



**AGENDA ITEM # 9F/G/H/I**

**AGENDA ITEM EXECUTIVE SUMMARY**

**Village Board Meeting**

**May 9, 2022**

**Item Title:**           **Annexation of 20 Albion Avenue**

**Staff Contact:**       Caron Bricks, AICP, Community Development Manager

**VILLAGE BOARD ACTION**

- |  |
|--|
| <ol style="list-style-type: none"><li><b>1. Open the Public Hearing for the Annexation of 20 Albion Avenue.</b></li><li><b>2. Close the Public Hearing for the Annexation of 20 Albion Avenue.</b></li><li><b>3. Pass an Ordinance Authorizing Execution of an Annexation Agreement for 20 Albion Avenue.</b></li><li><b>4. Pass an Ordinance Annexing Territory to the Village of Roselle, DuPage and Cook Counties, Illinois, and Establishing R-2 Single Family Residence District Zoning and Amending the Zoning Map for 20 Albion Avenue.</b></li></ol> |
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**Executive Summary:**

Attached is a notice of a public hearing that was published in the ***Daily Herald on April 22, 2022*** for the annexation of 20 Albion Avenue. This property is owned by Miguel Ayala.

The property is currently undeveloped and is partially covered by a wetland. The property owner has received conditional approval from DuPage County Stormwater (the regulatory agency even though this is in Cook County) for the mitigation and grading required for construction of a new single-family home. The property owner is also working with an engineer and the Public Works department to extend utilities appropriately to serve the site.

The house is currently zoned R-4 Single Family Residential in Cook County. Upon annexation, it will be zoned R-2 Single Family Residential in Roselle. The lot is in compliance with the Roselle R-2 Zoning District requirements. The site plan proposed for the new single-family residence also meets setback requirements for the R-2 Zoning District.

Upon annexation the street address will continue to be 20 Albion Avenue. The property owner has been made aware that the Village owns property adjacent to the subject property that is intended for some type of redevelopment in the future.

**Implications:**

**Is this item budgeted?**    N/A

**Any other implications to be considered?** None

**Attachments:**

Aerial

Newspaper Notice

Ordinances

**PUBLIC HEARING NOTICE**

NOTICE IS HEREBY given that the Roselle Village Board will hold a Public Hearing on Monday, May 9, 2022. The Village Board will meet at 7:00 pm in the Roselle Village Hall, 31 South Prospect Street, Roselle, Illinois to consider the petition of Miguel Ayala for the purpose of annexation of property legally described as follows:  
LOTS 5 AND 6 (EXCEPT THAT PART TAKEN FOR ROAD) IN BLOCK 14 IN N. O. SHIVELY AND COMPANY'S HIGHVIEW ADDITION, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 41 NORH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. (PINs 07-34-313-012 and 07-34-313-013)  
The property is commonly addressed as 20 Albion, Roselle, Illinois.  
At present, the property is undeveloped in unincorporated Cook County zoned R-4 Single Family Residence District. The Village Board will consider R-2 Single Family Residence District zoning upon annexation.  
Persons having questions or seeking additional information may contact the Village of Roselle Community Development Department at (630) 671-2806 for additional information.  
All persons will have an opportunity to speak at such time and place.  
Published in Daily Herald April 22, 2022 (4581310)

**CERTIFICATE OF PUBLICATION**  
**Paddock Publications, Inc.**

**DuPage County**  
**Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DuPage County DAILY HERALD**. That said **DuPage County DAILY HERALD** is a secular newspaper, published in Naperville and has been circulated daily in the Village(s) of:

Addison, Aurora, Bartlett, Bensenville, Bloomingdale, Carol Stream,  
Darien, Downers Grove, Elmhurst, Glen Ellyn, Glendale Heights,  
Hanover Park, Hinsdale, Itasca, Keeneyville, Lisle, Lombard, Medinah,  
Naperville, Oakbrook, Oakbrook Terrace, Plainfield, Roselle, Villa Park,  
Warrenville, West Chicago, Westmont, Wheaton, Willowbrook,  
Winfield, Wood Dale, Woodridge

County(ies) of DuPage  
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 04/22/2022 in said DuPage County DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.  
DAILY HERALD NEWSPAPERS

