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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**ORDINANCE**  
**NO. \_\_\_\_\_**

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**AN ORDINANCE APPROVING THE PRELIMINARY AND  
FINAL PLAT OF SUBDIVISION FOR THE PROPERTIES LOCATED ON LAKE LIDA  
LANE WITH PARCELS # 24-36-127-015 AND 24-36-128-005**

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**JOHN BEARROWS, Mayor**  
**ROSE HUERAMO, City Clerk**

**TOM McDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBEN**  
**ROSAELIA ARTEAGA**  
**City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Peterson, Johnson, and Murray Chicago, LLC, City Attorneys  
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Ogle County, Illinois

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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**, New Directions Housing Corporation (“Petitioner”), is the owner of approximately 5.7 acres of land that is zoned R-5 Multi Family High Density Residential; and

**WHEREAS**, the land is located on Lake Lida Lane with Parcel Numbers # 24-36-127-015 and 24-36-128-005; and

**WHEREAS**, the Petitioner seeks to subdivide the two parcels is to combine the two parcels into one parcel for a 30-unit, multi-family, residential housing development; 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 Grove Apartments Subdivision; and

**WHEREAS**, the petition for the Preliminary Plat and Final Plat was reviewed by the Planning and Zoning Commission at their meeting of March 7, 2022 and the Planning and Zoning Commission, by a vote of 4-0, with two members abstaining, recommended that Council approve the Preliminary Plat and Final Plat of Subdivision for The Grove Apartments 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 Grove Apartments Subdivision located on Lake Lida Lane with Parcel Numbers # 24-36-127-015 and 24-36-128-005 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 14<sup>th</sup> day of March, 2022.

AYES:

NAYS:

ABSENT:

APPROVED THIS 14<sup>h</sup> day of March, 2022.

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CITY MAYOR

ATTEST:

