

Prepared by/Return To:  
McGrath Law Office, P.C.  
1600 S. Fourth Ave. Ste. 137  
Morton, IL 61550

For Recorders Use Only

ORDINANCE NO. 1065  
VILLAGE OF MACKINAW

AN ORDINANCE AUTHORIZING AN ANNEXATION AGREEMENT  
TO BE ENTERED INTO FOR THE ANNEXATION OF PROPERTY  
OWNED BY RANDY BARNARD

WHEREAS, the Village of Mackinaw population continues to become older and there are less children and younger people living in the Village of Mackinaw; and,

WHEREAS, in order for the Village of Mackinaw to continue to survive as a viable community, it is necessary that the Village of Mackinaw grow and develop; and,

WHEREAS, Article 8 Section 1 of the Constitution of the State of Illinois authorizes municipal funds to be spent for the public welfare and benefit of the municipality; and,

WHEREAS, As the Village of Mackinaw enters the new millennium the Board of Trustees of the Village find that in order for the Village to continue to be a viable community in which individuals choose to live and work in the 21<sup>st</sup> century it is necessary for the number of housing units to increase in Village of Mackinaw. The tax base of the Village of Mackinaw has a substantial number of older housing units with limited assessed value and a small number of individuals residing in each of said homes; and,

WHEREAS, Randy Barnard desires to annex property that he owns which is contiguous to the Village to the Village of Mackinaw and he is willing to sign the proposed Annexation Agreement.

WHEREAS, prior to the execution of this Ordinance the Board of Trustees of the Village of Mackinaw and the Village of Mackinaw Zoning Board of Appeals held a public hearing on September 11, 2024 regarding the proposed Pre-Annexation Agreement (also referred to herein as "Annexation Agreement" or "Agreement"). Notice of the proposed Agreement was given not more than 30 days but not less than 15 days before said hearing. The notice was published at least once in the Pekin Daily Times which is a newspaper with general circulation within the Village of Mackinaw. No newspaper is published in the Village of Mackinaw;

WHEREFORE, BE IT THEREFORE ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MACKINAW IN TAZEWELL COUNTY, ILLINOIS AS FOLLOWS:


1. SECTION 1: The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of the Ordinance.

2. SECTION 2: Pursuant to 65 ILCS 5/11-15.1-1 et al, and pursuant to Article 1 Section 1 of the Constitution of the State of Illinois the President and Village Clerk of the Village of Mackinaw are authorized to sign the attached Annexation Agreement.


3. SECTION 3: This Ordinance shall take affect upon its' passing.

PASSED by at least two-thirds of the corporate authorities then holding office on roll call vote by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, on this 14<sup>th</sup> day of October, 2024.

APPROVED:

  
President  
Board of Trustees  
Village of Mackinaw

ATTEST:

  
Village Clerk of Mackinaw

AYES: 6

NAYS: 0


ABSENT: 0

STATE OF ILLINOIS            )  
  )ss.  
TAZEWELL COUNTY            )  
  )  
VILLAGE OF MACKINAW        )

CERTIFICATION

I, Lisa Spencer, Village Clerk of the Village of Mackinaw, Tazewell County, Illinois, do hereby certify that as such officer, I am the Clerk of the Board of Trustees of said Village, the keeper and custodian of the books, papers, records, reports, ordinances and minutes of the meetings of the Board of Trustees of said Village; and that the instrument attached hereto is a full, true and correct copy of the original Ordinance adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting thereof on the 14TH day of October 2024, approved by the Board, 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 14TH day of October 2024.

  
\_\_\_\_\_  
LISA SPENCER, Village Clerk  
Village of Mackinaw  
Tazewell County, Illinois



# VILLAGE OF MACKINAW

County of Tazewell  
State of Illinois

## NOTICE OF HEARING

On September 11, 2024, at 7:05 p.m., a public hearing will be held by the Zoning Board of Appeals of the Village of Mackinaw at the Village Hall located at 100 E. Fast Ave. Mackinaw, Illinois for the purpose of considering and hearing testimony relative to a Petition for Annexation filed with the Village of Mackinaw ("Village") by Randy Barnard ("Petitioner") wherein the Petitioner has requested a Residential zoning classification for the property ('tracts') which Petitioner has requested be annexed to the Village. The tracts which are the subject of the Petition are described below.

