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**VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 1084

**AN ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF
ILLINOIS.**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK**

THIS 27TH DAY OF AUGUST 2007

**RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

Board Of Trustees

**JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
ARTURO J. MOTA
ANTHONY J. PRIGNANO
MARY RAMIREZ TACONI**

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**Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 28TH day of AUGUST 2007**

ORDINANCE NO. 1084

AN ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

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WHEREAS, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005, and the Board of Trustees of the Village (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Thomas “TK” Klein, Arturo J. Mota, Anthony J. Prignano and Mary Ramirez Taconi, having taken office on May 14, 2007, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, there exists certain territory (the “Territory”), as depicted on and legally described in Exhibit A, the Plat of Annexation (the “Plat”), attached hereto and incorporated herein by reference, that is located in unincorporated Cook County, Illinois; and

WHEREAS, a written petition requesting the annexation of the Territory into the Village signed under oath by the owner(s) of record of all the land within the Territory has been filed with the Village Clerk; and

WHEREAS, the Territory is not within the corporate limits of any municipality, but is contiguous to the Village and may be annexed to the Village as provided in Article 7, Division 1 of the Illinois Municipal Code (65 ILCS 5/7-1-1, *et seq.*); and

WHEREAS, no electors reside within the Territory; and

WHEREAS, the President and the Village Board (collectively, the “Corporate Authorities”) have determined that it is in the public interest to annex the Territory because the annexation of the Territory to the Village will inure to the benefit and improvement of the Village and its residents, will further the growth of the Village, will further enable the Village to control the development of the Territory pursuant to existing ordinance codes and zoning regulations to which the owner of the Territory will be bound, and will otherwise enhance and promote the general welfare of the Village and its residents; and

WHEREAS, pursuant to Article 7, Division 1 of the Illinois Municipal Code (65 ILCS 5/7-1-1, *et seq.*), legal notice regarding the Village’s intention to annex the Territory has been published, sent out and recorded, if applicable; and

WHEREAS, upon annexation, the Territory shall be automatically zoned as an “A” Residence District; and

WHEREAS, all petitions, documents and other legal requirements are in full compliance with the terms of the Agreement and with the applicable statutes of the State of Illinois, specifically Section 7-1-8 of the Illinois Municipal Code (65 ILCS 5/7-1-8); and

WHEREAS, based on the foregoing, the Corporate Authorities have determined that it is advisable, necessary and in the best interests of the Village and its residents to annex the Territory; and

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Corporate Authorities do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to annex the Territory into the Village and to take all steps necessary to carry out the intention of this Ordinance and ratify any steps taken to effectuate that goal.

Section 03. Invocation of authority.

This Ordinance is enacted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Sections 05-09. Reserved.

**ARTICLE II.
ANNEXATION**

Section 10.00. Annexation.

That the Corporate Authorities, subject to and following execution of that certain annexation agreement between the Village and record owner of the Territory Alberto-Culver USA, Inc., do hereby annex the Territory into the Village and approve the Plat. That the Corporate Authorities further authorize that the Territory shall be initially zoned as an "A" Residence District. That the Village Board hereby authorizes and directs the President or his designee and the Village Attorney to enter into and approve any documentation and to ratify any and all previous action taken to effectuate the intent of this Ordinance. The Village Clerk is hereby authorized and directed to attest to and countersign and/or record any such documentation as may be necessary to carry out and effectuate the purpose of this Ordinance. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. That the Corporate Authorities hereby authorize the officers, employees and/or agents of the Village to take all action necessary or reasonably required to carry out, give effect to and consummate the intent of this Ordinance and to take all action necessary in conformity therewith including, but not limited to, maintaining and operating the sewer system of the annexed Territory, unless the sewer system is under the jurisdiction of another unit of local government other than the Metropolitan Water Reclamation District.

Section 11.00. Recording and Notice.

The Village Clerk is authorized and directed to cause a certified copy of this Ordinance, together with an accurate map of the annexed Territory, to be recorded with the Cook County Recorder of Deeds and filed with the Clerk of Cook County, Illinois, and to report such annexation, by certified or registered mail, to the election authorities having jurisdiction in the

Territory and the post office branches serving the Territory, within thirty (30) days of such annexation. The Village Clerk is further authorized and directed to give notice of the annexation described herein to any and all public bodies, agencies and/or individuals including, but not limited to, the trustees of any Fire Protection District and the trustees of any Public Library District ten (10) days prior to any action regarding the annexation, if applicable, and to persons paying real estate taxes on property located within the Territory, if applicable, and to the highway commissioner of each road district within which the Territory is situated, if applicable.

Sections 12.00 – 15.00. Reserved.

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES,
PUBLICATION, EFFECTIVE DATE**

Section 16.00 Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

Section 17.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, sub-paragraph, section, or part shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is

hereby declared to be the legislative intent of the Corporate Authorities that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof been included.

Section 18.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 19.00 Publication.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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Section 20.00 Effective Date.

This Ordinance shall be in full force and effect upon its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board of Trustees:

AYE VOTES: Trustee Conteduca, Trustee Italia, Trustee Klein,
Trustee Mota, Trustee Prignano, Trustee Taconi


NAY VOTES:

ABSTAIN:

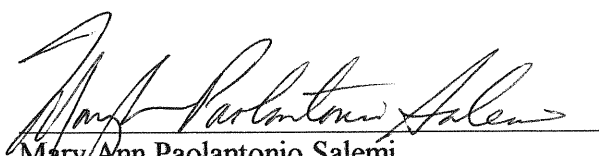
ABSENT:

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TWENTY-
SEVENTH DAY OF AUGUST, 2007 A.D.

APPROVED:


RONALD M. SERPICO,
VILLAGE PRESIDENT

ATTEST:


Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: August 27, 2007
Published in pamphlet form: August 28, 2007