BY *Danula Baltz*  
Designee of the Publisher and Officer of the Daily Herald

**ORDINANCE NO. 2022-**

**AN ORDINANCE AUTHORIZING EXECUTION OF AN ANNEXATION AGREEMENT  
FOR 20 ALBION AVENUE**

**WHEREAS**, there has been presented to the Corporate Authorities of the Village of Roselle, DuPage and Cook Counties, Illinois, a proposed Annexation Agreement (hereinafter "Agreement") between the owner of record of real estate Miguel Ayala (hereinafter "Owner") for the property located at 20 Albion Avenue (hereinafter "Property") and the Village of Roselle (hereinafter "Village") pursuant to the provisions of Section 11, Division 15.1 of the Illinois Municipal Code; and,

**WHEREAS**, a public hearing upon the Annexation was held on May 9, 2022 by the Corporate Authorities of the Village after proper public notice pursuant to the provisions of the statute in such case made and provided; and,

**WHEREAS**, the Corporate Authorities of the Village, after considering the testimony and evidence presented at said public hearing, and after making further investigation of the matters set forth in the proposed Annexation Agreement, have determined that it is in the best interest of the Village to enter into said Agreement with the Owner of record of the Property.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Roselle, DuPage and Cook Counties, Illinois, as follows:

SECTION 1: That the President of the Village of Roselle is hereby authorized to execute, and the Village Clerk is hereby directed to attest to that certain Agreement, a copy of which is attached hereto and incorporated herein as fully set forth in Exhibit A, between the Village of Roselle, a municipal corporation of DuPage and Cook Counties,

Illinois and Miguel Ayala as Owner of record with respect to the Property legally described as follows:

LOTS 5 AND 6 (EXCEPT THAT PART TAKEN FOR ROAD) IN BLOCK 14 IN N. O. SHIVELY AND COMPANY'S HIGHVIEW ADDITION, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 41 NORH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. (PINs 07-34-313-012 and 07-34-313-013)

SECTION 2: That the location of the Property is illustrated on the Plat of Annexation attached hereto as Exhibit B.

SECTION 3: That if any part or portion of this ordinance is declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this ordinance.

SECTION 4: Provided further, this ordinance shall automatically become null and void without further action of the corporate authorities unless, within thirty (30) days of the passage of this ordinance, the Agreement is signed by the Owner and returned to the Village Clerk for executing and recording. Extensions to this section may be granted by the President and Board of Trustees in their sole discretion following a formal written request.

AYES:

NAYS:

ABSENT:

PASSED and APPROVED this 9th day of May, 2022.

*[signatures on next page]*

ATTEST:

VILLAGE OF ROSELLE

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
President, Village of Roselle

***EXHIBIT A***

**ANNEXATION AGREEMENT  
ORDINANCE 2022-  
20 Albion Avenue**

**THIS ANNEXATION AGREEMENT** (hereinafter “Agreement”) made and entered into this 9th day of May 2022, between the Village of Roselle, an Illinois municipal corporation located in DuPage and Cook Counties, Illinois (hereinafter “Village”) and Miguel Ayala (hereinafter “Owner”).

WITNESSETH

**WHEREAS**, the Owner owns real estate located at 20 Albion Avenue, Roselle (Unincorporated Schaumburg Township), Illinois, as illustrated on the Plat of Annexation, marked as Exhibit B which is attached hereto and made a part hereof this Agreement (said real estate will hereinafter be referred to as “Property”); and,

**WHEREAS**, the Property is contiguous to the Village Corporate Limits and the Village has concluded that entering into this annexation agreement for the Property under the terms and conditions of this Agreement will enable the Village to control development of the area, permit the sound planning and development of the Village, and otherwise enhance and promote the health, safety, and general welfare of the Village; and,

**WHEREAS**, pursuant to the provisions of the Roselle Village Code and applicable provisions of the Illinois Compiled Statutes and Illinois Constitution, a proposed Petition for Annexation in substance and form of the same as this Agreement was submitted to the President and Board of Trustees of the Village of Roselle and a public hearing was held on May 9, 2022 thereon pursuant to the notices provided by ordinance and statute; and,

**WHEREAS**, the Property is currently a undeveloped lot, has a lot width not less than 80 feet wide at the building line, and contains more than 12,000 square feet in area, which is qualified to be classified as an R-2 Single Family Residence District in the Roselle Zoning Code.