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard.

### **Legal Description**

A part of the Northeast Quarter of Section 19 and a part of the Northwest Quarter of the Northwest Quarter of Section 20, all in Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois being more particularly described as follows:

Beginning at the intersection of the Southeasterly Right of Way line of Illinois Route 9 and the North line of the said Northeast Quarter of Section 19, thence North 89 degrees 40 minutes 43 seconds East (Bearings assumed for descriptive purposes only), along the said North line and the North line of said Northwest Quarter of the Northwest Quarter of Section 20, 1,507.41 feet; thence South 75 degrees 16 minutes 26 seconds West, 2,523.42 feet to a point on the East line of the former Illinois Terminal Railroad Company, as shown in Plat Book "I", page 33, Tazewell County Recorder's Office; thence North 00 degrees 43 minutes 34 seconds West, along said East line, 360.72 feet to a point on the said Southeasterly line of Illinois Route 9; (the next three courses are along said Southeasterly Right of Way line) thence North 75 degrees 16 minutes 26 seconds East, 75.00 feet; thence North 48 degrees 42 minutes 32 seconds East, 55.90 feet; thence North 75 degrees 16 minutes 26 seconds East, 851.14 feet to the Point of Beginning, containing 14.98 acres, more or less.

IN THE MATTER OF:  
  
PETITION FOR ANNEXATION OF  
PROPERTY TO THE VILLAGE OF  
MACKINAW  
  
TAZEWELL COUNTY  
  
STATE OF ILLINOIS.

---

PETITION FOR ANNEXATION AND REZONING


TO: President and Board of Trustees, Village of Mackinaw, Tazewell County, Illinois

The undersigned petitioner, Randy Barnard, petitions to annex property to the Village of Mackinaw, Illinois, and in support thereof, respectfully state as follows:

1. Petitioners are owners of record of the premises described on the attached Exhibit "A" sought to be annexed.
2. There are no electors residing on the premises.
3. The premises consists of vacant land.
4. The premises is contiguous to the Village limits of the Village of Mackinaw, Illinois, and is not within the corporate limits of any other municipality.
5. Petitioner requests that the premises be re-zoned to "Residential" classification.

WHEREFORE, Petitioner requests that the premises described on the attached Exhibit "A" be annexed to the Village of Mackinaw, Illinois, and be re-zoned "residential."


Dated: 8-19-24

  
Randy Barnard

OATH OR AFFIRMATION

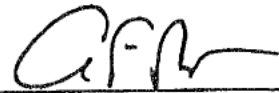
STATE OF ILLINOIS                    )  
  )  
COUNTY OF TAZEWELL                )

The undersigned, being first duly sworn on oath or affirmation, deposes and states that he has read the foregoing Petition for Annexation and Rezoning, by him subscribed, and that the matters and things therein declared are true in substance and in fact.

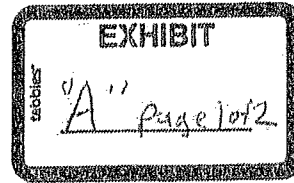
  
\_\_\_\_\_ Kandy Barnard

Subscribed and sworn to before me this day 19 day of August 2024.



  
\_\_\_\_\_ Notary Public

Legal Description of Annexation

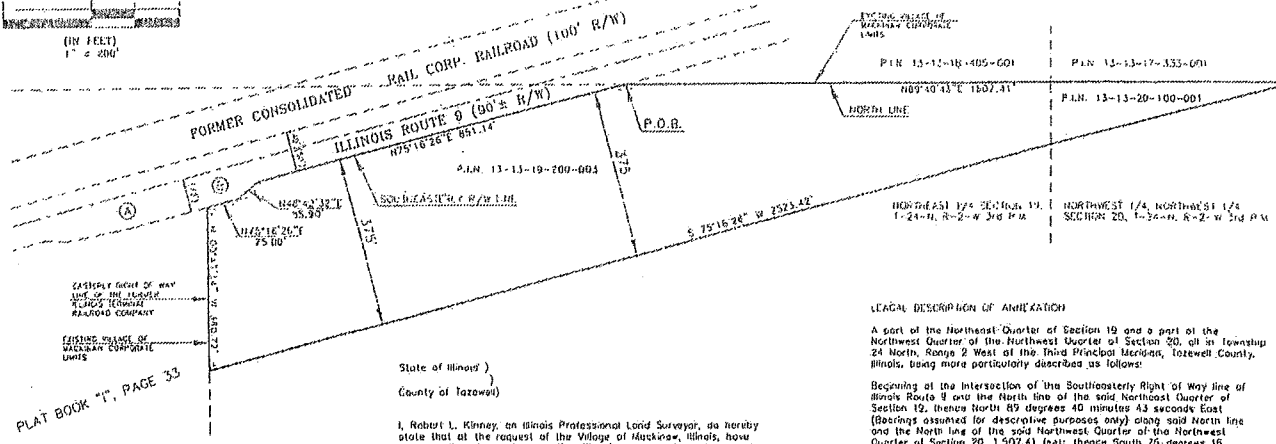
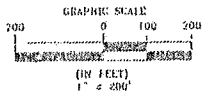


