
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLAT OF
SUBDIVISION FOR THE PROPERTY LOCATED AT 340 AND 400 MAY MART
DRIVE, PARCELS 24-24-127-053 AND 24-24-127-057**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

TOM McDERMOTT
BIL HAYES
KATE SHAW-DICKEY
DAN McDERMOTT
ROSAELIA ARTEAGA
BEN VALDIVIESO
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Peterson, Johnson, and Murray, LLC, City Attorneys
200 W. Adams, Suite 2125 Chicago, IL 60606

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**AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLAT OF
SUBDIVISION FOR THE PROPERTY LOCATED AT 340 AND 400 MAY MART
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WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

WHEREAS, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

WHEREAS, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

WHEREAS, The Central Bank (“Petitioner”), has petitioned to combine the property located at 340 May Mart Drive and 400 May Mart Drive, Parcels 24-24-127-053 and 24-24-127-057 (the Legal Descriptions are attached herein as Exhibit A). The properties are zoned B2 Commercial Highway and total approximately 1.394 acres.; and

WHEREAS, the Petitioner seeks to combine the Central Bank parcel (#24-24-127-053) with the parking lot portion of the radio station parcel (#24-24-127-057) into one lot. The radio station does not have a need for the entire parking lot and does not want to bear the cost of the needed repairs. Central Bank currently utilizes the radio stations parking lot.; and

WHEREAS, the petition for the Preliminary Plat and Final Plat was reviewed by the Planning and Zoning Commission at their meeting of August 7, 2023 and the Planning and Zoning Commission, by a vote of 5-0, recommended that Council approve the Preliminary Plat and Final Plat of Subdivision; and

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:

SECTION ONE: The foregoing recitals shall be, and are hereby, incorporated into and made a part of this Ordinance as if fully set forth in this Section One.

SECTION TWO: The Preliminary Plat, Exhibit B, and Final Plat, Exhibit C, for the Central Subdivision located at 340 May Mart Drive and 400 May Mart Drive, Rochelle, Illinois, Parcel Numbers 24-24-127-053 and 24-24-127-057; are hereby approved by the Mayor and City Council.

SECTION THREE: That the Mayor and City Council of the City of Rochelle hereby approve and accept said Preliminary and Final Plats, attached hereto as Exhibit B and Exhibit C, and all necessary City Officials are hereby authorized to execute said Plats prior to the final recording, subject to review and revision as to form by the City Attorney and City staff.

SECTION FOUR: The City Clerk shall be and is hereby authorized and directed to cause a certified copy of this Ordinance with the attached Exhibit B and Exhibit C, to be recorded in the Office of the Ogle County Recorder.

SECTION FIVE: If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION SIX: Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions imposed Ordinance in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

SECTION SEVEN: The City Clerk shall publish this Ordinance in pamphlet form.

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

PASSED THIS 14th day of August, 2023.

AYES:

NAYS:

ABSENT:

APPROVED THIS 14th day of August, 2023.

CITY MAYOR

ATTEST:

CITY CLERK

EXHIBIT A
(Legal Description)

Parcels Identification Numbers 24-24-127-053 and 24-24-127-057:

Part of Block 1 of May Mart Subdivision in the City of Rochelle, being a subdivision of part of the Northeast Quarter of the Northwest Quarter and part of the Northwest Quarter of the Northeast Quarter of Section 24, as recorded in Book "H" of Plats, page 38 in the Recorder's Office of Ogle County, Illinois and part of the Northeast Quarter of the Northwest Quarter of Section 24, all in Township 40 North, Range 1 East of the Third Principal Meridian, bounded and described as follows:

Beginning at the Southwest Corner of Block 1 of said May Mart Subdivision; thence South 88 degrees 19 minutes 37 seconds West along the North Line of May Addition to the City of Rochelle, a distance of 165.00 feet to the Northwest Corner of Lot 21 of said May Addition, also being the East Line of J. O. McConaughy Subdivision; thence North 01 degree 55 minutes 25 seconds West along said East Line, a distance of 160.0 feet; thence North 88 degrees 19 minutes 36 seconds East, a distance of 165.90 feet to the West Line of Block 1 of said May Mart Subdivision; thence North 01 degree 36 minutes 01 seconds West along said West Line, a distance of 121.66 feet to the Northwest Corner of said Block 1; thence North 88 degrees 22 minutes 27 seconds East along the North Line of said Block 1 and the Southerly Right-of-Way Line of a public road designed Illinois Route 38, a distance of 140.03 feet; thence South 01 degrees 08 minutes 05 seconds East, a distance of 152.44 feet to North Line of an existing line of concrete columns; thence South 88 degrees 19 minutes 30 seconds West along said North Line, a distance of 38.13 feet to the Northerly projection of the centerline of an existing concrete block wall; thence South 01 degree 40 minutes 29 seconds East along said centerline and the Southerly projection thereof, a distance of 129.11 feet to the South Line of said Block 1; thence South 88 degrees 19 minutes 37 seconds West along said South Line, a distance of 100.83 feet to the Point of Beginning, containing 1.394 acres, more or less, subject to all easements, agreements, city codes and/or ordinances of record, if any, all situated in the City of Rochelle, the County of Ogle and the State of Illinois.

