Ordinance #O.24.11

An Ordinance **ANNEXING 1.34 ACRES OF TERRITORY IN EAST GALENA TOWNSHIP.**

Adopted by the City Council of the City of Galena on this 9th Day of September 2024.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 9th Day of September 2024.

STATE OF ILLINOIS)
) City of Galena
COUNTY OF JO DAVIESS)

CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, JoDaviess County, Illinois.

I further certify that on the 9th Day of September 2024, the Corporate Authorities of said municipality passed and approved Ordinance No. O.24.10 entitled **AN ORDINANCE ANNEXING 1.34 ACRES OF TERRITORY IN EAST GALENA TOWNSHIP,** which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.24.10 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 9th Day of September 2024 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 10th Day of September 2024.

Mary Beth Hyde

Mary Beth Hyde, City Clerk

(Seal)

ORDINANCE NO. O.24.11

ORDINANCE ANNEXING 1.34 ACRES OF TERRITORY IN EAST GALENA TOWNSHIP

WHEREAS, a written Petition, signed by Kenneth Redeker of the BTK Group, LLC, ("Owner"), the Owner of territory hereinafter described, has been filed with the City Clerk of the City of Galena, Jo Daviess County, Illinois, requesting that said territory be annexed to the City of Galena; and

WHEREAS, the are no (0) electors residing within the said territory; and

WHEREAS, the said territory is not within the corporate limits of any municipality, but is contiguous to the City of Galena; and

WHEREAS, in accordance with the Illinois Compiled Statutes (65 ILCS 5/7), legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice; and

WHEREAS, copies of such notices required to be recorded, if any, have been placed as record in the office of the Recorder of Deeds of Jo Daviess County; and

WHEREAS, it is in the best interest of the City of Galena that said territory be annexed hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Galena, Jo Daviess County, Illinois as follows:

SECTION I: That territory described as S21 T28N R1E ASSESSOR'S SUB. IN SW PT LOT 3, being 1.34 acres more or less, and commonly known as 9808 U.S. Highway 20 West, Galena, Illinois, 61036 (the "Property") is hereby annexed to the City of Galena, Jo Daviess County, Illinois, and that the boundary lines of Galena be and are hereby enlarged and extended to include, within the corporate boundaries thereof, the Property.

SECTION II: That the City Clerk is hereby directed to record with the Recorder and to file with the County Clerk, a certified copy of this Ordinance, and the map depicting the area of the annexation attached hereto and made a part hereof as Exhibit A.

SECTION III: That this Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

SECTION IV: Concurrent with the annexation, the Mayor and City Council approve the rezoning of the property from Limited Agricultural to Planned Commercial.

SECTION V: To plan for the possibility of adding users to the City of Galena public wastewater system, the Mayor and City Council agree to contribute the amount of $9,500 to pay for the materials to install an eight-inch sanitary sewer pipe to the boundary of the Property. The Mayor and City Council also agree to furnish two manholes for the sewer extension. All materials are to be installed as a sewer service by and at the expense of the BTK Group, LLC.

SECTION VI: The Mayor and City Council agree to adopt a Recapture Agreement with BTK Group, LLC to set forth terms whereby the BTK Group, LLC may be reimbursed for expenses associated with the installation of a sewer pipe and manholes described in SECTION V. The recapture agreement shall list properties that may benefit from connecting to the sewer pipe and the amount each benefiting property shall pay to connect to said sewer pipe. The fully executed recapture agreement shall be recorded in the Jo Daviess Office of the Recorder against each benefiting property as set forth in the recapture agreement.

SECTION VII: Passed and approved this 9th day of September, A.D., 2024.

AYES: Westemeier, Wienen, Bernstein, Johnson, Kieffer, Tegtmeyer, Renner
NAYS: None

Terry Renner
_____
Mayor, Terry Renner

ATTEST:

Mary Beth Hyde
_____
City Clerk, Mary Beth Hyde

Prepared by:
Joe Nack, City Attorney
101 Green Street
Galena, IL 61036

Return to:
Mark Moran
City Administrator
101 Green Street
Galena, IL 61036

Exhibit A

Parcel Subject to Annexation

Legal Description: S21 T28N R1E ASSESSOR'S SUB. IN SW PT LOT 3