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**ANNEXATION PLAT**  
 PART NORTHEAST QUARTER OF SECTION 19 AND  
 THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER  
 OF SECTION 20 IN T-24-N, R-2-W, 3rd P.M.,  
 TAZEWELL COUNTY, ILLINOIS.

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 A  
 P 2024  
**EXHIBIT**



PLAT BOOK "T", PAGE 33

Hansell L. Bernard  
 Document # 201400016800  
 P.L.N. 13-13-19-200-003  
 P.L.N. 13-13-20-100-001  
 P.L.N. 13-13-17-333-001  
 P.L.N. 13-13-18-405-001

**LEGEND**

- BOUNDARY OF ANNEXATION
- (667.14') RECORD DISTANCE
- (1189°09'32"W) RECORD BEARING
- 655.49' MEASURED OR COMPUTED DISTANCE
- 560°15'25.7"C MEASURED OR COMPUTED BEARING
- R/W RIGHT OF WAY
- - - - PROPERTY LINE OF RECORD
- CENTERLINE
- P.L.N. PARCEL IDENTIFICATION NUMBER
- P.O.B. POINT OF BEGINNING
- ATTACH TO ADJACENT PROPERTY

- (A) DOCUMENT #200900023010
- (B) DOCUMENT #200900015957

State of Illinois )  
 County of Tazewell )

I, Robert L. Kinney, an Illinois Professional Land Surveyor, do hereby state that at the request of the Village of Mackinaw, Illinois, have prepared the attached Annexation Plat for a part of the Northeast Quarter of Section 19 and a part of the Northwest Quarter of the Northwest Quarter of Section 20 all in Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois.

I further state that the attached Plat is a true representation of said Annexation as drawn to a scale of one (1) inch equals two hundred (200) feet.

Dated in East Peoria, Illinois this 24th day of January, 2024

*Robert L. Kinney*  
 Robert L. Kinney P.L.S. #2915



EXPIRES 11-30-24

**LEGAL DESCRIPTION OF ANNEXATION**

A part of the Northeast Quarter of Section 19 and a part of the Northwest Quarter of the Northwest Quarter of Section 20, all in Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois, being more particularly described as follows:

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ANNEXATION PLAT			
For: MACKINAW, ILLINOIS			
KINNEY LAND SURVEYING CO. 108 BENTLEY DR., EAST PEORIA, IL 61611 TEL. 1-309-253-9270			
CAD BY: RLK	SURVEY BY:	DWG #:	0174002
CHK BY: RLK	TITLE #:	FILE #:	0124002
DATE: 01-24-24	SHEET: 1	OF: 1	

PROFESSIONAL DESIGN FIRM #194-003315 EXPIRES 04-30-2025



**PRE-ANNEXATION AGREEMENT**  
**between**  
**THE VILLAGE OF MACKINAW, ILLINOIS**  
**and**  
**RANDY BARNARD**

THIS AGREEMENT is made this 14<sup>th</sup> day of October, 2024, by and between the VILLAGE OF MACKINAW, a municipal corporation of the County of Tazewell and State of Illinois, hereinafter called "VILLAGE," and RANDY BARNARD hereinafter called "OWNER," and is made pursuant to and in accordance with 65 ILCS 5/11-15.1-1 et seq.

