

Ordinance No. 93- 16

**AN ORDINANCE APPROVING THE ANNEXATION AGREEMENT  
WITH CHATHAM BAPTIST CHURCH**

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 by and between  
the Village of Chatham, Illinois and the Chatham Baptist Church,  
attached hereto, 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 and directed to carry out said  
annexation agreement according to its terms.

**SECTION 3:** This Ordinance is effective immediately.

PASSED this 13 day of APRIL, 1993.

Carl D. Oblinger  
CARL OBLINGER, VILLAGE PRESIDENT

ATTEST:

Pat Schul  
Village Clerk

AYES: 6  
NAYS: 0  
PASSED: 4-13-93  
APPROVED: 4-13-93  
ABSENT: 0

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. 93-16, adopted by the President and Board of Trustees of said Village on the 13 day of APRIL, 1993, said Ordinance being entitled:

**AN ORDINANCE APPROVING THE ANNEXATION AGREEMENT  
WITH CHATHAM BAPTIST CHURCH**

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 13 day of APRIL, 1993.

  
\_\_\_\_\_  
Village Clerk

ANNEXATION AGREEMENT

THIS AGREEMENT is made and executed by and between Chatham Baptist Church ("Owner") and the Village of Chatham, Illinois, an Illinois municipal corporation ("Chatham") and is effective this 13 day of APRIL, 1993;

WHEREAS, Owner is the record owner of certain real estate, the legal description of which is set forth in Exhibit A, attached hereto, and a plat of which is attached hereto as Exhibit B ("the Property");

WHEREAS, there are no electors residing on the Property;

WHEREAS, the Property is currently outside the corporate limits of the Village, and Owner proposes to annex the property to the Village with an initial zoning classification of B-1;

WHEREAS, in the absence of an annexation agreement, the property would have the P-1 zoning classification upon annexation;

WHEREAS, pursuant to Section 11-15.1-1 of the Illinois Municipal Code, the Village and Owner may enter into an annexation agreement pertaining to the property;

WHEREAS, the requisite notice of a hearing regarding this annexation agreement and the requested rezoning was published in the Chatham Clarion on 2-25-93, the requisite hearings on this annexation agreement and the requested rezoning were held on March 18, 1993;

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants herein, the parties agree as follows:

1. Owner shall within three (3) months of this Agreement petition to annex the Property, conditional on this Agreement.

2. If the petition for annexation complies with the ordinances of Chatham and the Illinois Municipal Code, then the annexation petition as filed shall be recommended and approved by the appropriate administrative and legislative bodies of the Village, and annexation ordinance annexing the property shall be approved within thirty (30) days of filing of the petition for annexation.

3. The annexation of the property shall be conditioned and contingent upon the simultaneous classification of the property as B-1 under the zoning ordinance of the Village of Chatham. Any ordinance annexing the property or any part thereof without simultaneous initial zoning classification of B-1 shall be void.

4. This is the entire agreement between the parties and all prior and contemporaneous oral or written representations regarding the subject matter hereof are hereby expressly disclaimed. This Agreement shall be construed under Illinois law and shall be enforced only in the Circuit Court of the Seventh Judicial Circuit, Sangamon County, Illinois. This Agreement shall be effective only upon its execution by duly authorized officer of each of the parties hereto, and its approval by ordinance of the corporate authority of the Village. Modifications to this Agreement shall be effective only if in writing, signed by the proper officers of the parties and approved by ordinance or resolution of the corporate authorities

of the Village. The parties hereto recognize that the subject matter of this Agreement is unique and that breaches or failure to perform may not be fully compensable in monetary terms. In the event of a breach, the nonbreaching party may therefor, in addition to any other remedies at law or in equity, apply to the Circuit Court for specific performance of the other party's duties under this Agreement.

VILLAGE OF CHATHAM

Date: 4-13-93

By: Carl D. Oberjen  
President

Attest:

