICH IS 80.38 FEET EASTERLY OF AND PARALLEL WITH THE WEST LINE OF LOT 23 AFORESAID; THENCE SOUTHERLY ALONG SAID PARALLEL LINE A DISTANCE OF 109.14 FEET TO A POINT ON THE SOUTH LINE OF LOT 24 AFORESAID; AND ALSO ALL THAT PART OF LOT 33 IN SAID MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 8 EXCEPT THAT PART LYING SOUTHEASTERLY OF A LINE COMMENCING AT A POINT ON THE WEST LINE OF SAID LOT 33, WHICH IS 254.63 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 33 FOR A POINT OF BEGINNING; THENCE NORTHERLY 247.32 FEET TO A POINT ON THE EAST LINE OF SAID LOT 33, WHICH IS 33.00 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT; AND ALSO THAT PART OF VALLEY VIEW DRIVE RIGHT OF WAY LYING NORTH AND SOUTH OF AND ADJACENT TO ALL OF THE ABOVE DESCRIBED PROPERTY, ALL IN DUPAGE COUNTY, ILLINOIS.

-ALSO-

LOTS 8 THROUGH 10 IN SELBY HOYLE FARM UNIT NUMBER ONE, BEING A PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 16, 1945 AS DOCUMENT NO. 473782, AND ALSO THAT PART OF LOT 11 IN SAID SELBY HOYLE FARM UNIT NUMBER ONE, LYING WESTERLY OF A LINE DESCRIBED AS BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 11 (SAID POINT BEING 204.62 FEET EAST OF THE NORTHWEST CORNER OF LOT 10 AFORESAID AS MEASURED ALONG THE NORTH LINE OF LOTS 10 AND 11) AND RUNNING THENCE SOUTHWESTERLY A DISTANCE OF 122.92 FEET, MORE OR LESS, TO A POINT ON A LINE 33.00 FEET EASTERLY OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 11, SAID POINT BEING 120.00 FEET SOUTHERLY OF THE NORTH LINE OF LOT 11 (MEASURED ALONG SAID PARALLEL LINE); THENCE SOUTHERLY ALONG SAID PARALLEL LINE A DISTANCE OF 266.50 FEET TO A POINT ON THE SOUTH LINE OF LOT 11; ALSO THAT PART OF LOT 7 IN SAID SELBY HOYLE FARM UNIT NUMBER ONE, LYING NORTHEASTERLY OF A LINE DESCRIBED AS

BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 7, BEING 287.74 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 7 (AS MEASURED ALONG SAID EAST LINE) AND RUNNING THENCE NORTHWESTERLY A DISTANCE OF 291.60 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 7, SAID POINT BEING 47.32 FEET WEST OF SAID NORTHEAST CORNER OF LOT 7 (AS MEASURED ALONG THE NORTH LINE OF LOT 7), AND ALSO THAT PART OF SUNSET AVENUE RIGHT OF WAY LYING SOUTH OF AND ADJACENT TO ALL OF THE ABOVE DESCRIBED PROPERTY, ALL IN DUPAGE COUNTY, ILLINOIS.

-ALSO-

LOTS 7 THROUGH 10 AND THE WEST 20.0 FEET OF LOT 6 IN WALTER'S SUBDIVISION IN PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 14, 1949, AS DOCUMENT NO. 569760, AND ALSO THE WEST 37.00 FEET OF THE SUNSET AVENUE RIGHT OF WAY LYING NORTH OF AND ADJACENT TO SAID LOT 10, ALL IN DUPAGE COUNTY, ILLINOIS.

-ALSO-

THAT PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 10 IN WALTER'S SUBDIVISION (ACCORDING TO THE PLAT THEREOF RECORDED JUNE 14, 1949 AS DOCUMENT NO. 569760) FOR A POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID WALTER'S SUBDIVISION FOR A DISTANCE OF 420.15 FEET TO A POINT BEING ON THE EAST LINE OF THE WEST 20.00 FEET OF LOT 6 IN SAID WALTER'S SUBDIVISION); THENCE SOUTHEASTERLY 45.24 FEET TO A POINT IN THE NORTH LINE OF LOT 8 IN MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 1 ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 23, 1943 AS DOCUMENT NO. 452574; THENCE SOUTHWESTERLY 423.01 FEET ALONG THE NORTH LINE OF SAID MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 1 TO A POINT BEING THE NORTHWEST CORNER OF LOT 10 IN SAID ASSESSMENT PLAT; THENCE NORTHEASTERLY 50.75 FEET TO THE POINT OF BEGINNING.

