

# CITY OF BATAVIA

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**DATE:** March 4, 2019  
**TO:** Committee of the Whole-CD  
**FROM:** Scott Buening, Community Development Director  
**SUBJECT:** Ordinance 19-20 Annexing 505 Pine Street  
Ordinance 19-21 Annexing 36W283 McKee Street

**Summary:** Annexation of properties at 505 Pine Street and 36W283 McKee Street.

- 1. Background:** As part of our efforts to annex the unincorporated “islands”, we have first solicited for voluntary annexations from the areas that are being sought after for annexation. These properties were requested to submit voluntary petitions to annex, but we did not receive any response from these property owners. Therefore, per Statute, we have published the required legal notice and have sent the property owners the required mailed notice in order to involuntarily annex these properties. The property at 505 Pine Street is on City sewer already, the 36W283 McKee Street property is not on any City utilities. The City already maintains the street in front of these properties, and they are each wholly bounded by the City limits.

A plat of annexation was prepared for each property as part of this action. As we had agreed with other annexations, the City would handle all the paperwork necessary to complete the annexation. The properties will be zoned R-0 upon annexation and may be rezoned to R-1L sometime in the future. The properties would be in Wards 2 (McKee) and 6 (Pine) after annexation.

The City Council will need to pass the attached Ordinances in order to annex the properties into the City limits.

- 2. Alternatives, including no action if viable:**

- Annex the properties
- Do not annex the properties

- **Pros:** Annexing the properties will allow the property owners to connect to future utility services, and fully eliminate an unincorporated “island”. The City will realize an increase in property taxes as well as head taxes after the 2020 census. The City already maintains the road in front of each of these properties.
- **Cons:** There are no cons with this proposal.
- **Budget Impact:** The total cost per property for documents and recording is about \$350.00.
- **Staffing Impact:** No impact on staffing.

- 3. Timeline for actions:** If the Ordinances are passed by the City Council, the annexations would be effective on April 3, 2019, the day after election day.
- 4. Staff recommendation:** Staff recommends approval of Ordinance 19-20 Annexing 505 Pine Street and Ordinance 19-21 Annexing 36W283 McKee Street.

**5. Attachments:**

1. Ordinance 19-20 Annexing 505 Pine Street
2. Ordinance 19-21 Annexing 36W283 McKee Street
3. Plats of Annexation.
4. Legal Notice.
5. Area Map.

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 19-20**

**AN ORDINANCE ANNEXING AND ZONING 505 PINE STREET TO  
THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
\_\_\_ DAY OF \_\_\_\_\_, 2019**

Published in pamphlet form  
by authority of the Mayor  
and City Council of the City of Batavia,  
Kane & DuPage Counties, Illinois,  
This \_\_\_ day of \_\_\_\_\_, 2019

Prepared by:  
  
City of Batavia  
100 N. Island Ave.  
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 19-20**

**AN ORDINANCE ANNEXING AND ZONING 505 PINE STREET TO  
THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS**

**WHEREAS**, the City of Batavia, Kane and DuPage Counties, Illinois, has found property at 505 Pine Street is completely surrounded by the City limits of Batavia; and

**WHEREAS**, the property is designated by PIN 12-23-351-013, is legally described in **EXHIBIT “A”** and the Plat of Annexation is attached as **EXHIBIT “B”** ("Territory"); and

**WHEREAS**, the said Territory is not within the corporate limits of any municipality but is contiguous to and surrounded by the City of Batavia; and

**WHEREAS**, the City is desirous of having this property annexed into the City of Batavia as the City provides public works, police and fire services to all properties that surround this property; and

**WHEREAS**, legal notices regarding the intention of the City to annex said Territory have been sent to all public bodies required to receive such notice by State Statute including the Fire District Trustees, the Township Supervisors, Clerks and Trustees and the Corporate Authorities of Kane County; and

**WHEREAS**, publication of the proposed annexation has occurred at least 10 days prior to the annexation as required by Statute; and

**WHEREAS**, a public meeting on the annexation was conducted on March 18, 2019; and

**WHEREAS**, all petitions, documents, and other necessary legal requirements are in full compliance with the terms of said annexation, the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-13, and the requirements of the Batavia Municipal Code; and

**WHEREAS**, it is in the best interest of the City of Batavia that the Territory described and depicted in **EXHIBITS “A” and “B”** be annexed thereto and the territory be zoned R0 Single Family pursuant to the City of Batavia Municipal Code;

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois as follows:

**SECTION 1:** That the Territory described as attached hereto on **EXHIBITS “A” and “B”** is hereby annexed to the City of Batavia, Kane and DuPage Counties, Illinois.

CITY OF BATAVIA, ILLINOIS ORDINANCE 19-20

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**SECTION 2:** That said Territory described as attached on **EXHIBITS “A” and “B”** is hereby zoned R0 Single Family, under the terms and conditions of the Batavia Municipal Code.

**SECTION 3:** That the City Clerk is hereby directed to record with the Kane County Recorder and to file with the County Clerk a certified copy of this Ordinance, together with an accurate map of the Territory annexed appended to said Ordinance.

**SECTION 4:** That the official zoning map of the City of Batavia is hereby amended in conformance with the terms of this Ordinance.

**SECTION 5:** This Ordinance 19-20 shall be in full force and effect upon its passage, presentation and approval according to law, effective April 3, 2019.

**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2019.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Salvati				
2	Callahan					Wolff				
3	Meitzler					Chanzit				
4	Malay					Stark				
5	Uher					Thelin Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
<b>VOTE:</b>		Ayes	Nays	Absent	Abstention(s)					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

\_\_\_\_\_  
Ellen Posledni, City Clerk

EXHIBIT A

Lot 6 in Pine Subdivision, in the Township of Batavia, Kane County, Illinois. PIN 12-23-351-013.

505 Pine Street

# Map of territory hereby annexed to the City of Batavia, Illinois

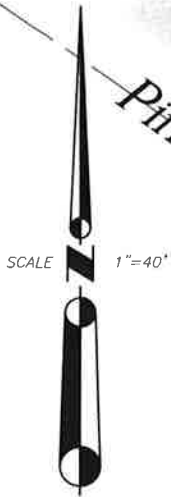
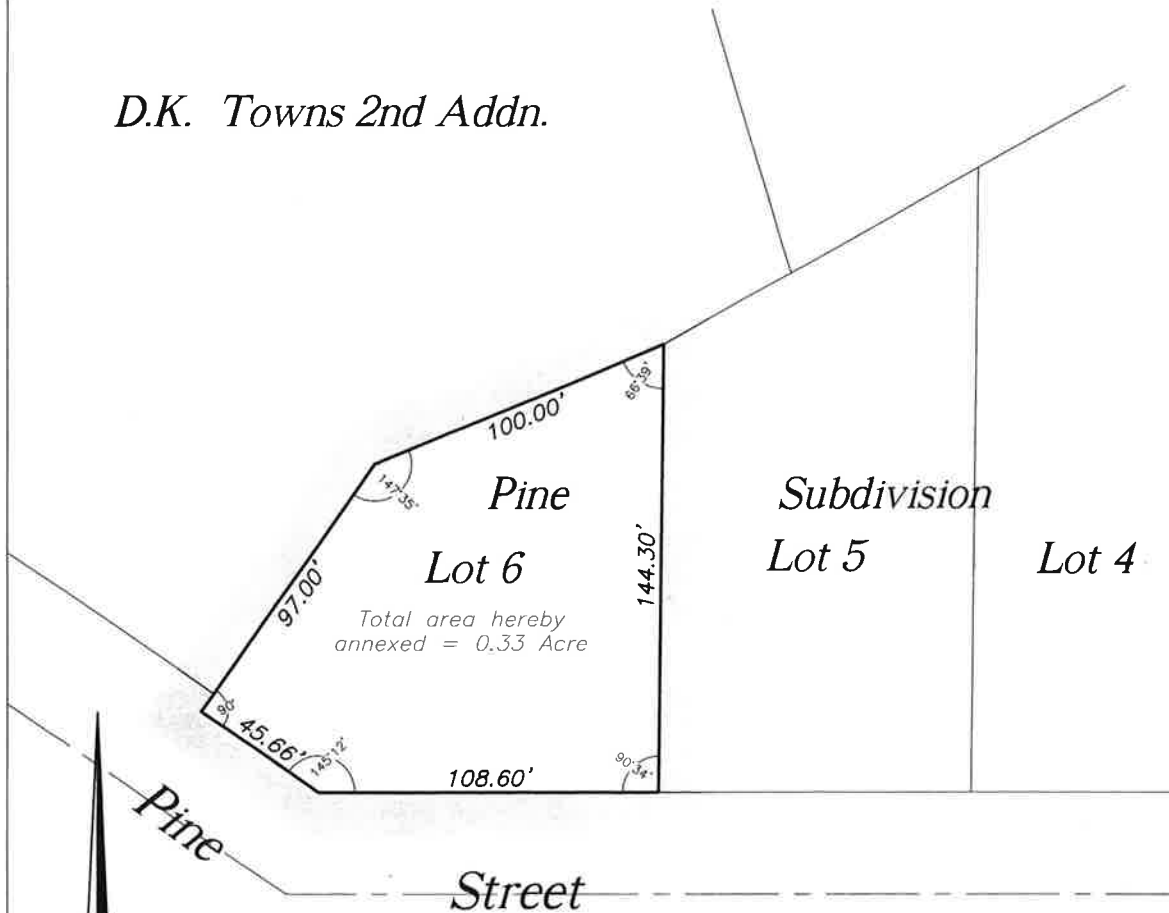
DESCRIPTION OF PROPERTY HEREBY ANNEXED:

LOT 6 IN PINE SUBDIVISION, IN THE TOWNSHIP OF BATAVIA, KANE COUNTY, ILLINOIS.

P.I.N. 12-23-351-013  
505 Pine Street

====LEGEND====  
 ----- Boundary of property hereby annexed  
 [ ] Indicates existing corporate limits

## D.K. Towns 2nd Addn.



STATE OF ILLINOIS    )  
                                   )SS  
 COUNTY OF DEKALB    )

THIS IS TO CERTIFY THAT I, SHAWN R. VanKAMPEN, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710 HAVE PREPARED THE ATTACHED PLAT FOR ANNEXATION PURPOSES AND THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID ANNEXATION. ALL DISTANCES SHOWN IN FEET AND DECIMALS THEREOF.

DATED AT DEKALB, ILLINOIS THIS 12th DAY OF FEBRUARY, 2019.



FOR: CITY OF BATAVIA  
 JOB NO. WES 14734C

*Shawn R. VanKampen*  
 SHAWN R. VANKAMPEN  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710  
 LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2020

Prepared by:  
 W.E. Hanna Surveyors  
 508 Pine Street  
 DeKalb, Illinois 60115  
 (815) 756-2189  
 Fax 748-2532  
 info@hannasurveyors.com  
 License # 184007413



Subject Property  
PIN 12-23-351-013

Pine St

Pine St

MAHONEY CREEK

Kickapoo Ave

Youn

Subject Property  
PIN 12-23-351-013

435

442

451

518

526

534

344

428

620

505

511

515

607

615

621

667

677

642

678

694

520

612

618

626

521

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541

551

561

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670

471

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481

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800

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481

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800



**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 19-21**

**AN ORDINANCE ANNEXING AND ZONING 36W283 MCKEE STREET TO  
THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
\_\_\_ DAY OF \_\_\_\_\_, 2019**

Published in pamphlet form  
by authority of the Mayor  
and City Council of the City of Batavia,  
Kane & DuPage Counties, Illinois,  
This \_\_\_ day of \_\_\_\_\_, 2019

Prepared by:  
  
City of Batavia  
100 N. Island Ave.  
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 19-21**

**AN ORDINANCE ANNEXING AND ZONING 36W283 MCKEE STREET TO  
THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS**

**WHEREAS**, the City of Batavia, Kane and DuPage Counties, Illinois, has found property at 36W283 McKee Street is completely surrounded by the City limits of Batavia; and

**WHEREAS**, the property is designated by PIN 12-21-201-005, is legally described in **EXHIBIT “A”** and the Plat of Annexation is attached as **EXHIBIT “B”** ("Territory"); and

**WHEREAS**, the said Territory is not within the corporate limits of any municipality but is contiguous to and surrounded by the City of Batavia; and

**WHEREAS**, the City is desirous of having this property annexed into the City of Batavia as the City provides public works, police and fire services to all properties that surround this property; and

**WHEREAS**, legal notices regarding the intention of the City to annex said Territory have been sent to all public bodies required to receive such notice by State Statute including the Fire District Trustees, the Township Supervisors, Clerks and Trustees and the Corporate Authorities of Kane County; and

**WHEREAS**, publication of the proposed annexation has occurred at least 10 days prior to the annexation as required by Statute; and

**WHEREAS**, a public meeting on the annexation was conducted on March 18, 2019; and

**WHEREAS**, all petitions, documents, and other necessary legal requirements are in full compliance with the terms of said annexation, the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-13, and the requirements of the Batavia Municipal Code; and

**WHEREAS**, it is in the best interest of the City of Batavia that the Territory described and depicted in **EXHIBITS “A” and “B”** be annexed thereto and the territory be zoned R0 Single Family pursuant to the City of Batavia Municipal Code;

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois as follows:

**SECTION 1:** That the Territory described as attached hereto on **EXHIBITS “A” and “B”** is hereby annexed to the City of Batavia, Kane and DuPage Counties, Illinois.

