THE CITY OF ROCHELLE Ogle County, Illinois ORDINANCE NO. ____ AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLAT OF

AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLAT OF SUBDIVISION FOR THE PROPERTY LOCATED AT 15TH STREET AND 8TH AVENUE, ROCHELLE, ILLINOIS WITH PARCEL NUMBER 24-23-401-020

JOHN BEARROWS, Mayor ROSE HUERAMO, City Clerk

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City Council

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CITY OF ROCHELLE Ogle County, Illinois

ORDINANCE NO. ____

AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLAT OF SUBDIVISION FOR THE PROPERTY LOCATED AT 15TH STREET AND 8TH AVENUE, ROCHELLE, ILLINOIS WITH PARCEL NUMBER 24-23-401-020

- **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**, Haywell, LLC ("Petitioner"), is the owner of approximately 3.77 acres of land that is zoned I-1 Light Industry Zoning District; and
- **WHEREAS**, the land is located at 15th Street and 8th Avenue, Rochelle, Illinois with Parcel Number 24-23-401-020; and
- **WHEREAS**, the Petitioner seeks to create a one lot subdivision for the development of a self-storage facility with 6 units; and
- **WHEREAS**, pursuant to the City of Rochelle Zoning Ordinance, the Petitioner, initiated a petition to subdivide the properties described in Exhibit "A" and as depicted on Preliminary Plat, Exhibit "B", and Final Plat, Exhibit "C" known as the Hayden Addition Unit 3 Subdivision; and
- **WHEREAS**, the petition for the Preliminary Plat and Final Plat was reviewed by the Planning and Zoning Commission at their meeting of June 6, 2022 and the Planning and Zoning Commission, by a vote of 7-0, recommended that Council approve the Preliminary Plat and Final Plat of Subdivision for the Hayden Addition Unit 3 Subdivision; and
- **NOW THEREFORE BE IT ORDAINED** by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:
- <u>SECTION ONE</u>: 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.

<u>SECTION TWO</u>. The Preliminary Plat, <u>Exhibit B</u>, and Final Plat, <u>Exhibit C</u>, for the Hayden Addition – Unit 3 Subdivision located at 15th Street and 8th Avenue, Rochelle, Illinois with Parcel Number 24-23-401-020 are hereby approved by the Mayor and City Council.

<u>SECTION THREE</u>. That the Mayor and City Council of the City of Rochelle hereby approve and accept said Preliminary and Final Plats, attached hereto as <u>Exhibit B</u> and <u>Exhibit C</u>, 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.

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

<u>SECTION FIVE</u>: 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.

<u>SECTION SIX</u>: 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.

<u>SECTION SEVEN</u>: The City Clerk shall publish this Ordinance in pamphlet form.

<u>SECTION EIGHT</u>: 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 13 th day of June, 2022.		
AYES:		
NAYS:		
ABSENT:		
APPROVED THIS 13 th day of June, 2022.		
	CITY MAYOR	
ATTEST:		
CITY CLERK		

EXHIBIT A (Legal Description)

