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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** ORDINANCE: PLANO BOUNDARY AGREEMENT  
**AGENDA:** JULY 21, 2020 VILLAGE BOARD REGULAR MEETING  
**DATE:** JULY 16, 2020

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**ISSUE**

Shall the Village Board approve an Ordinance authorizing execution of an Agreement restating, extending and renewing a boundary line agreement with the City of Plano.

**DISCUSSION**

After due notice, the required public hearing was held on July 21, 2020.

The leadership in both communities has determined it would be in the best interests of both communities to extend the current boundary line agreement in the absence of development pressure. The current Agreement is set to expire on April 19, 2025. The extension will extend the expiration date to May 1, 2040. The boundary agreement line is generally the Kane-Kendall county line from Granart Road to IL 47 and will remain unchanged with the new Agreement (see map).

The boundary agreement is useful in that it permits the parties to perform necessary long-range land use planning and capital improvement planning with a high degree of certainty as to where their respective future boundaries will be located. The agreement prevents neighboring municipalities from being used as negotiation pawns with land owners and developers.

Staff recommends approval of the Agreement. The boundary line agreement has a term of 20 years (the maximum permitted by law).

**ATTACHMENTS**

- Ordinance Authorizing the Execution of an Agreement Restating, Extending, and Renewing a Jurisdictional Boundary Line Agreement Between the City of Plano, Illinois and the Village of Sugar Grove, Illinois
  - Boundary line agreement map

**COSTS**

Aside from the cost of publication of the required notice and recording the document, there is no cost associated with the requested action.

**RECOMMENDATION**

That the Village approve an Ordinance Authorizing Execution of an Agreement Restating, Extending, and Renewing a Jurisdictional Boundary Line Agreement Between the City of Plano, Illinois and the Village of Sugar Grove, Illinois, subject to Attorney review.



**VILLAGE OF SUGAR GROVE  
KANE COUNTY, ILLINOIS**

**ORDINANCE NO. 2020-0721A**

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**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT  
RESTATING, EXTENDING, AND RENEWING A JURISDICTIONAL BOUNDARY LINE  
AGREEMENT BETWEEN THE CITY OF PLANO, ILLINOIS, AND  
THE VILLAGE OF SUGAR GROVE, ILLINOIS**

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Adopted by the Board of Trustees and President of the Village of Sugar Grove  
this 21<sup>st</sup> day of July 2020

Published in pamphlet form by authority of the Board of Trustees of the Village of Sugar Grove, Illinois  
this 21<sup>st</sup> day of July 2020

**ORDINANCE NO. 2020-0721A**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT RESTATING,  
EXTENDING, AND RENEWING A JURISDICTIONAL BOUNDARY LINE AGREEMENT  
BETWEEN THE CITY OF PLANO, ILLINOIS, AND  
THE VILLAGE OF SUGAR GROVE, ILLINOIS**

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WHEREAS, effective as of the 3<sup>rd</sup> day of May, 2005, the CITY OF PLANO, KENDALL COUNTY, ILLINOIS, and the VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS, entered into a certain JURISDICTIONAL BOUNDARY LINE AGREEMENT BETWEEN THE CITY OF PLANO, ILLINOIS, AND THE VILLAGE OF SUGAR GROVE, ILLINOIS (“Agreement”); and

WHEREAS, the parties to said Agreement have deemed it to be in the best interests of their respective municipalities to extend the terms and provisions of said Agreement to and including May 1, 2040 (“Extension Agreement”); and

WHEREAS, the statutory procedures provided for in Division 12 of Article 11 of the Municipal Code, as amended, for the execution of a Jurisdictional Boundary Line Agreement or the extension thereof have been fully complied with; and

WHEREAS, not less than thirty (30) days and not more than one hundred twenty (120) days prior to the formal approval of the Agreement by the Corporate Authorities, the Village has provided public notice of the proposed Extension Agreement, by (1) posting of a Public Notice for not less than fifteen (15) consecutive days in the same location at which notices of Village Board meetings are posted; and (2) publication on at least one (1) occasion in a newspaper of general circulation within the territory that is the subject of the proposed Agreement, all as required by Statute; and

WHEREAS, the Corporate authorities, after due investigation and consideration, have determined that entering into said Extension Agreement in the form of Exhibit "A" hereto will serve the public good and benefit the VILLAGE OF SUGAR GROVE and be compatible with the future development of the VILLAGE OF SUGAR GROVE.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS, as follows:

SECTION 1: That the Village President and Board of Trustees of the VILLAGE OF SUGAR GROVE hereby find as facts all of the recitals in the preamble of this Ordinance, as well as the preambles contained in the JURISDICTIONAL BOUNDARY LINE AGREEMENT BETWEEN THE CITY OF PLANO, ILLINOIS, AND THE VILLAGE OF SUGAR GROVE, ILLINOIS, and in the AGREEMENT RESTATING EXTENDING, AND RENEWING A JURISDICTIONAL BOUNDARY LINE AGREEMENT BETWEEN THE CITY OF PLANO, ILLINOIS, AND THE VILLAGE OF SUGAR

GROVE, ILLINOIS, in the form of Exhibit "A" attached hereto and that the form and substance of said Agreement and the Extension thereof are approved.

