

# CITY OF BATAVIA

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**DATE:** October 7, 2019  
**TO:** Committee of the Whole-CD  
**FROM:** Scott Buening, Community Development Director  
**SUBJECT:** Ordinance 19-71 Annexing 1340 and 1414 N. Washington Avenue and 1341 Orion Road

**Summary:** Annexation of properties at 1340 and 1414 N. Washington Avenue and 1341 Orion Road.

- 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. This is our next group of voluntary annexations where each of the property owners submitted voluntary petitions to annex. The properties are all on City water service, but are not on City sewer or electric utilities. The City already maintains Orion Road, and the N. Washington Avenue right-of-way is already in the City limits. This area is part of an area that is wholly bounded by the City limits.

A plat of annexation was prepared for these properties as part of these petitions. 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 Ward 4 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

- **Budget Impact:** The total cost for documents and recording is about \$300.00. The City will continue maintaining Orion Road after annexation.
- **Staffing Impact:** No impact on staffing.

- 3. Timeline for actions:** If the Ordinances are passed by the City Council, the annexations would be effective the following day.
- 4. Staff recommendation:** Staff recommends approval of Ordinance 19-71 Annexing properties at 1340 and 1414 N. Washington Avenue and 1341 Orion Road.

- 5. Attachments:**

1. Ordinance 19-71 Annexing properties at 1340 and 1414 N. Washington Avenue and 1341 Orion Road.
2. Plat of Annexation.
3. Petitions to Annex.
4. Area Map.

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 19-71**

**AN ORDINANCE ANNEXING AND ZONING 1340 AND 1414 N. WASHINGTON  
AVENUE AND 1341 ORION ROAD 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 19-71**

**AN ORDINANCE ANNEXING AND ZONING 1340 AND 1414 N. WASHINGTON  
AVENUE AND 1341 ORION ROAD TO  
THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS**

**WHEREAS**, the City of Batavia, Kane and DuPage Counties, Illinois (“City”), has received petitions to annex from the property owners at 1340 and 1414 N. Washington Avenue and 1341 Orion Road; and

**WHEREAS**, the parcels are currently unincorporated, is contiguous to the City limits and eligible for annexation; and

**WHEREAS**, the properties are designated by PIN 12-15-276-005, 12-15-276-003 and 12-15-276-022 and are 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 the City of Batavia; and

**WHEREAS**, the City is desirous of having these properties annexed into the City of Batavia; 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 Supervisor, Township Highway Commissioner, Clerk and Trustees and the Corporate Authorities of Kane County; 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 5/7-1-8, 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.

**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.

CITY OF BATAVIA, ILLINOIS ORDINANCE 19-71

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**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 19-71 shall be in full force and effect upon its passage, presentation and approval according to law.

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

**PASSED** by the City Council of the City of Batavia, Illinois, this 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					Knopp				
5	Uher					Beck				
6	Cerone					Russotto				
7	McFadden					Miller				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstentions					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

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

EXHIBIT A

EXHIBIT A

DESCRIPTION OF PROPERTY HEREBY ANNEXED:

PARCEL ONE: LOT 54 IN BATAVIA HIGHLANDS, UNIT ONE, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, GENEVA TOWNSHIP, KANE COUNTY, ILL/NOIS.  
P.I.N. 12-15-276-022 1341 ORION RD.

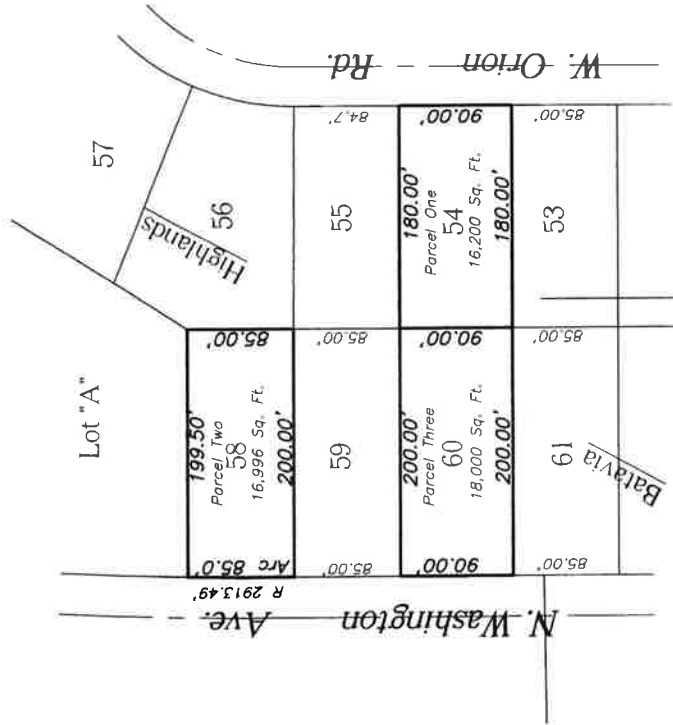
PARCEL TWO: LOT 58 IN BATAVIA HIGHLANDS, UNIT ONE, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, GENEVA TOWNSHIP, KANE COUNTY, ILL/NOIS.  
P.I.N. 12-15-276-003 1414 N. WASHINGTON AVE.

