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# **THE VILLAGE OF BLOOMINGDALE**

DUPAGE COUNTY, ILLINOIS

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## **ORDINANCE**

**NUMBER 2022 - 14**

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### **AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY COMMONLY REFERRED TO AS 5N210 GLEN ELLYN ROAD, BLOOMINGDALE, ILLINOIS**

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FRANCO A. COLADIPIETRO, Mayor

PAMELA S. HAGER, Village Clerk

VINCE ACKERMAN  
WILLIAM BELMONTE  
BILL BOLEN  
FRANK BUCARO  
PATRICK SHANNON  
JUDI VON HUBEN

Village Board

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Published in pamphlet form by authority of the  
President and the Board of Trustees of the Village of Bloomingdale  
on this the 14<sup>th</sup> day of March, 2022

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**ORDINANCE 2022- 14**

**AN ORDINANCE  
APPROVING THE ANNEXATION OF  
CERTAIN TERRITORY COMMONLY REFERRED TO AS  
5N210 GLEN ELLYN ROAD, BLOOMINGDALE, ILLINOIS**

**WHEREAS**, the Village of Bloomingdale, DuPage County, Illinois (the "Village") is a home rule unit of local government under Article VII, Section 6 of the 1970 Illinois Constitution and, except as limited by such Section, it may exercise any power and perform any function pertaining to its government and affairs;

**WHEREAS**, a written petition for annexation (the "Petition") was submitted to the Village of Bloomingdale pursuant to 65 ILCS 5/7-1-8 by MOHAMMED NABOUT on behalf of NABOUT FAMILY CO., INC. (hereinafter collectively referred to as the "Owner") of certain real estate commonly referred to as 5N210 GLEN ELLYN ROAD, Bloomingdale, Illinois 60157 (hereinafter referred to as the "Subject Property") and legally described in the Petition which is attached hereto and made a part hereof as Exhibit A;

**WHEREAS**, the Subject Property is not situated within the corporate limits of any municipality and is wholly bounded by the Village of Bloomingdale;

**WHEREAS**, the Petition identifies the owner of the Subject Property and declares that at least fifty-one percent of the electors residing on the Subject Property is duly represented in the affirmative by said Petition;

**WHEREAS**, the Petitioner submitted a Plat of Annexation for the Subject Property attached to this Ordinance and made a part hereof as Exhibit B in form that is satisfactory to the Village;

**WHEREAS**, the Village has complied with all statutory procedures regarding the annexation of territory pursuant to 65 ILCS 5/7-1-1 et seq; and

**WHEREAS**, the Corporate Authorities of the Village of Bloomingdale have considered the annexation of the Subject Property and have determined that it is in the best interests of the Village that the Subject Property be annexed to the Village of Bloomingdale.

**NOW, THEREFORE, BE IT ORDAINED**, in open meeting assembled by the Village President and Board of Trustees of the Village of Bloomingdale, DuPage County, Illinois pursuant to its home rule powers as follows:

**Section One - Recitals**

The Board of Trustees hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**Section Two – Annexation of Subject Property**

The Board of Trustees of the Village of Bloomingdale hereby approves the annexation of the Subject Property legally described in the Petition which is attached hereto and made a part of the Ordinance as Exhibit A and depicted on the Plat of Annexation attached hereto and made a part hereof as Exhibit B.

**Section Three – Authorization and Direction**

The Village Clerk is hereby authorized and directed to cause a certified copy of this Ordinance together with the Plat of Annexation of the Subject Property attached to this Ordinance and part hereof as Exhibit B to be recorded with the Office of the Recorder of Deeds of DuPage County, Illinois and filed with the Office of the Clerk of DuPage County, Illinois.

The Village Clerk is further authorized and directed within thirty days after passage of this Ordinance to notify by certified or registered mail any and all post office branches serving the Subject Property and the DuPage County Election Commission having jurisdiction over the Subject Property.

#### **Section Four - Other Actions Authorized**

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this Ordinance and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

#### **Section Five - Acts of Village Officials**

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this Ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

#### **Section Six – Effective Date**

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

#### **Section Seven - Publication**

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

#### **Section Eight – Conflict Clause**

All Ordinances and Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

#### **Section Nine – Saving Clause**

If any section, paragraph, clause or provision of this Ordinance is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this Ordinance which are hereby declared to be separable.

#### **Section Ten – Recording**

This Ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Bloomingdale.

**DECIDED** pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Vince Ackerman	X			
William Belmonte	X			
Bill Bolen	X			
Frank Bucaro	X			
Patrick Shannon	X			
Judi Von Huben	X			
Franco A. Coladipietro (only if necessary)				
<b>TOTAL</b>	<b>6</b>	<b>0</b>	<b>0</b>	

**PASSED AND APPROVED** by the Village of Bloomingdale Board of Trustees on the 14<sup>th</sup> day of March, 2022.

  
\_\_\_\_\_  
Franco A. Coladipietro  
Village President

ATTEST:

  
\_\_\_\_\_  
Pamela S. Hager  
Village Clerk

Exhibit A  
Petition for Annexation




4. That this Petition for Annexation is contingent upon the due approval by the Corporate Authorities of the Village of Bloomingdale of an annexation agreement which is mutually acceptable to Petitioner and the Village of Bloomingdale and the due and proper execution of said agreement by said parties.

**WHEREFORE**, Petitioner respectfully requests that the Property be annexed to the Village of Bloomingdale, DuPage County, Illinois, subject to the terms hereinabove stated.

**IN WITNESS WHEREOF** Petitioner has duly executed this Petition for Annexation this 30th day of July, 2021.

NABOUT FAMILY CO., INC.



BY: MOHAMMED NABOUT  
ITS: PRESIDENT



STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

MOHAMMED NABOUT after first being duly sworn, states under oath that he is the owner of the Property described in the foregoing Petition for Annexation, that he has personal knowledge of the facts therein contained, and that such facts are true and correct to the best of her knowledge.

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MOHAMMED NABOUT

STATE OF ILLINOIS FL )  
COUNTY OF DUPAGE ) SS  
Lake

I, Nayeli Diaz, being a Notary Public in and for the County and State noted above, do hereby certify that MOHAMMED NABOUT, personally known to me, appeared before me this 30<sup>th</sup> day of JULY, 2021, and acknowledged under oath that she executed the foregoing Petition for Annexation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on this 30<sup>th</sup> day of JULY, 2021.

Nayeli Diaz  
Notary Public



Nayeli Diaz  
Notary Public  
State of Florida  
Comm# HH085473  
Expires 1/27/2025

[SEAL]

My Commission Expires:

1/27/25

**EXHIBIT A**  
**PLAT OF ANNEXATION**



Exhibit B  
Plat of Annexation