SECTION 2: That the Village President is authorized and directed to execute, and the Clerk is directed to attest the AGREEMENT RESTATING EXTENDING, AND RENEWING A JURISDICTIONAL BOUNDARY LINE AGREEMENT BETWEEN THE CITY OF PLANO, ILLINOIS, AND THE VILLAGE OF SUGAR GROVE, ILLINOIS, a copy of which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 3: That this Ordinance is adopted pursuant to the provisions and procedures set forth in Section 5/11-12-9 of the Illinois Compiled Statutes (65 ILCS 5/11-12-9).

SECTION 4: The Village Clerk be and she is hereby authorized and directed to file a certified copy of this Ordinance and Extension Agreement, after execution by all parties, in the Office of the Recorder of Deeds of Kane County, Illinois and file for record in her office three (3) copies of the executed Agreement.

SECTION 5: This Ordinance and the Extension Agreement attached hereto as Exhibit "A" shall be in full force and affect after certified copies of this Ordinance and the Extension Agreement have been filed for record as provided for in Section 4 of this Ordinance and as further provided by law.

PASSED by the Village Board of the VILLAGE OF SUGAR GROVE at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2020.

SIGNED and APPROVED by the Village President of the VILLAGE OF SUGAR GROVE on the \_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
P. Sean Michels,  
President of the Board of Trustees

\_\_\_\_\_  
Alison Murphy,  
Village Clerk

	Aye	Nay	Absent	Abstain
Trustee Sean Herron	___	___	___	___
Trustee Ted Koch	___	___	___	___
Trustee Jen Konen	___	___	___	___
Trustee Heidi Lendi	___	___	___	___
Trustee Rick Montalto	___	___	___	___
Trustee Ryan Walter	___	___	___	___

Exhibit A

**RETURN TO:**

Thomas W. Grant  
Attorney at Law  
200 Hillcrest Avenue  
Yorkville, IL 60560

**JOINTLY PREPARED BY:**

Thomas W. Grant  
Attorney at Law  
200 Hillcrest Avenue  
Yorkville, IL 60560

AND

Laura M. Julien  
Attorney at Law  
140 S. Municipal Drive  
Sugar Grove, IL 60554

**AGREEMENT RESTATING, EXTENDING AND RENEWING  
JURISDICTIONAL BOUNDARY LINE AGREEMENT  
BETWEEN THE CITY OF PLANO, ILLINOIS  
AND  
THE VILLAGE OF SUGAR GROVE, ILLINOIS**

WHEREAS, effective as of the 3<sup>rd</sup> day of May, 2005, the CITY OF PLANO, ILLINOIS, and the VILLAGE OF SUGAR GROVE, ILLINOIS, entered into a JURISDICTIONAL BOUNDARY LINE AGREEMENT BETWEEN THE CITY OF PLANO, ILLINOIS, AND THE VILLAGE OF SUGAR GROVE, ILLINOIS, a copy of which is attached hereto and made a part hereof; and

WHEREAS, said Agreement is still in full force and effect and expires in the year 2025; and

WHEREAS, the parties hereto desire to reaffirm, restate, and extend the term of said Agreement to and including May 1, 2040; and

WHEREAS, prior to the execution of this Agreement, each of the parties hereto not less

than thirty (30) days and not more than one hundred twenty (120) days prior to the formal approval hereof by the respective corporate authorities, have provided public notice of the proposed Boundary Agreement and the Restatement, Extension, and Renewal thereof by both of the following: (1) the posting of a public notice for not less than fifteen (15) consecutive days in the same location at which notices of Village Board or City Council Meetings are posted; and (2) publication on at least one (1) occasion in a newspaper of general circulation within the territory that is subject to the Agreement.

NOW, THEREFORE, upon consideration of the mutual promises contained herein and upon further consideration of the recitals hereinabove set forth, it is hereby agreed between the CITY OF PLANO and the VILLAGE OF SUGAR GROVE, as follows:

1. All of the terms and provisions of the JURISDICTIONAL BOUNDARY LINE AGREEMENT BETWEEN THE CITY OF PLANO, ILLINOIS, AND THE VILLAGE OF SUGAR GROVE, ILLINOIS, a copy of which is attached hereto and made a part hereof, are ratified and confirmed.

2. Unless sooner terminated by mutual agreement of the parties, the Agreement shall expire on May 1, 2040.

IN WITNESS WHEREOF, THE CITY OF PLANO and THE VILLAGE OF SUGAR GROVE have caused this AGREEMENT RESTATING, EXTENDING, AND RENEWING JURISDICTIONAL BOUNDARY LINE AGREEMENT BETWEEN THE CITY OF PLANO, ILLINOIS, AND THE VILLAGE OF SUGAR GROVE, ILLINOIS, to be executed by their respective Mayor/Village President and attested by their respective City/Village Clerk, pursuant to Ordinances adopted by each municipality authorizing the execution of this AGREEMENT RESTATING, EXTENDING, AND RENEWING JURISDICTIONAL BOUNDARY LINE

AGREEMENT BETWEEN THE CITY OF PLANO, ILLINOIS, AND THE VILLAGE OF SUGAR GROVE, ILLINOIS.

THE CITY OF PLANO

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

ATTEST:

\_\_\_\_\_  
City Clerk

THE VILLAGE OF SUGAR GROVE

BY: \_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