PARCEL THREE: LOT 60 IN BATAVIA HIGHLANDS, UNIT ONE, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, GENEVA TOWNSHIP, KANE COUNTY, ILLINOIS.  
P.I.N. 12-15-276-005 1340 N. WASHINGTON AVE.

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



SCALE 1"=100'



DESCRIPTION OF PROPERTY HEREBY ANNEXED:

PARCEL ONE: LOT 54 IN BATAVIA HIGHLANDS, UNIT ONE, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, GENEVA TOWNSHIP, KANE COUNTY, ILLINOIS. P.I.N. 12-15-276-002 1341 ORION RD.

PARCEL TWO: LOT 58 IN BATAVIA HIGHLANDS, UNIT ONE, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, GENEVA TOWNSHIP, KANE COUNTY, ILLINOIS. P.I.N. 12-15-276-003 1414 N. WASHINGTON AVE.

PARCEL THREE: LOT 60 IN BATAVIA HIGHLANDS, UNIT ONE, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, GENEVA TOWNSHIP, KANE COUNTY, ILLINOIS. P.I.N. 12-15-276-005 1340 N. WASHINGTON AVE.

STATE OF ILLINOIS )  
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 9TH DAY OF SEPTEMBER, 2019.

*Shawn R. Van Kampen*  
SHAWN R. VANKAMPEN

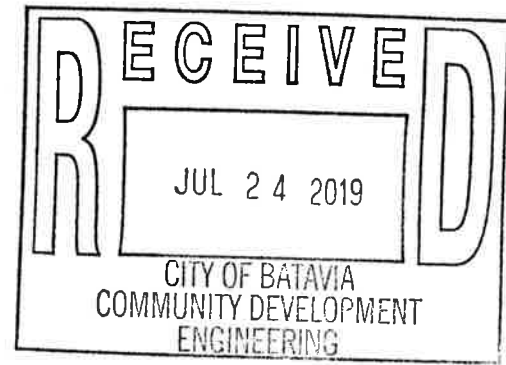
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710  
LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2020



Prepared by:  
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License No. 184007413  
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Dekalb, Illinois 60115  
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Fax 748-2552  
info@hannasurveyors.com

FOR: CITY OF BATAVIA  
JOB NO. WES 14882G

STATE OF ILLINOIS )  
 )  
COUNTY OF KANE ) SS  
 )  
CITY OF BATAVIA )



**ANNEXATION PETITION**

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF BATAVIA, ILLINOIS**

*E. LOUISE PRUITT*

We, the undersigned, *HERSHELA PRUITT*, hereby petition the City Council of Batavia, Illinois for annexation of the below described property and state as follows:

1. That the undersigned are the owners of certain lands hereinafter described, and that there are no electors residing thereon, or that a majority of the electors have signed this petition.

2. That the land hereinafter described and sought to be annexed is not within the corporate limits of any municipality.

3. That the land hereinafter described and sought to be annexed is contiguous to the City of Batavia, Illinois.

4. That the land hereinafter described and herein sought to be annexed is legally described as follows, to-wit:

See Exhibit "A"

5. The area and land sought to be annexed is presently zoned by the County of Kane as Farm Land.

6. That the undersigned Petitioners herein are requesting that the said land be annexed to the City of Batavia, Kane County, Illinois, and zoned under the Batavia Ordinance as R-0 Residential.

