

ORDINANCE NO. 864

AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF MACKINAW TO RECLASSIFY 30507 ILLINOIS ROUTE 9, MACKINAW, ILLINOIS FROM THE R-RESIDENTIAL ZONING DISTRICT TO THE C-COMMERCIAL ZONING DISTRICT

WHEREAS, the owner of the property described in this Ordinance petitioned the corporate authorities of the Village of Mackinaw to amend the Village Zoning Map by reclassifying property; and

WHEREAS, the petition was referred to the Village of Mackinaw Zoning Board of Appeals which held a public hearing with respect to the petition after due notice as required by the provisions of the statutes of the State of Illinois; and

WHEREAS, the Zoning Board of the Village of Mackinaw found the requirements and conditions set forth in Section 153.170 of the Village Code of the Village of Mackinaw have been met in the case of this petition and recommended the Village Board grant the petition for a zoning classification change.

NOW THEREFORE, be it ordained by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, as follows:

SECTION 1: The facts and recitals contained in the preamble hereto are found to be true and correct and incorporated herein by reference.

SECTION 2: The official Zoning Map of the Village of Mackinaw is hereby amended by reclassifying the following described property from its present classification in the R-Residential District to the C-Commercial District:

**TRACT 1:** A part of the Southwest Quarter of Section 17, Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois, situated on the Southeast corner at the Junction of State Highway Route No. 9 (formerly No. 164) and the main highway entering Mackinaw from the South and more particularly described as follows:

Beginning at the intersection of the Southerly right of way line of State Bond Issue Route No. 9 (formerly No. 164) with the East line of Orchard Street, or the main highway entering Mackinaw from the South, being the West line of the East Half of the Southwest Quarter of Section 17, Township 24 North, Range 2 West of the Third Principal Meridian; thence South on said line a distance of 86 feet; thence Northeasterly and parallel with State Bond Issue Route No. 9 (formerly No. 164) a distance of 165 feet; thence Northerly to the Southerly line of State Bond Issue Route No. 9 (formerly No. 164) to a point that is 165 feet Northeasterly from the Place of Beginning; thence along the Southerly line of State Bond Issue Route No. 9 (formerly No. 164) in a Southwesterly direction of 165 feet to the Place of Beginning, situated in Tazewell County, Illinois.

**TRACT II:** A part of the Southwest Quarter of Section 17, Township 24 North, Range 2 West of the Third Principal Meridian, more particularly described as follows:

Beginning at a point on the East right of way line of State Aid Route No. 6 (the said right of way line is shown on Book 303 of Deeds at Page 83, Tazewell County, Illinois), and which point is 86 feet South on the South right of way line of State Bond Issue Route 164 (marked Illinois Route 9) as measured along the East right of way line of said State Aid Route 6, thence Northeasterly 165 feet parallel to the South right of way line of said State Bond Issue Route 164 to a point which is 86 feet South of the South right of way line of said State Bond Issue Route 164, thence South 60 feet parallel to the East right of way line of said State Aid Route 6, thence Southwesterly 165 feet parallel to the said South right of way line of State Bond Issue Route 164 to a point on the Easterly right of way line of said State Aid Route 6, thence North 60 feet along the said right of way to the Point of Beginning, situated in Tazewell County, Illinois.

**TRACT III:** A part of the East one-half (E 1/2) of the Southwest one-quarter (SW 1/4) of Section 17, Township 24 North, Range 2 West of the Third Principal Meridian and more fully described as follows:

Commencing at a pipe located at the intersection of the South right of way line of State Bond Issue Route No. 164 (Illinois Route 9) and the East right of way line of State Aid Route No. 6, thence South along said East right of way line for a distance of one hundred forty-six (146) feet to the Place of Beginning, thence continuing South for a distance of one hundred twenty-nine and 95/100 (129.95) feet, thence North 89 degrees 30 minutes East for a distance of two hundred thirty (230) feet, thence North for a distance of two hundred fifty-seven and 42/100 (257.42) feet, thence Southwesterly along a curve with a radius 5591.65 feet, whose chord bears South 70 degrees 40 minutes West, for a distance of seventy-nine and 7/10 (79.7) feet, thence South forty-six (46) feet, thence Southwesterly parallel to the Southerly right of way line of said State Bond Issue Route No. 164 for a distance of one hundred sixty-five (165) feet, more or less, to the Place of Beginning, situated in Tazewell County, Illinois.

