

COUNTY OF Mc LEAN, STATE OF ILLINOIS

ORDINANCE NO. 23-10-01-51

AN ORDINANCE REZONING PROPERTY FROM R-2 RESIDENTIAL TO C-2
HIGHWAY COMMERCIAL

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
2nd Day of October, 2023

PRESENTED: October 2, 2023

PASSED: October 2, 2023

APPROVED: October 2, 2023

RECORDED: October 2, 2023

PUBLISHED: October 2, 2023

In Pamphlet Form

Voting "Aye" 7

Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



Jessica Carroll, Deputy City Clerk of the
City of Le Roy, McLean County, Illinois

Dated: October 2, 2023



**CITY OF LE ROY
McLEAN COUNTY, ILLINOIS**

ORDINANCE NO. 23-10-01-51

**AN ORDINANCE REZONING PROPERTY FROM
R-2 RESIDENTIAL TO C-2 HIGHWAY COMMERCIAL**

WHEREAS, the City of Le Roy has authority, pursuant to the Illinois Municipal Code, to enact zoning regulations; and

WHEREAS, the City of Le Roy has enacted a comprehensive zoning code incorporated as Title 10 of the Le Roy City Code; and

WHEREAS, the City has received a petition to rezone certain property from R-2 Residential to C-2 Highway Commercial District; and

WHEREAS, the matter has been referred to the Zoning Board of Appeals for public hearing and recommendation; and

WHEREAS, after notice and hearing, as required by law, the Le Roy Zoning Board of Appeals is recommending that the property described herein, be rezoned to C-2 Highway Commercial Zoning District; and

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of City of Le Roy to rezone the property, as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Le Roy, McLean County, Illinois, as follows:

Section 1. That the report and recommendation of the Le Roy Zoning Board of Appeals is hereby received, placed on file and approved.

Section 2. That the property described in **Exhibit A**, attached hereto and incorporated herein by reference, be and the same is hereby rezoned from R-2 Residential District to C-2 Highway Commercial District.

Section 3. That the rezoning provided herein shall not be effective until the property, described in Exhibit A, is conveyed to the owner of Lot 2 in Le Roy Travel Mart Subdivision to the City of Le Roy, as shown on the plat thereof, recorded May 3, 1989, as Document No. 89-6395.

Section 2. Publication. The City Clerk be and is hereby authorized and directed to publish this Ordinance in pamphlet form as provided by law.

Section 3. Severability. In the event any part of this Ordinance shall be found and determined to be invalid by a Court of competent jurisdiction, all valid parts that are severable from this invalid part shall remain in full force and effect.

Section 4. Repealer. All ordinances or parts of ordinances in conflict herein, are hereby repealed, provided, however, that nothing herein contained shall affect any rights, action, or causes of action, which have accrued to the City of Le Roy, prior to the effective date of this Ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect ten (10) days following its publication in pamphlet form as provided by law.

EXHIBIT A

**REZONING PROPERTY FROM
R-2 RESIDENTIAL TO C-2 HIGHWAY COMMERCIAL**

(See Attached)

Rezoning Description:

A tract of land lying in part of the East 114 feet of Lot 3 in the Subdivision of Lot 7 of the Southwest Quarter of the Southwest Quarter of Section 21, Township 22 North, Range 4 East of the Third Principal Meridian, City of Leroy, McLean County, Illinois, being more particularly described as follows:

Beginning at the Southeast corner of said Lot 3, said point also being the Southwest corner of Lot 2 in the Leroy Travel Mart Subdivision; thence Easterly along the South line of said Lot 3 a distance of 25 feet; thence Northerly parallel with the East line of said Lot 3 to a point 25 feet West of the Northwest corner of Lot 2 in the Leroy Travel Mart Subdivision; thence Easterly 25 feet to said Northwest corner; thence South along the West line of said Lot 2 to the Point of Beginning.

