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SANGAMON COUNTY
ILLINOIS

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PATTY

MARY ANN LAMM
SANGAMON COUNTY RECORDER

This Space for Recorder of Deeds

Ordinance No. 03-01

**AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT
(Germann)**

*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:*

SECTION 1: The Annexation Agreement attached hereto, by and between the Village of Chatham and Janice C. Germann, is hereby approved. The President and other officers of the Village are authorized and directed to carry out the Annexation Agreement according to its terms.

SECTION 2: This Ordinance is effective on its passage and approval as required by law.

SECTION 3: The Village Clerk shall forthwith cause this Ordinance to be recorded with the Recorder of Deeds of Sangamon County at the expense of the owners of record.

PASSED this 14 day of January 2003.



Thomas J Gray

VILLAGE PRESIDENT

001434

ATTEST:


Village Clerk

AYES: 6 HERR, M^cADAMS, BOYLE, M^cCARTHY, M^cGRATH, DIERKING

NAYS: 0

PASSED: 1-14-03

APPROVED: 1-14-03

ABSENT: 0

Return To:

Village of Chatham
116 E. Mulberry
Chatham IL 62629

001435

This Space for Recorder of Deeds

ANNEXATION AGREEMENT

THIS AGREEMENT is made by JANICE C. GERMANN ("Owner") and the Village of Chatham, Illinois (the "Village"), an Illinois municipal corporation, and is effective this 14 day of January 2003.

WHEREAS, Owner is the record owner of a tract of property legally described on a plat of annexation, Exhibit A hereto ("the Property");

WHEREAS, the Property is located in unincorporated Sangamon County, Illinois, and is contiguous to the Village;

WHEREAS, Owner wishes to annex the Property to the Village subject to this Agreement and has signed a petition for annexation attached hereto as Exhibit B;

WHEREAS, Owner wishes, after annexation of the Property, to split the Property into two lots designated as Parcel 1 and Parcel 2 on a plat attached hereto as Exhibit C, which also sets forth their legal description;

WHEREAS, pursuant to the Village Zoning Ordinance, the Property will automatically be zoned P-1 without further hearing upon annexation;

001436

WHEREAS, notice of this Annexation Agreement and the hearing thereon, was published in a newspaper published within the Village in accordance with applicable statutes;

WHEREAS, on January 14, 2003, the Village Board conducted a public hearing with respect to this Annexation Agreement;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Upon the approval of the proposed division of the Property into Parcel 1 and Parcel 2 shown and described on Exhibit C being in accordance with all Village Ordinances, an Ordinance annexing the Property, in such form as shall be approved by counsel for the Village, shall be enacted by the President and Board of Trustees within 30 days hereof.

2. The Property is zoned P-1.

3. Village hereby waives the following provision of its ordinances with respect to the Property during the period of this Agreement: any provision which would forbid the Property from being served with utilities by another provider of utilities, until such time as Village utilities are available within 200 feet of the Property.

4. Owner will, at the request of the Village and without further consideration, grant a perpetual easement for placement, replacement, maintenance and repair of water, sewer, gas, electric and other utility mains, within that portion of the Property which is within 20 feet of any public road.

5. Owner acknowledges that no Village-owned utilities are available on the Property as of the date of this Agreement; nor, by annexing the Property, does the Village undertake any obligation to provide utilities. Should the Village bring electric power and energy distribution lines or sanitary sewer service facilities within 200 feet of the Property, however, Owner shall pay the cost of connection to those Village utilities, unless pursuant to an agreement with another provider, the Village waives this requirement. A Village water main is in place across and beneath land adjacent to the Property south of Covered Bridge Road, to which Owner may connect upon payment of the tap fee and other applicable costs of connection.

6. This Agreement is binding upon the parties hereto, their respective heirs, executors, personal representatives, corporate authorities, administrators, successors and assigns. This Agreement and all provisions herein shall be a covenant running with the land legally described in Exhibit A hereto. This Agreement shall be effective upon its execution by Owner; its approval by ordinance of the Village of Chatham, and its execution by the Village President thereof; it shall terminate on May 31, 2003.

7. This Agreement shall only be amended by a writing, signed by the parties and approved by the Village by ordinance. The Village shall enact such ordinances, execute such documents, and issue such permits and certificates as shall be required by this Agreement and any ordinance adopting it.

8. The Village shall, at Owner's expense, record this Agreement with the Sangamon County Recorder of Deeds within 30 days of its execution by the Village President.