Parcel Identification Numbers: 24-23-401-020

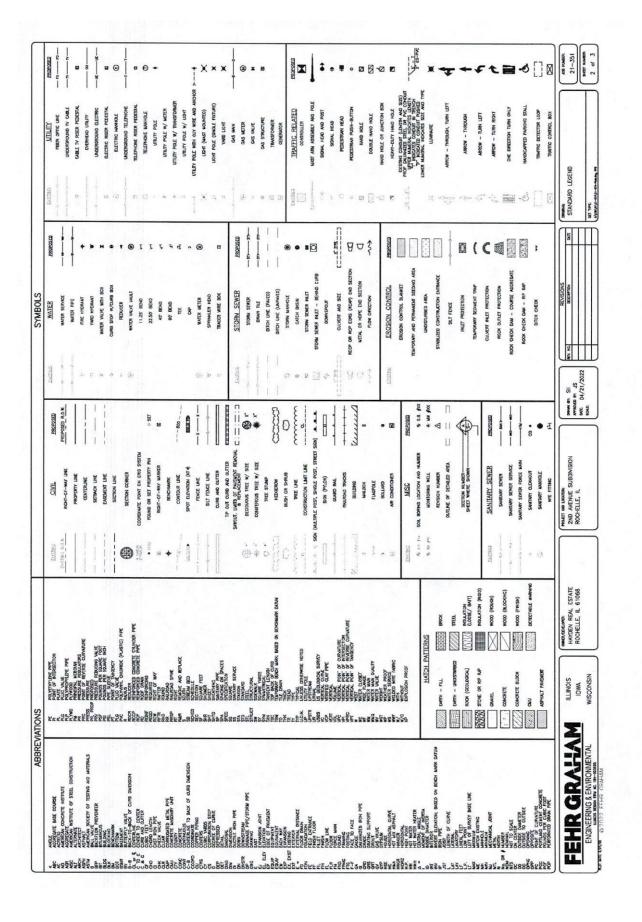
Description:

Part of the Northwest Quarter of the Southeast Quarter of Section 23, Township 40 North, Range 1 East of the Third Principal Meridian, bounded and described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said Section 23; thence North 88 degrees 36 minutes 09 seconds East (assumed bearing) on and along the North line of said Southeast Quarter, a distance of 955.61 feet to the Point of Beginning of the hereinafter described tract of land; thence continuing North 88 degrees 36 minutes 09 seconds on and along last named line, a distance of 363.00 feet to the East line of said Northwest Quarter of the Southeast Quarter of Section 23; thence South 01 degrees 17 minutes 24 seconds East on and along last named line, a distance of 452.16 feet; thence South 88 degrees 36 minutes 09 seconds West a distance of 363.00 feet; thence North 01 degrees 17 minutes 24 seconds West a distance of 452.16 to the Point of Beginning, containing 3.77 acres, more or less.

EXHIBIT B (Preliminary Plat)

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NW 1/4 OF SE 1/4 O	OWNER / DEVELOPER HAYWELL LLC RESIDENTIUAL RENTALS POR SOX 67 ROCHELLE, ILLINGIS 61068 PIN 24-23-401-020	SURPEYOR'S STATEMENT 1. South I wastern presented and Surveys in this other of littode, hearty state, of the test of south I wastern the state that of the break of the south I wastern the state of the south I wastern the state of the south I wastern the state of the south I wastern the south I wastern the state of the south I wastern the south I wastern	DATUM INFORMATION BUT = N 19797-20, E 289299-30, ELY 81-320 BUT = N 19797-30, E 289299-30, ELY 81-320 NOTIFIED TO THE STATE OF THE S