EXHIBIT A

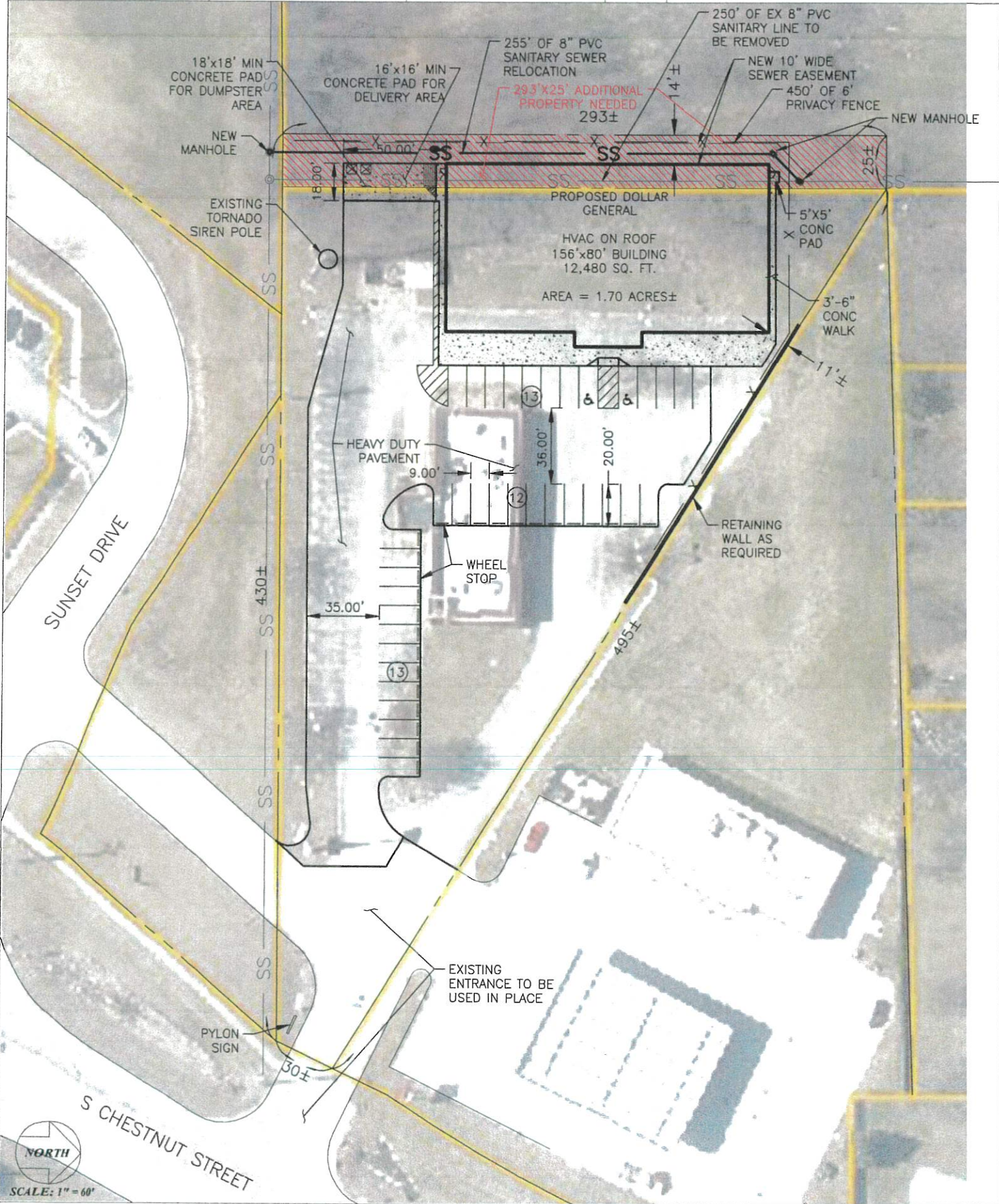
**REZONING PROPERTY FROM
R-2 RESIDENTIAL TO C-2 HIGHWAY COMMERCIAL**

(See Attached)

