

**VILLAGE OF GILBERTS**

**ORDINANCE 01-2025**

**AN ORDINANCE APPROVING  
A BOUNDARY LINE AGREEMENT WITH THE VILLAGE OF  
PINGREE GROVE, ILLINOIS**

**WHEREAS**, the Village of Gilberts, Kane County, Illinois (“Gilberts”), is an Illinois municipality organized and operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

**WHEREAS**, the Village of Pingree Grove, Kane County, Illinois (“Pingree Grove”), is an Illinois municipality organized and operating pursuant to Article VII, Section 6 of the Illinois State Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

**WHEREAS**, units of local government are enabled by Article VII, Section 10, of the Illinois State Constitution of 1970 to enter into agreements among themselves to obtain or share services and to exercise, combine, or transfer any power or function in a manner not prohibited by law or ordinance; and

**WHEREAS**, the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1, *et seq.*, authorizes municipalities to, jointly with any other unit of local government, exercise any power, privilege or authority which may be exercised by a unit of local government individually, and to enter into contracts for the performance of government services, activities, and undertakings; and

**WHEREAS**, the Illinois Municipal Code authorizes municipalities to enter into boundary line agreements “[i]f unincorporated territory is within one and one-half miles of the boundaries of two or more corporate authorities that have adopted official plans . . .,” 65 ILCS 5/11-12-9; and

**WHEREAS**, unincorporated territory lies within one and one-half miles of the boundaries of Gilberts and Pingree Grove; and

**WHEREAS**, Gilberts and Pingree Grove have each adopted a Comprehensive Plan pursuant to the Illinois Municipal Code, 65 ILCS 5/11-12-5, 11-12-6; and

**WHEREAS**, pursuant to and in accordance with this authority, Gilberts has negotiated the terms and provisions of an Intergovernmental Agreement with Pingree Grove that establishes the boundary line between the two municipalities which delineates their respective jurisdictions for annexation and land use planning, a copy of which is attached hereto as **Exhibit A** (“Boundary Agreement”); and

**WHEREAS**, Gilberts published and posted the required notice relative to the Boundary Agreement on November 26, 2024; and

**WHEREAS**, the Village President and Board of Trustees of Gilberts find and determine that it is in the best interests of the Village and its residents that the Boundary Agreement be approved.

**NOW THEREFORE, BE IT ORDAINED** by the Village President and Board of Trustees of the Village of Gilberts, Kane County, Illinois as follows:

**Section 1. Recitals.** The recitals are incorporated into this Section 1 as though fully set forth herein.

**Section 2. Approval; Authorization.** The Village Board of Trustees hereby approves the Boundary Agreement in substantially the form attached hereto as **Exhibit A**. The Village President and Village Clerk are hereby authorized and directed to execute the Boundary Agreement and all other documents necessary to effectuate the terms and intent of this Ordinance.

**Section 3. Recording of Agreement.** The Village Clerk is hereby directed to record both this Ordinance and the Boundary Agreement in the office of the Kane County Recorder following its passage and approval by the Village of Gilberts and the Village of Pingree Grove.

**Section 4. Severability.** In the event a court of competent jurisdiction finds this Ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this Ordinance and the application thereof to the greatest extent permitted by law.

**Section 5. Repeal and Saving Clause.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or cause of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

**Section 6. Effective Date.** This Ordinance shall be effective from and after its passage and approval according to law.

**PASSED BY VOTE OF THE BOARD OF TRUSTEES** of the Village of Gilberts, Kane County, Illinois, this 7<sup>th</sup> day of January, 2025:


	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Robert Vanni	<u>X</u>	_____	_____	_____
Trustee Frank Marino	_____	_____	<u>X</u>	_____
Trustee Brandon Coats	<u>X</u>	_____	_____	_____
Trustee Jeanne Allen	<u>X</u>	_____	_____	_____
Trustee Robert Chapman	_____	_____	<u>X</u>	_____
Trustee Justin Redfield	<u>X</u>	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____



APPROVED THIS 7<sup>th</sup> DAY OF JANUARY, 2025.

  
\_\_\_\_\_  
Guy Zambetti, Village President

(SEAL)

ATTEST:   
\_\_\_\_\_  
Lynda Lange, Village Clerk

**EXHIBIT A**

Boundary Agreement