

ORDINANCE NO. _____

Date Passed: June 27, 2016

AN ORDINANCE AMENDING THE BOUNDARIES OF THE R-5 AND I-1 ZONING DISTRICTS AND AMENDING THE OFFICIAL ZONING MAP TO REZONE THE OLD LINCOLN SCHOOL PROPERTY FROM R-5 TO I-1

WHEREAS, the City of Rochelle is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, et. seq.; and

WHEREAS, the Rochelle Municipal Code establishes certain zoning districts within the City; and

WHEREAS, pursuant to the provisions of the Rochelle Municipal Code Section 110-162, and the Illinois Municipal Code, 65 ILCS 5/11-13-9, the City has adopted and maintained an Official Zoning Map indicating the boundaries of the various zoning districts as established and amended from time to time by the Rochelle City Council; and

WHEREAS, Chapter 110 of the Rochelle Municipal Code provides procedures for amendments of the boundaries of the various zoning districts, including changes initiated by action of the City Council; and

WHEREAS, the City Council, by adoption of ordinance 16-4575, has directed the City Manager to take all steps necessary to amend the zoning provisions of the Rochelle Municipal Code with respect to the old Lincoln School property located at 108 South Main Street in the City, the legal description of which is attached hereto as **Exhibit A** and which is depicted on **Exhibit B** appended hereto and made a part hereof ("the Property"), by amending the boundaries of the R-5 (multifamily residential) and I-1 (light industry) zoning districts in order to rezone the Property from R-5 to I-1; and

WHEREAS, the Rochelle Plan Commission, following a duly noticed and called public hearing in accordance with all legal requirements, has recommended that the Property be so rezoned, and the City Council concurs; and

WHEREAS, no objections were filed to the rezoning of the Property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS, that Chapter 110 of the Municipal Code of the City of Rochelle, and the Official Zoning Map of the City of Rochelle be amended as follows:

1. REZONING. By rezoning the Property from R-5 (multifamily residential) to I-1 (light industry); and

2. ZONING MAP. By amending the Official Zoning Map of the City of Rochelle to conform to the foregoing rezoning.

This ordinance shall become effective after its passage, approval and publication as provided by law and shall modify any inconsistent provisions in the Rochelle Municipal Code prior to this date.

PASSED AND APPROVED this 27th day of June, 2016.

Ayes: _____ Nays: _____ Abstain: _____

Mayor

Attested: _____
City Clerk

EXHIBIT A
Legal Description of Property

PARCEL 1:

A tract in the Northeast Quarter (1/4) of the Northwest Quarter (1/4) of Section 25, in Township 40 North, Range 1 East of the Third Principal Meridian, being also situated in the City of Rochelle, Ogle County, Illinois, which tract is bounded and described as follows: Commencing on the Westerly line of Main Street in said city at a point 67 feet Southeasterly from an iron stake at the intersection of the said Westerly line of Main Street with the South line of First Avenue; thence running South, 58 degrees West, 197.5 feet to a point, on the East line of the alley, 164 feet South of the South line of said First Avenue; thence South, on the said East line of the alley, 77.6 feet to the Northwesterly corner of the School Lot; thence North 58 degrees East, on the Northerly line of said School Lot, 239.5 feet to the Westerly line of said Main Street; thence Northwesterly on said Westerly line of Main Street, 65 feet to the place of beginning; situated in the Township of Flagg, the County of Ogle and the State of Illinois.

Part of the Northeast Quarter (1/4) of the Northwest Quarter (1/4) of Section 25, Township 40 North, Range 1 East of the Third Principal Meridian, the point of beginning of which is described as follows: Commencing at an iron stake 33 feet South and 962 feet East of the Northwest corner of the said Northeast Quarter (1/4) of the Northwest Quarter (1/4) of Section 25, (also being the intersection of the South line of First Avenue and the Westerly line of South Main Street in the City of Rochelle, Ogle County, Illinois); thence South 32 degrees East on the said Westerly line of South Main Street 332 feet; thence South 58 degrees West 159.7 feet to the said point of beginning; thence extending Southwesterly on a projection of the last described course, 150 feet; thence Southeasterly at an angle of 88 degrees 26 minutes measured clockwise from the last described course 137.35 feet; thence Northeasterly at an angle of 91 degrees 24 minutes measured clockwise from the last described course and on a line hereinafter designated as line "A", 146.25 feet; thence Northwesterly at an angle of 90 degrees 10 minutes measured clockwise from the last described course 136.75 feet to the said point of beginning. Also, all that land lying between aforesaid line "A" and the Northerly bank of Kyte Creek; situated in the Township of Flagg, the County of Ogle and the State of Illinois.

A part of Lot Two (2) of the Assessor's Subdivision of the Northwest Quarter (1/4) of Section 25, in Township 40 North, Range 1 East of the Third Principal Meridian, in the City of Rochelle, in Ogle County, Illinois, described and bounded as follows, to-wit: Commencing at the Northeast corner of said Lot 2, at a point established; thence South, 32 degrees East, 132 feet to corner of tract to be established; thence South 58 degrees West, 245 feet; thence South 220 feet; thence North 58 degrees East, 345 feet; thence

North 32 degrees West, 200 feet to a point of beginning; situated in the Township of Flagg, the County of Ogle and the State of Illinois.