PRELIMINARY SITE PLAN

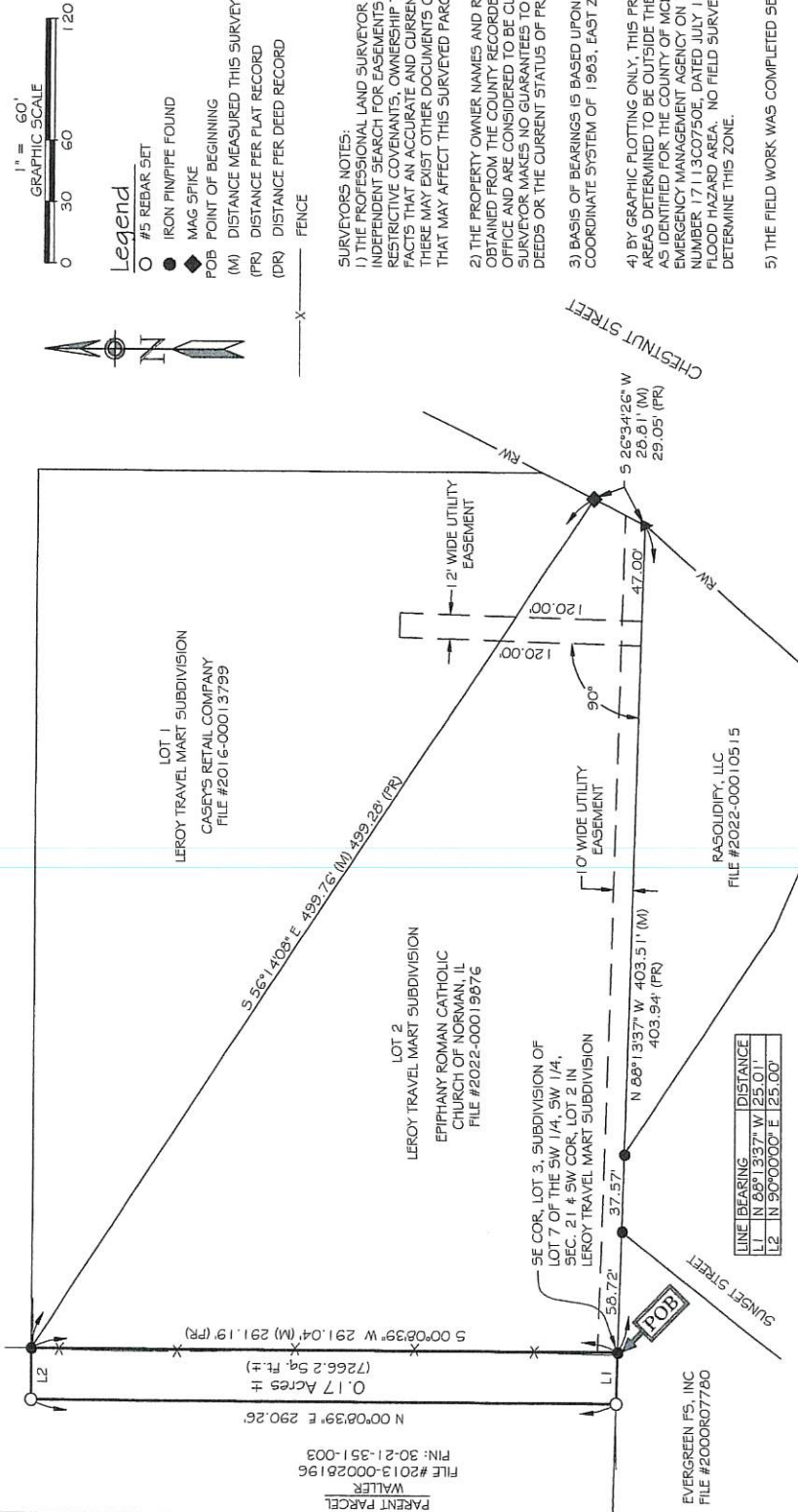
CITY, STATE - STREET:
Le Roy, IL - S Chestnut Street

PROTOTYPE:	DGPM "C"	DEVELOPER	DESIGNER	DATE:
BLDG/SALES SF:	12,480/10,189	COMPANY: STL Equities, LLC	COMPANY: MB Engineering, Inc.	05-11-23
ACREAGE:	1.70±	NAME: Bob Elkan	NAME: Mike Buescher, P.E.	
PARKING SPACES:	38	PHONE #: (636) 534-5900	PHONE #: (314) 368-3040	



PLAT OF SURVEY

A TRACT BEING PART OF THE EAST 1/4 FEET OF LOT 3 IN THE SUBDIVISION OF LOT 7 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF LEROY, MCLEAN COUNTY, ILLINOIS



THIS IS A RESULT OF MY SURVEY AS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION DURING SEPTEMBER 2023, WHICH I CERTIFY TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT SAID SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A PROFESSIONAL SURVEY.

