

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: September 26, 2006 (B of T) Date: October 5, 2006

TITLE: BOT 06-10: 627 W. Meadow Avenue

SUBMITTED BY: Department of Community Development *[Signature]*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance annexing the above-mentioned property pursuant to the provisions of Chapter 65, Section 5/7-1-13 of the Illinois Compiled Statutes. (UNINCORPORATED)

Staff recommends approval of this request.

Fiscal Impact/Funding Source:

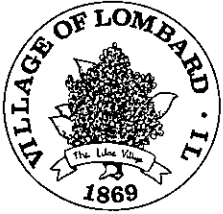
Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____


Village Manager X *W. T. Lichter* _____ Date *9/26/06*

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP 
Assistant Village Manager/Director of Community Development

DATE: October 5, 2006

SUBJECT: BOT 06-10; 627 West Meadow Avenue -- Involuntary Annexation

The subject property is a 1.1 acre unincorporated parcel improved with a single-family residence constructed in 2004. With approval of the annexations of the Illinois State Toll Highway property immediately west of the subject property and approval of the annexation of the properties on the north side of Meadow Avenue as part of Lyonhart development (PC 06-10) earlier this year, the subject property remains the only tract of land along Meadow Avenue not located within the Corporate limits of the Village.

As the Board members will remember, DuPage County granted zoning lot width relief in 2004 to allow the property owner to construct the residence without connection to public water and sewer services. The Village Board passed a resolution of objection to the relief and staff informed the property owner that if the property became wholly bounded by the Village, the Village would consider an involuntary annexation of the property. Moreover, the Village's 2005 Annexation Strategies Study identified the property for involuntary annexation.

Should the property be annexed, the property owner would be required to connect to the Village's water and sanitary sewer services, per Village Code. However, as the Lyonhart Manor developer is obligated to construct full street improvements along Meadow Avenue as part of their annexation agreement, the property owner could enter into an agreement to coordinate the required utility improvements.

ACTION REQUESTED

Staff has prepared an Ordinance approving an involuntary annexation of the property at 627 West Meadow Avenue for Village Board consideration at its October 5, 2006 meeting. Staff recommends approval of the attached Ordinance.

ORDINANCE _____

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

(BOT 06-10: Involuntary Annexation – 627 W. Meadow Avenue)

WHEREAS, the following described unincorporated territory is completely surrounded by the Village of Lombard; and

WHEREAS, the following described unincorporated territory is comprised of less than sixty (60) acres of land area; and

WHEREAS, the Village of Lombard desires to annex the following described unincorporated territory pursuant to 65 ILCS 5/7-1-13; and

WHEREAS, notice of said contemplated annexation was published in the Lombard Spectator newspaper on September 22, 2006, said newspaper being a newspaper of general circulation within the territory to be annexed; a copy of the Publisher's Certificate relative to said publication being attached hereto as Exhibit "A", and made part hereof; and

WHEREAS, written notice of said contemplated annexation was sent by certified mail, return receipt requested, to the Milton Township Highway Commissioner, each member of the Board of Trustees of Milton Township and each property owner within the territory; an Affidavit of Service relative to said notice being attached hereto as Exhibit "B", and made part hereof, and the return receipt cards being attached hereto as Exhibit "C", and made part hereof; and

WHEREAS, all necessary legal requirements are in full compliance with the terms of 65 ILCS 5/7-1-13; and

WHEREAS, it is in the best interest of the Village of Lombard that the following described unincorporated territory be annexed thereto;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That the following described territory:

<u>Parcel Number</u>	<u>Common Address</u>
05-01-413-042	627 W. Meadow Avenue

LOT 1 IN ILLINOIS TOLLWAY MILTON TOWNSHIP ASSESSMENT PLAT NO. 1, BEING A RESUBDIVISION OF PART OF LOT 42 IN MILTON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 1 (ALSO KNOWN AS PLEASANT HILLS WEST) IN PART OF THE EAST HALF OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF ILLINOIS TOLLWAY TOWNSHIP ASSESSMENT PLAT NO. 1, RECORDED OCTOBER 16, 2003 AS DOCUMENT NUMBER R2003-397444, IN DUPAGE COUNTY, ILLINOIS.

being indicated on the Plat of Annexation attached hereto as Exhibit "D", and made part hereof, is hereby annexed to the Village of Lombard, DuPage County, Illinois.

SECTION 2: The the Village Clerk is hereby directed to record with the Recorder and file with the County Clerk a certified copy of this Ordinance, together with all Exhibits attached hereto.

SECTION 3: The the Village Clerk is hereby directed to give written notice of this annexation, by certified mail return receipt requested, to the election authority having jurisdiction in the annexed territory and to the post office branches serving the annexed territory.

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 _____, 2006.

Ordinance No. _____
Re: BOT 06-10
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First reading waived by action of the Board of Trustees this ____ day of _____,
2006.

Passed on second reading this ____ day of _____, 2006.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2006.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk