

CITY OF LEROY
COUNTY OF MC LEAN
STATE OF ILLINOIS

ORDINANCE NO. 828

AN ORDINANCE GRANTING A VARIANCE OF THE REQUIREMENTS OF THE
SUBDIVISION CODE OF THE CITY OF LEROY, MC LEAN COUNTY, ILLINOIS, AS
PROVIDED UNDER SECTION 22.10 OF CHAPTER 22 SUBDIVISIONS, MUNICIPAL
CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED)

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY
THIS 4th DAY OF January, 1999

PRESENTED: January 4, 1999

PASSED: January 4, 1999

APPROVED: January 4, 1999

RECORDED: January 4, 1999

PUBLISHED: January 4, 1999

In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)



City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: January 4, 1999.

AN ORDINANCE GRANTING A VARIANCE OF THE REQUIREMENTS OF THE SUBDIVISION CODE OF THE CITY OF LEROY, MC LEAN COUNTY, ILLINOIS, AS PROVIDED UNDER SECTION 22.10 OF CHAPTER 22 SUBDIVISIONS, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED)

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, have determined that a proposed subdivision of Lots 7,8 and 9 in Block 139 of Wood and Conkling's Addition to the City of LeRoy is appropriate; and

WHEREAS, Section 22.10 Subdivision of Small Tracts, of Chapter 22 SUBDIVISIONS, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), provides for a certain expediting of subdivision approval procedures and a method by which relief can be granted in unique and unusual situations concerning small tracts of land,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of LeRoy, Illinois, in lawful meeting assembled, as follows:

Section 1. The request by Joan Cook, owner of Lots 7, 8 and 9 in Block 139 of Conkling's Addition to the City of LeRoy, McLean County, Illinois, to subdivide said lots in to the following two tracts, described as follows:

Tract 1: Lot 7, EXCEPT the North 20 feet thereof and Lot 8, EXCEPT the North 20 feet and the East 10.37 feet thereof, all in Block 139 of Wood & Conkling's Addition to the City of LeRoy, McLean County, Illinois.

Tract 2: The North 20 feet of Lot 7, the North 20 feet and the East 10.37 feet of Lot 8 and all of Lot 9, all in Block 139 of Wood & Conkling's Addition to the City of LeRoy, McLean County, Illinois.

is hereby approved. Further, in accordance of Section 22.10 of Chapter 22 SUBDIVISIONS, Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), the City Council hereby finds that the plat of resubdivision of the aforesaid Lots 7,8 and 9 is a plat of resubdivision of a small tract of land. After consideration of said request, the City Council is of the opinion that the intent and purpose of the provisions of Chapter 22 SUBDIVISIONS of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended) are not violated by such plat and that construction of the improvements required in accordance with Chapter 22 of the aforesaid municipal code are ~~not~~ applicable, at least in certain instances, or cannot be reasonably enforced. Therefore, the City

Council hereby waives the application or enforcement of the provisions of Chapter 22 SUBDIVISIONS of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended) and hereby approves the aforesaid plat, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, without requiring the applicant, Joan Cook, to proceed further in accordance with Chapter 22 SUBDIVISIONS of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended).

Section 2. The City Council hereby finds that all the recitals contained in the preambles and recitals to this ordinance are true, complete and correct, and they hereby incorporate such preambles and recitals into this ordinance by this reference thereto.

Section 3. All ordinances, or parts thereof, resolutions, or parts thereof, in conflict with this ordinance shall be and the same are hereby repealed to the extent of such conflict, and this ordinance shall be in full force and effect as set forth hereafter.

Section 4. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost impaired or affected by this ordinance.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by Ron Litherland, seconded by Dawn Thompson, by roll call vote on the 4th day of January, 1999, as follows:

Aldermen elected 6 Aldermen present 6

VOTING AYE:
Ryan Miles, Dawn Thompson, Dave McClelland, W.H. Weber, Ron Litherland, Dick Oliver.
(full names)

VOTING NAY:
None
(full names)

ABSENT:
None

ABSTAIN: (full names)

OTHER: (full names)

(full names)

and deposited and filed in the office of the City Clerk in said municipality on the 4th day of January, 1999.

X Sue Marcum
Sue Marcum, City Clerk of the City of LeRoy, McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 4th day of January, 1999.

X Robert Rice
Robert Rice, Mayor of the City of LeRoy, McLean County, Illinois

ATTEST: (SEAL)

X Sue Marcum
Sue Marcum, City Clerk of the City of LeRoy, McLean County, Illinois

Exhibit A

(copies of plat)

to go

here

CERTIFICATE

I, Sue Marcum, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on January 4, 1999, the Corporate Authorities of such municipality passed and approved Ordinance No. 828, entitled:

AN ORDINANCE GRANTING A VARIANCE OF THE REQUIREMENTS OF THE SUBDIVISION CODE OF THE CITY OF LEROY, MC LEAN COUNTY, ILLINOIS, AS PROVIDED UNDER SECTION 22.10 OF CHAPTER 22 SUBDIVISIONS, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED),

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 828, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on January 4, 1999, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 4th day of January, 1999.

(SEAL)


Municipal Clerk

STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)

I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy , McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE GRANTING A VARIANCE OF THE REQUIREMENTS OF THE SUBDIVISION CODE OF THE CITY OF LEROY, MC LEAN COUNTY, ILLINOIS, AS PROVIDED UNDER SECTION 22.10 OF CHAPTER 22 SUBDIVISIONS, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED).

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 4th day of January , 1999, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this 4th day of January , 1999.

X Sue Marcum
City Clerk

(SEAL)