CITY OF BATAVIA, ILLINOIS ORDINANCE 19-21

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**SECTION 2:** That said Territory described as attached on **EXHIBITS “A” and “B”** is hereby zoned R0 Single Family, under the terms and conditions of the Batavia Municipal Code.

**SECTION 3:** That the City Clerk is hereby directed to record with the Kane County Recorder and to file with the County Clerk a certified copy of this Ordinance, together with an accurate map of the Territory annexed appended to said Ordinance.

**SECTION 4:** That the official zoning map of the City of Batavia is hereby amended in conformance with the terms of this Ordinance.

**SECTION 5:** This Ordinance 19-21 shall be in full force and effect upon its passage, presentation and approval according to law, effective April 3, 2019.

**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2019.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Salvati				
2	Callahan					Wolff				
3	Meitzler					Chanzit				
4	Malay					Stark				
5	Uher					Thelin Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
<b>VOTE:</b>		Ayes	Nays	Absent	Abstention(s)					
Total holding office: Mayor and 14 aldermen										

ATTEST:

\_\_\_\_\_  
Ellen Posledni, City Clerk

EXHIBIT A

DESCRIPTION OF PROPERTY HEREBY ANNEXED:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE INTERSECTION OF THE WEST LINE OF VanNORTWICK AVENUE WITH THE CENTER LINE OF McKEE STREET AS EXTENDED WEST FROM THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS; THENCE WEST, ALONG SAID EXTENDED LINE, 1395.24 FEET TO THE WEST LINE OF A TRACT OF LAND CONVEYED TO THEODORE AND MARY WEIRICH BY DEED DATED SEPTEMBER 9, 1935 AND RECORDED IN BOOK 969 AT PAGE 320 IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS FOR THE POINT OF BEGINNING; THENCE SOUTH, ALONG SAID WEST LINE OF SAID WEIRICH'S LAND, 140.00 FEET; THENCE EAST, PARALLEL WITH AND 140.0 FEET EAST OF SAID EXTENDED CENTER LINE OF McKEE STREET, 173.0 FEET; THENCE NORTH, PARALLEL WITH AND 173.0 FEET EAST FROM THE WEST LINE OF WEIRICH'S LAND, 140.0 FEET; THENCE EAST, 67.3 FEET, ALONG THE CENTER LINE EXTENSION OF McKEE STREET TO AN ANGLE POINT IN McKEE STREET; THENCE NORTHWEST, ALONG CENTER LINE OF McKEE STREET, 227.6 FEET TO A POINT WHICH IS 33 FEET NORMAL DISTANT FROM THE EXTENDED WEST LINE OF WEIRICH'S LAND; THENCE SOUTH, PARALLEL WITH AND 33 FEET EAST OF THE EXTENDED WEST LINE OF WEIRICH'S LAND, 111.6 FEET TO THE WESTERLY EXTENSION OF CENTER LINE OF McKEE STREET FROM THE CITY OF BATAVIA; THENCE WEST, ALONG SAID EXTENDED CENTER LINE OF McKEE STREET, 33.0 FEET TO THE POINT OF BEGINNING, ALL IN BATAVIA TOWNSHIP, KANE COUNTY, ILLINOIS, EXCEPTING THAT PORTION OF McKEE STREET PREVIOUSLY ANNEXED.