Pat Schul  
Village Clerk

CHATHAM BAPTIST CHURCH

Date: 4-21-93

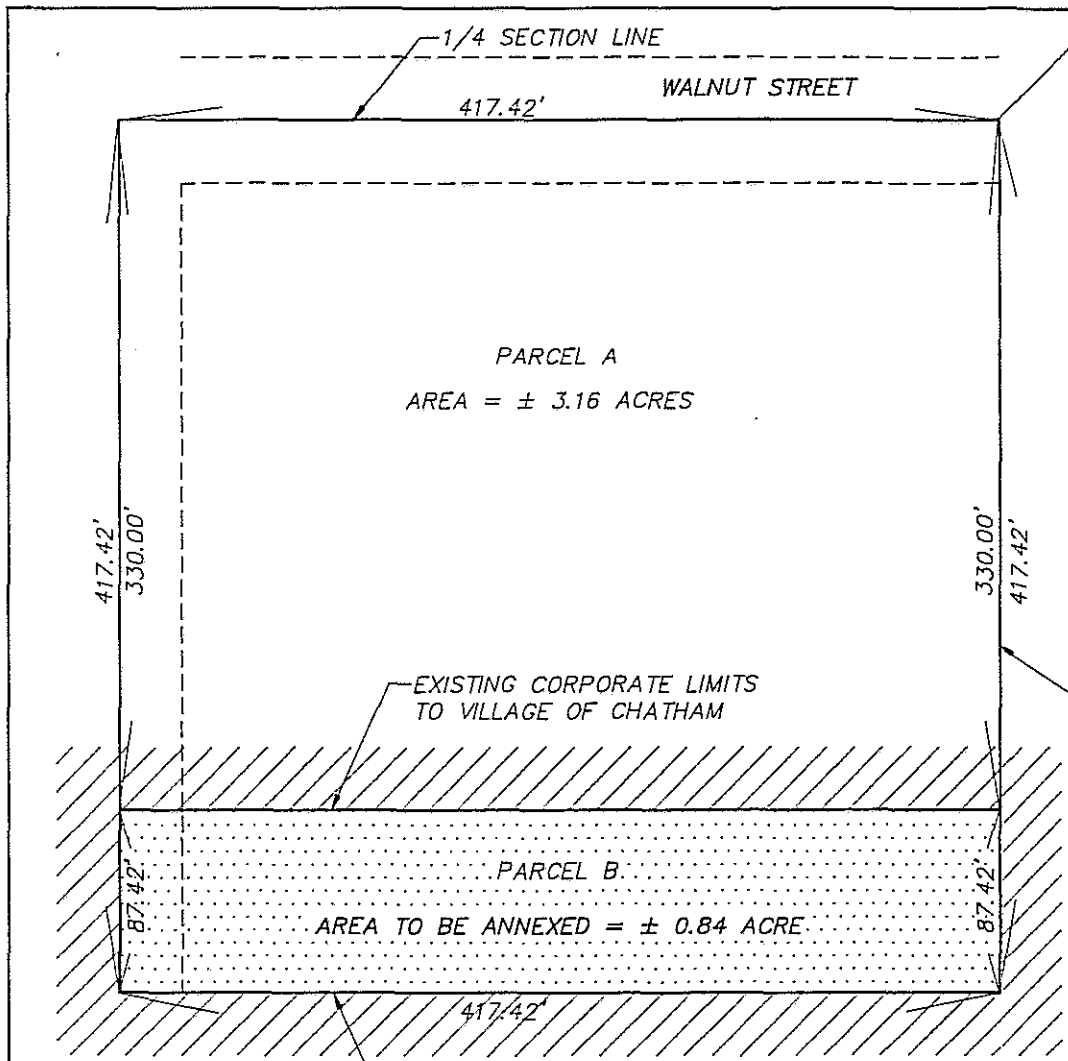
By: Van J. Lewis 4-21-93  
Trustee, Chatham Baptist Church  
Print Name and Title

F:\chatham\annex.agr

**LEGAL DESCRIPTION**

The South 87.42 feet of the North 417.42 feet of the East 417.42 feet of the Southeast Quarter of Section 7, Township 14N, R5W of the 3rd Principal Meridian.

EXHIBIT A



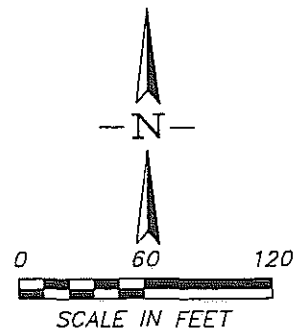
NORTHEAST CORNER  
SOUTHEAST 1/4, SECTION 7,  
TOWNSHIP 14 NORTH, RANGE  
5 WEST, THIRD PRINCIPAL MERIDIAN

**PLAT OF ANNEXATION  
TO THE VILLAGE OF CHATHAM**

PARCEL A THE NORTH 330 FEET OF THE EAST 417.42 FEET OF THE SOUTHEAST 1/4, OF SECTION 7, TOWNSHIP 14 NORTH, RANGE 5 WEST, OF THE THIRD PRINCIPAL MERIDIAN.

PARCEL B THE SOUTH 87.42 FEET OF THE NORTH 417.42 FEET OF THE EAST 417.42 FEET OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 14 NORTH, RANGE 5 WEST, OF THE THIRD PRINCIPAL MERIDIAN.

ENTIRE PARCEL THE NORTH 417.42' FEET OF THE EAST 417.42' FEET OF THE SOUTHEAST 1/4 OF SECTION 7 TOWNSHIP 14 NORTH, RANGE 5 WEST, OF THE THIRD PRINCIPAL MERIDIAN.



PARCEL A  
AREA = ± 3.16 ACRES

PARCEL B  
AREA TO BE ANNEXED = ± 0.84 ACRE

EXISTING CORPORATE LIMITS TO VILLAGE OF CHATHAM

EXISTING CORPORATE LIMITS TO VILLAGE OF CHATHAM

The above described plat correctly represents the parcel of land to be annexed to the Village of Chatham.

*Richard Tullat*  
ILLINOIS PROFESSIONAL LAND SURVEYOR #2590

REVISIONS	DATE	BY



**GREENE & BRADFORD, INC.**  
OF SPRINGFIELD

CONSULTING ENGINEERS  
1305 WABASH AVENUE, SUITE C  
SPRINGFIELD, ILLINOIS 62704  
(217-783-8844)

DATE 02-23-93  
DRAWN DEFRATES  
PROJ. NO. 93-001  
FIELD BOOK  
COMPUTER FILE NO.  
93001ANX - 60

EXHIBIT  
**B**