**NOW, THEREFORE**, in consideration of the foregoing preambles and mutual covenants and agreements contained herein, the parties hereto agree as follows:

1. LEGAL CONFORMANCE WITH LAW. This Agreement is made pursuant to and in accordance with the provisions of the Roselle Village Code and applicable provisions of the Illinois Compiles Statutes and the Illinois Constitution.
2. PETITION TO ANNEX. The Owner has filed with the Clerk of the Village a proper petition, pursuant to the provisions of the Illinois Municipal Code (65 ILCS 5/7-1-8), conditioned on the execution of this Agreement, to annex the Property to the Village. This Agreement in its entirety, together with the aforesaid Petition for Annexation, shall be null, void, and of no effect unless the Property is validly zoned and classified under the Village's Zoning Ordinance as hereinafter set forth and amended.
3. REZONING. Upon annexation, the Property shall cease being zoned Cook County R-4 Single Family Residence District, and shall be zoned R-2 Single Family Residence in conformance with the Roselle Zoning Code.
4. DEVELOPMENT/CONSTRUCTION STANDARDS. Any future development of or construction on the Property shall be in full conformance with the Roselle Zoning Ordinance, Subdivision Control Ordinance, Building Code and other ordinances, codes, rules and regulations of the Village pertaining to the development of the



Property to be annexed, except as may be specifically amended pursuant to the terms of this Agreement.

5. VARIATIONS IN LOCAL CODES. Unless stated in the annexation or rezoning ordinances, and the ordinance granting variations as part of the annexation petition, to the Property, there shall be and are no specific variations from the Village's ordinances, rules and codes which have been requested or which are permitted with respect to the development / construction of the Property. The Owner may subsequently apply for specific variations from the Village's ordinances, rules, and codes without amending this Agreement, provided, however, such applications shall satisfy all standards related to variations
6. UTILITIES AND PUBLIC IMPROVEMENTS. As a condition of this Agreement, the Owner is requesting connection to and service from the following Village utilities and public improvements. The Owner understands that any connection to these Village utilities and public improvements shall be done in accordance with Village engineering standards and the Village Code and such extension and all costs related thereto shall be the responsibility of the Owner and/or the Owner' contractor:
  - a. Sanitary Sewer Facilities. The Owner agrees to connect any future single-family residence on the property to the Village's sanitary sewer main prior to a certificate of occupancy being issued.
  - b. Water Facilities. The Owner agrees to connect any future single-family residence on the property to the Village's water main prior to a certificate of occupancy being issued.

- c. Public Sidewalk. The Owner agrees to install a public sidewalk along the entire frontage of the property abutting Albion Avenue prior to a certificate of occupancy being issued. In absence of such construction/installation, the Village, in its absolute and sole discretion, may void this Agreement and the annexation of the Property, and upon disconnection, the Village shall have no obligation to provide sewer or water utilities to the Property. The Village in its sole discretion may also seek specific performance. Furthermore, the Owners understand that the construction/installation of these public improvements shall be done in accordance with the Village's engineering standards and the Village's Code of Ordinances, and such construction/installation, as well as all costs and expenses related thereto, shall be the sole and exclusive responsibility of the Owner. If the sidewalk is not installed as required herein the Village in its sole discretion, through its Corporate Authorities direction, may disconnect the Water Facilities and Sanitary Sewer Facilities.
7. ANNEXATION AND PERMIT FEES. The amount of annexation permit, license, inspection, tap-on, recapture or connection fees imposed by the Village, which are applicable to or required by Village Ordinances or Resolutions shall be paid by the Owner.
8. SCHAUMBURG TOWNSHIP LIBRARY. The Property is currently within the boundaries of, and subject to taxation by the Schaumburg Township Library.
9. SCHAUMBURG PARK DISTRICT. The Property is currently within the boundaries of, and subject to taxation by the Schaumburg Park District.