Commonly known as: 30507 Illinois Route 9, Mackinaw, Illinois

**SECTION 3:** As soon as practical, the zoning officers hereby directed and authorized to enter this amendment on the official Zoning Map as provided by Illinois law and by Village Ordinance.

**SECTION 4:** That this ordinance shall take effect from and after its passage, approval and publication as required by law.

PASSED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois this 24th day of JUNE 2013.

APPROVED:

[Redacted Signature]

Craig Friend, President of the Board of Trustees of the Village of Mackinaw

ATTEST:

[Redacted Signature]

Lisa Spencer, Village Clerk

AYES: 6  
NAYS: 0  
ABSENT: 0

(Corporate Seal)



STATE OF ILLINOIS )  
COUNTY OF TAZEWELL ) SS  
VILLAGE OF MACKINAW )

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the *24th day of JUNE, 2013*, insofar as same relates to the adoption of *Ordinance No. 859*, entitled:

**AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF MACKINAW TO RECLASSIFY 30507 ILLINOIS ROUTE 9, MACKINAW, ILLINOIS FROM THE R-RESIDENTIAL ZONING DISTRICT TO THE C-COMMERICAL ZONING DISTRICT**

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of *Ordinance No. 864*, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on *JUNE 25, 2013* and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by six members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 5TH DAY OF JULY 2013.



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

THIS DOCUMENT PREPARED BY:  
McGrath Law Office, P.C.  
Attorney for the Village of Mackinaw  
113 S. Main St., P.O. Box 139  
Mackinaw, Illinois 61755

RETURN DOCUMENT TO:  
McGrath Law Office, P.C.  
113 S. Main, P.O. Box 139  
Mackinaw, Illinois 61755

ZONING AMENDMENT  
ORDINANCE

201300015149  
Filed for Record in  
TAZEWELL COUNTY, IL  
CHRISTIE A WEBB  
07-31-2013 At 11:39 am.  
ORDINANCE 26.75

5  
McGrath Law Office, P.C.  
113 S. Main, P.O. Box 139  
Mackinaw, Illinois 61755

AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF MACKINAW  
TO RECLASSIFY 30507 ILLINOIS ROUTE 9, MACKINAW, ILLINOIS FROM THE R-  
RESIDENTIAL ZONING DISTRICT TO THE C-COMMERCIAL ZONING DISTRICT

FROM: RSB INVESTMENETS, LLC, a Missouri Limited Liability Corporation

TO: VILLAGE OF MACKINAW

PIN NUMBERS AFFECTED BY THIS ORDINANCE:  
13-13-17-334-001 and 13-13-17-334-003

ORDINANCE NO. 864

AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF MACKINAW TO RECLASSIFY 30507 ILLINOIS ROUTE 9, MACKINAW, ILLINOIS FROM THE R-RESIDENTIAL ZONING DISTRICT TO THE C-COMMERCIAL ZONING DISTRICT

WHEREAS, the owner of the property described in this Ordinance petitioned the corporate authorities of the Village of Mackinaw to amend the Village Zoning Map by reclassifying property; and

WHEREAS, the petition was referred to the Village of Mackinaw Zoning Board of Appeals which held a public hearing with respect to the petition after due notice as required by the provisions of the statutes of the State of Illinois; and

WHEREAS, the Zoning Board of the Village of Mackinaw found the requirements and conditions set forth in Section 153.170 of the Village Code of the Village of Mackinaw have been met in the case of this petition and recommended the Village Board grant the petition for a zoning classification change.

NOW THEREFORE, be it ordained by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, as follows:

SECTION 1: The facts and recitals contained in the preamble hereto are found to be true and correct and incorporated herein by reference.

