

**RESOLUTION 2007- 137-1**

**A RESOLUTION AUTHORIZING THE  
EXECUTION OF AN INTERGOVERNMENTAL  
AGREEMENT BETWEEN THE VILLAGE OF ~~TIMBERLAND~~  
AND THE  
VILLAGE OF CALEDONIA**

**BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF TIMBERLANE,  
ILLINOIS AS FOLLOWS:**

WHEREAS, Illinois Compiled Statutes Chapter 65, Section 5/11-12-9 authorizes the execution of Intergovernmental Agreements for the purpose of establishing jurisdictional boundary lines in unincorporated areas; and

WHEREAS, it is in the best interest of the Village of Timberlane to enter into the attached Intergovernmental Agreement.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Timberlane, Boone County, Illinois as follows:

SECTION ONE: The Timberlane Village President and Village Secretary are directed to execute the attached Intergovernmental Agreement and bind the Village of Timberlane to all terms and conditions of the Agreement

SECTION TWO: This resolution shall be in full force and effect from and after its approval, passage and publication in pamphlet form.

PASSED UPON MOTION BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

BY ROLL CALL VOTE this \_\_\_\_\_ day of May, 2007, as follows:

VOTING "AYE": \_\_\_\_\_

VOTING "NAY": \_\_\_\_\_

ABSENT, ABSTAIN, OTHER: \_\_\_\_\_

APPROVED May \_\_\_\_\_, 2007

\_\_\_\_\_  
Stephen M. Rapp, President

ATTEST:

\_\_\_\_\_  
Debra K. Mamer, Secretary

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**INTERGOVERNMENTAL AGREEMENT SETTING FORTH A BOUNDARY LINE FOR PURPOSES OF ANNEXATION AND EXTRA-TERRITORIAL JURISDICTION IN UNINCORPORATED TERRITORY BETWEEN THE VILLAGE OF TIMBERLANE, ILLINOIS AND THE VILLAGE OF CALEDONIA, ILLINOIS**

THIS AGREEMENT, made and entered into this 17<sup>th</sup> day of May 2007, by and between the VILLAGE OF TIMBERLANE, ILLINOIS, a Municipal Corporation, and the VILLAGE OF CALEDONIA, ILLINOIS, a Municipal Corporation;

**WITNESSETH:**

**WHEREAS**, Illinois Compiled Statutes, Chapter 65, Section 5/11-12-5 provides for the exercise of certain municipal powers within the contiguous unincorporated territory extending one and one-half miles beyond the municipal limits of said municipality; and

**WHEREAS**, certain portions of such territories are, at times within the jurisdiction of one or more municipalities; and

**WHEREAS**, intergovernmental contracts are authorized and encouraged by the Statutes of the State of Illinois and Section 10 of Article VII of the Constitution of the State of Illinois and Illinois Compiled Statutes, 65 ILCS Section 5/11-12-9, recognizes jurisdictional boundary line agreements in unincorporated territory with one and one-half miles of the boundaries of two or more corporate authorities which have adopted official plans; and

**WHEREAS**, the VILLAGE OF TIMBERLANE and the VILLAGE OF CALEDONIA desire to enter into an Agreement which would establish a boundary line for the purposes of annexation and jurisdiction for the exercise of extra-territorial power over development in unincorporated areas and create limits beyond which the municipalities would agree not to annex; and

**WHEREAS**, the VILLAGE OF TIMBERLANE and the VILLAGE OF CALEDONIA recognize the need and desirability to provide for logical municipal boundaries in areas of municipal authority between their respective municipalities in order to plan effectively and efficiently for the growth and potential development between their communities;

**WHEREAS**, the VILLAGE OF TIMBERLANE and the VILLAGE OF CALEDONIA have considered the natural flow of storm water drainage, the ownership of

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property in the area and the efficient provision of public services; and

**WHEREAS**, the VILLAGE OF TIMBERLANE and the VILLAGE OF CALEDONIA have satisfied the notice provisions of 65 ILCS 5/11-12-9 respectively.