10. FIRE PROTECTION DISTRICT TAXES. Pursuant to the provisions of the Illinois Municipal Code (70 ILCS 705/20) or any successor statute, the Owner shall reimburse the Village in full and upon annexation for all taxes due from the Village to any fire protection district as a result of a fire protection district disconnection resulting from this annexation.
11. CONFLICT IN REGULATIONS. The provisions of this Agreement shall supersede the provisions of any ordinances, codes, or regulations of the Village which may be in conflict with the provisions of this Agreement.
12. AMENDMENT OF ANNEXATION AGREEMENT. This Agreement and any exhibits attached hereto may be amended pursuant to the provisions of the Roselle Village Code, Zoning Ordinance, and Illinois Municipal Code.
13. INVALIDITY. If any provision of this Agreement, or any section, sentence, clause, phrase, or word, or the application thereof in any circumstances is held invalid, the validity of the remainder of this Agreement and the application of such provisions, section, sentence, clause, phrase or word in any other circumstances shall not be affected thereby.
14. TERM OF AGREEMENT. This Agreement shall be binding upon the parties hereto, their respective successors, heirs, administrators, contract purchasers, executors, grantees and assigns for a full term of twenty (20) years from the date of this Agreement. For purposes of this agreement the term "Owner" shall include all subsequent Owner of the property.
15. RECORDING. This Agreement shall be recorded in the Office of Recorder of the County of Cook at the expense of the Owner.

- 16. APPROVAL. That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law, except that this Agreement shall not be effective until the Owner of the Property affixes a signature to a true and correct copy of this Agreement, acknowledging that it has reviewed and accepts the provisions of this Agreement.
- 17. DEFEND AND HOLD HARMLESS. The Owner agree to defend and hold the Village harmless from any and all actions, causes of action, claims, litigation in law or chancery, attorney's fees, and costs required to defend against efforts by anyone to set aside this annexation or the terms of this Agreement.
- 18. NOTICES. Notices or other writings which any party is required to, or may wish to serve upon any other party in connection with this Agreement, shall be in writing and shall be delivered personally or sent by certified or registered mail, return receipt requested, postage prepaid, to the other parties of this Agreement.

**IN WITNESS WHEREOF**, the Parties hereto have hereunder set their hands and seals on the day and year first above written.

OWNER

\_\_\_\_\_  
Miguel Ayala

VILLAGE OF ROSELLE

Attest:

\_\_\_\_\_  
*Village President*

\_\_\_\_\_  
*Village Clerk*

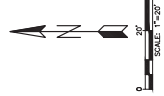
**Exhibit B**

**Plat of Annexation**

# PLAT OF ANNEXATION

TO

# THE VILLAGE OF ROSELLE, COOK COUNTY, ILLINOIS



**BASIS OF BEARING**  
ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE 1400 83 (2011).

**AREA SUMMARY**

LOTS 5, 6 & 6: 19,306 SQUARE FEET (0.443 ACRES)  
MARION STREET: 5,148 SQUARE FEET (0.118 ACRES)  
TOTAL AREA ANNEXED: 24,453 SQUARE FEET (0.561 ACRES)

P.L.N.: 07-34-313-012  
07-34-313-013  
COMMON ADDRESS OF PROPERTY:  
20 ALBION AVENUE  
ROSELLE, IL 60072

- LEGEND**
- = PROPERTY LINE
  - - - = EXISTING LOT LINE
  - - - - - = EXISTING CORPORATE LIMITS OF THE VILLAGE OF ROSELLE