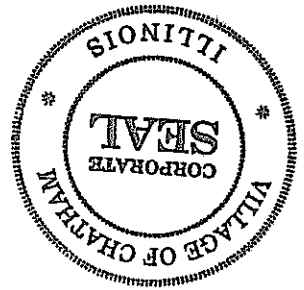
IN WITNESS WHEREOF, the parties have executed this Agreement on the 14 day of January 2003.

VILLAGE OF CHATHAM, ILLINOIS

By: Thomas D Gray
Its President

ATTEST: [Signature]
Its Clerk

Janice C. Germann
JANICE C. GERMANN



OWNER: JANICE C. GERMANN
C/O C. CLARK GERMANN
SORLING, NORTHRUP, HANNAH,
CULLEN AND COCHRAN, LTD.
P.O. BOX 5131
SPRINGFIELD, IL 62705
(217) 544-1144

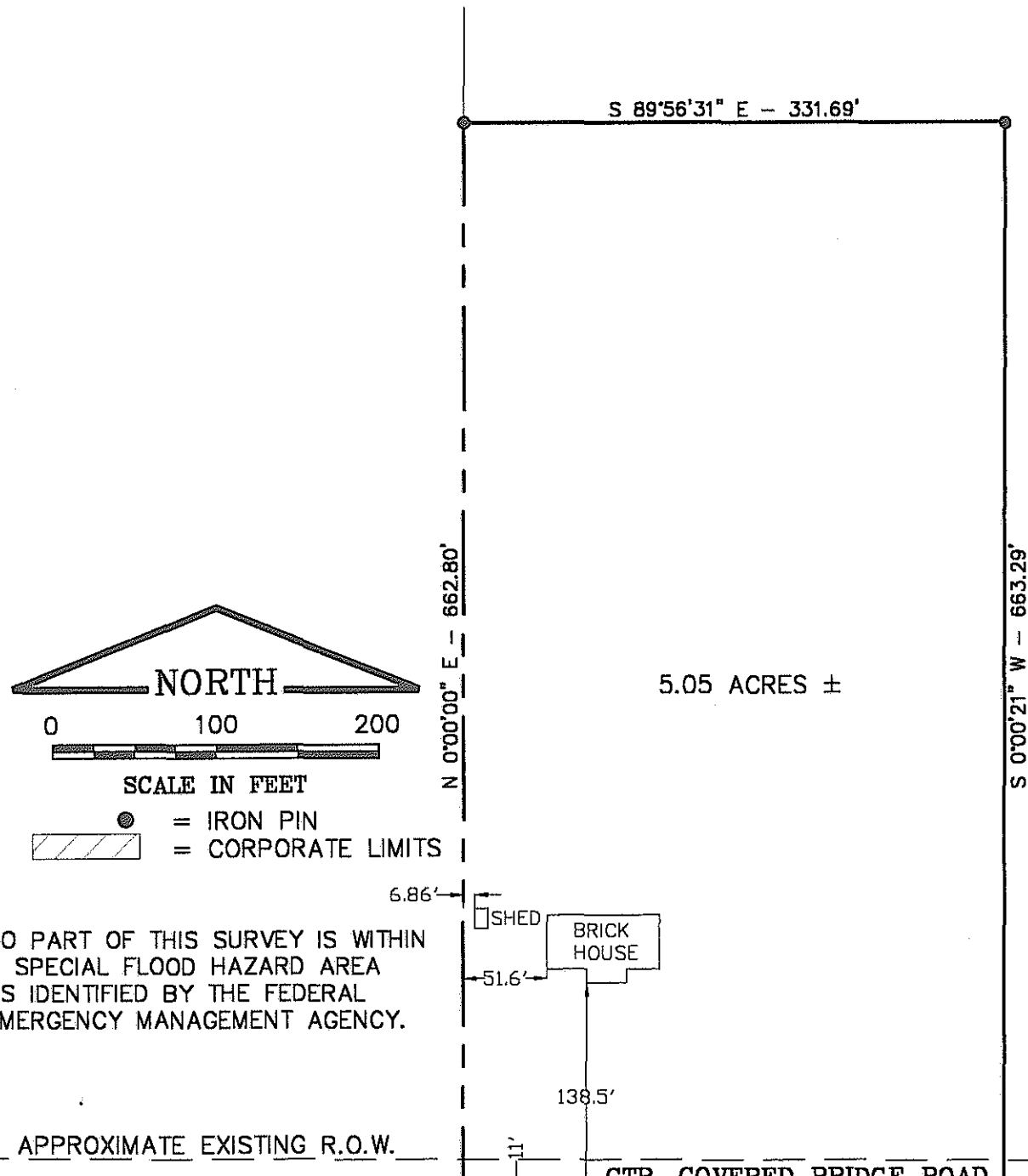
John W. Garrison, Jr.
Professional Land Surveyor
1055 Glenway Drive
Glenarm, IL 62536
(217) 483-7560

BALL TWP

**PLAT OF ANNEXATION
EXHIBIT 1**

THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER
OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 5
WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS.