**NOW, THEREFORE**, in consideration of the mutual covenants herein exchanged and other good and valuable consideration, the sufficiency of which is hereby acknowledged, and pursuant to the specific statutory authority provided in 65 ILCS 5/11-12-9, it is hereby agreed by and between the VILLAGE OF TIMBERLANE and the VILLAGE OF CALEDONIA as follows:

1. The VILLAGE OF TIMBERLANE and the VILLAGE OF CALEDONIA agree to jointly adopt the extraterritorial limits shown on the attached Exhibit "A" and titled "Extraterritorial Boundaries of Timberlane-Caledonia, 2007" and incorporated by reference herein.

2. The VILLAGE OF TIMBERLANE agrees, for the term of this Agreement, not to annex territory located generally north of the north lines of Sections 28, 29, and 30, Caledonia Township, Boone County, Illinois and the VILLAGE OF CALEDONIA agrees for the terms of this Agreement, not to annex territory located generally south of the north line of Sections 28, 29, and 30, Caledonia Township, Boone County, Illinois and as further shown on Exhibit "A". The two properties, J. & K. R. (12 acres) and B. & L. G. (8 acres) previously pre-annexed to the VILLAGE OF CALEDONIA are excluded from this Agreement.

3. The VILLAGE OF TIMBERLANE and the VILLAGE OF CALEDONIA agree that said boundary line as extended easterly and westerly shall also be the jurisdictional boundary line for the exercise of the powers and duties of the Planning Commission and Planning Department of the corporate authorities pursuant to the official comprehensive plan of either of said municipalities for the term of this Agreement. Both parties to this Agreement agree that the VILLAGE OF TIMBERLANE will not exercise any zoning authority or subdivision control north of said boundary line and the VILLAGE OF CALEDONIA agrees that it will not exercise any zoning authority or subdivision control south of said boundary line.

3. In the event that areas less than 60 acres bounded entirely by the corporate limits of the parties to this Agreement are found to exist with some territory lying on either side of the territorial limits herein established, the parties to this Agreement hereby agree to jointly pass the appropriate ordinances to annex these areas pursuant to Illinois Revised Statutes, 65 ILCS Section 7-1-13, with each party annexing that part of the territory on its side of the above-mentioned boundary line.

4. This Agreement shall remain in full force and effect for as long as allowed

by Section 11-12-9 (currently twenty (20) years), unless mutually amended, modified or rescinded.

5. The VILLAGE OF TIMBERLANE and the VILLAGE OF CALEDONIA agree that to the extent utility services may be available and desire to extend across the boundary line from one municipality to the other and it is economically practical to extend same, then such service may be extended from across the boundary line with the consent of the municipality into whose territory the service is being extended. Said consent will not be unreasonably withheld.

6. Upon passage, approval and adoption of this Agreement by Ordinances of the VILLAGE OF TIMBERLANE and the VILLAGE OF CALEDONIA, authorizing the President and Village Clerk to execute the same, a copy of such Agreement certified as to adoption by the Clerks of the respective municipalities shall be filed in the Recorder's Office of Boone County and made available in the office of the Clerk of each municipality.

IN WITNESS WHEREOF, the VILLAGE OF TIMBERLANE has caused these presents to be executed in duplicate, by its President and attested by its Village Clerk, and its corporate seal affixed thereto, pursuant to Ordinance duly adopted by its Board of Trustees, and the VILLAGE OF CALEDONIA has caused these presents to be executed in duplicate, by its President and attested by its Village Clerk, and its corporate seal affixed thereto, pursuant to Ordinance duly adopted by its Village Board, all as of the day, month and year first above written.

