

IN THE CIRCUIT COURT FOR THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY - ILLINOIS

PETITION TO ANNEX CERTAIN
TERRITORY to the VILLAGE OF
NORTH BARRINGTON, an Illinois
Municipal Corporation

DIANE & TERRY BENZ, JEFFREY &
PHYLLIS CORRADO and SANDRA
STONE

Petitioners.

No.: 12 MC 3

FILED
MAY 23 2012
Circuit Clerk

**PETITION FOR ANNEXATION OF CERTAIN TERRITORY TO THE VILLAGE OF NORTH
BARRINGTON**

NOW COME, the Petitioners, DIANE & TERRY BENZ, JEFFREY & PHYLLIS CORRADO
AND SANDRA STONE, Petitioners, by DIVER, GRACH, QUADE & MASINI, LLP, their attorneys,
and present their Petition to Annex the territory hereinafter described to the Village of North Barrington,
Illinois, expressing their desire to annex to the Village of North Barrington, hereby state:

1. This petition is filed pursuant to Section 7-1-2 of the Illinois Municipal Code (65 ILCS 5/7-1-2).
2. The Petitioners are a majority of electors residing within, and are a majority of the owners of record of land in the territory described in Exhibit A attached hereto, and made a part hereof, hereinafter referred to as "the Property to be Annexed."
3. Attached hereto as Exhibit B is a plat depicting the Property to be Annexed.
4. Diane and Terry Benz are the owners of the real property identified as Parcel 1 in the legal description attached to this Petition as Exhibit A and also within the Plat of Annexation attached to this Petition as Exhibit B. The Benz property has the common address of 24310 W. Rose Avenue, Lake Zurich, IL.
5. Petitioners, Diane and Terry Benz are currently registered voters in Lake County, Illinois at the address of 24310 W. Rose Avenue, Lake Zurich, IL. No other registered voters reside at this address.

6. Petitioners, Jeffrey and Phyllis Corrado are the owners of the real property commonly known as 24286 W. Rose Avenue, Lake Zurich, IL. The Corrados' property comprises a portion of Parcel 2 as identified in the legal description attached to this Petition as Exhibit A and also within the Plat of Annexation attached to this Petition as Exhibit B. The Corrado's property comprises Lot 22 of Valentine Manor Subdivision.

7. Petitioners, Jeffrey and Phyllis Corrado, are currently registered voters in Lake County, Illinois at the address of 24286 W. Rose Avenue, Lake Zurich, IL. Three other registered voters reside at this address.

8. Petitioner, Sandra Stone is the owner of the real property commonly known as 24262 W. Rose Avenue, Lake Zurich, IL. Ms. Stone's property comprises a portion of Parcel 2 as identified in the legal description attached to this petition as Exhibit A and also within the Plat of Annexation attached to this petition as Exhibit B. Ms. Stone's property comprises Lot 24 of the Valentine Manor Subdivision. No registered voters reside at this address.

9. On information and belief RK 123, LLC is the sole owner of the real property identified as Parcel 3 in the legal description attached to this Petition as Exhibit A and also within the Plat of Annexation attached to this Petition as Exhibit B.

10. On information and belief no structures or improvements exist on Parcel 3; no one resides on said property and there are no electors living in Parcel 3.

11. The Property to be Annexed is not within the corporate limits of any municipality and is contiguous to the Village of North Barrington, an Illinois Municipality in Lake County, Illinois.

12. The Property to be Annexed is located within the Wauconda Fire Protection District and Ela Area Public Library District but the Village of North Barrington does not provide fire protection or a public library.

13. The Property to be Annexed includes a highway under the jurisdiction of the Ela Township and the Ela Township Highway Department.

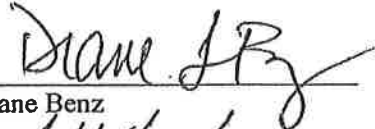
14. The Petitioners request that the Circuit Court for the Nineteenth Judicial Circuit, Lake County, Illinois submit the question of annexation to the corporate authorities of the Village of North Barrington, Lake County, Illinois.

WHEREFORE, the Petitioners, DIANE & TERRY BENZ, JEFFREY & PHYLLIS CORRADO AND SANDRA STONE, request that the Court enter an order setting this matter for hearing as provided by statute and thereafter enter an order describing the territory to be annexed, find that the petition conforms to the applicable statutes, and direct that the question of the annexation of the Property to be Annexed be submitted to the corporate authorities of the Village of North Barrington, Lake County, Illinois and for such other and further relief as may be appropriate.