Norman D. Ellerbrock 9/14/2023
 NURMAN D. ELLERBROCK
 ILLINOIS PROFESSIONAL LAND SURVEYOR #35-3159
 LICENSE EXPIRES NOVEMBER 30, 2024
 ILLINOIS PROFESSIONAL DESIGN FIRM #184-006044

SUGGESTED PROPERTY DESCRIPTION
 0.17 ACRE TRACT
 A TRACT OF LAND LYING IN PART OF THE EAST 1/4 FEET OF LOT 3 IN THE SUBDIVISION OF LOT 7 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF LEROY, MCLEAN COUNTY, ILLINOIS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
 BEGINNING AT A FOUND IRON PIN AT THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 2 IN THE LEROY TRAVEL MART SUBDIVISION; THENCE NORTH 88 DEGREES 13 MINUTES 37 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 25.01 FEET TO A #5 REBAR SET; THENCE LEAVING SAID SOUTH LINE NORTH 00 DEGREES 08 MINUTES 39 SECONDS EAST A DISTANCE OF 290.26 FEET TO A #5 REBAR SET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 25.00 FEET TO A FOUND IRON PIN AT THE NORTHWEST CORNER OF LOT 2 IN THE LEROY TRAVEL MART SUBDIVISION; THENCE SOUTH 00 DEGREES 08 MINUTES 39 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 291.04 FEET TO THE POINT OF BEGINNING, CONTAINING 0.17 ACRES MORE OR LESS (7266.2 SQUARE FEET).

FOUR POINTS LAND SURVEYING & ENGINEERING, INC.
 17 NORTHPORT PLAZA
 HANNIBAL, MO. 63401
 573-406-5533
 ILLINOIS PROFESSIONAL DESIGN FIRM #184-006044



