ORDINANCE NO. 2018-21

AMENDMENT TO AN ANNEXATION AGREEMENT DATED JANUARY 20, 2009
(2335 PERRYVILLE ROAD, ROCKFORD, IL)

WHEREAS, on January 20, 2009, the Village of Cherry Valley entered into a series of Annexation Agreements with the owners of property along Perryville Road known as Ordinance No. 2009-02; and

WHEREAS, those Annexation Agreements provided for the construction of a roadway running north and south within property described in “Exhibit C” to provide access to the properties described in “Exhibits A and B” for their contemporaneously commercial development of all of their properties; and

WHEREAS, the owners of the properties described in “Exhibits A and B” have not developed their properties commercially; and

WHEREAS, the owner of the property described in “Exhibit C” is currently developing a Circle K gas station and convenience store; and

WHEREAS, the original Annexation Agreement provided in pertinent parts in paragraphs 4 and 5 that when the property described in “Exhibit C” was developed that the owner of “Exhibit C” would construct a roadway from Charles Street South to the northern most boundaries of the properties described in “Exhibits A and B”; and

WHEREAS, the property described in “Exhibit C” is being developed, and the Village of Cherry Valley, Illinois, has met with the property owners of the properties described in “Exhibits A and B” and has renegotiated the terms of said Annexation Agreement to void paragraphs 4 and 5 of the Annexation Agreement and revise the Annexation Agreement; and

WHEREAS, said revisions identify the location of a new easement for a potential future roadway and clarifies that the current owners of the properties described in “Exhibits A and B” will
PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 18TH DAY OF DECEMBER, 2018

AS FOLLOWS:

VOTING “AYE”: NANCY BELT, JEFF FUSTIN, SALLY HOLLEMBEAK, JEFF O’HARA, DAVID SCHROEDER

VOTING “NAY”: NONE

ABSENT, ABSTAIN, OTHER: STEPHEN APPELL

ATTEST: 

VILLAGE CLERK, KATHY TRIMBLE

APPROVED: DECEMBER 18, 2018

VILLAGE PRESIDENT, JIM E. CLAEYSSEN