
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE APPROVING THE PRELIMINARY AND
FINAL PLAT OF SUBDIVISION AT THE NORTHWEST CORNER OF RITCHIE
ROAD AND RITCHIE COURT, ROCHELLE, ILLINOIS**

JOHN BEARROWS, Mayor
SUE MESSER, City Clerk

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

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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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, the City, through the Rochelle Municipal Utilities (“RMU”), one of its Departments, owns a certain parcel of land located at the northwest corner of Ritchie Road and Ritchie Court, where the RMU will be constructing a new electric distribution substation; and

WHEREAS, it is necessary for the City and the RMU to subdivide the property located at the Northwest corner of Ritchie Road and Ritchie Court for the construction of the electric distribution substation; and

WHEREAS, pursuant to the City of Rochelle Zoning Ordinance, the City, initiated a petition to divide land legally described in Exhibit “A” into a one lot subdivision based on the proposed Preliminary Plat, Exhibit “B”, and Final Plat, Exhibit “C” known as the Subdivision at the Northwest corner of Ritchie Road and Ritchie Court; and

WHEREAS, the petition for the Preliminary Plat and Final Plat was reviewed by the Planning and Zoning Commission at their meeting of August 4, 2020 and the Planning and Zoning Commission, by a vote of 5-0, recommended that Council approve the Preliminary Plat and Final Plat of Subdivision for the Subdivision at the Northwest corner of Ritchie Road and Ritchie Court; and

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:

Section 1. That City hereby incorporates all of the recitals above into this Ordinance as if fully set forth herein.

Section 2. The Preliminary Plat, Exhibit “B”, and Final Plat, Exhibit “C” for the Northwest Corner of Ritchie Road and Ritchie Court are hereby approved.

Section 3. The City Clerk shall publish this Ordinance in pamphlet form.

Section 4. This ordinance shall become effective after its passage, approval and publication as provided by law and shall modify any inconsistent provisions in the municipal code prior to this date.

PASSED AND APPROVED this 10th day of August, 2020.

Ayes: _____ Nays: _____ Absent/Abstain: _____

Mayor

Attested: _____
City Clerk

EXHIBIT A
(Legal Description)

PARCEL: 25-32-201-002

DESCRIPTION:

Lot Two (2) in Prologis Park Rochelle- Unit One (1), being a subdivision of part of the Northeast Quarter (1/4) of Section 31, the Northwest Quarter (1/4) and the Northeast Quarter of Section 32, Recorded in Plat file E on Page 1 as Document No. 1102433, in the Recorder's Office of Ogle County, Illinois; situated in the Township of Dement, County of Ogle and State of Illinois.

EXHIBIT B
(Preliminary Plat)

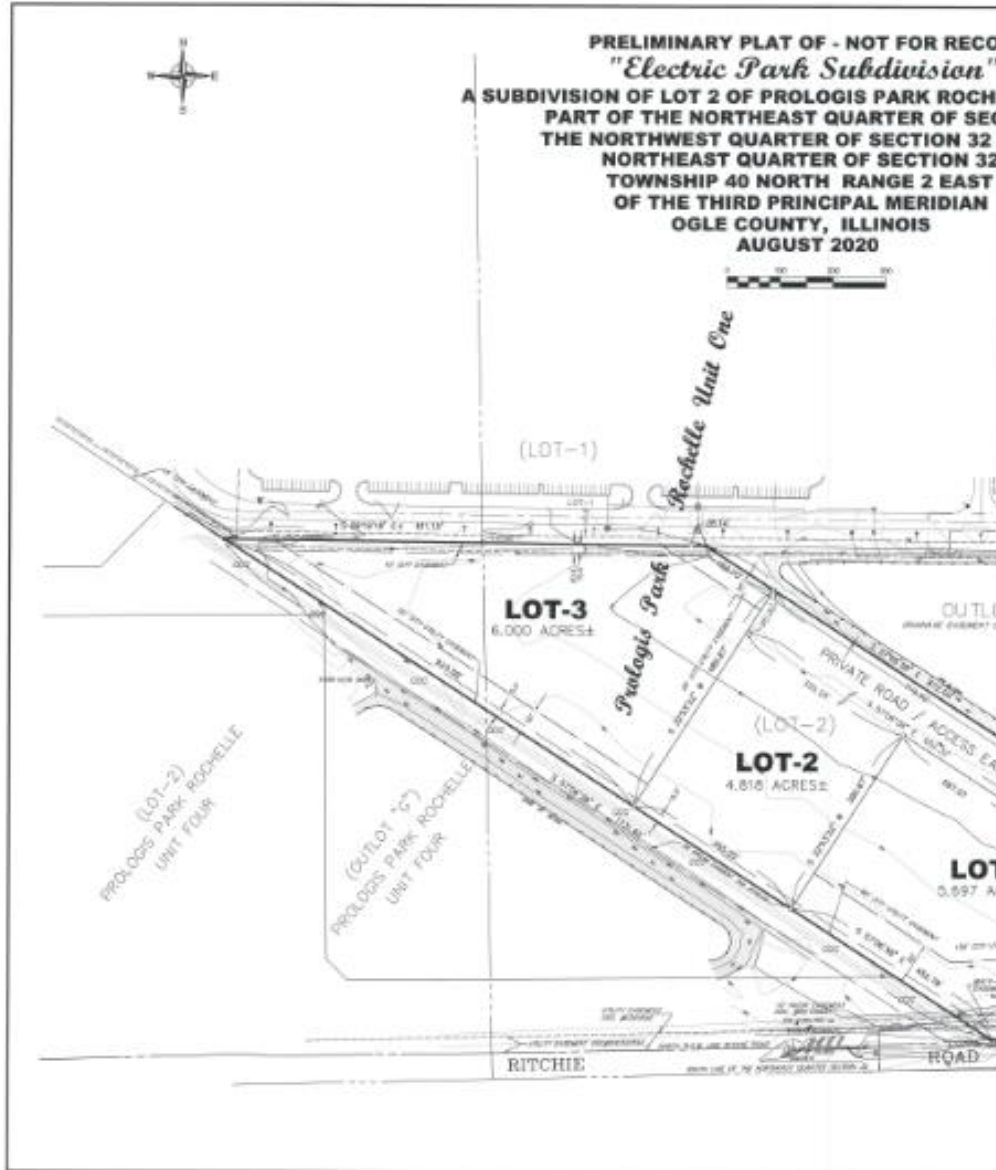


EXHIBIT C
(Final Plat)



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 AT THE NORTHWEST CORNER OF RITCHIE ROAD AND RITCHIE COURT, ROCHELLE, ILLINOIS” which was adopted by the Mayor and City Council of the City of Rochelle on _____, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 10th day of August, 2020.

CITY CLERK