Respectfully submitted,


by: 
Robert J. Masini, their attorneys

The Petitioners


Diane Benz


Jeffrey Corrado


Sandra Stone

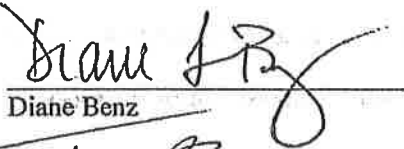

Terry Benz


Phyllis Corrado

PREPARED BY:
Robert J. Masini
Diver, Grach, Quade & Masini, LLP
Attorneys for Petitioners
111 N. County Street
Waukegan, IL 60085
(847) 662-8611
Atty. Reg. No. 01785591

VERIFICATION

Diane and Terry Benz, being duly sworn, on oath says that they are the owners of the real property at the address of 24310 W. Rose Avenue, Lake Zurich, Illinois. Further, they state under oath and under penalties as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, that the statements set forth in this Petition for Annexation of Certain territory to the Village of North Barrington are true and correct, except as to the matters therein states to be upon information and belief, which as to such matters, the undersigned as aforesaid verily believes the same to be true.


Diane Benz


Terry Benz

VERIFICATION

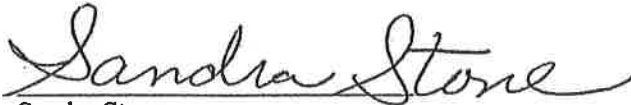
Jeffrey and Phyllis Corrado, being duly sworn, on oath says that they are the owners of the real property at the address of 24286 W. Rose Avenue, Lake Zurich, Illinois. Further, they state under oath and under penalties as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, that the statements set forth in this Petition for Annexation of Certain territory to the Village of North Barrington are true and correct, except as to the matters therein states to be upon information and belief, which as to such matters, the undersigned as aforesaid verily believes the same to be true.


Jeffrey Corrado


Phyllis Corrado

VERIFICATION

Sandra Stone, being duly sworn, on oath says that she is the owner of the real property at the address of 24262W. Rose Avenue, Lake Zurich, Illinois. Further, she states under oath and under penalties as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, that the statements set forth in this Petition for Annexation of Certain territory to the Village of North Barrington are true and correct, except as to the matters therein states to be upon information and belief, which as to such matters, the undersigned as aforesaid verily believes the same to be true.


Sandra Stone

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: PARCEL 1: BEGINNING AT THE NORTHWEST CORNER OF LOT 22 IN VALENTINE MANOR, SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 18, 1957 AS DOCUMENT NUMBER 972308 IN LAKE COUNTY, ILLINOIS, AS THE POINT OF BEGINNING OF SAID PARCEL 1; THENCE WEST TO NORTHEAST CORNER OF LOT 16 OF SAID SUBDIVISION; THENCE SOUTH TO SOUTHEAST CORNER OF LOT 16 OF SAID SUBDIVISION; THENCE EAST TO THE SOUTHWEST CORNER OF SAID LOT 22; THENCE NORTH TO THE POINT OF BEGINNING OF PARCEL 1 (PREVIOUSLY KNOWN AS LOTS 18 AND 20 IN SAID VALENTINE MANOR SUBDIVISION) ALONG WITH THAT PART OF ROSE AVENUE ADJACENT TO THE SOUTH OF PREVIOUSLY KNOWN LOTS 18 AND 20 OF SAID SUBDIVISION; PARCEL 2: LOTS 22 AND 24 IN VALENTINE MANOR SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 18, 1957 AS DOCUMENT NUMBER 972308 IN LAKE COUNTY, ILLINOIS ALONG WITH THAT PART OF ROSE AVENUE ADJACENT TO THE SOUTH OF LOTS 22 AND 24 OF SAID SUBDIVISION; PARCEL 3: THAT PART OF THE EAST HALF OF SECTION 6 TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 16 IN SAID VALENTINE MANOR SUBDIVISION AS THE POINT OF BEGINNING FOR PARCEL 3; THENCE NORTH, ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 16, A DISTANCE OF 1402.98 FEET; THENCE WEST ON A LINE PARALLEL WITH THE NORTH LINE OF SAID VALENTINE MANOR SUBDIVISION TO THE EASTERLY RIGHT-OF-WAY LINE OF RAND ROAD (U.S. ROUTE 12); THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 241.85 FEET; THENCE CONTINUING NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 239.81 FEET; THENCE EASTERLY ON A LINE PARALLEL WITH THE NORTH LINE OF SAID VALENTINE MANOR SUBDIVISION TO A LINE PARALLEL WITH AND 528.00 FEET EAST OF THE PROLONGATION OF SAID EAST LINE OF LOT 16; THENCE SOUTHERLY TO THE NORTHEAST CORNER OF LOT 24 IN SAID VALENTINE MANOR SUBDIVISION; THENCE WESTERLY ALONG THE NORTH LINE OF SAID VALENTINE MANOR SUBDIVISION TO THE NORTHEAST CORNER OF SAID LOT 16, THE POINT OF BEGINNING OF PARCEL 3 ALL IN LAKE COUNTY, ILLINOIS.