P.I.N. 12-21-201-005


36W283 McKEE STREET

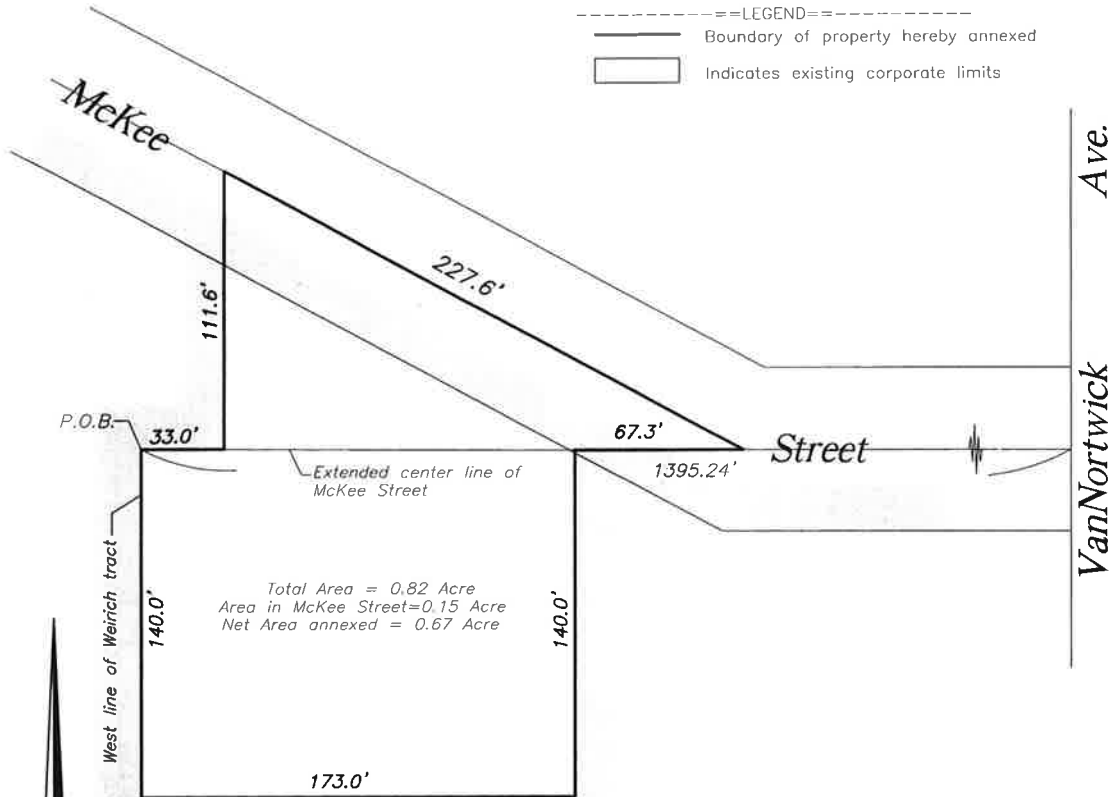
# Map of Territory hereby annexed to the City of Batavia, Illinois

**DESCRIPTION OF PROPERTY HEREBY ANNEXED:**

THAT PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE INTERSECTION OF THE WEST LINE OF VanNORTWICK AVENUE WITH THE CENTER LINE OF McKEE STREET AS EXTENDED WEST FROM THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS; THENCE WEST, ALONG SAID EXTENDED LINE, 1395.24 FEET TO THE WEST LINE OF A TRACT OF LAND CONVEYED TO THEODORE AND MARY WEIRICH BY DEED DATED SEPTEMBER 9, 1935 AND RECORDED IN BOOK 969 AT PAGE 320 IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS FOR THE POINT OF BEGINNING; THENCE SOUTH, ALONG SAID WEST LINE OF SAID WEIRICH'S LAND, 140.0 FEET; THENCE EAST, PARALLEL WITH AND 140.0 FEET EAST OF SAID EXTENDED CENTER LINE OF McKEE STREET, 173.0 FEET; THENCE NORTH, PARALLEL WITH AND 173.0 FEET EAST FROM THE WEST LINE OF WEIRICH'S LAND, 140.0 FEET; THENCE EAST, 67.3 FEET, ALONG THE CENTER LINE EXTENSION OF McKEE STREET TO AN ANGLE POINT IN McKEE STREET; THENCE NORTHWEST, ALONG THE CENTER LINE OF McKEE STREET, 227.6 FEET TO A POINT WHICH IS 33 FEET NORMAL DISTANT FROM THE EXTENDED WEST LINE OF WEIRICH'S LAND; THENCE SOUTH, PARALLEL WITH AND 33 FEET EAST OF THE EXTENDED WEST LINE OF WEIRICH'S LAND, 111.6 FEET TO THE WESTERLY EXTENSION OF THE CENTER LINE OF McKEE STREET FROM THE CITY OF BATAVIA; THENCE WEST, ALONG SAID EXTENDED CENTER LINE OF McKEE STREET, 33.0 FEET TO THE POINT OF BEGINNING, ALL IN BATAVIA TOWNSHIP, KANE COUNTY, ILLINOIS, EXCEPTING THAT PORTION OF McKEE STREET PREVIOUSLY ANNEXED.