-ALSO-

LOTS 8 THROUGH 10, 15 THROUGH 17, 33, 34, 35, AND LOT 41 (EXCEPT THE WEST 75.34 FEET AS MEASURED ALONG THE SOUTH LINE THEREOF), AND ALSO LOT 42 EXCEPT THAT PART DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 42; THENCE NORTH 83°15'46" WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 42, SAID SOUTHERLY LINE ALSO BEING THE NORTHERLY LINE OF THE CHICAGO AND GREAT WESTERN RAILROAD, 61.81 FEET; THENCE NORTH 01°44'44" WEST, 105.11 FEET; THENCE SOUTH 88°15'16" WEST, 20.00 FEET; THENCE NORTH 01°44'44" WEST, 483.08 FEET TO A LINE 33.0 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 42, SAID PARALLEL LINE ALSO BEING THE SOUTH LINE OF AN EASEMENT FOR STREET (ALSO KNOWN AS MEADOW AVENUE); THENCE SOUTH 89°22'46" EAST, ALONG SAID PARALLEL LINE, 105.92 FEET TO THE

EAST LINE OF SAID LOT 42; THENCE SOUTH 00°37'57" WEST, ALONG SAID EAST LINE, 592.72 FEET TO SAID PLACE OF BEGINNING, IN MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 1, (ALSO KNOWN AS PLEASANT HILLS WEST), BEING A PART OF THE EAST HALF OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 23, 1943 AS DOCUMENT NO. 452574, AND ALSO THE PLEASANT LANE RIGHT OF WAY LYING SOUTH OF AND ADJACENT TO LOTS 8 THROUGH 10 AFORESAID, AND ALSO THE EAST 12.52 FEET OF THE PLEASANT LANE RIGHT OF WAY LYING NORTH OF AND ADJACENT TO LOT 17 AFORESAID, AND ALSO THE MEADOW AVENUE RIGHT OF WAY LYING NORTH OF AND ADJACENT TO THE AFORESAID EAST 150.0 FEET OF LOT 41 AND NORTH OF AND ADJACENT TO AFORESAID LOT 42, ALL IN DUPAGE COUNTY, ILLINOIS.

AREA 2

LOTS 9 THROUGH 19, AND THE CHURCHILL DRIVE RIGHT OF WAY ADJACENT TO SAID LOTS, IN W.H. CHURCHILL'S SUBDIVISION, BEING A PART OF SECTIONS 1 AND 12, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 23, 1954 AS DOCUMENT NO. 721056, IN DUPAGE COUNTY, ILLINOIS.

-ALSO-

LOTS 3 THROUGH 5, AND THAT PART OF LOTS 6 AND 7 IN W.H. CHURCHILL'S ASSESSMENT PLAT OF PART OF THE SOUTHEAST QUARTER OF SECTION 1 AND PART OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 13, 1952, AS DOCUMENT 646767 AND CERTIFICATE OF CORRECTION RECORDED MAY 29, 1952, AS DOCUMENT 652916, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE; BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID LOT 6, 13.24 FEET WESTERLY OF THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTHERLY TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 7, 12.17 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID LOT 7, AND ALSO THE CHURCHILL DRIVE RIGHT OF WAY LYING ADJACENT TO SAID LOTS 5 AND 6, AND ALSO THE ST. CHARLES ROAD RIGHT OF WAY LYING SOUTH OF AND ADJACENT TO SAID LOTS 1 AND 2, ALL IN DUPAGE COUNTY, ILLINOIS.

AREA 3

A PORTION OF ILLINOIS STATE TOLL HIGHWAY AUTHORITY PROPERTY IN PART OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, AND SECTIONS 12, AND 13, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: LOT 10 AND THAT PART OF LOT 11, IN SURGES FARM ESTATES, BEING A SUBDIVISION OF PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 7, AND OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL

MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 13, 1943, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF LOT 11 AFORESAID, AND RUNNING THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT 11 TO THE SOUTHEAST CORNER THEREOF, THENCE WESTERLY ALONG THE SOUTH LINE THEREOF A DISTANCE OF 97.14 FEET, THENCE NORTHERLY 89.83 FEET TO A POINT IN THE NORTHERLY LINE OF SAID LOT 11, THENCE EASTERLY ALONG SAID NORTHERLY LINE TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

ALSO: THAT PART OF LOTS 1 THROUGH 5 IN SURGES FARM OWNERS ASSESSMENT PLAT, BEING PART OF THE SOUTHEAST QUARTER OF SECTIONS 12 AND 13, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 19, 1943 AS DOCUMENT NO. 454868, MORE PARTICULARLY DESCRIBED AS BEING THOSE PORTIONS LYING EASTERLY OF AND ADJACENT TO THE EASTERLY RIGHT OF WAY LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY AS DELINEATED ON COMMONWEALTH EDISON COMPANY ASSESSMENT PLAT NO. 8, RECORDED AS DOCUMENT NO. 861418, ON OCTOBER 30, 1957, AND THAT PART OF ILLINOIS STATE ROUTE 53 LYING EAST OF AND ADJACENT TO SAID LOTS 1 THROUGH 5, ALSO, THAT PORTION OF MADISON STREET RIGHT OF WAY LYING SOUTH OF AND ADJACENT TO LOT 4 IN SURGES FARM OWNERS ASSESSMENT PLAT AFORESAID, ALL IN DUPAGE COUNTY, ILLINOIS.