WHEREAS, OWNER is the legal titleholder of the property described as follows:

**SEE ATTACHED EXHIBIT "A"**

PIN: 13-13-19-200-003; 13-13-20-100-001  
Common Address: N/A

WHEREAS, pursuant to the provisions of 65 ILCS 5/11-15.1-1 et seq., a proposed Pre-Annexation Agreement of the same form and substance as this Agreement was submitted to the Village Board; and a public hearing was held thereon pursuant to notice as required by statute; and

WHEREAS, pursuant to notice as required by statute and ordinance, a public hearing was held by the Plan Commission of the Village of Mackinaw on the requested zoning classification; and recommendations were made to the Village Board.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES CONTAINED HEREIN, the parties hereto do hereby agree as follows:

1. The OWNER shall file and diligently proceed with a Petition for Annexation to the VILLAGE OF MACKINAW of the property described above in accordance with the provisions for annexation set forth in 65 ILCS 5/7-1-1 et seq., which Petition shall incorporate by reference all terms of this Agreement. OWNER shall, in conjunction with said Petition for Annexation, furnish the VILLAGE an annexation plat.

2. The VILLAGE agrees that, upon receipt of a proper Petition, it will annex the property described above and that same will be zoned RESIDENTIAL.
3.
  - A. OWNER shall pay an annexation fee in the amount of : WAIVED.
  - B. OWNER shall be responsible for all utility hook-ups and tap fees that may may apply in the future.
  - C. VILLAGE shall abate all municipal (corporate) property taxes (if any) for the property described at Exhibit "A" beginning in the 2025 tax year and for a period of twenty-two years thereafter, or until the property is disconnected or any TIF District in which the property lies terminates, whichever occurs first. The above-stated abatement shall immediately terminate if the OWNER or its successors and assigns develops the property or places improvements thereon.
4. The provisions of this Agreement shall be binding upon and enforceable against the VILLAGE and the OWNER and its successors and assigns for a period of twenty (20) years from the date hereof as provided in 65 ILCS 5/11-15.1-1 et seq., except that the provisions set forth in Paragraph 3C and Paragraph 9 shall survive the expiration of this Agreement.
5. An executed copy of the Pre-Annexation Agreement or a memorandum thereof shall be recorded among the land records in the Office of the Tazewell County Recorder of Deeds at the same time as the annexation ordinance is recorded.
6. The annexation ordinance passed by the VILLAGE pursuant to the provisions hereof shall incorporate the provisions of this Agreement by reference, and this Agreement shall be made a part of said ordinance.

7. If any provisions of this Agreement or any section, sentence, clause, or word or the application thereof in any circumstance is held invalid, the validity of the remainder of this Agreement and the application of any such provision, section, sentence, clause, or word in any other circumstance shall not be affected thereby.
8. The rights, obligations, and duties of the parties as herein set forth shall apply to each and every portion of the territory to be annexed.
9. For a period of 20 years from the annexation of the property or so long as the property is located in a TIF District, whichever occurs later, OWNER agrees that he expressly waives any rights he has to disconnect the property, as provided in 65 ILCS 5/7-3-6, as now in force or as may be amended from time to time.

**IN WITNESS WHEREOF**, the parties of this Agreement have caused these presents to be executed the day and year first written above.