TAX I.D. NO. 29-19.0-400-003 (PART)
ZONING: P-1
2313 COVERED BRIDGE ROAD, CHATHAM, ILLINOIS



NO PART OF THIS SURVEY IS WITHIN
A SPECIAL FLOOD HAZARD AREA
AS IDENTIFIED BY THE FEDERAL
EMERGENCY MANAGEMENT AGENCY.

APPROXIMATE EXISTING R.O.W.

CTR COVERED BRIDGE ROAD

EXHIBIT B

PETITION FOR ANNEXATION

JANICE C. GERMANN ("Petitioner"), being duly sworn on oath, hereby petitions the Village of Chatham, Illinois, pursuant to Section 7-1-8 of the Illinois Municipal Code, to annex within its corporate limits certain real estate, the legal description of which is contained on a plat of annexation attached hereto as Exhibit 1. Petitioner hereby states as follows:

1. The above-described territory is contiguous to the Village of Chatham.
2. The above-described territory is not within the corporate limits of any other municipality.
3. The Petitioner is the sole owner of record of the property, and there are no electors residing therein.
4. This Petition is subject to an Annexation Agreement executed by Petitioner of even date herewith.

WHEREFORE, Petitioner hereby requests that the above-described real estate be annexed to the Village of Chatham, Sangamon County, Illinois.


JANICE C. GERMANN

EXHIBIT B

001440

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)


VERIFICATION

JANICE C. GERMANN, being duly sworn on her oath, deposes and states that she has reviewed the foregoing Petition for Annexation, and the statements therein made are true and correct.

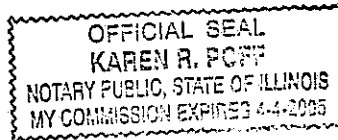


JANICE C. GERMANN

Subscribed and sworn to before me
this 14 day of January 2003.



Notary Public

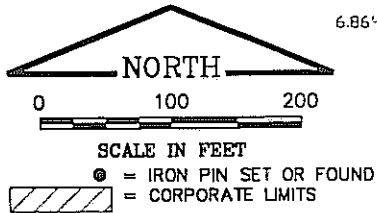
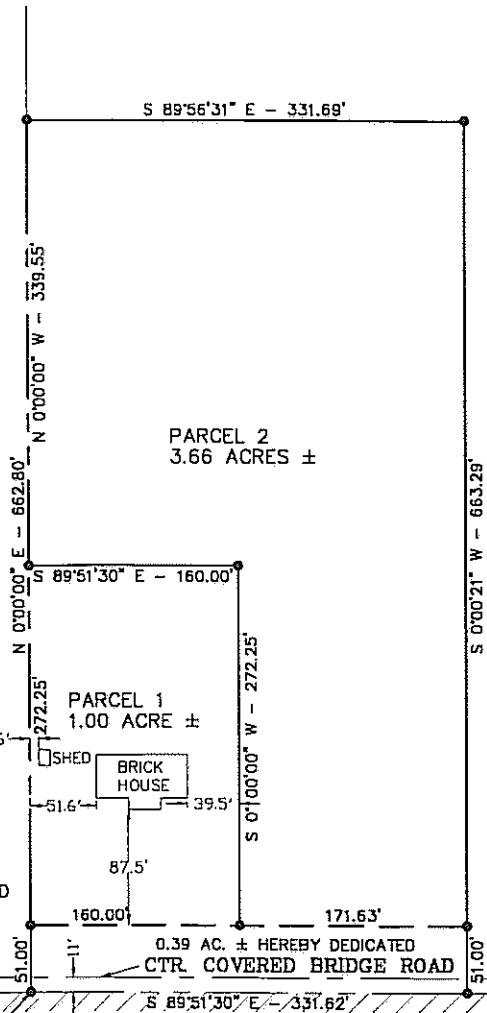