ALSO: THAT PORTION OF THE EAST 120.00 FEET OF THE WEST 180.00 FEET OF LOT 12, AND LOT 13 AND THAT PORTION OF HARDING ROAD LYING SOUTH OF AND ADJACENT TO SAID LOT 13 IN SURGES FARM OWNERS ASSESSMENT PLAT AFORESAID, TOGETHER WITH THAT PORTION OF LOTS 19 THROUGH 22 IN ANZAK SUBDIVISION BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 12 AND THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 11, 1954 AS DOCUMENT NO. 726228 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHEAST CORNER OF THE 50 FOOT EASEMENT FOR HIGHWAY AS SHOWN ON THE COMMONWEALTH EDISON COMPANY ASSESSMENT PLAT NO. 8 AFORESAID AND THENCE RUNNING SOUTHWESTERLY A DISTANCE OF 92.37 FEET TO THE NORTHEAST CORNER OF TRACT NO. 8 OF SAID COMMONWEALTH EDISON COMPANY ASSESSMENT PLAT NO. 8; THENCE RUNNING EASTERLY ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF TRACT NO. 8 AFORESAID A DISTANCE OF 360.65 FEET TO A POINT BEING 121.62' WEST OF THE EAST LINE OF SAID LOT 13 (AS MEASURED ALONG THE SAID EASTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT 8); THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE A DISTANCE OF 1435.21 FEET TO THE SOUTHWEST CORNER OF LOT 19 IN ANZAK SUBDIVISION AFORESAID, ALL IN DUPAGE COUNTY, ILLINOIS.

AREA 4

THAT PART OF GLENBARD ACRE HOMESITES, A SUBDIVISION IN THE NORTH HALF OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 8, 1923 AS DOCUMENT NO. 162673, MORE PARTICULARLY DESCRIBED AS BEING LOTS 9 THROUGH 12 IN BLOCK 5, LOTS 1 THROUGH 30 IN BLOCK 6, LOTS 1-33 IN BLOCK 7, LOTS 1 THROUGH 6 AND THOSE PARTS OF LOTS 7 THROUGH 19 IN BLOCK 9 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 7, BLOCK 9 AND RUNNING THENCE SOUTHERLY ALONG THE WESTERLY LINE OF LOT 7 A DISTANCE OF 11.99 FEET; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE 612.93 FEET TO A POINT ON THE SOUTH LINE OF LOT 17, BLOCK 9 AFORESAID, SAID POINT BEING 182.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 17; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE A DISTANCE OF 132.73 FEET TO A POINT ON THE SOUTH LINE OF LOT 16, BLOCK 9 AFORESAID, SAID POINT BEING 196.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 19, AND ALSO THOSE PARTS OF LOT 19 THROUGH 23 IN BLOCK 4 LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE; COMMENCING AT THE NORTHWEST CORNER OF LOT 2 BLOCK 4 AFORESAID AND RUNNING THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 23 A DISTANCE OF 26.79 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 29°16'14" EAST, 26.79 FEET; THENCE NORTH 60°43'46" EAST, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 45.0 FEET; THENCE SOUTH 60°43'46" WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 10.0 FEET; THENCE SOUTHEASTERLY IN A STRAIGHT LINE A DISTANCE OF 283.38 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 19, BLOCK 4, SAID POINT BEING 131.91 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 19; AND ALSO THE VALLEY ROAD, GLEN OAK BOULEVARD, AND GLENBARD ROAD RIGHTS OF WAY, TOGETHER WITH THE EAST BRANCH OF THE DUPAGE RIVER LYING ADJACENT TO THE ABOVE DESCRIBED PROPERTY; TOGETHER WITH THAT PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE SOUTH 89°01'35" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1124.18 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°01'35" WEST ALONG SAID SOUTH LINE A DISTANCE OF 951.32 FEET TO A POINT ON THE WESTERLY LINE OF THE LANDS OF THE GRANTOR, BEING ALSO THE CENTER LINE OF THE EAST BRANCH OF THE DUPAGE RIVER; THENCE NORTH 24°25'00" EAST ALONG SAID WESTERLY LINE AND CENTER LINE A DISTANCE OF 503.83 FEET TO AN ANGLE POINT; ;THENCE NORTH 02°34'16" WEST ALONG SAID WESTERLY LINE AND CENTER LINE A DISTANCE OF 69.10 FEET TO THE NORTHWEST CORNER OF THE LANDS OF THE GRANTOR, BEING A POINT ON THE SOUTH LINE OF GLENBARD ACRE HOMESITES, AFORESAID; THENCE

NORTH 88°58'44" EAST ALONG SAID SOUTH LINE A DISTANCE OF 352.75 FEET TO A POINT; THENCE SOUTH 42°11'21" EAST A DISTANCE OF 304.20 FEET TO A POINT; ;THENCE SOUTH 32°52'11" EAST A DISTANCE OF 348.28 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

AREA 5

LOTS 1 TO 9, BOTH INCLUSIVE, IN BLOCK 35; AND LOTS 12 TO 20, BOTH INCLUSIVE, IN BLOCK 36; ALL BEING IN BUTTERFIELD UNIT NO. 9, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 18, 1965 AS DOCUMENT NUMBER R65- 61249, INCLUDINF CLIFTON LANE AND CLIFTON LANE CUL-DE SAC RIGHTS OF WAY LYING ADJACENT TO SAID LOTS 1 TO 9 AND 12 TO 20; AND ALSO LOTS 4 TO 9, BOTH INCLUSIVE, IN BUTTERFIELD RESUBDIVISION, OF PARTS OF BUTTERFIELD UNITS 8 AND 9, BEING A RESUBDIVISION IN SECTION 30, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 25, 1966 AS DOCUMENT NUMBER R66-19315, AND ALSO THE 22ND STREET RIGHT OF WAY LYING NORTH OF AND ADJACENT TO SAID LOT 1, BLOCK 35, CLIFTON LANE RIGHT OF WAY, AND SAID LOT 20, BLOCK 36, ALL IN DUPAGE COUNTY, ILLINOIS.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed on first reading this ____ day of _____, 2005.