**VILLAGE OF MACKINAW,**  
a Municipal Corporation:

**OWNER:**

By: \_\_\_\_\_

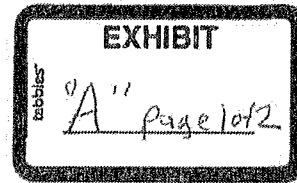
**Joshua Schmidgall, President**

\_\_\_\_\_  
**RANDY BARNARD**

**ATTEST:**

\_\_\_\_\_  
**Lisa Spencer, Village Clerk**

Legal Description of Annexation

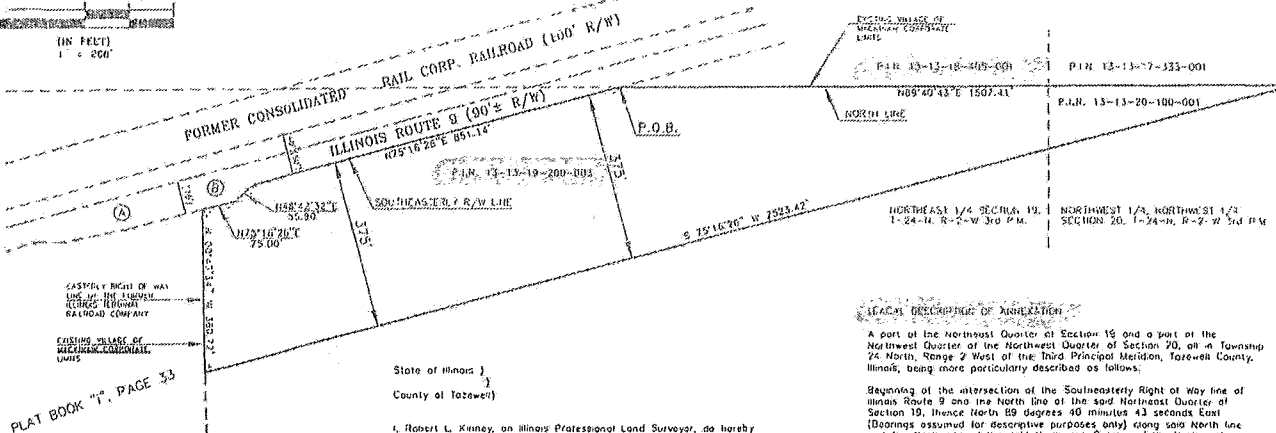
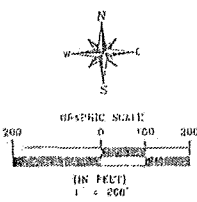


A part of the Northeast Quarter of Section 19 and a part of the Northwest Quarter of the Northwest Quarter of Section 20, all in Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois being more particularly described as follows:

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**ANNEXATION PLAT**  
 PART NORTHEAST QUARTER OF SECTION 19 AND  
 THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER  
 OF SECTION 20 IN T-24-N, R-2-W, 3rd P.M.,  
 TAZEWELL COUNTY, ILLINOIS.

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 A  
 1-2-2-2  
**EXHIBIT**



PLAT BOOK "I", PAGE 33

Randall L. Kinney  
 Document # 201400016800  
 P.I.N. 13-13-18-405-003  
 P.I.N. 13-13-20-100-001  
 P.I.N. 13-13-17-333-001  
 P.I.N. 13-13-18-405-001

State of Illinois )  
 County of Tazewell )  
  
 I, Robert L. Kinney, an Illinois Professional Land Surveyor, do hereby state that at the request of the Village of Mackinaw, Illinois, have prepared the attached Annexation Plat for a part of the Northeast Quarter of Section 19 and a part of the Northwest Quarter of the Northwest Quarter of Section 20 all in Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois.  
  
 I further state that the attached Plat is a true representation of said Annexation as drawn to a scale of one (1) inch equals two hundred (200) feet.  
  
 Dated in East Peoria, Illinois, this 24th day of January, 2024

*Robert L. Kinney*  
 Robert L. Kinney P.L.S. #2885



**LEGAL DESCRIPTION OF ANNEXATION**  
  
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**LEGEND**

---	BOUNDARY OF ANNEXATION
(667.14')	RECORD DISTANCE
(N89°09'32"W)	RECORD BEARING
655.49'	MEASURED OR COMPUTED DISTANCE
500'15"± E	MEASURED OR COMPUTED BEARING
R/W	RIGHT OF WAY
---	PROPERTY LINE OF RECORD CENTERLINE
P.I.N.	PARCEL IDENTIFICATION NUMBER
P.O.B.	POINT OF BEGINNING
---	ATTACH TO ADJACENT PROPERTY

- Ⓐ DOCUMENT #200900023010
- Ⓑ DOCUMENT #200900015957

ANNEXATION PLAT			
for: MACKINAW, ILLINOIS			
KINNEY LAND SURVEYING CO.			
108 BRENTWOOD DR.	EAST PEORIA, IL 61611		
TEL. 309-253-9270			
CAD BY: ALK	SURVEY BY:	DWG #: 0174002	
CHECK BY: ALK	P.L.S.:	FILE #: 0174002	
DATE: 01-24-24	SHEET: 1	OF: 1	

PROFESSIONAL DESIGN FIRM #184-00315 EXPIRES 04-30-2025

IN THE MATTER OF:

PETITION FOR ANNEXATION OF  
PROPERTY TO THE VILLAGE OF  
MACKINAW

TAZEWELL COUNTY

STATE OF ILLINOIS.