Part of Lot 39 of J. O. McConaughy's Subdivision and part of the Northeast Quarter of the Northwest Quarter of Section 24, all in Township 40 North, Range 1 East of the Third Principal Meridian, bounded and described as follows:

Beginning at the Southwest Corner of Block 1 of the Plat of May Mart Subdivision as recorded in Book "H" of Plats, page 38 in the Recorder's Office of Ogle County, Illinois; thence South 89 degrees 57 minutes 15 seconds West along the North Line of the Plat of May Addition to the City of Rochelle, as recorded in Book "F" of Plats, page 56 in the Recorder's Office of Ogle County, Illinois, a distance of 135 feet; thence North 00 degrees 06 minutes 32 seconds East, parallel with the East Line of J. O. McConaughy's Subdivision, a distance of 30 feet; thence South 89 degrees 57 minutes 15 seconds West, parallel with the North Line of the Plat of May Addition, a distance of 162 feet, more or less, to the East Line of Lincoln Highway, being the West Line of Lot 39 of J. O. McConaughy's Subdivision; thence North 00 degrees 06 minutes

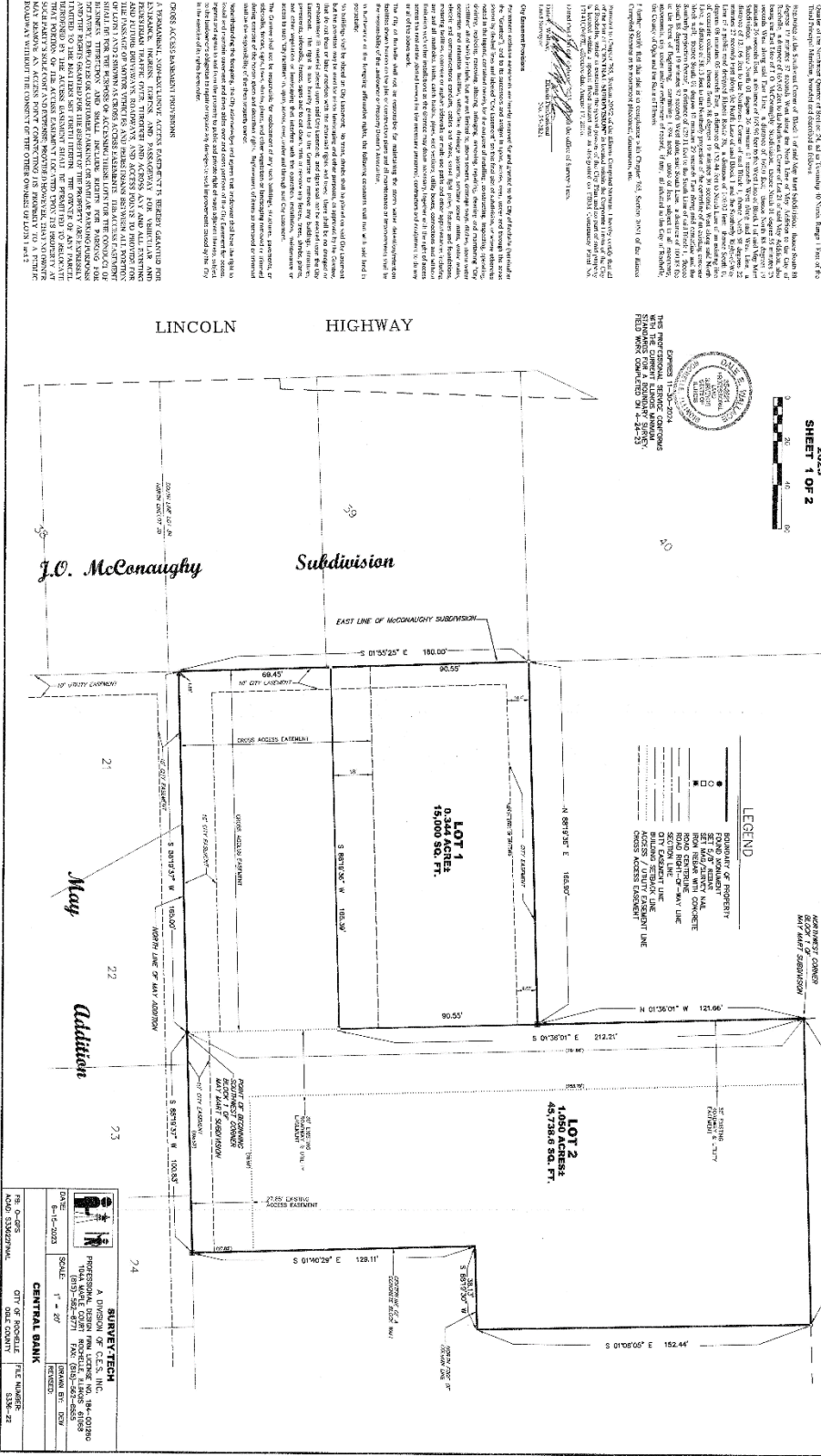
32 seconds East on the East Line of Lincoln Highway, a distance of 24 feet; thence South 89 degrees 57 minutes 15 seconds East, parallel with the North Line of the Plat of May Addition, a distance of 297 feet, more or less to the West Line of Block 1 of the May Mart Subdivision; thence South 00 degrees 06 minutes 32 seconds West along the West Line of Block 1 to the Point of Beginning, situated in the City of Rochelle, the Township of Flagg, the County of Ogle and the State of Illinois.