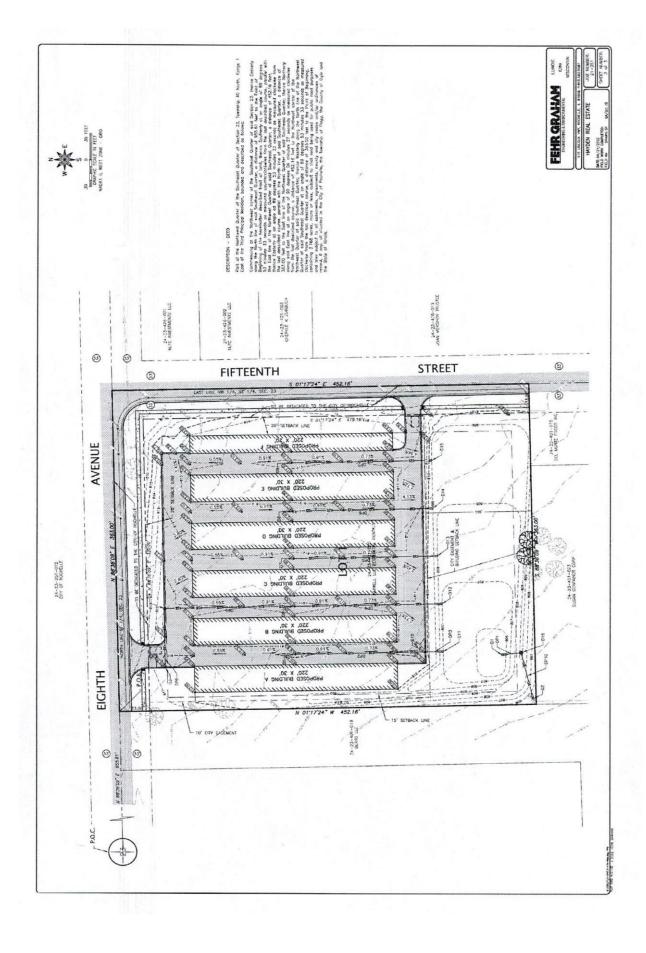
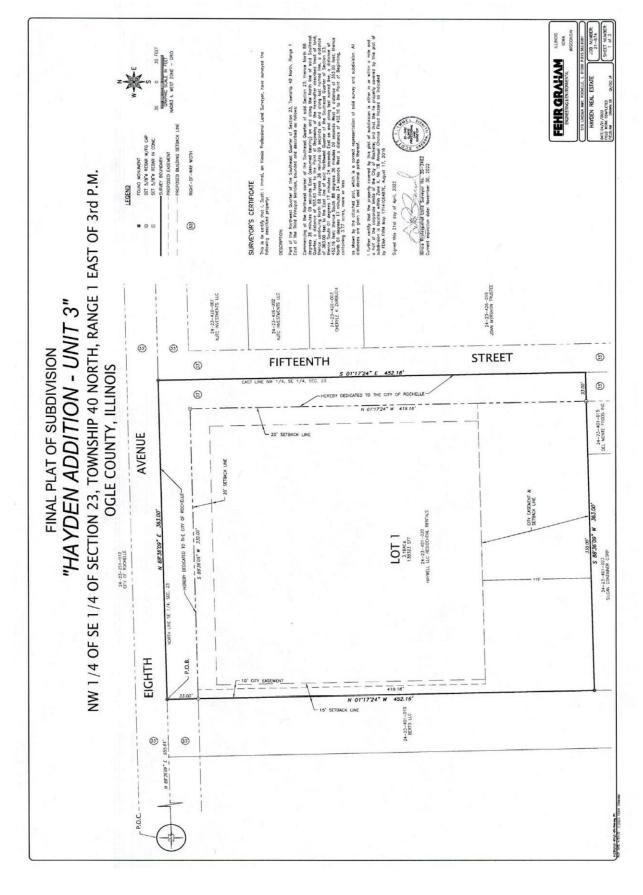


EXHIBIT C (Final Plat)



"HAYDEN ADDITION - UNIT 3" FINAL PLAT OF SUBDIVISION

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(SS STATE OF ILLINOIS)
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(SS
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STATE OF ILLINOIS COUNTY OF OGLE)) SS.)	
	CE	ERTIFICATE
I,	, City Cle	rk of the City of Rochelle, County of Ogle and State
of Illinois, DO HEREBY C	ERTIFY that the	he foregoing is a true and correct copy of Ordinance
No, "AN ORDINAL	NCE APPROV	ING THE PRELIMINARY AND FINAL PLAT OF
SUBDIVISION FOR THE	PROPERTY L	LOCATED AT 15 TH STREET AND 8 TH AVENUE,
ROCHELLE, ILLINOIS W	ITH PARCEL I	NUMBER 24-23-401-020" which was adopted by the
Mayor and City Council of t	he City of Roch	nelle on June 13, 2022.
IN WITNESS WHE	REOF, I have h	ereunto set my hand and affixed the corporate seal of
the City of Rochelle this 13 th	h day of June, 20	022.
		CITY CLERK