---

PETITION FOR ANNEXATION AND REZONING

TO: President and Board of Trustees, Village of Mackinaw, Tazewell County, Illinois

The undersigned petitioner, Randy Barnard, petitions to annex property to the Village of Mackinaw, Illinois, and in support thereof, respectfully state as follows:

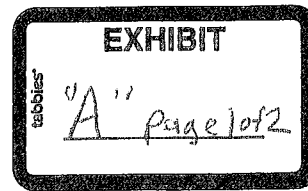
1. Petitioners are owners of record of the premises described on the attached Exhibit "A" sought to be annexed.
2. There are no electors residing on the premises.
3. The premises consists of vacant land.
4. The premises is contiguous to the Village limits of the Village of Mackinaw, Illinois, and is not within the corporate limits of any other municipality.
5. Petitioner requests that the premises be re-zoned to "Residential" classification.

WHEREFORE, Petitioner requests that the premises described on the attached Exhibit "A" be annexed to the Village of Mackinaw, Illinois, and be re-zoned "residential."

Dated: 8-19-24

  
Randy Barnard

Legal Description of Annexation

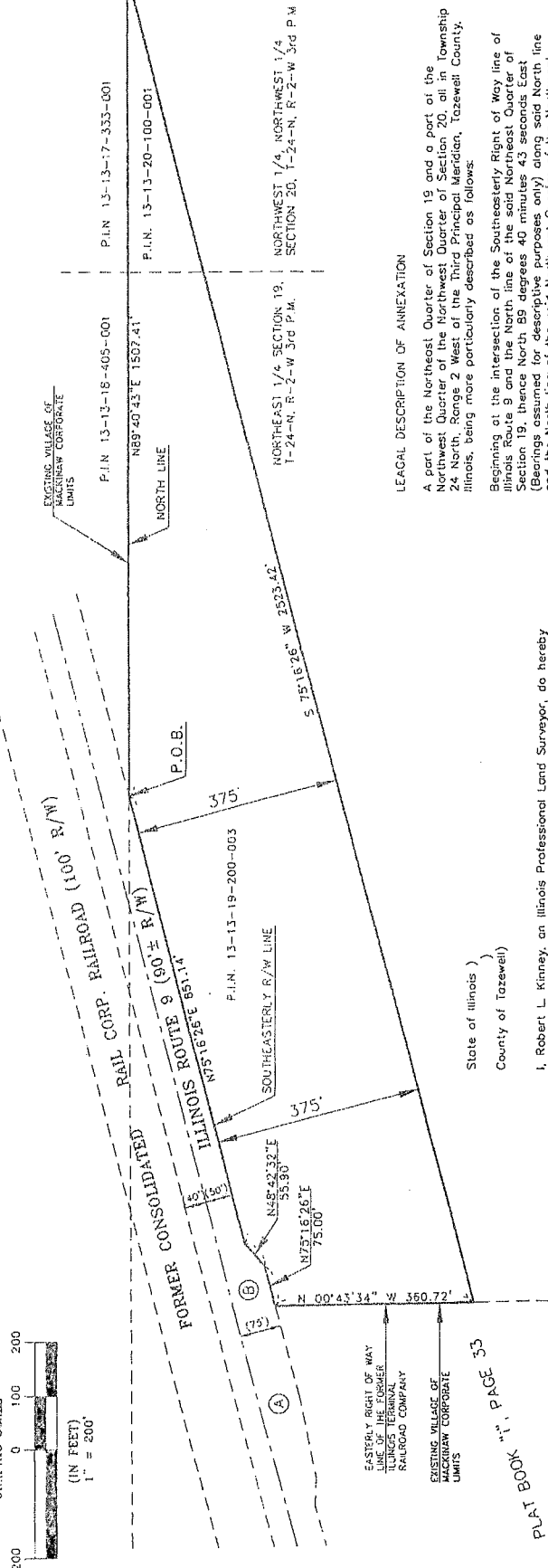
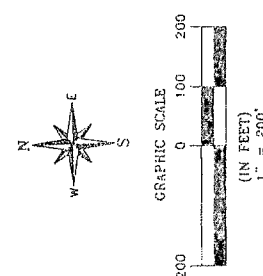


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EXHIBIT  
"A" p. 2 of 2

**ANNEXATION PLAT**  
PART NORTHEAST QUARTER OF SECTION 19 AND  
THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER  
OF SECTION 20 IN T-24-N, R-2-W, 3rd P.M.,  
TAZEWELL COUNTY, ILLINOIS.