First reading waived by action of the Board of Trustees this ____ day of _____, 2005.

Passed on second reading this ____ day of _____, 2005, pursuant to a roll call vote as follows:

Ayes: _____

Nayes: _____

Absent: _____

Approved by me this ____ day of _____, 2005.

Ordinance No. _____
Re: BOT 05-12; Annex. Agmt.
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William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2005.

Brigitte O'Brien, Village Clerk

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY
AND THE VILLAGE OF LOMBARD
FOR ANNEXATION OF LAND INTO THE VILLAGE**

INTERGOVERNMENTAL AGREEMENT ("Agreement") entered into as of the ____ day of _____, 2005, by and between the Illinois State Toll Highway Authority, an agency and instrumentality of the State of Illinois (the "TOLLWAY") and the Village of Lombard, an Illinois municipal corporation (the "VILLAGE"),

WITNESSETH:

WHEREAS, the TOLLWAY and the VILLAGE are governmental entities which are subject to the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*) and have a duty to mutually cooperate in providing services to the public; and

WHEREAS, the TOLLWAY and the VILLAGE are each units of local government within the meaning of the Constitution of the State of Illinois, 1970, Article VII, Section 10, having the power and authority to enter into this Agreement; and

WHEREAS, the TOLLWAY is an instrumentality and administrative agency of the State of Illinois, which is directed and empowered pursuant to the Toll Highway Act (605 ILCS 10/1 *et seq.*) to construct, operate, regulate and maintain a system of toll highways; and

WHEREAS, the VILLAGE is an Illinois Municipal Corporation, which is directed and empowered by the Illinois Municipal Code (65 ILCS 5/1 *et seq.*) to

do such acts as may be necessary and prudent in the management of all affairs and matters pertaining to the VILLAGE; and

WHEREAS, the VILLAGE has requested that the TOLLWAY allow annexation to the VILLAGE of certain TOLLWAY property (the "Annexation Areas"), identified by the TOLLWAY Parcels numbers shown on Exhibit "A" and legally described and depicted on the plat attached as Exhibit "B", which Exhibits are attached hereto and made part hereof; and

WHEREAS, the TOLLWAY has consented to annexation by the VILLAGE of the Annexation Areas; and

WHEREAS, the VILLAGE and the TOLLWAY desire to set forth the terms and conditions by which the VILLAGE will annex the Annexation Areas,

NOW THEREFORE, in consideration of the foregoing representations and the performance of the mutual covenants set forth herein, the parties agree as follows:

1. The parties agree to take all actions and execute all documents reasonably necessary to annex into the VILLAGE the Annexation Areas, as legally described and depicted on Exhibit "B".

2. The VILLAGE agrees that it will in no way interfere with the exclusive policing of the roadways under the jurisdiction of the TOLLWAY which lie within the Annexation Areas, by the TOLLWAY, its employees, agents or the Illinois State Police.

3. The VILLAGE agrees that it will in no way interfere with the traffic on the roadways or the operation of the Toll Highway system in the Annexation Areas.

4. The VILLAGE agrees, to the extent the VILLAGE has or in the future secures authority or control thereof, to cause to be made or make existing and/or future water and sewer service available to the TOLLWAY for the Annexation Areas. Upon request by the TOLLWAY, the VILLAGE shall provide such services to the TOLLWAY on the same terms and at the same rates which are in effect for other VILLAGE resident users of such services, provided that any and all permits, connection or other fees related to the installation of such services shall not be assessed against the TOLLWAY or its contractors. Notwithstanding the foregoing, the VILLAGE shall not be required to extend any water or sewer main, at VILLAGE expense, to serve TOLLWAY property within the Annexation Areas.

5. The VILLAGE agrees that it will make existing and/or future fire and ambulance protection services available to the TOLLWAY within the Annexation Areas on the same terms and at the same rates which are in effect for other VILLAGE resident users of such services.

6. The VILLAGE agrees that the TOLLWAY is an instrumentality and administrative agency of the State of Illinois and the VILLAGE shall not subject property owned by, or leased to or by, the TOLLWAY within the Annexation Areas to local rule, regulation, ordinance or code provisions, except that all

health and safety rules and regulations relative to any water or sewer service as referenced in paragraph 4 above shall be followed by the TOLLWAY.

7. Except for its legal share of any sales tax, the VILLAGE agrees not to impose or levy any tax, special assessment or fee of any nature against the operations or property of the TOLLWAY or its agents or lessees within the Annexation Areas, which the TOLLWAY or its agents or lessees would not now, or would not hereafter, be subject to but for this Agreement for annexation.

8. The VILLAGE agrees to abide by the TOLLWAY's standard permit procedures and requirements for any projected work which affects the Annexation Areas.