SECTION 2: The official Zoning Map of the Village of Mackinaw is hereby amended by reclassifying the following described property from its present classification in the R-Residential District to the C-Commercial District:

**TRACT 1:** A part of the Southwest Quarter of Section 17, Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois, situated on the Southeast corner at the Junction of State Highway Route No. 9 (formerly No. 164) and the main highway entering Mackinaw from the South and more particularly described as follows:

Beginning at the intersection of the Southerly right of way line of State Bond Issue Route No. 9 (formerly No. 164) with the East line of Orchard Street, or the main highway entering Mackinaw from the South, being the West line of the East Half of the Southwest Quarter of Section 17, Township 24 North, Range 2 West of the Third Principal Meridian; thence South on said line a distance of 86 feet; thence Northeasterly and parallel with State Bond Issue Route No. 9 (formerly No. 164) a distance of 165 feet; thence Northerly to the Southerly line of State Bond Issue Route No. 9 (formerly No. 164) to a point that is 165 feet Northeasterly from the Place of Beginning; thence along the Southerly line of State Bond Issue Route No. 9 (formerly No. 164) in a Southwesterly direction of 165 feet to the Place of Beginning, situated in Tazewell County, Illinois.

**TRACT II:** A part of the Southwest Quarter of Section 17, Township 24 North, Range 2 West of the Third Principal Meridian, more particularly described as follows:

Beginning at a point on the East right of way line of State Aid Route No. 6 (the said right of way line is shown on Book 303 of Deeds at Page 83, Tazewell County, Illinois), and which point is 86 feet South on the South right of way line of State Bond Issue Route 164 (marked Illinois Route 9) as measured along the East right of way line of said State Aid Route 6, thence Northeasterly 165 feet parallel to the South right of way line of said State Bond Issue Route 164 to a point which is 86 feet South of the South right of way line of said State Bond Issue Route 164, thence South 60 feet parallel to the East right of way line of said State Aid Route 6, thence Southwesterly 165 feet parallel to the said South right of way line of State Bond Issue Route 164 to a point on the Easterly right of way line of said State Aid Route 6, thence North 60 feet along the said right of way to the Point of Beginning, situated in Tazewell County, Illinois.

**TRACT III:** A part of the East one-half (E 1/2) of the Southwest one-quarter (SW 1/4) of Section 17, Township 24 North, Range 2 West of the Third Principal Meridian and more fully described as follows:

Commencing at a pipe located at the intersection of the South right of way line of State Bond Issue Route No. 164 (Illinois Route 9) and the East right of way line of State Aid Route No. 6, thence South along said East right of way line for a distance of one hundred forty-six (146) feet to the Place of Beginning, thence continuing South for a distance of one hundred twenty-nine and 95/100 (129.95) feet, thence North 89 degrees 30 minutes East for a distance of two hundred thirty (230) feet, thence North for a distance of two hundred fifty-seven and 42/100 (257.42) feet, thence Southwesterly along a curve with a radius 5591.65 feet, whose chord bears South 70 degrees 40 minutes West, for a distance of seventy-nine and 7/10 (79.7) feet, thence South forty-six (46) feet, thence Southwesterly parallel to the Southerly right of way line of said State Bond Issue Route No. 164 for a distance of one hundred sixty-five (165) feet, more or less, to the Place of Beginning, situated in Tazewell County, Illinois.

Commonly known as: 30507 Illinois Route 9, Mackinaw, Illinois

**SECTION 3:** As soon as practical, the zoning officers hereby directed and authorized to enter this amendment on the official Zoning Map as provided by Illinois law and by Village Ordinance.

**SECTION 4:** That this ordinance shall take effect from and after its passage, approval and publication as required by law.

PASSED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois this 24<sup>th</sup> day of JUNE 2013.

APPROVED:

[Redacted Signature]

Craig Friend, President of the Board of Trustees of the Village of Mackinaw

ATTEST:

[Redacted Signature]

Lisa Spencer, Village Clerk

AYES:	<u>6</u>
NAYS:	<u>0</u>
ABSENT:	<u>0</u>

(Corporate Seal)





STATE OF ILLINOIS )  
COUNTY OF TAZEWELL ) SS  
VILLAGE OF MACKINAW )

**CERTIFICATE OF ORDINANCE**

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the *24th day of JUNE, 2013*, insofar as same relates to the adoption of *Ordinance No. 859*, entitled:

**AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF MACKINAW TO RECLASSIFY 30507 ILLINOIS ROUTE 9, MACKINAW, ILLINOIS FROM THE R-RESIDENTIAL ZONING DISTRICT TO THE C-COMMERICAL ZONING DISTRICT**

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of *Ordinance No. 864*, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on *JUNE 25, 2013* and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by six members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 5TH DAY OF JULY 2013.



[Redacted Signature]

Village Clerk