EXHIBIT C - FINAL PLAT

CHANDLER 1618
STATE OF ILLINOIS
COUNTY OF ROCK ISLAND

FINAL PLAT OF
Carthage Subdivision
PART OF THE NORTHEAST QUARTER
SECTION 24, TOWNSHIP 46 NORTH
RANGE 1 EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN THE CITY
OF ROCK ISLAND, COUNTY OF IGLE
SHEET 1 OF 2

ILLINOIS ROUTE 38



General Provisions

1. This plat is a true and correct copy of the original survey... The survey was made by J. C. McCaughy, Surveyor, on the 15th day of March, 1923. The plat was filed for record in the County Clerk's Office of Rock Island County, Illinois, on the 15th day of March, 1923.

2. The survey was made by J. C. McCaughy, Surveyor, on the 15th day of March, 1923. The plat was filed for record in the County Clerk's Office of Rock Island County, Illinois, on the 15th day of March, 1923.

3. The survey was made by J. C. McCaughy, Surveyor, on the 15th day of March, 1923. The plat was filed for record in the County Clerk's Office of Rock Island County, Illinois, on the 15th day of March, 1923.

PROF. SURVEYOR	A. DIVISION OF CIVIL ENGRS. INC.
DATE	6-12-2023
SCALE	1" = 40'
CITY OF ROCK ISLAND	CENTRAL BANK
FILE NUMBER	638-22

OWNERS CERTIFICATE

STATE OF ILLINOIS)
) SS
CITY OF ROCKFELLER)

We, Rockwell Broadcasting, LLC, Owner of the land referenced on the plan hereon, do hereby certify that the said plan was prepared at our request and under our direction by Dale H. Walker, Illinois Professional Land Surveyor for the firm of Survey Tech. After the said surveyor duly performed the survey and reduced the same to a correct and true plat, we the undersigned, in and to the best of our knowledge and belief, and to the best of our ability and belief, caused the survey to be conducted in the presence of a "Qualified Professional" in accordance with the provisions of the Illinois Surveying Act, Chapter 126, Illinois Compiled Statutes (ICS), Township High School District No. 212, Rockwell School District No. 212 in Clark County, Illinois.

Dated this _____ day of _____, 2023.

BY: Rockwell Broadcasting, Inc.
4801 West Varranville
Rockwell, IL 61068

(Gary Peterson, President/Central Manager)

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF COGLE)

I, _____, a notary public, in and for said County, in the same presence as a notary public, do hereby and certify that Gary Peterson, President/Central Manager of Rockwell Broadcasting, Inc. a duly licensed professional land surveyor for the firm of Survey Tech, is duly qualified to perform the survey and reduce the same to a correct and true plat as authorized by the foregoing instrument as set forth herein, and that I have personally known and believed that the said Gary Peterson is duly qualified as a notary public under my hand and notarial seal this _____ day of _____, 2023, at _____, Illinois.

Notary Public
My Commission Expires on _____

STATE OF ILLINOIS)
) SS
CITY OF ROCKFELLER)

The Central Bank Illinois, Owner of the land referenced on the plan hereon, do hereby certify that the said plan was prepared at our request and under our direction by Dale H. Walker, Illinois Professional Land Surveyor for the firm of Survey Tech. After the said surveyor duly performed the survey and reduced the same to a correct and true plat, we the undersigned, in and to the best of our knowledge and belief, and to the best of our ability and belief, caused the survey to be conducted in the presence of a "Qualified Professional" in accordance with the provisions of the Illinois Surveying Act, Chapter 126, Illinois Compiled Statutes (ICS), Township High School District No. 212, Rockwell School District No. 212 in Clark County, Illinois.

Dated this _____ day of _____, 2023.