9. The VILLAGE agrees that it will not permit any billboards or any other advertising devices within a distance of five hundred (500) feet of the roadway right-of-way lines of the roadways under the jurisdiction of the TOLLWAY within the Annexation Areas, except for business signs identifying and advertising the business conducted on the premises within the said five hundred (500) foot distance, or "For Sale" or "For Rent and/or Lease" signs relating to the premises on which the signs are located.

10. The VILLAGE agrees that it will not allow any construction adjacent to the roadways under the jurisdiction of the TOLLWAY within the Annexation Areas, which would cause interference with the TOLLWAY's communications system.

11. The VILLAGE agrees that it will reimburse the TOLLWAY for all reasonable costs which the TOLLWAY incurs in connection with this annexation.

12. The Village agrees that it will assume full compliance with all Illinois laws regarding annexation of the Annexation Areas by the Village.

13. The Village agrees it will not assess any annexation fees to or against the TOLLWAY as a result of annexation of the Annexation Areas.

14. The parties agree that this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

Village of Lombard

By: _____
Village President

ATTEST: _____
Village Clerk

Illinois State Toll Highway Authority

By: _____
Its Chairman

ATTEST: _____
Its Secretary

Approved as to Form and Constitutionality

Lisa Madigan, Attorney General, State of Illinois

ORDINANCE _____

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS**

(BOT 05-12; ISTHA Annexations)

(See also Ordinance No.(s) _____)

WHEREAS, an intergovernmental agreement, signed by the Illinois State Toll Highway Authority (ISTHA) as the legal owners of record of all land within the territory hereinafter described, has been filed with the Village Clerk of the Village of Lombard, DuPage County, Illinois, requesting that said territory be annexed to the Village of Lombard; and,

WHEREAS, the said territory is not within the corporate limits of any municipality, but is contiguous to the Village of Lombard; and,

WHEREAS, all notices of said annexation, as required by (Chapter 65 ILCS 5/7-1-1), have been given to the appropriate parties in a timely manner as required by Statute (copies of said Notices being attached hereto as Exhibit "A", and made part hereof).

WHEREAS, it is in the best interest of the Village of Lombard that said territory be annexed thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

SECTION 1: That the territory described in Section 2 below be and the same is hereby annexed to the Village of Lombard, DuPage County, Illinois, pursuant to (Chapter 65 ILCS 5/7-1-8).

SECTION 2: This ordinance is limited and restricted to the properties indicated on the attached Plat of Annexation attached hereto as Exhibit "B", and generally located within the North-South Tollway (Interstate 355) right-of-way, Lombard, Illinois legally described as follows:

AREA 1

LOTS 13 THROUGH 22 AND 34 THROUGH 40 (EXCEPT THOSE PORTIONS LYING WITHIN ROADS AND HIGHWAYS) IN MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 8, BEING IN PART OF THE NORTH HALF OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1946 AS DOCUMENT NO. 494624, AND ALSO THAT PART OF LOTS 23, 25, AND 26 IN SAID MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 8 (EXCEPT THAT PART TAKEN BY THE STATE OF ILLINOIS IN CASE NO. C73-1856) AND (EXCEPT THAT PORTION THEREOF LYING WITHIN ROADS AND HIGHWAYS, AS SHOWN ON THE PLAT AND EXCEPT THE EAST 33 FEET OF LOT 26), BEING MORE PARTICULARLY DESCRIBED AS LYING WEST AND NORTHWESTERLY OF A LINE DRAWN BY BEGINNING AT THE NORTHEAST CORNER OF LOT 26 AFORESAID, AND RUNNING THENCE SOUTH 79 DEGREES 22 MINUTES 23 SECONDS WEST, 78.30 FEET; THENCE SOUTH 25 DEGREES 30 MINUTES 31 SECONDS WEST, 364.63 FEET TO A POINT ON A LINE WHICH IS 80.38 FEET EASTERLY OF AND PARALLEL WITH THE WEST LINE OF LOT 23 AFORESAID; THENCE SOUTHERLY ALONG SAID PARALLEL LINE A DISTANCE OF 109.14 FEET TO A POINT ON THE SOUTH LINE OF LOT 24 AFORESAID; AND ALSO ALL THAT PART OF LOT 33 IN SAID MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 8 EXCEPT THAT PART LYING SOUTHEASTERLY OF A LINE COMMENCING AT A POINT ON THE WEST LINE OF SAID LOT 33, WHICH IS 254.63 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 33 FOR A POINT OF BEGINNING; THENCE NORTHERLY 247.32 FEET TO A POINT ON THE EAST LINE OF SAID LOT 33, WHICH IS 33.00 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT; AND ALSO THAT PART OF VALLEY VIEW DRIVE RIGHT OF WAY LYING NORTH AND SOUTH OF AND ADJACENT TO ALL OF THE ABOVE DESCRIBED PROPERTY, ALL IN DUPAGE COUNTY, ILLINOIS.