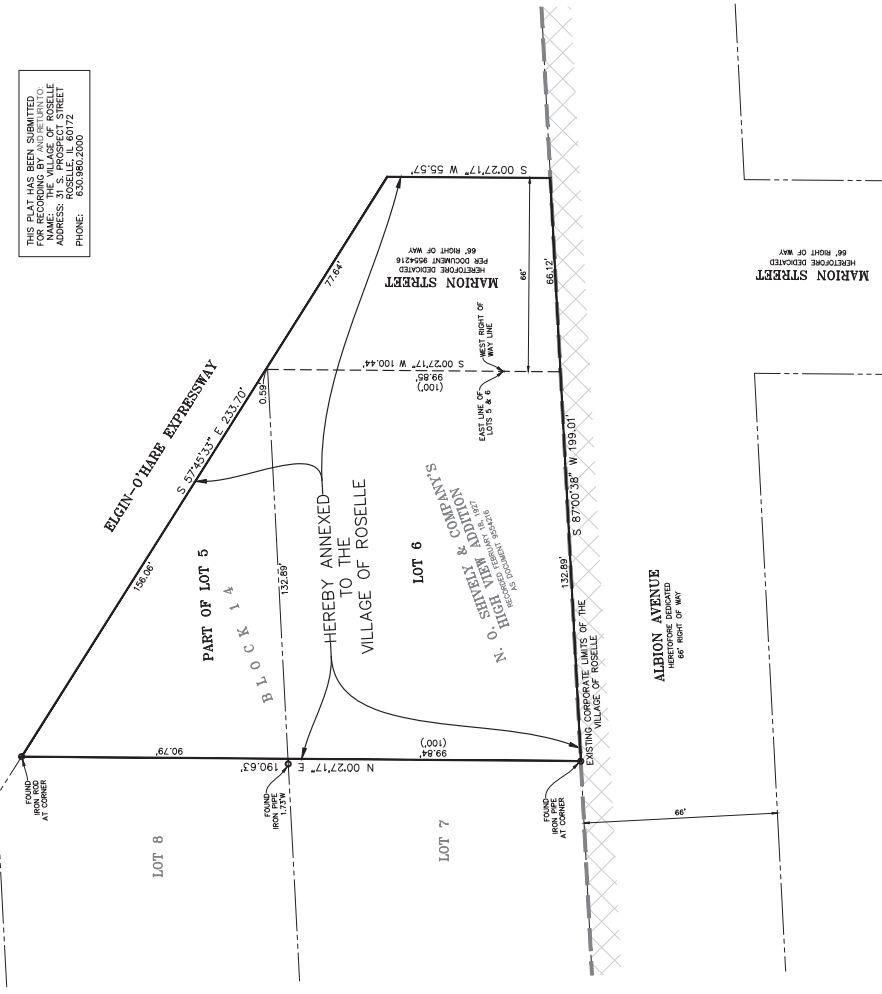
**ABBREVIATIONS**

E EAST  
N NORTH  
W WEST  
R RECORD INFORMATION  
(XXXX) RECORD INFORMATION  
ARC/CIRC RECORD INFORMATION

**LEGAL DESCRIPTION FOR ANNEXATION**  
LOTS 5 AND 6 (EXCEPT THAT PART THEREOF TAKEN FOR ROAD) IN BLOCK 14, N. O. SHEVELY AND COMPANY'S 50TH NEW ADDITION, BEING SECTION 34, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD MERIDIAN, IN COOK COUNTY, ILLINOIS

ALSO  
ALL THAT PART OF MARION STREET LYING EAST OF AND ADJOINING THE ABOVE DESCRIBED PARCEL NOT PREVIOUSLY ANNEXED.

THIS PLAT HAS BEEN SUBMITTED TO THE RECORDS OF COOK COUNTY, ILLINOIS, FOR RECORDATION. NAME: THE VILLAGE OF ROSELLE ADDRESS: ROSELLE, ILLINOIS 60072 PHONE: 630.980.2000



**OWNER'S CERTIFICATE**  
STATE OF ILLINOIS } SS  
COUNTY OF \_\_\_\_\_ }  
THIS IS TO CERTIFY THAT \_\_\_\_\_ IS THE OWNER OF RECORD OF THE HEREIN DESCRIBED PROPERTY AND THAT AS SUCH OWNER HEREBY CONSENTS TO THE ANNEXATION OF SAID PROPERTY TO THE VILLAGE OF ROSELLE, COOK COUNTY, ILLINOIS.

