

Recorder's Stamp

ORDINANCE NO. 05-07

**AN ORDINANCE AUTHORIZING EXECUTION OF AN ANNEXATION AGREEMENT  
BETWEEN THE VILLAGE OF BARRINGTON HILLS AND THE OWNER OF  
APPROXIMATELY 155 ACRES LOCATED AT THE NORTHEAST CORNER OF  
HAEGERS BEND ROAD AND CHAPEL ROAD**

**WHEREAS**, the President and Board of Trustees of the Village of Barrington Hills (“Village”) have determined that it is in the best interests of the Village that the Annexation Agreement relating to the development known as Country Creek be entered into on behalf of the Village, a copy of which Agreement is attached hereto as Exhibit A and incorporated by reference; and

**WHEREAS**, the property that is the subject of the Annexation Agreement is approximately 155 acres located at the northeast corner of Haeger’s Bend Road and Chapel Road and is legally described in Exhibit A to the Annexation Agreement (“Subject Property”) ; and

**WHEREAS**, the President and Board of Trustees of the Village desire to authorize the execution of the Annexation Agreement by the President of the Village and the Village Clerk; and

**WHEREAS**, the President and Board of Trustees of the Village of Barrington Hills held a public hearing on the proposed Annexation Agreement and legal notice of said public hearing was published in a newspaper of general circulation within the Village of Barrington Hills in the manner provided by law; and

**WHEREAS**, the statutory procedures set forth in Sections 11-15.1-1, *et seq.* of the Illinois Municipal Code, 65 ILCS 5/11-15.1-1 *et seq.*, for the execution of the Annexation Agreement have been fully complied with.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BARRINGTON HILLS, COOK, KANE, LAKE AND MCHENRY COUNTIES, ILLINOIS, as follows:**

**SECTION 1:** The form, terms and provisions of the Annexation Agreement are hereby approved in substantially the same form as provided in the Annexation Agreement attached hereto as Exhibit A, with such insertions, omissions and changes as shall be approved by the Village Attorney, the execution of such documents being conclusive evidence of such approval; and the Village President is hereby authorized and directed to sign the Annexation Agreement on behalf of the Village of Barrington Hills, as approved in its final form, and the Village Clerk is also authorized to attest his signature and to affix the seal of the Village to such document.

**SECTION 2:** The Village President and Village Clerk are further authorized and directed to execute any further related documents necessary to carry out the terms and conditions of such Annexation Agreement.

**SECTION 3:** The Annexation Agreement shall be fully executed by the Village President and the Clerk, on behalf of the Village, and by the legal owner of record of the Subject Property (“Owner”) prior to the annexation of the Subject Property by the Village; and

**SECTION 4:** Upon execution by the Village and the Owner in accordance with this Ordinance, the Village Clerk shall cause a copy of this Ordinance and Annexation Agreement to be recorded with the McHenry County Recorder.


**SECTION 5:** If the Owner has not fully executed and delivered the Annexation Agreement to the Village on or before June 1, 2006, this Ordinance and the authorization granted herein to the Village President and the Village Clerk shall be null and void and of no further force and effect.

**SECTION 6:** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

Passed this 25<sup>th</sup> day of July, 2005.

AYES: 6 NAYS: 0 ABSENT: 1

Approved this 25<sup>th</sup> day of July, 2005.

  
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Village President

ATTEST:

  
\_\_\_\_\_  
Village Clerk

#904138