PREPARED FOR:
GLENWOOD EQUITIES

FIELD NO.	PROJECT NO.	DRAWING NAME	FIELD	DRAWN	CHECKED
1 OF 1	23-0171	230171.PLT	KL8	PM3	NDE

RECORDER'S USE ONLY

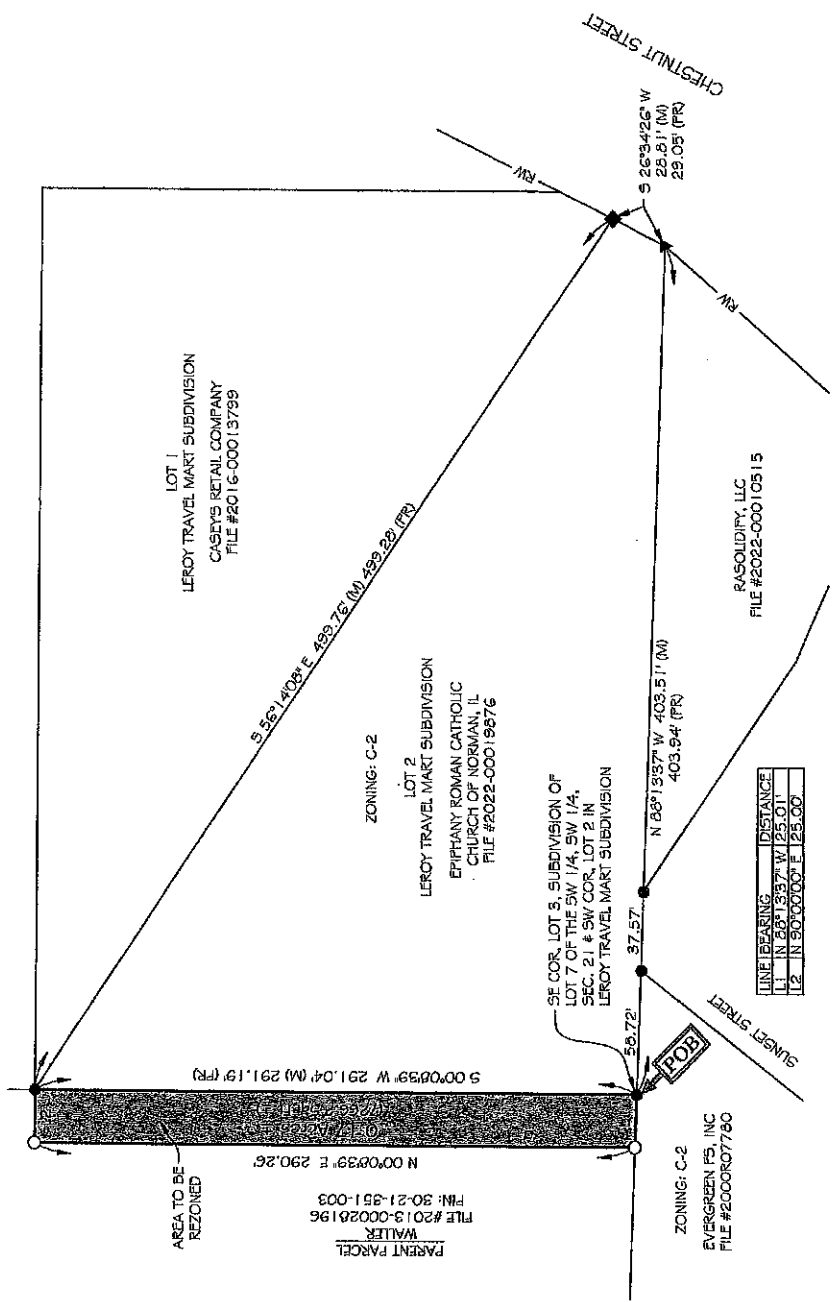
- SURVEYOR'S NOTES:**
- THE PROFESSIONAL LAND SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. THERE MAY EXIST OTHER DOCUMENTS OF RECORD OR NOT OF RECORD THAT MAY AFFECT THIS SURVEYED PARCEL.
 - THE PROPERTY OWNER NAMES AND RECORDED DEED INFORMATION WERE OBTAINED FROM THE COUNTY RECORDER AND/OR COUNTY ASSESSOR OFFICE AND ARE CONSIDERED TO BE CURRENT. THE PROFESSIONAL LAND SURVEYOR MAKES NO WARRANTIES TO THE CORRECTNESS OF THE DEEDS OR THE CURRENT STATUS OF PROPERTY OWNERSHIP.
 - BASIS OF BEARINGS IS BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM OF 1983, EAST ZONE.
 - BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X" OR AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED FOR THE COUNTY OF MCLEAN, ILLINOIS BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON FLOOD INSURANCE RATE MAP NUMBER 17113C0750E, DATED JULY 16, 2008 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE.
 - THE FIELD WORK WAS COMPLETED SEPTEMBER, 2023

PARENT PARCEL
 WALTER
 FILE #2013-0002196
 PIN: 30-21-351-003

EVERGREEN ES, INC
 FILE #200807780

REZONING EXHIBIT

A TRACT BEING PART OF THE EAST 1/4 FEET OF LOT 3 IN THE SUBDIVISION OF LOT 7 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF LEROY, MCLEAN COUNTY, ILLINOIS



LOT 1
LEROY TRAVEL MART SUBDIVISION
CASEY'S RETAIL COMPANY
FILE #2016-00013799

ZONING: C-2
LOT 2
LEROY TRAVEL MART SUBDIVISION
EPIPHANY ROMAN CATHOLIC
CHURCH OF NORMAN, IL
FILE #2022-00019876

SE COR. LOT 3, SUBDIVISION OF
LOT 7 OF THE SW 1/4, SW 1/4,
SEC. 21, & SW COR. LOT 2 IN
LEROY TRAVEL MART SUBDIVISION

RASOLIDIFY, LLC
FILE #2022-00010515

LINE BEARING	DISTANCE
L1 N 60°13'57" W 25.01'	
L2 N 50°00'00" E 125.00'	

SUGGESTED PROPERTY DESCRIPTION
0.17 ACRE TRACT

A TRACT OF LAND LYING IN PART OF THE EAST 1/4 FEET OF LOT 3 IN THE SUBDIVISION OF LOT 7 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF LEROY, MCLEAN COUNTY, ILLINOIS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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AREA TO BE
REZONED

