

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
FEBRUARY 19, 2008 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Pre-Annexation Agreements for 611 36 th Street, 4618 Cross Street, 4700 Cross Street and 6009 Springside Avenue	✓ Resolution Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A public hearing has been noticed for February 19, 2008, as part of the regularly scheduled Village Council Meeting to take public comment on voluntary pre-annexation agreements for 611 36th Street, 4618 Cross Street, 4700 Cross Street and 6009 Springside Avenue. In addition, a resolution has been prepared to approve the voluntary pre-annexation agreements for the properties identified herein.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2007-2012 identified *Exceptional Municipal Organization*. Supporting this goal is the objective *Top Quality Core Services Responsive to Current and Future Community and Citizen Needs*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the February 12, 2008 Workshop. Staff recommends approval on the February 19, 2008 active agenda, subject to public hearing testimony.

BACKGROUND

All subject properties are currently unincorporated and are within the Village's ultimate boundary. The property owners previously utilized private wells and were connected to the Village's water distribution system upon their acceptance of the pre-annexation agreements. The agreements were subsequently held by staff until several were available for Council approval. Per Village Council policy, a property has to be annexed to the Village to connect to the Village's water distribution system. If the property is not contiguous to the Village, the property owner has to request pre-annexation by signing a pre-annexation agreement with the Village to connect to the water system. From this point forward, such water connections will not be permitted until the Council has approval the pre-annexation agreement. In addition, it is recommended that the current form of agreement be updated to provide protection to the Village against such households protesting the annexation in the future.

All four properties are not contiguous to the Village boundary and as such cannot be annexed at this time. The property owners are only requesting pre-annexation. When the properties become contiguous to the Village, they will be annexed and all applicable Fire Protection District taxes will be paid at that time. If the pre-annexation agreements are approved, the owners will be permitted to connect to the water system after paying permit and tap fees.

The public hearing will be held at the regular Village Council meeting on February 19, 2008. The proper notices were tendered to York Township, Fairview Fire Protection District, Lisle Township, Lisle-Woodridge Fire Protection District, Downers Grove Township and Darien-Woodridge Fire Protection District officials on January 30, 2008.

**VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY**

INITIATED: _____ **Applicant** _____ **DATE:** February 19, 2008
(Name)

RECOMMENDATION FROM: N/A **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

___ Ordinance

X Resolution

___ Motion

___ Other

Motion to adopt "A Resolution Authorizing Execution of Annexation Agreements for the Properties Located at 4618 Cross Street, 4700 Cross Street, 611 36th Street and 6009 Springside Avenue", as presented.

SUMMARY OF ITEM:

Approval of the attached resolution will authorize annexation agreements for the following properties, with annexation to occur as indicated:

4618 Cross Street - Once the property becomes contiguous to the Village , or at time of request by owner, whichever occurs first.

4700 Cross Street - Once the property becomes contiguous to the Village , or at time of request by owner, whichever occurs first.

611 36th Street - Once the property becomes contiguous to the Village, or at time of request by owner, whichever occurs first.

6009 Springside Avenue - Once the property becomes contiguous to the Village, or at time of request by owner, whichever occurs first.

A public hearing was held on these agreements on February 19, 2008. No rezoning or other land use approvals have been requested. As such, the properties will come into the Village under our R-1 zoning classification.

RECORD OF ACTION TAKEN:

RESOLUTION _____

**A RESOLUTION AUTHORIZING EXECUTION OF
ANNEXATION AGREEMENTS FOR THE PROPERTIES LOCATED AT
4618 CROSS STREET, 4700 CROSS STREET, 611 36TH STREET
AND 6009 SPRINGSIDE AVENUE**

WHEREAS, there has been submitted for Village Council consideration proposed Annexation Agreements for the properties commonly known as 4618 Cross Street, 4700 Cross Street, 611 36th Street, and 6009 Springside Avenue; and,

WHEREAS, the Village Council held a public hearing on the proposed Annexation Agreements on February 19, 2008.

NOW, THEREFORE, be it resolved by the Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

1. That the provisions of the preamble are incorporated into and made a part of this resolution.
2. That the form and substance of the proposed Annexation Agreements between the Village of Downers Grove and the owners of the properties described above (the "Owners") as submitted to this meeting with the recommendation of the Village Manager, are hereby approved.
3. That the Mayor and the Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal, and deliver the Annexation Agreements substantially in the form approved in the foregoing paragraph of this resolution. The Village Clerk shall cause a copy of these Annexation Agreements to be recorded in the Office of the Recorder of Deeds of DuPage County, at the expense of the Owners.
3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Annexation Agreements.
4. That this resolution shall be in full force and effect from and after its passage as provided by law.

Mayor

Passed:

Attest: _____
Village Clerk