

COPY

Ordinance No. 00- 18

AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT
WITH NANCY CRAIG


WHEREAS, on MARCH 28, 2000, 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 Nancy Craig 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 Nancy Craig 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.



Linda L. Koester, President
Village of Chatham

ATTEST

Robert A. Krueger

Robert A. Krueger, Village Clerk

AYES: 6

NAYS: 0

ABSENT: 0

PASSED: 3/28/00

APPROVED: 3/28/00

This Space for Recorder

ANNEXATION AGREEMENT

THIS AGREEMENT is made by Nancy Craig ("Owner"), and the Village of Chatham, Illinois (the "Village"), an Illinois municipal corporation, all of Sangamon County, Illinois, and is effective this 28 day of MARCH, 2000.

WHEREAS, Nancy Craig is the record Owner of property legally described as follows:

Part of the South 1/2 of the Northeast 1/4 of Section 21, Township 14 North, Range 5 West of the third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Commencing at a stone at the center of Section 21, Township 14 North, Range 5 West, of the 3rd P.M. thence Easterly along the south line of the North 1/2 of said Section 21 , a distance of 347.25 feet to the point of beginning, thence Northerly a distance of 184.00 feet to a tree, thence Easterly a distance of 196 feet to a 2" C.I. pin; thence Southerly a distance of 184.00 feet to a point on the centerline of Township Road, thence Westerly along said centerline a distance of 196.00 feet more or less to the point of beginning containing .83 acres more or less including 0.09 acres more or less now being used for public road purposes. Sangamon County Tax identification number of 29-21-200-028.

.WHEREAS, the Property is located in unincorporated Sangamon County, Illinois, but is not yet contiguous to the corporate limits of the Village;

WHEREAS, Nancy Craig wishes to receive water service and police protection from the Village upon execution of this annexation agreement;

WHEREAS, Nancy Craig wishes to receive an Electric rate not to exceed Two cents per kilowatt hour above the Village rate to its customers for the same service;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Nancy Craig has petitioned to annex the Property conditional upon this Agreement and the Property becoming contiguous to the Village; a copy of the petition is attached hereto as Exhibit A.

2. 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.

3. As provided in Section 11-15.1-2.1 of the Illinois Municipal Code, the Property shall be subject to the ordinances, control and jurisdiction of the Village in all respects the same as property which lies within the Village's corporate limits. Pending annexation, the Village shall provide water service at the inside rate and police protection. Electric service will be provided by Rural Electric Convenience Cooperative ("RECC") at a rate not to exceed Two cents per kilowatt hour above the Village's electric rate to its residential customers.

4. This Agreement shall not be construed as a limitation on the Village's right to adopt or amend ordinances of general applicability, including the zoning and subdivision ordinances, or the applicability of such ordinances to the Property. However, in the event of a conflict between the Village ordinances and this Agreement, this Agreement shall prevail.

5. 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.

6. This Agreement shall only be amended by a writing, signed by the parties and approved by the Village by ordinance. After execution of this agreement, changes in zoning or variances requested and granted pursuant to Village Ordinances shall not require formal amendment of this Agreement.

7. 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 its expense, record this Agreement with the Sangamon County Recorder of Deeds within 30 days of its execution.

9. If the performance of any covenant to be performed hereunder by any party is delayed as a result of circumstances which are beyond the reasonable control of such party, the time for such

performance shall be extended by the amount of time of such delay.

10. In the event of litigation brought by any other governmental entity involving questions of jurisdiction over the Property, the Village shall at its expense retain counsel to represent the interests of Owners. The parties anticipate that counsel for the Village and Owner shall be the same person. However, Nancy Craig may retain separate counsel at her expense to represent her interests.

IN WITNESS WHEREOF, the parties have executed this Agreement on this 28 day of March, 2000.



Nancy Craig

VILLAGE OF CHATHAM, ILLINOIS

BY: 

Linda Koester, President

Attest: 

Robert A Krueger, Clerk

PETITION FOR ANNEXATION

Nancy Craig, being duly sworn on her oath, hereby petitions 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 of which is as follows:

Part of the South 1/2 of the Northeast 1/4 of Section 21, Township 14 North, Range 5 West of the third Principal Meridian, Sangamon County, Illinois, more particularly described as follows: Commencing at a stone at the center of Section 21, Township 14 North, Range 5 West, of the 3rd P.M. thence Easterly along the south line of the North 1/2 of said Section 21, a distance of 347.25 feet to the point of beginning, thence Northerly a distance of 184.00 feet to a tree, thence Easterly a distance of 196 feet to a 2" C.I. pin; thence Southerly a distance of 184.00 feet to a point on the centerline of Township Road, thence Westerly along said centerline a distance of 196.00 feet more or less to the point of beginning containing .83 acres more or less including 0.09 acres more or less now being used for public road purposes. Sangamon County Tax identification number of 29-21-200-028. A plat of annexation is attached hereto marked as Exhibit "A".

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. Nancy Craig is the sole Owner of record of the property, and comprises at least 51% of the electors residing therein.

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

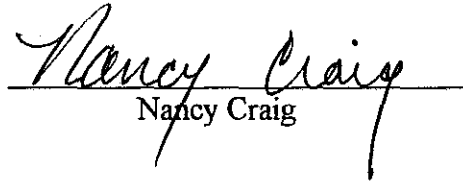


Nancy Craig

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

VERIFICATION

Nancy Craig being duly sworn on oath, depose and state that she has reviewed the foregoing Petition for Annexation, and the statements therein made are true and correct.


Nancy Craig

SUBSCRIBED AND SWORN TO before me

this ____ day of _____, 2000.

Notary Public

PLAT OF ANNEXATION

NANCY CRAIG
TAX I.D. # 29-21-200-028

LEGAL DESCRIPTION

PART OF THE SOUTH $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS.

COMMENCING AT A STONE AT THE CENTER OF SECTION 21, TOWNSHIP 14 NORTH, RANGE 5 WEST, OF THE 3RD P.M. THENCE EASTERLY ALONG THE SOUTH LINE OF THE NORTH $\frac{1}{2}$ OF SAID SECTION 21, A DISTANCE OF 347.25 FEET TO THE POINT OF BEGINNING; THENCE NORTHERLY A DISTANCE OF 184.00 FEET TO A TREE, THENCE EASTERLY A DISTANCE OF 196.00 FEET TO A 2" C.I. PIN; THENCE SOUTHERLY A DISTANCE OF 184.00 FEET TO A POINT ON THE CENTERLINE OF TOWNSHIP ROAD, THENCE WESTERLY ALONG SAID CENTERLINE A DISTANCE OF 196.00 FEET MORE OR LESS TO THE POINT OF BEGINNING CONTAINING .83 ACRES MORE OR LESS INCLUDING 0.09 ACRES MORE OR LESS NOW BEING USED FOR PUBLIC ROAD PURPOSES. SITUATED IN SANGAMON COUNTY, ILLINOIS.

