

VILLAGE OF TOLONO
CHAMPAIGN COUNTY, ILLINOIS

ORDINANCE NO. 2024-O-2

AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT FOR A TRACT
OF FARMLAND SOUTHEAST OF THE VILLAGE COMPRISING 7.6 ACRES, MORE OR
LESS, ANNEXING SAID PROPERTY, AND REZONING IT R-1 RESIDENTIAL

Adopted by the
Board of Trustees of the Village of Tolono, Illinois
this 5th day of March, 2024

Published in pamphlet form by authority of the President and Board of Trustees of the Village
of Tolono, Champaign County, Illinois this 5th day of March, 2024.

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CHAMPAIGN COUNTY, ILLINOIS

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March 5, 2024

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OF FARMLAND SOUTHEAST OF THE VILLAGE COMPRISING 7.6 ACRES, MORE OR
LESS, ANNEXING SAID PROPERTY, AND REZONING IT R-1 RESIDENTIAL

WHEREAS, the Owner of real estate described on the exhibits contained in the Annexation Agreement attached hereto and by reference incorporated herein, referred to as "Tract" has presented an Annexation Agreement; and

WHEREAS, the owner of the Tract has requested annexation to the Village under the terms of the Annexation Agreement and the Tract is contiguous to the Village; and

WHEREAS, the Village is empowered and authorized to annex property pursuant to 65ILCS5/7-1-1 and other applicable provisions; and

WHEREAS, the Village is further empowered to enter into annexation agreements pursuant to 65ILCS5/11-15; and

WHEREAS, the within property is contiguous to the Village; and

WHEREAS, said property is zoned AG-1, Agricultural under the Champaign County Zoning Ordinance and would be zoned R-1 Residential under the Village of Tolono Zoning Ordinance; and

WHEREAS, the Village Zoning & Planning Commission has duly met, held a public hearing notice of which was duly published and mailed, and which recommends that the property be zoned R-1 Residential under the Village of Tolono zoning ordinance, and which recommends approval of the within Annexation Agreement and said annexation; and

WHEREAS, said Annexation Agreement and the proceedings by which it is presented to the Village comply with Illinois law; and

WHEREAS, the President and Board of Trustees are of the opinion that entering into the attached Annexation Agreement for the subject property as provided herein and allowing for the breakout of the Sub-Tract, are in the best interest of the Village of Tolono, Illinois.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TOLONO, ILLINOIS AS FOLLOWS:

Section 1. Incorporation Clause.

The President and Board of Trustees of the Village hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and does hereby, by reference, incorporate and make them part of this Ordinance.

Section 2. Purpose.

This ordinance is to approve an Annexation Agreement, annex the Tract, and rezone the Tract R-1 subject to the terms of the Annexation Agreement

Section 3.

The attached Annexation Agreement is hereby approved, and the Village Board President and Clerk are authorized to execute it and the Tract is hereby annexed to the Village of Tolono.

Section 4.

This Ordinance shall be in full force and effect upon passage and shall be published in pamphlet form in accordance with applicable law.

Section 5.

The Village Clerk is hereby directed to file a copy of this ordinance with the County of Champaign, Illinois.

Section 6. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and Illinois Compiled Statutes.

Section 7. State law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Section 8. Approval and Execution of Documents.

The President and Village Clerk are hereby authorized and directed to execute said Agreement and any related exhibits attached thereto and the Village Clerk is authorized and directed to attest, countersign and affix the seal of the Village to such documents and any and all other documents necessary to carry out and give effect to the purpose and intent of this Ordinance.

Section 9. Other Actions Authorized.

That the President and Village Clerk and Village Attorney are hereby authorized and directed to do all things necessary, essential, or convenient to carry out and give effect to the purpose and intent of this Ordinance.

Section 10. Acts of Village Officials.

That all acts and doings of the officials of the Village, past, present and future which are in conformity with the purpose and intent of this Ordinance, are hereby in all respects, ratified, approved, authorized and confirmed.

Section 11. Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

Section 12. Severability.

The provisions of this ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Board of Trustees that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had not been included.

Section 13. Superseder and Publication.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded. A full, true and complete copy of this ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

Section 14. Effective Date.

This Ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

Motioned for approval by Trustee Daniel Grady

With a second by Trustee Jared Robbins, roll call vote:

Daniel Grady Aye Jared Robbins Aye

Ann Jack Haluzak Nay Terrence Stuber Aye

Jacob Naas Aye

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF
TOLONO, COUNTY OF CHAMPAIGN, STATE OF ILLINOIS, THIS 5TH DAY OF MARCH,
2024.

Brandy Dalton
Brandy Dalton, RMC, CMC, MMC
Village Clerk

Robert Murphy
Robert Murphy, Village President

(SEAL)

Recorded in the Municipal Records: March 5, 2024
Published in pamphlet form: March 5, 2024