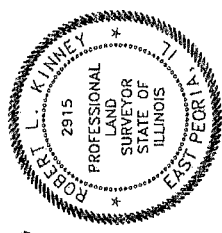
State of Illinois )  
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I further state that the attached Plat is a true representation of said Annexation as drawn to a scale of one (1) inch equals two hundred (200) feet.

Dated in East Peoria, Illinois this 24th day of January, 2024.

*Robert L. Kinney*  
Robert L. Kinney I.P.L.S. #25976



EXPIRES 11-30-24

Randall L. Barnard  
Document # 201400016800  
P.I.N. 13-13-19-260-003  
P.I.N. 13-13-20-100-001  
P.I.N. 13-13-17-333-001  
P.I.N. 13-13-18-405-001

**LEGEND**

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- (489°09'32" W) RECORD BEARING
- 655.49' MEASURED OR COMPUTED DISTANCE
- S00T15°25'E MEASURED OR COMPUTED BEARING
- R/W RIGHT OF WAY
- CENTERLINE
- PROPERTY LINE OF RECORD
- P.I.N. PARCEL IDENTIFICATION NUMBER
- P.O.B. POINT OF BEGINNING
- ATTACH TO ADJACENT PROPERTY

- (A) DOCUMENT #200900023010
- (B) DOCUMENT #2009000015937

**LEGAL DESCRIPTION OF ANNEXATION**

A part of the Northeast Quarter of Section 19 and a part of the Northwest Quarter of the Northwest Quarter of Section 20, all in Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois, being more particularly described as follows:

Beginning at the intersection of the Southeasterly Right of Way line of Illinois Route 9 and the North line of the said Northeast Quarter of Section 19, thence North 89 degrees 40 minutes 43 seconds East (Bearings assumed for descriptive purposes only) along said North line and the North line of the said Northwest Quarter of the Northwest Quarter of Section 20, 1,507.41 feet, thence South 75 degrees 16 minutes 26 seconds West, 4,523.42 feet to a point on the East line of the former Illinois Terminal Railroad Company Right of Way, as shown in Plat Book "A", Page 33, Tazewell County Recorder's Office, thence North 00 degrees 43 minutes 34 seconds West, along said East line, 360.72 feet to a point on the said Southeasterly line of Illinois Route 9, (the next three courses are along said Southeasterly Right of Way line) thence North 75 degrees 16 minutes 26 seconds East, 75.00 feet; thence North 48 degrees 42 minutes 16 seconds East, 55.90 feet; thence North 75 degrees 16 minutes 26 seconds East, 851.14 feet to the Point of Beginning, containing 14.98 acres, more or less.

<b>ANNEXATION PLAT</b>	
for:	MACKINAW, ILLINOIS
	KINNEY LAND SURVEYING CO. 108 BRENTWOOD DR. EAST PEORIA, IL 61611 TEL. 1-309-253-9270
CAD BY:	RLK SURVEY BY:
CHK BY:	RLK F.B.
	OWG #: 0124002 FILE #: 0124002
	DATE: 01-24-24
	SHEET: 1 OF: 1

PROFESSIONAL DESIGN FIRM #184-003315 EXPIRES 04-30-2025



August 20, 2024

To: Village of Mackinaw Zoning Board of Appeals

From: Randy Barnard

[REDACTED]  
Mackinaw, IL 61755

RE: Request for Residential Zoning-Proposed Annexed Territory

Please find attached a copy of a Petition For Annexation filed with the Village of Mackinaw to annex 14.98 acres of land which I own that runs along Route 9. I am asking the ZBA and Village Board that this land be zoned "Residential" if the annexation is approved by the Village. I have no intentions of developing the property at this time. I will be pleased to attend in person at your hearing to answer any questions.

Thank you.

[REDACTED]  
Randy Barnard