



## Legislation Text

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**File #:** ORD17-1354, **Version:** 1

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An Ordinance Adopting and Ratifying Ordinance No. 17-1350 Authorizing the Execution of an Annexation and Development Agreement (Series N of IBT Holdings, LLC, an Illinois limited liability company, and Romeoville Properties L.L.C., a Michigan limited liability company)

..Body

WHEREAS, on February 1, 2017, the Village Board adopted Ordinance No. 17-1350, An Ordinance Authorizing the Execution of an Annexation and Development Agreement (Series N of IBT Holdings, LLC, an Illinois limited liability company, and Romeoville Properties L.L.C., a Michigan limited liability company); and

WHEREAS, at its February 1, 2017 meeting, the Village Board had published for the requisite public hearing required under the Illinois Municipal Code prior to voting on an ordinance approving an annexation agreement such as Ordinance No. 17-1350, but through inadvertence, did not place an item for such public hearing on the February 1, 2017 agenda, and did not conduct such a public hearing; and

WHEREAS, the Village Board, at its March 1, 2017 Village Board meeting, after duly publishing and providing notice as required by the Illinois Municipal Code, did place an item on the March 1, 2017 agenda for the conduct of the requisite public hearing and did in fact conduct such public hearing; and

WHEREAS, the Village Board now desires to adopt this Ordinance, to adopt and ratify the provisions of Ordinance 17-1350 (which are hereinafter fully set forth) after having duly conducted the public hearing required by the Illinois Municipal Code; and

WHEREAS, Series N of IBT Holdings LLC, an Illinois limited liability company (“Owner”), is the owner of certain real property and has filed a petition with the Village of Romeoville to annex the portion of such real property located in unincorporated Will County, Illinois into the corporate limits of the Village, such property being legally described on Exhibit A hereto, a copy of which is attached and made part hereof; and

WHEREAS, Series N of IBT Holdings LLC is also the owner of certain real property presently incorporated within the corporate limits of the Village, such property being legally described on Exhibit B hereto, a copy of which is attached and made part hereof; and

WHEREAS, Romeoville Properties L.L.C., a Michigan limited liability company (“Developer”), is the contract purchaser and prospective developer of the property described in Exhibits A and B hereto, and has filed a development application with the Village for the approval of an annexation and development agreement governing the property described in Exhibits A and B, for the annexation of the unincorporated portion of such property, and for the adoption of ordinances zoning all of such property and granting approval of a special use permit for planned unit development-general development plan applicable to all of such property, all in

accordance with the terms and conditions of an annexation and development agreement, a copy of which is attached hereto and incorporated herein as Exhibit C; and

WHEREAS, Developer, upon the annexation and zoning of the property described in Exhibits A and B, shall develop the same in accordance with the provisions of the annexation and development agreement set forth in Exhibit C; and

WHEREAS, the statutory procedures provided for by 65 IL CS 5/11-15.1-1 et seq. for the execution of the Annexation Agreement, including requisite notice and hearing requirements, have been fully satisfied; and,

WHEREAS, the corporate authorities of the Village have determined that it is in the best interest of the Village to enter into the annexation and development agreement attached hereto as Exhibit C with the Owner and Developer for the annexation and development of the real property described in Exhibit A, and the development of the real property described in Exhibit B.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF ROMEOVILLE, WILL COUNTY, ILLINOIS; THAT:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated into this Ordinance as if fully set forth herein.

SECTION 2: AUTHORIZATION. The Village President and Village Clerk are hereby authorized and directed to execute and attest to the execution of an annexation agreement substantially the form attached as Exhibit C, provided, however, that the authorization and approvals herein contained shall be subject to final review and approval by the Village Manager and the Village Attorney of the Annexation Agreement attached hereto as Exhibit C and of all supporting and ancillary documentation and exhibits related thereto or incorporated therein.

SECTION 3: SEVERABILITY. That the various provisions of this Ordinance are to be considered severable and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION 4: CONFLICTS. All prior Ordinances and Resolutions, or parts thereof in conflict or inconsistent with this Ordinance are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