BY: Central Bank Illinois
Rozanne Mc
Rockwell, IL 61068

(Adam Denton, CEO)

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF COGLE)

I, _____, a notary public, in and for said County, in the same presence as a notary public, do hereby and certify that Adam Denton, CEO of Central Bank Illinois, is duly qualified to perform the survey and reduce the same to a correct and true plat as authorized by the foregoing instrument as set forth herein, and that I have personally known and believed that the said Adam Denton is duly qualified as a notary public under my hand and notarial seal this _____ day of _____, 2023, at _____, Illinois.

Notary Public
My Commission Expires on _____

(Gary Peterson, President/Central Manager)

**FINAL PLAT OF
Central Subdivision**
**PART OF THE NORTHEAST QUARTER
SECTION 24, TOWNSHIP 40 NORTH
RANGE 1 EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN THE CITY
OF ROCKFELLER, THE COUNTY OF ILLINOIS
AND THE STATE OF ILLINOIS
SHEET 2 OF 2**

ENGINEER AND OWNERS DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF COGLE)

Pursuant to Chapter 165 ICS 302.5, we hereby certify that in the best of our knowledge and belief, the drainage of surface water will not be changed by the construction of this subdivision hereon, and that the drainage of surface water will not be affected in any manner whatsoever by the construction of this subdivision hereon. We further certify that the drainage of surface water hereon will not be changed by the construction and distribution of each utility subject to the provisions of the Illinois Drainage Act, Chapter 165, Illinois Compiled Statutes (ICS), Township High School District No. 212, Rockwell School District No. 212 in Clark County, Illinois.

Dated this _____ day of _____, 2023.

(Professional Engineer No. 62,115, Illinois)

(BY: Central Bank Illinois)

(BY: Rockwell Broadcasting, Inc.)

PLANNING COMMISSION CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF COGLE)

We, the undersigned members of the Planning Commission for the City of Rockwell, hereby approve and file this subdivision subject to the City of Rockwell's rules, regulations and policies (then under our hands and seal) this _____ day of _____, 2023.

President: _____

Secretary: _____

CERTIFICATE OF SPECIAL ASSESSMENTS

STATE OF ILLINOIS)
) SS
COUNTY OF COGLE)

I, _____, do hereby certify that there are no delinquent or unpaid current or deferred special assessments or any deferred installments thereof that have not been reported against the tract of land referenced in the plat.
Dated this _____ day of _____, 2023.

Collector of Special Assessments: _____

CITY ENGINEER CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF COGLE)

I, _____, do hereby certify that no public improvements are required for this subdivision.
Dated at _____, Illinois, this _____ day of _____, 2023.
(Seal)
Signed: C. Peterson, City Engineer
License Number: _____

(CITY COUNCIL ACCEPTANCE RESOLUTION)

STATE OF ILLINOIS)
) SS
COUNTY OF COGLE)

WHEREAS, The City of Rockwell, Owner of the land shown hereon have caused same to be subdivided and platted as shown, and
WHEREAS, the said land lies within the Corporate Limits of the City of Rockwell, Cogle County, Illinois.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rockwell that the plat hereon be accepted and approved subject to the provisions of all applicable Ordinances of the City of Rockwell.
Passed this _____ day of _____, 2023.

City Clerk
Adam Peterson, Mayor

COUNTY CLERK TAX CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF COGLE)

I, _____, County Clerk of Cogle County, Illinois, do hereby certify that there are no delinquent special taxes, no unpaid bridged taxes, and no redemptible or sale rights on any of the land included in the annexed plat.
I further certify that I have received all statutory fees in connection with the annexed plat.
Given under my hand and seal at _____ Illinois, this _____ day of _____, 2023.

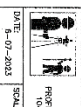
County Clerk

CONTRACT RECORDEE'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF COGLE)

I filed for record this _____ day of _____, 2023, and examined _____ Maps, in _____ Block, in _____ Document Number _____
County Recorder: _____

SHEET 2 OF 2

	SURVEY-TECH A DIVISION OF C.E.S. INC. PROFESSIONAL SURVEYING 300 N. COLEMAN ST. ROCKFELLER, IL 61068 (618)-562-5771 FAX: (618)-562-8505
CENTRAL BANK FILE NUMBER: 5388-22 DATE: 07-20-2023 SCALE: 1" = 20'	PLANNING COMMISSION: _____ COUNTY CLERK: _____ COUNTY ENGINEER: _____ RECORDEE: _____ RECORDING FEE: \$300.00 RECORDING DATE: 07/20/23

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, _____, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. _____, “AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLAT OF SUBDIVISION FOR THE PROPERTY LOCATED AT 340 AND 400 MAY MART DRIVE, PARCELS 24-24-127-053 AND 24-24-127-057” which was adopted by the Mayor and City Council of the City of Rochelle on August 14, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 14th day of August, 2023.

CITY CLERK