ALSO, beginning at a point at the Northeast corner of Lot 2 of the Northwest Quarter (1/4) of Section 25, Township 40 North, Range 1 East of the Third Principal Meridian, being a part of Assessor's Subdivision; thence South 32 degrees East, 332 feet; thence South 58 degrees West, 345 feet; thence South about 200 feet to the center of Kyte River; thence Northeasterly along the center of said Kyte River to the West line of Main Street; thence North 32 degrees West to the point of beginning; situated in the Township of Flagg, the County of Ogle and the State of Illinois.

EXCEPTING THEREFROM Part of the Northeast Quarter (1/4) of the Northwest Quarter (1/4) of Section 25, in Township 40 North, Range 1 East of the Third Principal Meridian, Ogle County, Illinois, the point of beginning of which is described as follows: Commencing at an iron stake 33 feet South and 962 feet East of the Northwest corner of the said Northeast Quarter (1/4) of the Northwest Quarter (1/4) of Section 25 (also being the intersection of the South line of First Avenue and the Westerly line of South Main Street in the City of Rochelle); thence South 32 degrees East on the said Westerly line of South Main Street, 332 feet; thence South 58 degrees West 309.7 feet to the said point of beginning; thence continuing Southwesterly on an extension of the last described course, 55 feet; thence Southerly at an angle of 122 degrees 23 minutes measured clockwise from the last described course, 163 feet to the Northerly bank of Kyte Creek; thence Northeasterly at an angle of 57 degrees 27 minutes measured clockwise from the last described course on a line hereinafter designated as line "A", 146.3 feet; thence Northwesterly 137.35 feet to the place of beginning, also all that land lying between aforesaid line "A" and the Northerly bank of Kyte Creek; situated in the Township of Flagg, the County of Ogle and the State of Illinois.

ALSO EXCEPTING THEREFROM Part of the Northeast Quarter (1/4) of the Northwest Quarter (1/4) of Section 25, Township 40 North, Range 1 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the South line of First Avenue and the Westerly Right-of-Way Line of Main Street in the City of Rochelle; thence South 32 degrees 09 minutes 54 seconds East along said Westerly Right-of-Way Line, a distance of 332.00 feet to the point of beginning of the hereinafter described tract of land; thence South 57 degrees 53 minutes 40 seconds West, a distance of 159.70 feet; thence South 32 degrees 06 minutes 44 seconds East, a distance of 153.70 feet (153.75 feet deeded) to the Northerly Bank of Kyte Creek; thence North 51 degrees 38 minutes 20 seconds East along said Northerly Bank, a distance of 160.78 feet to the aforesaid Westerly Right-of-Way Line; thence North 32 degrees 09 minutes 54 seconds West along said Westerly Right-of-Way Line, a distance of 136.18 feet (136.00 feet deeded) to the point of beginning; all situated in the City of Rochelle, the Township of Flagg, the County of Ogle and the State of Illinois.

FURTHER EXCEPTING THEREFROM Part of the Northwest Quarter (1/4) of Section 25, Township 40 North, Range 1 East of the Third Principal Meridian, City of Rochelle, Ogle County, Illinois, bounded and described as follows, to-wit: Commencing at the intersection of the North line of Lot 7 in Block 1 of Atwater's Addition to the City of Rochelle, extended Easterly to the East line of the vacated alley lying East of and adjacent to said Block 1; thence South 01 degree 32 minutes 07 seconds East along said East line a distance of 14.13 feet to the point of beginning; thence continuing South 01 degree 32 minutes 07 seconds East, along said East line, a distance of 80.27 feet; thence North 53 degrees 51 minutes 48 seconds East, a distance of 43.11 feet; thence North 33 degrees 59 minutes 35 seconds West, a distance of 66.12 feet to the point of beginning; situated in the Township of Flagg, the County of Ogle and the State of Illinois.

ALSO INCLUDING Part of the Northwest Quarter (1/4) of Section 25, Township 40 North, Range 1 East of the Third Principal Meridian, City of Rochelle, Ogle County, Illinois, bounded and described as follows, to-wit: Beginning at the intersection of the North line of Lot 7 in Block 1 of Atwater's Addition to the City of Rochelle, extended Easterly to the East line of the vacated alley lying East of and adjacent to said Block 1; thence South 01 degrees 32 minutes 07 seconds East, along said East line, a distance of 14.13 feet; thence North 33 degrees 59 minutes 35 seconds West, a distance of 16.74 feet to a point on the North line of said Lot 7, extended Easterly; thence North 88 degrees 27 minutes 48 seconds East, along said extended line, a distance of 8.99 feet to the point of beginning; situated in the Township of Flagg, the County of Ogle and the State of Illinois.