-ALSO-

LOTS 8 THROUGH 10 IN SELBY HOYLE FARM UNIT NUMBER ONE, BEING A PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 16, 1945 AS DOCUMENT NO. 473782, AND ALSO THAT PART OF LOT 11 IN SAID SELBY HOYLE FARM UNIT NUMBER ONE, LYING WESTERLY OF A LINE DESCRIBED AS BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 11 (SAID POINT BEING 204.62 FEET EAST OF THE NORTHWEST CORNER OF LOT 10 AFORESAID AS MEASURED ALONG THE NORTH LINE OF LOTS 10 AND 11) AND RUNNING THENCE SOUTHWESTERLY A DISTANCE OF 122.92 FEET, MORE OR LESS, TO A POINT

ON A LINE 33.00 FEET EASTERLY OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 11, SAID POINT BEING 120.00 FEET SOUTHERLY OF THE NORTH LINE OF LOT 11 (MEASURED ALONG SAID PARALLEL LINE); THENCE SOUTHERLY ALONG SAID PARALLEL LINE A DISTANCE OF 266.50 FEET TO A POINT ON THE SOUTH LINE OF LOT 11; ALSO THAT PART OF LOT 7 IN SAID SELBY HOYLE FARM UNIT NUMBER ONE, LYING NORTHEASTERLY OF A LINE DESCRIBED AS BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 7, BEING 287.74 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 7 (AS MEASURED ALONG SAID EAST LINE) AND RUNNING THENCE NORTHWESTERLY A DISTANCE OF 291.60 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 7, SAID POINT BEING 47.32 FEET WEST OF SAID NORTHEAST CORNER OF LOT 7 (AS MEASURED ALONG THE NORTH LINE OF LOT 7), AND ALSO THAT PART OF SUNSET AVENUE RIGHT OF WAY LYING SOUTH OF AND ADJACENT TO ALL OF THE ABOVE DESCRIBED PROPERTY, ALL IN DUPAGE COUNTY, ILLINOIS.

-ALSO-

LOTS 7 THROUGH 10 AND THE WEST 20.0 FEET OF LOT 6 IN WALTER'S SUBDIVISION IN PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 14, 1949, AS DOCUMENT NO. 569760, AND ALSO THE WEST 37.00 FEET OF THE SUNSET AVENUE RIGHT OF WAY LYING NORTH OF AND ADJACENT TO SAID LOT 10, ALL IN DUPAGE COUNTY, ILLINOIS.

-ALSO-

THAT PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 10 IN WALTER'S SUBDIVISION (ACCORDING TO THE PLAT THEREOF RECORDED JUNE 14, 1949 AS DOCUMENT NO. 569760) FOR A POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID WALTER'S SUBDIVISION FOR A DISTANCE OF 420.15 FEET TO A POINT BEING ON THE EAST LINE OF THE WEST 20.00 FEET OF LOT 6 IN SAID WALTER'S SUBDIVISION); THENCE SOUTHEASTERLY 45.24 FEET TO A POINT IN THE NORTH LINE OF LOT 8 IN MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 1 ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 23, 1943 AS DOCUMENT NO. 452574; THENCE SOUTHWESTERLY 423.01 FEET ALONG THE NORTH LINE OF SAID MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 1 TO A POINT BEING THE NORTHWEST CORNER OF LOT 10 IN SAID ASSESSMENT PLAT; THENCE NORTHEASTERLY 50.75 FEET TO THE POINT OF BEGINNING.

-ALSO-

LOTS 8 THROUGH 10, 15 THROUGH 17, 33, 34, 35, AND LOT 41 (EXCEPT THE WEST 75.34 FEET AS MEASURED ALONG THE SOUTH LINE THEREOF), AND ALSO LOT 42 EXCEPT THAT PART DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 42; THENCE NORTH 83°15'46" WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 42, SAID SOUTHERLY LINE ALSO BEING THE NORTHERLY LINE OF THE CHICAGO AND GREAT WESTERN RAILROAD, 61.81 FEET; THENCE NORTH 01°44'44" WEST, 105.11 FEET; THENCE SOUTH 88°15'16" WEST, 20.00 FEET; THENCE NORTH 01°44'44" WEST, 483.08 FEET TO A LINE 33.0 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 42, SAID PARALLEL LINE ALSO BEING THE SOUTH LINE OF AN EASEMENT FOR STREET (ALSO KNOWN AS MEADOW AVENUE); THENCE SOUTH 89°22'46" EAST, ALONG SAID PARALLEL LINE, 105.92 FEET TO THE EAST LINE OF SAID LOT 42; THENCE SOUTH 00°37'57" WEST, ALONG SAID EAST LINE, 592.72 FEET TO SAID PLACE OF BEGINNING, IN MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 1, (ALSO KNOWN AS PLEASANT HILLS WEST), BEING A PART OF THE EAST HALF OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 23, 1943 AS DOCUMENT NO. 452574, AND ALSO THE PLEASANT LANE RIGHT OF WAY LYING SOUTH OF AND ADJACENT TO LOTS 8 THROUGH 10 AFORESAID, AND ALSO THE EAST 12.52 FEET OF THE PLEASANT LANE RIGHT OF WAY LYING NORTH OF AND ADJACENT TO LOT 17 AFORESAID, AND ALSO THE MEADOW AVENUE RIGHT OF WAY LYING NORTH OF AND ADJACENT TO THE AFORESAID EAST 150.0 FEET OF LOT 41 AND NORTH OF AND ADJACENT TO AFORESAID LOT 42, ALL IN DUPAGE COUNTY, ILLINOIS.