EXHIBIT

OWNER: JANICE C. GERMANN
 C/O CLARK GERMANN
 SORLING, NORTHRUP, HANNAH,
 CULLEN AND COCHRAN, LTD.
 P.O. BOX 5131
 SPRINGFIELD, IL 62705
 TAX ID: 29-19.0-400-003 (PART)

LAND SURVEYOR:
 JOHN W. GARRISON, JR.
 1055 GLENWAY DRIVE
 GLENARM, IL 62536
 217-483-7560

ENGINEER:
 CHARLES W. SMITH
 808 FLAGGLAND DRIVE
 SHERMAN, IL 62684
 217-496-2245



GERMANN MINOR SUBDIVISION

PARCEL 1

PART OF THE EAST HALF OF THE S.E. QUARTER OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 19; THENCE NORTH 51.00 FEET TO AN IRON PIN AT THE POINT OF BEGINNING; THENCE NORTH 272.25 FEET TO AN IRON PIN; THENCE SOUTH 89 DEGREES 51 MINUTES 30 SECONDS EAST 160.00 FEET TO AN IRON PIN; THENCE SOUTH 272.25 FEET TO AN IRON PIN; THENCE NORTH 89 DEGREES 51 MINUTES 30 SECONDS WEST 160.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES, MORE OR LESS.

PARCEL 2

PART OF THE EAST HALF OF THE S.E. QUARTER OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 19; THENCE NORTH 323.25 FEET TO AN IRON PIN AT THE POINT OF BEGINNING; THENCE NORTH 339.55 FEET TO AN IRON PIN; THENCE SOUTH 89 DEGREES 56 MINUTES 31 SECONDS EAST 331.69 FEET TO AN IRON PIN; THENCE SOUTH 663.29 FEET TO AN IRON PIN; THENCE NORTH 89 DEGREES 51 MINUTES 30 SECONDS WEST 171.63 FEET TO AN IRON PIN; THENCE NORTH 272.25 FEET TO AN IRON PIN; THENCE NORTH 89 DEGREES 51 MINUTES 30 SECONDS WEST 160.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.66 ACRES, MORE OR LESS.

RIGHT-OF-WAY DEDICATION

PART OF THE EAST HALF OF THE S.E. QUARTER OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 19; THENCE NORTH 51.00 FEET TO AN IRON PIN; THENCE SOUTH 89 DEGREES 51 MINUTES 30 SECONDS EAST 331.63 FEET TO AN IRON PIN; THENCE SOUTH 51.00 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 30 SECONDS WEST 331.62 FEET TO THE POINT OF BEGINNING, CONTAINING 0.39 ACRES, MORE OR LESS.

I, THE UNDERSIGNED, JANICE C. GERMANN, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED ON THIS PLAT OF SURVEY, DO HEREBY CONVEY IN FEE SIMPLE THE RIGHT-OF-WAY PARCEL SHOWN, TO THE VILLAGE OF CHATHAM HIGHWAY DEPARTMENT.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY OF SANGAMON, DO HEREBY CERTIFY THAT JANICE C. GERMANN, KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT SHE SIGNED, SEALED AND DELIVERED SAID INSTRUMENT AS HER FREE AND VOLUNTARY ACT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____

NOTARY PUBLIC

I JOHN W. GARRISON, JR., PROFESSIONAL LAND SURVEYOR NO. 1564, RESIDING IN SANGAMON COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECT SUPERVISION. I FURTHER CERTIFY THAT SAID PLAT CORRECTLY SETS FORTH ALL PUBLIC STREETS, LOTS AND THEIR NUMBERS AND PRECISE DIMENSIONS, TOGETHER WITH THE BEARINGS AND EXTERIOR BOUNDARIES OF SAID SUBDIVISION, AND THE NAMES WITH COURSE AND EXTENT OF ALL SAID PUBLIC STREETS.

NO PART OF THIS SURVEY IS WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

BASIS OF BEARINGS: N0°00'00"E ALONG THE QUARTER SECTION LINE.



RENEWAL/EXPIRATION: 11/30/2002

John W. Garrison, Jr.
 Professional Land Surveyor
 1055 Glenway Drive
 Glenarm, IL 62536
 (217) 483-7560

John W. Garrison, Jr.
 PROFESSIONAL LAND SURVEYOR NO. 1564

NOVEMBER 14, 2002

PROJECT 2002128

DATE

001442

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 03-01, adopted by the President and Board of Trustees of said Village on January 14, 2003, said Ordinance being entitled:

**AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT
(Germann)**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 14 day of JANUARY, 2003.



Village Clerk

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