

MEMORANDUM

TO: William T. Lichter, Village Manager

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

DATE: September 15, 2005

SUBJECT: BOT 05-06: The northern 40 feet of 1000 S. Finley Road

As part of our planning and research activities associated with the possible re-dedication of Wilson Avenue west of Finley Road and east of Highmoor Road, staff uncovered a discrepancy within the annexation Ordinance 1725 on December 18, 1972 for the property at 1000 S. Finley Road.

The legal description and companion plat described and depicted the area subject to the 1972 annexation as being Lot 1 in Block 1 of the Flowerfield Subdivision. However, these documents did not include the northern forty (40) feet of the subject property that was vacated to the owner of 1000 S. Finley Road when York Township vacated the Wilson Avenue right-of-way in 1959. As such, the northern portion of the property is still not within the Corporate limits of the Village.

The attached Ordinance and companion plat describes and depicts the area to be annexed. The property owner has agreed to the annexation and dedication of a portion of the subject property for public right-of-way purposes, subject to terms that will be included on the right-of-way dedication plat.

On the September 15 Board agenda is a public hearing for an annexation agreement for the subject property. However, upon further review of this item by Village Counsel, the provisions associated with the annexation agreement will be incorporated into the dedication plat and do not need to be incorporated into an annexation agreement itself. Therefore, staff is withdrawing this item and no public hearing is needed.

RECOMMENDATION

As the annexation and right-of-way dedication of this tract is essential to establish contiguity to the tracts of land west of 1000 S. Finley Road, staff supports the annexation and dedication requests.