AREA 2

LOTS 9 THROUGH 19, AND THE CHURCHILL DRIVE RIGHT OF WAY ADJACENT TO SAID LOTS, IN W.H. CHURCHILL'S SUBDIVISION, BEING A PART OF SECTIONS 1 AND 12, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 23, 1954 AS DOCUMENT NO. 721056, IN DUPAGE COUNTY, ILLINOIS.

-ALSO-

LOTS 3 THROUGH 5, AND THAT PART OF LOTS 6 AND 7 IN W.H. CHURCHILL'S ASSESSMENT PLAT OF PART OF THE SOUTHEAST QUARTER OF SECTION 1 AND PART OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 13, 1952, AS DOCUMENT 646767 AND CERTIFICATE OF CORRECTION RECORDED MAY 29, 1952, AS DOCUMENT

652916, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE; BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID LOT 6, 13.24 FEET WESTERLY OF THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTHERLY TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 7, 12.17 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID LOT 7, AND ALSO THE CHURCHILL DRIVE RIGHT OF WAY LYING ADJACENT TO SAID LOTS 5 AND 6, AND ALSO THE ST. CHARLES ROAD RIGHT OF WAY LYING SOUTH OF AND ADJACENT TO SAID LOTS 1 AND 2, ALL IN DUPAGE COUNTY, ILLINOIS.

AREA 3

A PORTION OF ILLINOIS STATE TOLL HIGHWAY AUTHORITY PROPERTY IN PART OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, AND SECTIONS 12, AND 13, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: LOT 10 AND THAT PART OF LOT 11, IN SURGES FARM ESTATES, BEING A SUBDIVISION OF PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 7, AND OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 13, 1943, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF LOT 11 AFORESAID, AND RUNNING THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT 11 TO THE SOUTHEAST CORNER THEREOF, THENCE WESTERLY ALONG THE SOUTH LINE THEREOF A DISTANCE OF 97.14 FEET, THENCE NORTHERLY 89.83 FEET TO A POINT IN THE NORTHERLY LINE OF SAID LOT 11, THENCE EASTERLY ALONG SAID NORTHERLY LINE TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

ALSO: THAT PART OF LOTS 1 THROUGH 5 IN SURGES FARM OWNERS ASSESSMENT PLAT, BEING PART OF THE SOUTHEAST QUARTER OF SECTIONS 12 AND 13, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 19, 1943 AS DOCUMENT NO. 454868, MORE PARTICULARLY DESCRIBED AS BEING THOSE PORTIONS LYING EASTERLY OF AND ADJACENT TO THE EASTERLY RIGHT OF WAY LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY AS DELINEATED ON COMMONWEALTH EDISON COMPANY ASSESSMENT PLAT NO. 8, RECORDED AS DOCUMENT NO. 861418, ON OCTOBER 30, 1957, AND THAT PART OF ILLINOIS STATE ROUTE 53 LYING EAST OF AND ADJACENT TO SAID LOTS 1 THROUGH 5, ALSO, THAT PORTION OF MADISON STREET RIGHT OF WAY

LYING SOUTH OF AND ADJACENT TO LOT 4 IN SURGES FARM OWNERS ASSESSMENT PLAT AFORESAID, ALL IN DUPAGE COUNTY, ILLINOIS.

ALSO: THAT PORTION OF THE EAST 120.00 FEET OF THE WEST 180.00 FEET OF LOT 12, AND LOT 13 AND THAT PORTION OF HARDING ROAD LYING SOUTH OF AND ADJACENT TO SAID LOT 13 IN SURGES FARM OWNERS ASSESSMENT PLAT AFORESAID, TOGETHER WITH THAT PORTION OF LOTS 19 THROUGH 22 IN ANZAK SUBDIVISION BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 12 AND THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 11, 1954 AS DOCUMENT NO. 726228 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHEAST CORNER OF THE 50 FOOT EASEMENT FOR HIGHWAY AS SHOWN ON THE COMMONWEALTH EDISON COMPANY ASSESSMENT PLAT NO. 8 AFORESAID AND THENCE RUNNING SOUTHWESTERLY A DISTANCE OF 92.37 FEET TO THE NORTHEAST CORNER OF TRACT NO. 8 OF SAID COMMONWEALTH EDISON COMPANY ASSESSMENT PLAT NO. 8; THENCE RUNNING EASTERLY ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF TRACT NO. 8 AFORESAID A DISTANCE OF 360.65 FEET TO A POINT BEING 121.62' WEST OF THE EAST LINE OF SAID LOT 13 (AS MEASURED ALONG THE SAID EASTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT 8); THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE A DISTANCE OF 1435.21 FEET TO THE SOUTHWEST CORNER OF LOT 19 IN ANZAK SUBDIVISION AFORESAID, ALL IN DUPAGE COUNTY, ILLINOIS.