**WHEREFORE**, your Petitioners request that the City Council of the City of Batavia, Kane County, Illinois, may favorably consider this Petition and by it's proper vote and ordinance annex said lands within the corporate limits of the City of Batavia, Illinois:



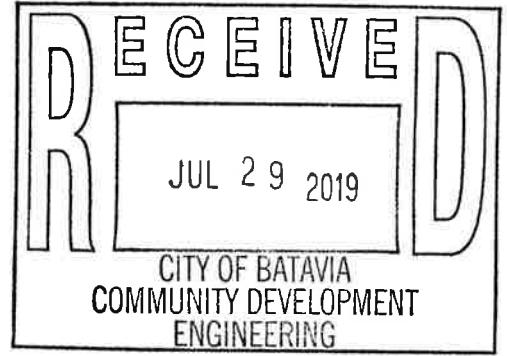
**AND FURTHER,** your Petitioners request that the City Council of the City of Batavia shall by proper vote and ordinance zone said lands as R-0 Residential at the time of said annexation, and that said land be accepted for R-0 Residential zoning.

Hershel A. Pruitt  
Owner

E. Louise Pruitt  
Owner

STATE OF ILLINOIS )  
 )  
COUNTY OF KANE ) SS  
 )  
CITY OF BATAVIA )

**ANNEXATION PETITION**



**TO: THE HONORABLE MAYOR AND CITY COUNCIL  
OF THE CITY OF BATAVIA, ILLINOIS**

We, the undersigned, CAROL VANDEVEIRE, hereby petition the City Council of Batavia, Illinois for annexation of the below described property and state as follows:

1. That the undersigned are the owners of certain lands hereinafter described, and that there are no electors residing thereon, or that a majority of the electors have signed this petition.

2. That the land hereinafter described and sought to be annexed is not within the corporate limits of any municipality.

3. That the land hereinafter described and sought to be annexed is contiguous to the City of Batavia, Illinois.

4. That the land hereinafter described and herein sought to be annexed is legally described as follows, to-wit:

See Exhibit "A"

5. The area and land sought to be annexed is presently zoned by the County of Kane as Farm Land.

6. That the undersigned Petitioners herein are requesting that the said land be annexed to the City of Batavia, Kane County, Illinois, and zoned under the Batavia Ordinance as R-0 Residential.

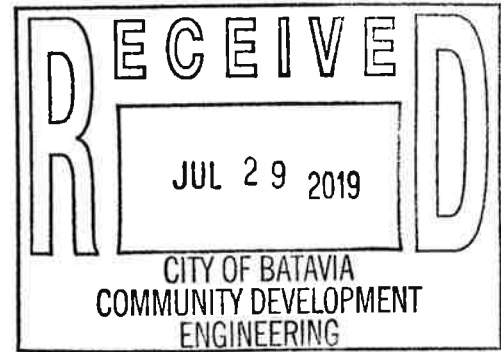
**WHEREFORE,** your Petitioners request that the City Council of the City of Batavia, Kane County, Illinois, may favorably consider this Petition and by it's proper vote and ordinance annex said lands within the corporate limits of the City of Batavia, Illinois:

**AND FURTHER,** your Petitioners request that the City Council of the City of Batavia shall by proper vote and ordinance zone said lands as R-0 Residential at the time of said annexation, and that said land be accepted for R-0 Residential zoning.

Curie A. Van DuSear (7/23/19)  
Owner

\_\_\_\_\_  
Owner

STATE OF ILLINOIS )  
 )  
COUNTY OF KANE ) SS  
 )  
CITY OF BATAVIA )



**ANNEXATION PETITION**

**TO: THE HONORABLE MAYOR AND CITY COUNCIL  
OF THE CITY OF BATAVIA, ILLINOIS**

We, the undersigned, Melanie Clark Adam Forney hereby petition the City Council of Batavia, Illinois for annexation of the below described property and state as follows:

1. That the undersigned are the owners of certain lands hereinafter described, and that there are no electors residing thereon, or that a majority of the electors have signed this petition.

2. That the land hereinafter described and sought to be annexed is not within the corporate limits of any municipality.

3. That the land hereinafter described and sought to be annexed is contiguous to the City of Batavia, Illinois.

4. That the land hereinafter described and herein sought to be annexed is legally described as follows, to-wit:

See Exhibit "A"


5. The area and land sought to be annexed is presently zoned by the County of Kane as Farm Land.

6. That the undersigned Petitioners herein are requesting that the said land be annexed to the City of Batavia, Kane County, Illinois, and zoned under the Batavia Ordinance as R-0 Residential.

**WHEREFORE,** your Petitioners request that the City Council of the City of Batavia, Kane County, Illinois, may favorably consider this Petition and by it's proper vote and ordinance annex said lands within the corporate limits of the City of Batavia, Illinois:

**AND FURTHER,** your Petitioners request that the City Council of the City of Batavia shall by proper vote and ordinance zone said lands as R-0 Residential at the time of said annexation, and that said land be accepted for R-0 Residential zoning.

  
Owner

  
Owner