DATED AT \_\_\_\_\_ ILLINOIS  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

OWNER \_\_\_\_\_

**OWNER'S NOTARY PUBLIC**  
STATE OF ILLINOIS } SS  
COUNTY OF \_\_\_\_\_ }  
I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ OF \_\_\_\_\_ PERSONALLY KNOWN TO ME TO BE THE SAID PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS OWNER(S), AS SUCH \_\_\_\_\_ TITLE \_\_\_\_\_ APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/HEY SIGNED THE SAID INSTRUMENT AS THEIR FREE AND VOLUNTARY ACT OF SAID \_\_\_\_\_ FOR THE USES AND PURPOSES GIVEN UNDER MY HAND AND NOTARIAL SEAL.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

NOTARY PUBLIC SIGNATURE \_\_\_\_\_  
PRINT NAME \_\_\_\_\_ DATE \_\_\_\_\_  
MY COMMISSION EXPIRES ON \_\_\_\_\_ MONTH \_\_\_\_\_ DATE \_\_\_\_\_, 20\_\_\_\_

**VILLAGE BOARD OF TRUSTEES CERTIFICATE**  
STATE OF ILLINOIS } SS  
COUNTY OF COOK }  
COUNTY OF DUPAGE }  
THE ANNEXED PLAT OF ANNEXATION IS IDENTIFIED AS THAT INCORPORATED INTO AND MADE PART OF THE VILLAGE OF ROSELLE, ILLINOIS ORDINANCE \_\_\_\_\_ ADOPTED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF ROSELLE, COOK AND DUPAGE COUNTIES, ILL.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

BY: \_\_\_\_\_ PRESIDENT  
ATTEST: \_\_\_\_\_ VILLAGE CLERK

**SURVEYOR'S CERTIFICATE**  
STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }  
I, THOMAS B. MARTINEK, AN ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-007762, DO HEREBY CERTIFY THAT I AM A CORRECT REPRESENTATIVE OF THE PROPERTY DESCRIBED IN THE FOREGOING CAPTION. FURTHERMORE, I DESIGNATE THE VILLAGE OF ROSELLE TO ACT AS MY AGENT FOR THE PURPOSES OF RECORDING THIS DOCUMENT.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

## FOR REVIEW

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-007762  
LICENSE EXPIRES NOVEMBER 30, 2022  
DESIGN FIRM PROFESSIONAL LICENSE NO. 184-001186  
LICENSE EXPIRES APRIL 30, 2023



DATE	BY	DESCRIPTION

DATE: 05-06-2022  
JOB NO.: W20166.00  
SHEET: 1 OF 1

SEAN M. AYALA, P.E., S.D.  
105 W. WASHINGTON ST., SUITE 875  
CHICAGO, ILLINOIS 60604  
PHONE (312) 474-7941  
FAX (312) 474-6099

MIGUEL AYALA  
PREPARED FOR

**PLAT OF ANNEXATION**  
TO  
**THE VILLAGE OF ROSELLE, ILLINOIS**



**ENGINEERING**  
RESOURCE ASSOCIATES

105 W. WASHINGTON ST., SUITE 875  
CHICAGO, ILLINOIS 60604  
PHONE (312) 474-7941  
FAX (312) 474-6099

SEAN M. AYALA, P.E., S.D.  
105 W. WASHINGTON ST., SUITE 875  
CHICAGO, ILLINOIS 60604  
PHONE (312) 474-7941  
FAX (312) 474-6099

**GENERAL NOTES**

- ALL AREAS LISTED ARE MORE OR LESS.
- ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- EXISTING VILLAGE LIMITS TAKEN FROM THE VILLAGE WEBSITE: [HTTPS://WWW.ROSELLE.IL.US/](https://www.roselle.il.us/)
- ACCORDING TO 65 ILCS 5/7-1-1 THE NEW BOUNDARY SHALL EXTEND TO THE FAR CORNER OF THE ADJOINING LOT. IF THE ADJOINING LOT IS NOT ANNEXED EVEN THOUGH NOT INCLUDED IN THE LEGAL DESCRIPTION SET FORTH IN THE PETITION FOR ANNEXATION.