P.I.N. 12-21-201-005  
36W283 McKEE STREET

====LEGEND====  

 Boundary of property hereby annexed  
 Indicates existing corporate limits



Total Area = 0.82 Acre  
 Area in McKee Street = 0.15 Acre  
 Net Area annexed = 0.67 Acre

SCALE 1"=50'

STATE OF ILLINOIS )  
 )SS  
 COUNTY OF DEKALB )

THIS IS TO CERTIFY THAT I, SHAWN R. VANKAMPEN, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710 HAVE PREPARE THE ATTACHED DPLAT FOR ANNEXATION PURPOSES AND THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID ANNEXATION. ALL DISTANCE SHOWN IN FEET AND DECIMALS THEREOF.

DATED AT DEKALB, ILLINOIS THIS 12th DAY OF FEBRUARY, 2019.



FOR: CITY OF BATAVIA  
 JOB NO. WES 14734G

*Shawn R. Van Kampen*  
 SHAWN R. VANKAMPEN  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710  
 LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2020

Prepared by:  
 W.E. Hanna Surveyors  
 508 Pine Street  
 DeKalb, Illinois 60115  
 (815) 756-2189  
 Fax 748-2532  
 info@hannasurveyors.com  
 License # 184007413



## PUBLIC NOTICE

**PUBLIC NOTICE** is hereby given to all persons concerned that on the 18th day of March, 2019 at 7:30 p.m., in the City Council Chambers of the Municipal Building, at 100 North Island Avenue, Batavia, Illinois, there will be held a public meeting wherein the City Council of the City of Batavia consider an Ordinance proposing an annexation of land, pursuant to 65 ILCS 5/7-1-13 of the Illinois Compiled Statutes. The properties being considered for annexation are completely surrounded by the City limits of Batavia, and are described as follows:

Parcel 1: LOT 6 IN PINE SUBDIVISION IN THE TOWNSHIP OF BATAVIA, KANE COUNTY, ILLINOIS. PIN 12-23-351-013. Commonly known as 505 Pine Street. 0.33 acres.

Parcel 2: THAT PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE INTERSECTION OF THE WEST LINE OF VANNORTWICK AVENUE WITH THE CENTERLINE OF MCKEE STREET AS EXTENDED WEST FROM THE CITY OF BATAVIA, KANE COUNTY ILLINOIS; THENCE WEST, ALONG SAID EXTENDED LINE, 1395.24 FEET TO THE WEST LINE OF A TRACT CONVEYED TO THEODORE AND MARY WEIRICH BY DEED DATED SEPTEMBER 9, 1935 AND RECORDED IN BOOK 969 AT PAGE 320 IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS FOR THE POINT OF BEGINNING; THENCE SOUTH, ALONG SAID WEST LINE OF SAID WEIRICH'S LAND, 140.0 FEET; THENCE EAST, PARALLEL WITH AND 140.0 FEET EAST OF SAID EXTENDED CENTER LINE OF MCKEE STREET, 173.0 FEET; THENCE NORTH, PARALLEL WITH AND 173.0 FEET EAST FROM THE WEST LINE OF WEIRICH'S LAND, 140.0 FEET; THENCE EAST, 67.3 FEET, ALONG THE CENTER LINE EXTENSION OF MCKEE STREET TO AN ANGLE POINT IN MCKEE STREET; THENCE NORTHWEST, ALONG THE CENTER LINE OF MCKEE STREET, 227.6 FEET TO A POINT WHICH IS 33 FEET NORMAL DISTANT FROM THE EXTENDED WEST LINE OF WEIRICH'S LAND; THENCE SOUTH, PARALLEL WITH AND 33 FEET EAST OF THE EXTENDED WEST LINE OF WEIRICH'S LAND, 111.6 FEET TO THE WESTERLY EXTENSION OF THE CENTER LINE OF MCKEE STREET FROM THE CITY OF BATAVIA; THENCE WEST, ALONG SAID EXTENDED CENTER LINE OF MCKEE STREET, 33.0 FEET TO THE POINT OF BEGINNING, ALL IN BATAVIA TOWNSHIP, KANE COUNTY, ILLINOIS, EXCEPTING THAT PORTION OF MCKEE STREET PREVIOUSLY ANNEXED. PIN 12-21-201-005. Commonly known as 36W283 McKee Street. 0.67 acres.

The properties which are the subject matter of the public meeting, include 505 Pine Street and 36W283 McKee Street. The properties will be initially zoned R0 Single family residential after annexation.

All persons interested in this matter are invited to attend and speak at the public meeting. The public meeting may be continued to a further date, time and place without further notice or publication such as this notice.

Ellen Posledni, City Clerk  
City of Batavia