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CITY CLERK

**EXHIBIT A**  
**(Legal Description)**

**Parcel Identification Numbers: # 24-36-127-015 and 24-36-128-005**

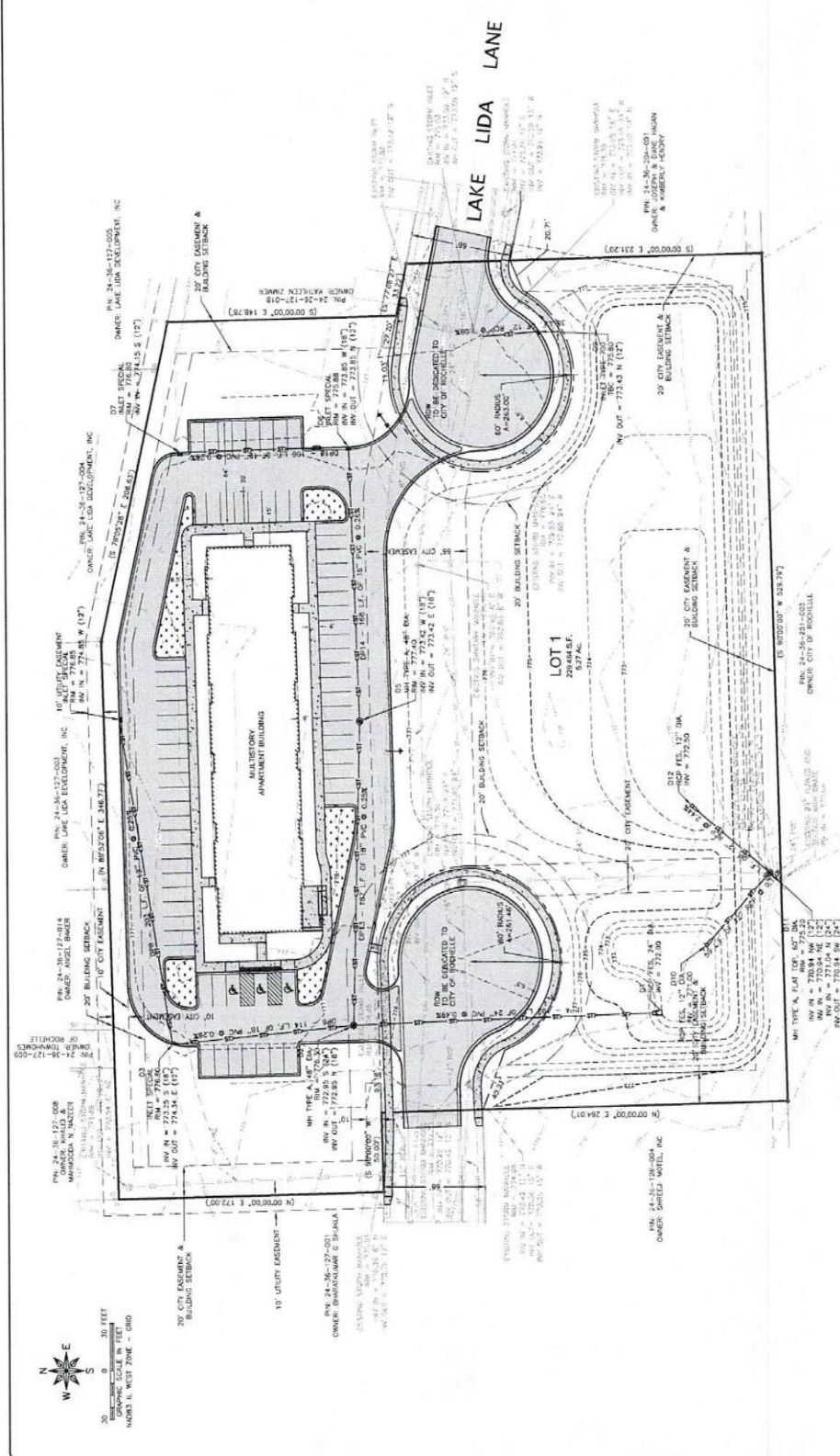
**Description:**

Part of the North Half of Section 36, Township 40 North, Range 1 East of the Third Principal Meridian, City of Rochelle, County of Ogle, State of Illinois, described as follows: Beginning at the Southwest corner of Lot 6 of Lake Lida - Phase 1, as recorded in the Ogle County Recorder's Office; thence North 88 degrees 26 minutes 09 seconds East (assumed bearing) on and along the South lines of said Lot 6 and Lot 7 of said Lake Lida - Phase 1, a distance of 350.00 feet; thence South 77 degrees 34 minutes 27 seconds East on and along the South lines of Lots 8 and 9 of said Lake Lida - Phase 1, a distance of 205.63 feet to the Northwest corner of Lot 201 of Lake Lida - Phase 2, as recorded in said County Recorder's Office; thence South 01 degrees 26 minutes 38 seconds East on and along the West line of said Lot 201, a distance of 148.79 feet to the Southwest corner of said Lot 201; thence South 78 degrees 32 minutes 02 seconds East on and along the South line of said Lot 201, a distance of 33.02 feet; thence South 01 degree 29 minutes 43 seconds East, a distance of 231.26 feet to the Southwest corner of Lot 226 of said Lake Lida - Phase 2; thence South 88 degrees 31 minutes 06 seconds West, a distance of 531.76 feet to the Southeast corner of Lot 4 of said Lake Lida - Phase 1; thence North 01 degrees 34 minutes 58 seconds West on and along the East line and the northerly extension of said line of said Lot 4, a distance of 264.00 feet; thence South 88 degrees 33 minutes 35 seconds West, a distance of 49.49 feet to the Southeast corner of Lot 5 of said Lake Lida - Phase 1; thence North 01 degrees 29 minutes 27 seconds West on and along the East line of said Lot 5, a distance of 172.33 feet to the Point of beginning, containing 5.27 acres, more or less.





30 FEET  
GRAPHIC SCALE IN FEET  
NAD83 UTM ZONE 18Q



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**JOB NUMBER**  
21-001  
**SHEET NUMBER**  
1 OF 1

DATE: 10/15/2021  
BY: J. GRAHAM

[illegible]



FINAL PLAT  
**"THE GROVE APARTMENTS"**  
 PART OF NORTH 1/2, SECTION 36, TOWNSHIP 40 NORTH, RANGE 1  
 CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS



1/18/2017 - 4/18/2017 - all the money left.  
 4/18/2017 - 4/18/2017 - 4/18/2017 - 4/18/2017





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 PROPERTIES LOCATED ON LAKE LIDA LANE WITH PARCELS # 24-36-127-015 AND 24-36-128-005” which was adopted by the Mayor and City Council of the City of Rochelle on March 14, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 14<sup>th</sup> day of March, 2022.

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CITY CLERK