

8-14-96

ORDINANCE NO. ~~8-14-96~~

An Ordinance Authorizing the Execution of a Modification to
a Preannexation Agreement between the City
of Earlville and Marilyn Urso

WHEREAS, it is in the best interests of the City of Earlville, LaSalle County, Illinois, that a certain annexation agreement pertaining to the land described in the Annexation Agreement referenced in the following paragraph be modified:

WHEREAS, a modification to such annexation agreement has been drafted, a copy of which modification is attached hereto and incorporated herein; and,

WHEREAS, the owner of the land in question, Marilyn Urso, who is the legal owner of record of the territory that is the subject of the annexation agreement is ready, willing, and able to enter into that modification to such agreement and to perform the obligations as required thereunder; and,

WHEREAS, the statutory procedures provided in Division 15.1 of Article 11 of the Illinois Municipal Code, as amended, 65 ILCS 5/11-15.1-1, for the execution of the annexation agreement have been fully compiled with;

NOW, therefore, be it ordained by the Mayor and City Council of the City of Earlville, LaSalle County, Illinois, as follows:

Section 1: THAT the Mayor be, and he is hereby authorized and directed to execute, and the City Clerk is directed, to attest a document known as "Modification to Preannexation Agreement" dated August 14, 1996, a copy of which is attached hereto and made a part hereof.

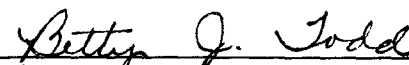
Section 2: THAT this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

PASSED and APPROVED this 14th day of August, 1996.



Mayor

ATTEST:



City Clerk

MODIFICATION TO PRE-ANNEXATION AGREEMENT

THIS AGREEMENT made and entered into this 14th day of August, 1996, by and between MARILYN URSO, hereafter referred to as "OWNER", and the CITY OF EARLVILLE, a Municipal Corporation, hereinafter referred to as "CITY" is a modification of an existing Preannexation between the parties.

WITNESSETH:

WHEREAS, "OWNER" is the owner of certain real estate which has previously been annexed by "CITY" pursuant to a Preannexation Agreement previously executed by the parties; and

WHEREAS, "OWNER" is desirous of changing her plans as previously expressed to "CITY" to use the annexed land for construction of single family dwellings rather than multi-unit apartments; and

WHEREAS, the "CITY" is in agreement with such change of plan by "OWNER";

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements with the parties herein contained, the parties do hereby agree to modify paragraph 11 of the existing Preannexation Agreement between them so that such paragraph reads as follows:

11. "OWNER" agrees that the development on the property that is the subject of this Agreement shall be limited to a maximum of eleven buildings containing no more than one single family dwelling unit.

WITNESS our hands and seals this 14th day of August, 1996.

Marilyn Urso
Marilyn Urso

CITY OF EARLVILLE, an Illinois
Municipal Corporation

BY: Robert M. Smith
Robert Smith, Mayor

ATTEST:

Betty J. Todd
Betty Todd, City Clerk