PROPERTY TO BE ANNEXED



IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT,
LAKE COUNTY, ILLINOIS

PETITION TO ANNEX CERTAIN TERRITORY

vs.

DIANE & TERRY BENZ, JEFFREY & PHYLLIS

General No. 12mc3

FILED
MAY 23 2012
Suzanne A. Coffey
CIRCUIT CLERK

CERTIFICATE OF ATTORNEY – CIVIL DIVISION

Pursuant to Local Rule 3.01(c), I hereby certify that:

- ☐ There has been no previous Voluntary or Involuntary Dismissal of the subject matter of this litigation.
- ☐ There has been a previous Voluntary or Involuntary Dismissal of the subject matter of this litigation and at the time of dismissal that Case No. _____ was assigned to the Honorable _____

- ☐ There is no other litigation presently pending in the county involving these parties.
- ☒ There is other litigation presently pending in the county involving the parties to or subject matter to this lawsuit and that case(s) is/are assigned Case No.(s) 12 MC 2 which is/are assigned to the Honorable Stark

Please check the box stating the appropriate sub-type action. This data is being gathered for administrative purposes and will not be used for any other purpose.

Arbitration – AR

- ☐ Arbitration/Tort
☐ Arbitration/Contract

Chancery – CH

- ☐ Mortgage Foreclosure
☐ Injunction
☐ Specific Performance
☐ Mechanics Lien Foreclosure
☐ Complaint for Rescission
☐ Partition
☐ Quiet Title
☐ Class Action
☐ Registration of Foreign Judgment
☐ Other

Eminent Domain – ED

- ☐ Eminent Domain
☐ Condemnation

Law Magistrate – LM

- ☐ Tort
☐ Contract
☐ Forcible Entry and Detainer
☐ Replevin
☐ Detinue
☐ Distress for Rent
☐ Class Action
☐ Enroll Judgment
☐ Confirm Arbitrator's Award
☐ Confession of Judgment
☐ Registration of Foreign Judgment
☐ Other

Law – L

- ☐ Tort
☐ Contract
☐ Product Liability
☐ Medical Malpractice
☐ Legal Malpractice
☐ Class Action
☐ Replevin
☐ Accounting Malpractice
☐ Enroll Judgment
☐ Confirm Arbitrator's Award
☐ Registration of Foreign Judgment
☐ Other

Municipal Corporation – MC

- ☒ Annexation
☐ Disconnection

Miscellaneous Remedy – MR

- ☐ Declaratory Judgment
☐ Corporation Dissolution
☐ Election Contest
☐ Mandamus
☐ Habeas Corpus
☐ Review of Administrative Proceeding/Statutory
☐ Review of Administrative Proceeding/Certiorari
☐ Quo Warranto
☐ Change of Name
☐ Forfeiture
☐ Fugitive from Justice
☐ Search Warrant
☐ Application for Eavesdropping Device
☐ Class Action
☐ Registration of Foreign Judgment
☐ Request for Subpoena/Foreign Jurisdiction
☐ Other

Probate – P

- ☐ Decedent/Testate > \$15,000
☐ Decedent/Intestate > \$15,000
☐ Decedent/Testate \$15,000 or less
☐ Decedent/Intestate \$15,000 or less
☐ Guardianship of Person/Disabled Person
☐ Guardianship of Estate/Disabled Person
☐ Guardianship of Person/Minor
☐ Guardianship of Estate/Minor
☐ Guardianship of Person and Estate/Minor
☐ Proof of Heirship Alone
☐ Registration of Foreign Judgment
☐ Other

Tax – TX

- ☐ Deeds
☐ Objections
☐ Disposition of Collections of Judgment of Settlement
☐ Class Action
☐ Other

Print Name Robert J. Masini

Signature Robert J. Masini

☒ Attorney

☐ Pro-se

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PETITION TO ANNEX CERTAIN
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Petitioners.

No.: 12 MC 3

AFFIDAVIT

Diane Benz, duly sworn on her oath, deposes and says:

1. I am one of the petitioners in the attached Petition for annexation of certain real property to the Village of North Barrington.
2. I am over the age of twenty-one years. I am authorized and qualified to make this Affidavit.
3. I have personal knowledge of the facts recited in said Petition except for those matter stated on information and belief.
4. The signatures of the petitioners on the Petition represent a majority of the property owners of record of the land in the territory described in the Petition as the Property to be Annexed. The signatures of the petitioners also represent the majority of the electors residing in the Property to be Annexed.

FURTHER AFFIANT SAYETH NOT.

Diane Benz

Subscribed and Sworn to me this 23rd day of May, 2012.

Robert J. Masini

Notary Public

