

**Ordinance No. 03-73**

**AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT  
WITH CLIFF AND VIRGINIA GARD**

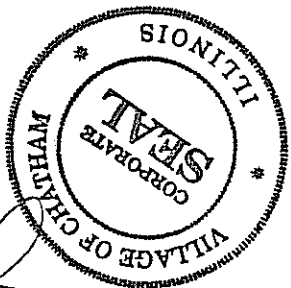
WHEREAS, on December 16, 2003, pursuant to notice published as prescribed by statute, the corporate authorities of the Village of Chatham conducted a public hearing regarding an annexation agreement with Cliff Gard copy of which is attached hereto.

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

SECTION 1: That certain annexation agreement attached hereto by and between the Village of Chatham and Cliff and Virginia Gard is hereby approved.

SECTION 2: The President is directed to execute said agreement on behalf of the Village, and the proper officers of the Village are authorized to carry out said annexation agreement according to its terms.

SECTION 3: This Ordinance is effective immediately.



*Thomas S. Gray*  
Thomas S. Gray, President  
Village of Chatham

ATTEST

*Pat Schad*

Pat Schad, Village Clerk

AYES: 6 HERR McADAMS BOYLE  
MCCARTHY McGRATH KAUNAGH  
NAYS: 0  
ABSENT: 0

PASSED: 12-16-03  
APPROVED: 12-16-03

This Space for Recorder

**ANNEXATION AGREEMENT**

THIS AGREEMENT is between <sup>Virginia Gaed</sup>Cliff Gard (Owner"), and the Village of Chatham, Illinois (the "Village"), an Illinois municipal corporation, all of Sangamon County, Illinois, and is effective this upon its execution by the Owner and the Village approval of this agreement by Ordinance passed by the Corporate authorities of the Village of Chatham, Illinois.

WHEREAS, <sup>Virginia Gaed</sup>Cliff Gard are the owner of record of certain land, the legal description and a plat of which are attached as Exhibit A to an annexation petition signed by the owner, which is attached hereto; (the "Property"

WHEREAS, this Agreement is authorized by Section 11-15.1-1 et seq. of the Illinois Municipal Code;

WHEREAS, <sup>Virginia Gaed</sup>Cliff Gard desires annexation of the Property to the Village of Chatham in return for the Village's commitment to provide water service for a main extension fee of \$2,000;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. When the property becomes contiguous to the Village, an annexation ordinance 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 of the property becoming contiguous.
2. Owner has paid a deposit of \$2,000 to the Village to defray part of the cost of a water main extension to the Property. Within 3 months of signing this Agreement, the Village shall, at no additional cost, provide water utility service to the boundary of the Property at a location to be determined by the Village. If the

Village can obtain the proper regulatory permits and easements, the Village intends to install a water main along the boundary of the Property. A 10 foot wide easement may be needed if the Village requires within the existing roadway dedication.

3. 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 herein. This Agreement shall be effective for twenty years from the date of execution.
4. This Agreement shall be effective only when signed by all parties and when approved by Ordinance adopted by the corporate authorities of the Village of Chatham, Illinois. The Village shall, at its expense, record this Agreement with the Sangamon County Recorder of Deeds within 30 days of its execution.

IN WITNESS WHEREOF, the parties have executed this Agreement on this 17 day of

Oct, 2002.

Cliff Gard  
Cliff Gard

Regina Gard

VILLAGE OF CHATHAM, ILLINOIS

BY: Thomas S Gray  
Thomas S. Gray, President  
Village of Chatham



ATTEST: Pat Schad  
Pat Schad, Village Clerk

PETITION FOR ANNEXATION

<sup>Virginia Gard</sup>  
Cliff Gard ("Petitioner"), being duly sworn on their oath, hereby petition the Village of Chatham, Sangamon County, Illinois, pursuant to Section 7-1-8 of the Illinois Municipal Code, to annex within its corporate limits certain real estate, the legal description and plat are attached hereto as Exhibit A hereby state as follow:

1. The above-described territory is not yet contiguous to the Village of Chatham, but will be contiguous at the time of annexation.
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 they comprise at least 51% of the electors residing therein.

WHEREFORE, the undersigned Petitioner, hereby request that the attached real estate be annexed to the Village of Chatham, Sangamon County, Illinois.

Cliff Gard  
Cliff Gard  
Virginia S. Ward

STATE OF ILLINOIS       )  
  ) SS.  
COUNTY OF SANGAMON )

**VERIFICATION**

<sup>Virginia Gard</sup>  
Cliff Gard being duly sworn on oath, depose and state that he has reviewed the foregoing  
Petition for Annexation, and the statements therein made are true and correct.

Cliff Gard  
Cliff Gard  
Sherry L. Rath

SUBSCRIBED AND SWORN TO before me  
this 17 day of Oct, 2002.

Sherry L Rath  
Notary Public

