

ORDINANCE NO. O-16-11

**AN ORDINANCE RESCINDING ORDINANCES PERTAINING TO THE 2011 ANNEXATION OF
THE PALACE CAMPGROUND**

WHEREAS, in 2011, the Patrick and Kristine McCarthy, Owners of the Property known as the Palace Campground on U.S. Route 20, Galena, petitioned the City to annex and to rezone the Property from Limited Agricultural district to Planned Unit Development district with an underlying default district of Planned Commercial, and

WHEREAS, on July 13, 2011, after duly published notice, the Zoning Board of Appeals of the City conducted a public hearing on Owner's request for a rezoning from the Limited Agricultural district to the Planned Unit Development District with the underlying default district as Planned Commercial. Upon adjournment of the public hearing, the Zoning Board of Appeals of the City made recommendations regarding such items to the City Council of the City in the manner provided by law, and

WHEREAS, on August 8, 2011, after duly published notice, the City Council of the City conducted a public hearing on the Annexation Agreement in accordance with applicable law, and

WHEREAS, on August 22, 2011 the City Council of the City unanimously approved an ordinance authorizing the execution of the Annexation Agreement and an ordinance annexing the property and rezoning the property to Planned Unit Development district with an underlying default district of Planned Commercial, and

WHEREAS, following the 2011 approval by the City, the legal description for the Property was determined to be inaccurate. A corrected legal description was not produced and the Owners did not sign the annexation agreement. The property was not annexed, and

WHEREAS, in 2015, the Owners sold part of the Property. The remaining property was surveyed in May 2016 and determined to be 31.88 acres, and

WHEREAS, the Owners propose to enter into a new annexation agreement and annex the property. A public hearing for the annexation agreement is scheduled for July 23, 2016, and

WHEREAS, to avoid confusion, the City intend to rescind the 2011 annexation agreement and annexation ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GALENA, JO DAVIESS COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That the City Council hereby rescinds the action of August 22, 2011 to approve an ordinance authorizing the execution of an annexation agreement with Patrick and Kristine McCarthy, and

SECTION 2: That the City Council hereby rescinds the action of August 22, 2011 to approve an ordinance annexation of the Palace Campground, and

PASSED AND APPROVED THIS 25th DAY OF JULY, 2016.

AYES:

**Hahn, Kieffer, Lincoln,
Westemeier, Bernstein,
Fach, Renner**


NAYS:

None



Terry Renner
Mayor

ATTEST:



Mary Beth Hyde
City Clerk

Prepared by and Return to:

**Joseph Nack, City Attorney
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