

# VILLAGE OF GOODFIELD ANNEXATION PROCEDURE

## Voluntary Annexation Process

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**Persons seeking to commence the process of voluntary annexation** should promptly consult an attorney with experience in this field. State law requires that certain steps are taken, the failure of which can void annexation. While the steps outlined below are based upon such law in existence as of the date of this ordinance, additional steps may later be required. Moreover, the following is not a complete description of each step. Persons seeking annexation are responsible for compliance not only with this ordinance, but the state law as well.

**The party wishing to annex to the Village of Goodfield** must file a petition and an annexation plat with the Planning and Zoning Committee Chairman.

1. The petition must be prepared by legal counsel or by the Village Attorney. In addition, the petition must contain the following:
  - a) It must be signed by 100% of the owners in the territory sought to be annexed.
  - b) If such territory has electors, it must be signed by 51% of such electors. An elector is anyone who is registered to vote.
  - c) It must allege that the territory sought to be annexed is contiguous with the existing boundaries of the municipality.
  - d) It must allege that the territory is not within the corporate limits of any municipality.
  - e) The petition must be under oath.
2. Annexation Plat must include:
  - a) Legal description of the property to be annexed
  - b) Show the property's proximity to the Village boundaries
  - c) Include a statement of the names of all owners of the property to be annexed
  - d) Surveyor's certificate
3. In addition to filing a petition with the Planning and Zoning Committee Chairman, the petition must be filed with the municipal clerk.
4. Property to be annexed includes every highway within the territory sought to be annexed and the boundary proposed for the new annexation must extend to the far side of any adjacent highway. The party filing the petition must determine if any highway is under the jurisdiction any township and shall so state in the petition.

### **Pre-Annexation Agreements**

In the event the party annexing to the Village of Goodfield has certain requests or provisions associated with the property to be annexed, those requirements or provisions must be itemized in writing at the time the petition to annex and the plat are presented to the Chairman of the Planning and Zoning Committee.

1. The maximum time period for the Pre-Annexation Agreement is generally not for more than 20 years
2. The Village Board may also have provisions for the property to be annexed
3. Any proposed annexation agreement is subject to a public hearing after due notice as described below.

**The Planning and Zoning Committee Chairman** shall review the annexation petition and the associated plat with the Planning and Zoning Committee, and with the Village Attorney and Village Engineer as required.

1. Utility requirements, property access, zoning requirements, intended property use and other requirements shall be discussed by the committee
2. A recommendation in favor of annexation or against annexation shall be made by the Planning and Zoning Committee to the Village Board

**The Planning and Zoning Committee** shall hold a Public Hearing to afford persons interested an opportunity to be heard. Notice of the Public Hearing shall be published at least once, not

more than 30 nor less than 15 days before hearing, in one or more newspapers published in the municipality, or, if no newspaper is published therein, then in one or more newspapers published in the county in which the municipality is located and having a general circulation within the municipality. The notice shall state:

1. the time and place of the hearing
2. the place where copies of the proposed ordinance will be accessible for examination by interested persons.

**Counsel for the party wishing to annex** shall be responsible for the giving of all notices required by state law within the time frame required by state law, currently ten days before Village action. Such notices shall include:

1. Notice to any Fire Protection District or Public Library District of which the land proposed to be annexed is a part.
2. Notice to any Township Commissioner of Highways and the Board of Town Trustees if any highway is under the jurisdiction of any township.

Counsel for the party wishing to annex shall also be responsible for proof of service regarding such notices and that such notices were sent by registered or certified mail. Copies of proof of service shall be supplied to the clerk of the Village. In addition, counsel shall file the required affidavits of service of notice with the recorder for the county in which the land is situated. Proof of such filing shall be delivered to the Village clerk.

**Counsel for the party wishing to annex, or the Village Attorney** will provide an Annexation Ordinance to the Village Board.

1. The Village Board will consider the recommendation of the Planning and Zoning Committee and approve or deny the Annexation Ordinance
2. If the Annexation Ordinance is approved, the party annexing to the Village must provide copies of the approved Ordinance to the Woodford and Tazewell County Clerks and Assessors as is appropriate

### **Zoning of Annexed Property**

1. All territory which may hereafter be annexed shall be considered as being in the R-1 District unless otherwise stipulated by Pre-Annexation Agreement.  
(Ord.92-11; 10/08/92; Sec. 8.203)

### **Annexation Costs**

1. All annexation cost incurred by the Village, including, but not limited to, Village Attorney fees, engineering fees, survey fees, court costs, recording fees, publication cost, notices and postage costs, shall be paid by the applicants or Developer, regardless of whether annexation is ultimately approved.  
(Ord. 92-11; 10/08/92; Sec. 8.203)