
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: PUBLIC HEARING: ANNEXATION AGREEMENT AMENDMENT #4 (HANNAFORD FARM)
AGENDA: MARCH 1, 2022 VILLAGE BOARD MEETING
DATE: FEBRUARY 24, 2022

ISSUE

Shall the Village Board hold a public hearing to consider an Annexation Agreement Amendment (Amendment #4) for Hannaford Farm.

DISCUSSION

Following repossession of the subdivision by the lender, collapse of the bank holding the public improvement guarantee, and subsequent sale of the undeveloped lots to interested buyers during the Great Recession, a new property owner emerged and desired to amend the then current annexation agreement to address the collection of money for completion of the public improvements in the subdivision.

The Board will recall that while much of the required public improvements were completed in the subdivision prior to the failure of the original subdivider, a number of improvements were not begun or were in an incomplete state. Chief among the incomplete public improvements was the final lift of asphalt on the streets in the subdivision and a list of repairs and improvements that remained to be completed. The annexation agreement was amended to address the responsibility of the new property owner with respect to funding and completing the necessary public improvements. In short, the new owner made the improvements with all vacant lot owners sharing in the cost through the continuation of the existing additional fee (FILOD) at permit issuance. A schedule for the completion of the improvements was also provided in the amendment.

Since then, the new owner has completed the incomplete public improvements and the Village coordinated the removal and restoration of the topsoil stockpile that was a longstanding neighborhood nuisance. Now, comes the time to reconcile all of the costs to complete the subdivision improvements.

The Village and Badge 323, LLC, have reached agreement on the final disposition of the fee-in-lieu-of developer that was established in the second amendment of the Annexation Agreement. The Annexation Agreement is being amended to memorialize the final accounting and responsibility of the parties going forward.

The purpose of the public hearing is to accept public comment concerning the Annexation Agreement amendment. However, the draft Annexation Agreement amendment is subject to change following

discussion by the Village Board. Village staff recommends the Board open the public hearing, accept public comment, and close the public hearing..

COSTS

There are nominal costs associated with publishing the public hearing notice.

ATTACHMENTS

- Public hearing notice

RECOMMENDATION

The Village President should open the public hearing, accept public comment, and close the public hearing.

NOTICE OF PUBLIC HEARING

Notice is hereby given to all persons that the Sugar Grove Village Board will hold a public hearing on March 1, 2022 at 6:00 p.m., or as soon thereafter as may be possible, at the Village Hall Boardroom 10 S. Municipal Drive, for the purpose of considering and hearing testimony concerning a fourth amendment to an Annexation Agreement dated June 28, 2005, document number 2005K081146 and the subsequent amendments to said Annexation Agreement between the Village of Sugar Grove and various parties.

The property subject to the Annexation Agreement includes the following:

Hannaford Farm Unit 1, part of the Southeast Quarter of Section 4 and the Northeast Quarter of Section 9, Township 38 North, Range 7 East of the Third Principal Meridian, Kane County, Illinois according to the document number 2004K159382 recorded on December 14, 2004 in the Recorder's Office of Kane County, Illinois; and

Hannaford Farm Unit 2, South half of Section 4, Township 38 North, Range 7 East of the Third Principal Meridian, Kane County, Illinois according to the document number 2007K038156 recorded on April 9, 2007 in the Recorder's Office of Kane County, Illinois

all commonly known as the Hannaford Farm subdivision.

All interested persons are invited to attend and to be heard. You are advised the Public Hearing may be adjourned to dates certain without further notice. You are further advised that the Annexation Agreement may be revised, amended, or modified following the public hearing and prior to its approval without further notice.

A copy of the Annexation Agreement amendment is available for inspection by appointment at the Community Development Department office during normal business hours, or at www.sugargroveil.gov.

If you have questions regarding this petition, you may direct them to the Community Development Department, 601 Heartland Drive, Sugar Grove, Illinois 60554, or 630-391-7220 during normal business hours. Normal business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday.

By order of the Corporate Authorities of the Village of Sugar Grove, Kane County, Illinois this 14th day of February 2022.

Alison Murphy,
Village Clerk
Village of Sugar Grove