Part of the Northwest Quarter (1/4) of Section 25, Township 40 North, Range 1 East of the Third Principal Meridian, City of Rochelle, Ogle County, Illinois, bounded and described as follows, to-wit: Commencing at the intersection of the North line of Lot 7 in Block 1 of Atwater's Addition to the City of Rochelle, extended Easterly to the East line of the vacated alley lying East of and adjacent to said Block 1; thence South 01 degrees 32 minutes 07 seconds East along said East line, a distance of 14.13 feet; thence South 01 degree 32 minutes 07 seconds East, along said East line, a distance of 80.27 feet; thence North 53 degrees 51 minutes 48 seconds East, a distance of 43.11 feet to the point of beginning; thence continuing North 53 degrees 51 minutes 48 seconds East, a distance of 11.89 feet; thence South 37 degrees 42 minutes 12 seconds East, a distance of 168.00 feet to a point on the centerline of Kyte Creek; thence South 59 degrees 28 minutes 48 seconds West, along said centerline, a distance of 22.79 feet; thence North 33 degrees 59 minutes 35 seconds West, a distance of 165.82 feet to the point of beginning; situated in the Township of Flagg, the County of Ogle and the State of Illinois.

EXCEPTING THEREFROM Part of the Northeast Quarter (1/4) of the Northwest Quarter (1/4) of Section 25, Township 40 North, Range 1 East of the Third Principal Meridian, Ogle County, Illinois, described as follows: Commencing at a point 33 feet South and 962 feet East of the Northwest corner of the Northeast Quarter (1/4) of the Northwest Quarter (1/4) of said Section 25 (being the intersection of the South line of

First Avenue with the Westerly line of South Main Street in the City of Rochelle); thence Southeasterly along the Westerly line of South Main Street, a distance of 67 feet to the place of beginning of the tract herein described; thence South 56 degrees 58 minutes 40 seconds West along the Southerly line of said premises conveyed a distance of 1.76 feet; thence South 28 degrees 41 minutes 36 seconds East, a distance of 41.43 feet; thence South 33 degrees 27 minutes 25 seconds East, a distance of 175.67 feet; thence South 34 degrees 19 minutes 02 seconds East, a distance of 9.00 feet to the Westerly line of South Main Street; thence Northwesterly along the Westerly line of South Main Street, a distance of 226 feet to the place of beginning; situated in the Township of Flagg, the County of Ogle and the State of Illinois.

PARCEL 2:

Part of the Northeast Quarter (1/4) of the Northwest Quarter (1/4) of Section 25, in Township 40 North, Range 1 East of the 3rd P.M., described as follows: Beginning at an iron stake 33 feet South and 962 feet East of the Northwest corner of the Northeast Quarter (1/4) of the Northwest Quarter (1/4) of said Section 25 (being the intersection of the South line of First Avenue with the Westerly line of Main Street in the City of Rochelle) for a point of beginning and running thence South 32 degrees East along the Westerly line of Main Street, 67 feet to the Northeast corner of Lot conveyed to George Carey and Rebecca Elizabeth Carey by deed dated July 29, 1918 and recorded in Book 132 of deeds, page 276 in the Recorder's Office of Ogle County, Illinois (said point being 20 feet Northwesterly along Main Street from the Northeast corner of the original lot conveyed to Rebecca Elizabeth Carey by deed dated February 18, 1910, recorded in Book 124 of Deeds page 470; thence South 58 degrees West along the Northerly line of said Carey Lot, 203 feet to the East line of the alley in Atwater's Subdivision as shown by the Plat recorded in Book A of Plats, page 312, in the Recorder's Office of Ogle County, Illinois; thence North along the East side of said alley, 164 feet to an iron stake in the South line of First Avenue in the City Rochelle; thence East along the South line of First Avenue, aforesaid, 129.55 feet to the place of beginning; EXCEPTING THEREFROM that part described as follows: Beginning at a point 33 feet South and 962 feet East of the Northwest corner of the Northeast Quarter (1/4) of the Northwest Quarter (1/4) of said section 25 (being the intersection of the South line of First Avenue with the Westerly line of South Main Street in the City of Rochelle); thence South 89 degrees 50 minutes 54 seconds West along the South line of First Avenue, a distance of 40.19 feet; thence South 69 degrees 08 minutes 35 seconds East, a distance of 41.73 feet; thence South 54 degrees 53 minutes 22 seconds East, a distance of 15.15 feet; thence South 38 degrees 34 minutes 30 seconds East, a distance of 22.42 feet; thence South 28 degrees 41 minutes 36 seconds East, a distance of 18.78 feet to the Southerly line; thence North 56 degrees 58 minutes 40 seconds East along said Southerly line, a distance of 1.76 feet to the Westerly line of South Main Street; thence Northwesterly along the Westerly line of South Main Street, a distance of 67 feet to the point of beginning; situated in the Township of Flagg, the County of Ogle and State of Illinois.

EXHIBIT B
Map of Property