**ORDINANCE NO. 2022-**

**AN ORDINANCE ANNEXING TERRITORY TO THE VILLAGE OF ROSELLE,  
DUPAGE AND COOK COUNTIES, ILLINOIS AND ESTABLISHING  
R-2 SINGLE FAMILY RESIDENCE DISTRICT ZONING  
AND AMENDING THE ZONING MAP**

20 Albion Avenue

**WHEREAS**, the real estate commonly referred to as 20 Albion Avenue, Roselle, Illinois (hereinafter "Property") is in unincorporated Cook County, Illinois and is owned by Miguel Ayala (hereinafter "Owner"); and,

**WHEREAS**, the Owner signed a written Petition for Annexation to the Village of Roselle, an Illinois municipal corporation located in DuPage and Cook Counties, Illinois (hereinafter "Village"), and filed the same with the Clerk of the Village; and,

**WHEREAS**, the Property, hereinafter legally described, is not within the corporate limits of any municipality, but is contiguous to the Village; and,

**WHEREAS**, the Village published a Public Hearing notice in a newspaper of general circulation and gave statutory notice of the proposed annexation of the Property to the Trustees of the Schaumburg Township Library, Schaumburg Park District, Roselle Fire Protection District, and Schaumburg Township officials of: Supervisor, Clerk, Trustee(s), and Highway Commissioner; and,

**WHEREAS**, The President and Board of Trustees of the Village (hereinafter "Corporate Authorities") held a public hearing on May 9, 2022 on the question of annexation, have been advised of the land use of the Property and the desire to establish the property as part of the R-2 Single Family Residence District upon annexation by amending the zoning map; and,

**WHEREAS**, the Property is currently undeveloped and contains more than 12,000 square feet in area, and has a lot width of not less than 80 feet, and therefore qualifies to be classified as part of the R-2 Single Family Residence District in accordance with Appendix A of the Village's Code of Ordinances (hereinafter "Zoning Ordinance"); and,

**WHEREAS**, the Village and Owners entered into a certain Annexation Agreement on May 9, 2022 for the Property, which the Corporate Authorities authorized via Ordinance 2022-\_\_\_\_\_; and,

**WHEREAS**, the Property upon annexation will be referred to as 20 Albion Avenue.

**NOW, THEREFORE, BE IT ORDAINED**, by the President and Board of Trustees of the Village of Roselle, an Illinois municipal corporation located in DuPage and Cook Counties, Illinois, as follows:

SECTION 1: The foregoing recitals are incorporated herein as if fully set forth as substantive provisions of this Ordinance.

SECTION 2: All steps, proceedings, notices, hearings, and actions necessary and proper for the purpose of annexing territory into the Village and zoning the Property have been complied with according to law.

SECTION 3: That the Property is legally described as follows:

LOTS 5 AND 6 (EXCEPT THAT PART TAKEN FOR ROAD) IN BLOCK 14 IN N. O. SHIVELY AND COMPANY'S HIGHVIEW ADDITION, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 41 NORH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. (PINs 07-34-313-012 and 07-34-313-013)

SECTION 4: The Property is hereby annexed into, included within the boundary lines of, and shall be subject to the jurisdiction of the Village of Roselle, an Illinois municipal corporation located in DuPage and Cook Counties, Illinois.



SECTION 5: The Property shall cease being zoned R-4 Single Family Residence District in the County of Cook and is hereby rezoned R-2 Single Family Residence District in conformance with the Zoning Ordinance. The Zoning Map of the Village shall be amended to reflect this zoning.

SECTION 6: The Plat of Annexation, attached hereto as Exhibit A is an accurate map of the property and adjacent right-of-way and is hereby made a part of this Ordinance by reference as if fully set forth herein.

SECTION 7: Upon passage, approval, and publication of this Ordinance as required by law, the Clerk shall record this Ordinance annexing and zoning the Property, together with the Plat of Annexation certified as correct by the Clerk of the Village, in the Office of the Recorder of the County of Cook and with the Clerk of the County of Cook. All costs associated with recording shall be solely at the Owner's expense.

SECTION 8: If any part or portion of this Ordinance is declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this Ordinance.

SECTION 9: All ordinances and parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 10: This Ordinance shall take effect and be in full force and effect upon its passage, approval, and publication in pamphlet form as provided by law.

AYES:

NAYS

ABSENT:

PASSED and APPROVED this 9th Day of May, 2022

ATTEST:

VILLAGE OF ROSELLE

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Village Clerk

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President, Village of Roselle

# GIS Consortium 20 Albion Avenue - Aerial



### Legend

20 Albion - Subject Property

### Notes

Print Date: 5/4/2022



Disclaimer: The GIS Consortium and MCP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.