**VILLAGE OF TIMBERLANE**

**VILLAGE OF CALEDONIA**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

President

President

ATTEST:

ATTEST:

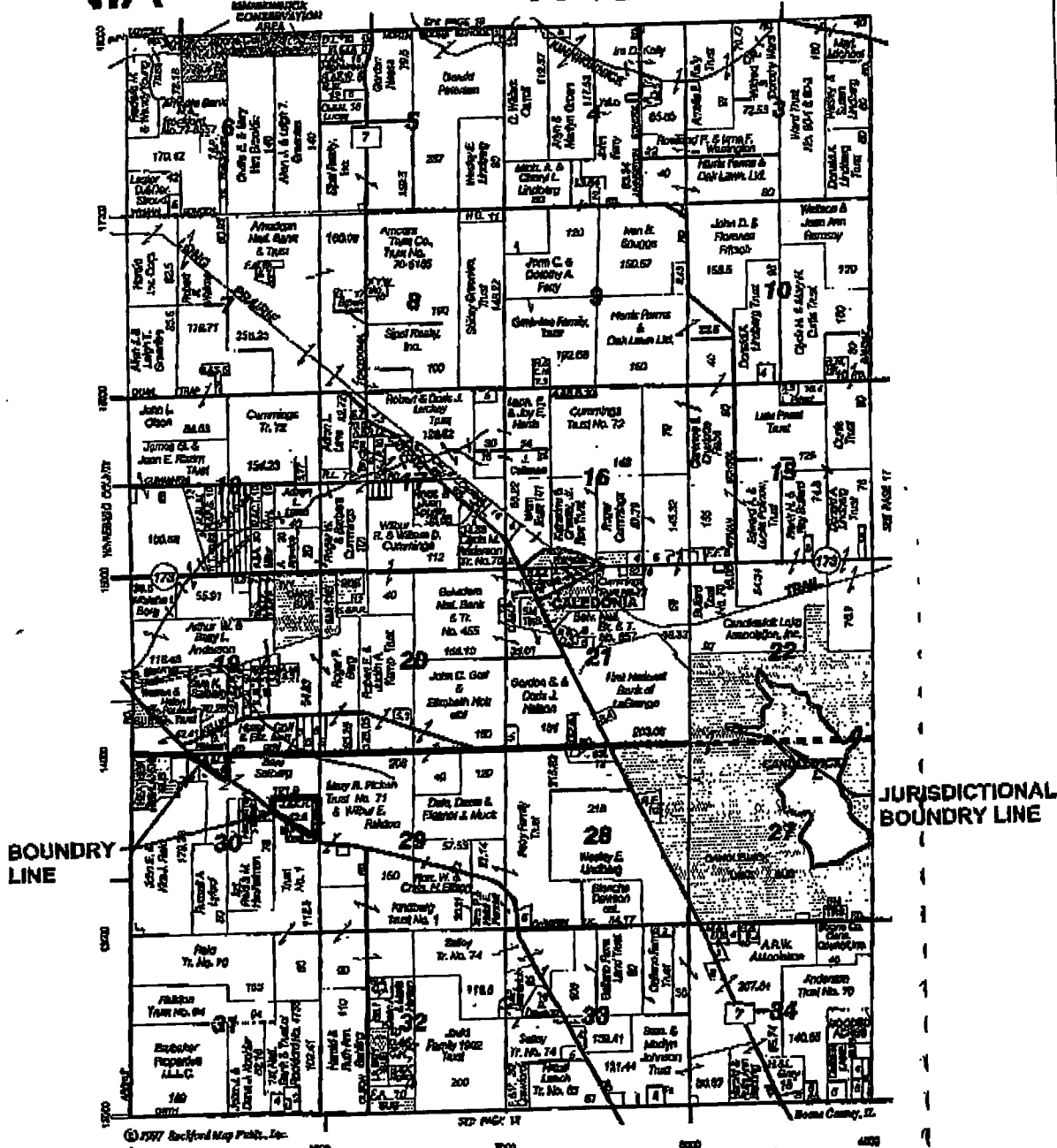
\_\_\_\_\_

\_\_\_\_\_

Village Clerk

Village Clerk

# TIMBERLANE



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SCALE
1-1/4" = 1 MILE
DATE
APRIL 9, 2007
PROJECT NO.

## EXHIBIT "A"

### BOUNDARY AGREEMENT

### BETWEEN CALEDONIA & TIMBERLANE

**McMAHON** ■ ENGINEERS  
 ■ ARCHITECTS  
 ■ PROJ. MGRS.  
**ASSOCIATES, INC.**  
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