AREA 4

THAT PART OF GLENBARD ACRE HOMESITES, A SUBDIVISION IN THE NORTH HALF OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 8, 1923 AS DOCUMENT NO. 162673, MORE PARTICULARLY DESCRIBED AS BEING LOTS 9 THROUGH 12 IN BLOCK 5, LOTS 1 THROUGH 30 IN BLOCK 6, LOTS 1-33 IN BLOCK 7, LOTS 1 THROUGH 6 AND THOSE PARTS OF LOTS 7 THROUGH 19 IN BLOCK 9 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 7, BLOCK 9 AND RUNNING THENCE SOUTHERLY ALONG THE WESTERLY LINE OF LOT 7 A DISTANCE OF 11.99 FEET; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE 612.93 FEET TO A POINT ON THE SOUTH LINE OF LOT 17, BLOCK 9 AFORESAID, SAID POINT BEING 182.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 17; THENCE SOUTHEASTERLY ALONG A

STRAIGHT LINE A DISTANCE OF 132.73 FEET TO A POINT ON THE SOUTH LINE OF LOT 16, BLOCK 9 AFORESAID, SAID POINT BEING 196.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 19, AND ALSO THOSE PARTS OF LOT 19 THROUGH 23 IN BLOCK 4 LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE; COMMENCING AT THE NORTHWEST CORNER OF LOT 2 BLOCK 4 AFORESAID AND RUNNING THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 23 A DISTANCE OF 26.79 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 29°16'14" EAST, 26.79 FEET; THENCE NORTH 60°43'46" EAST, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 45.0 FEET; THENCE SOUTH 60°43'46" WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 10.0 FEET; THENCE SOUTHEASTERLY IN A STRAIGHT LINE A DISTANCE OF 283.38 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 19, BLOCK 4, SAID POINT BEING 131.91 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 19; AND ALSO THE VALLEY ROAD, GLEN OAK BOULEVARD, AND GLENBARD ROAD RIGHTS OF WAY, TOGETHER WITH THE EAST BRANCH OF THE DUPAGE RIVER LYING ADJACENT TO THE ABOVE DESCRIBED PROPERTY; TOGETHER WITH THAT PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE SOUTH 89°01'35" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1124.18 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°01'35" WEST ALONG SAID SOUTH LINE A DISTANCE OF 951.32 FEET TO A POINT ON THE WESTERLY LINE OF THE LANDS OF THE GRANTOR, BEING ALSO THE CENTER LINE OF THE EAST BRANCH OF THE DUPAGE RIVER; THENCE NORTH 24°25'00" EAST ALONG SAID WESTERLY LINE AND CENTER LINE A DISTANCE OF 503.83 FEET TO AN ANGLE POINT; ;THENCE NORTH 02°34'16" WEST ALONG SAID WESTERLY LINE AND CENTER LINE A DISTANCE OF 69.10 FEET TO THE NORTHWEST CORNER OF THE LANDS OF THE GRANTOR, BEING A POINT ON THE SOUTH LINE OF GLENBARD ACRE HOMESITES, AFORESAID; THENCE NORTH 88°58'44" EAST ALONG SAID SOUTH LINE A DISTANCE OF 352.75 FEET TO A POINT; THENCE SOUTH 42°11'21" EAST A DISTANCE OF 304.20 FEET TO A POINT; THENCE SOUTH 32°52'11" EAST A DISTANCE OF 348.28 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

AREA 5

LOTS 1 TO 9, BOTH INCLUSIVE, IN BLOCK 35; AND LOTS 12 TO 20, BOTH INCLUSIVE, IN BLOCK 36; ALL BEING IN BUTTERFIELD UNIT NO. 9, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE

THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 18, 1965 AS DOCUMENT NUMBER R65- 61249, INCLUDING CLIFTON LANE AND CLIFTON LANE CUL-DE SAC RIGHTS OF WAY LYING ADJACENT TO SAID LOTS 1 TO 9 AND 12 TO 20; AND ALSO LOTS 4 TO 9, BOTH INCLUSIVE, IN BUTTERFIELD RESUBDIVISION, OF PARTS OF BUTTERFIELD UNITS 8 AND 9, BEING A RESUBDIVISION IN SECTION 30, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 25, 1966 AS DOCUMENT NUMBER R66-19315, AND ALSO THE 22ND STREET RIGHT OF WAY LYING NORTH OF AND ADJACENT TO SAID LOT 1, BLOCK 35, CLIFTON LANE RIGHT OF WAY, AND SAID LOT 20, BLOCK 36, ALL IN DUPAGE COUNTY, ILLINOIS.

SECTION 3: The new boundary of the Village of Lombard shall extend to the far side of any adjacent rights-of-way, and shall include all of every right-of-way within the area annexed hereby.

SECTION 4: The Village Clerk is hereby directed to record with the Recorder of Deeds and to file with the County Clerk, a certified copy of this Ordinance, and the original Plat of Annexation.

SECTION 5: This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed on first reading this _____ day of _____, 2005.

First reading waived by action of the Board of Trustees this _____ day of _____, 2005.

Passed on second reading this _____ day of _____, 2005, pursuant to a roll call vote as follows:

Ayes: _____

Nayes: _____

Ordinance No. _____
Re: BOT 05-12; Annexation
Page 9

Absent: _____

Approved by me this _____ day of _____, 2005.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2005.

Brigitte O'Brien, Village Clerk