PARENT PARCEL
WALTER
FILE #2013-00026196
FIN: 30-21-951-003

ZONING: C-2
EVERGREEN PS, INC
FILE #200907750

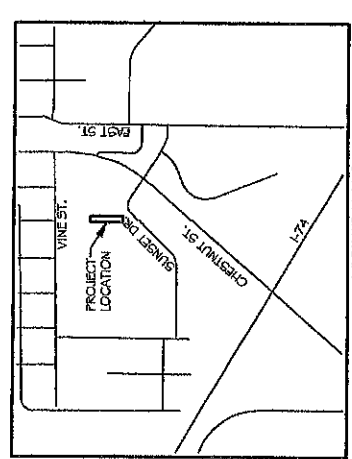
CURRENT ZONING: R-2
PROPOSED ZONING: C-2

FOUR POINTS LAND SURVEYING
& ENGINEERING, INC.
17 NORTHGATE PLAZA
HANNAH, MO. 63401
573-406-5539
ILLINOIS PROFESSIONAL DESIGN FIRM #184-006044



PREPARED FOR:
GLENWOOD EQUITIES

SHEET NO.	PROJECT NO.	DRAWING NAME	FIELD	DRAWN	CHECKED
1 OF 1	23-0171	230171.PLA	KLB	PMG	NDE
BOUNDARY SURVEY					



- Legend
- O #5 REBAR SET
 - IRON PIPE FOUND
 - ◆ MAG SPIKE
 - FOB POINT OF BEGINNING
 - (M) DISTANCE MEASURED THIS SURVEY
 - (FR) DISTANCE PER FLAT RECORD
 - (DR) DISTANCE PER DEED RECORD
 - FENCE

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Patti Welander, and seconded by Sarah Welte by roll call vote on the 2nd

Day of October 2023, as follows

Aldermen elected 8

Aldermen Present 7

Voting Aye: Dawn Hanafin, Ron Legner, Patti Welander, Justin Morfey, Matthew Steffen, Sarah Welte, Kyle Merkle

Voting Nay: None

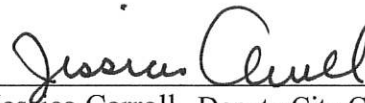
Absent: Kelly Lay

Abstain: None

Other: None

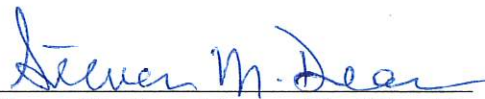
and deposited and filed in the office of the City Clerk in said municipality on the 2nd

Day of October 2023



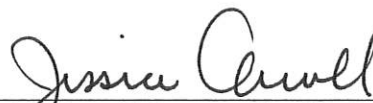
Jessica Carroll, Deputy City Clerk of the City of Le Roy, Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 2nd Day of October 2023



Steven M. Dean, Mayor of the City of Le Roy, Mc Lean County, Illinois

ATTEST: (SEAL)



Jessica Carroll, Deputy City Clerk of the City of Le Roy, Mc Lean County, Illinois

CERTIFICATE

I, Jessica Carroll, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on October 2, 2023 the Corporate Authorities of such municipality passed and approved **Ordinance No. 23-10-01-51** entitled:


**AN ORDINANCE REZONING PROPERTY FROM R-2 RESIDENTIAL TO C-2
HIGHWAY COMMERCIAL**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **23-10-01-51**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on October 2, 2023 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 2nd Day of October 2023

(SEAL)



Jessica Carroll, Deputy City Clerk of the
City of Le Roy, McLean County, Illinois



STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Jessica Carroll, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

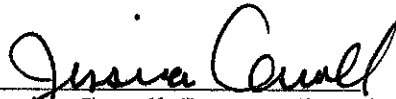
I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

**AN ORDINANCE REZONING PROPERTY FROM R-2 RESIDENTIAL TO C-2
HIGHWAY COMMERCIAL**

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 22nd Day of October 2023, and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 2nd
Day of October 2023

(SEAL)



Jessica Carroll, Deputy City Clerk of the
City of Le Roy, McLean County, Illinois

