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2010R50173

12/20/2010 09:02AM

REC FEE: 37.00

TOTAL: \$37.00

PAGES: 12

DELLA

JOSHUA A. LANGFELDER  
SANGAMON COUNTY RECORDER

*This Space for Recorder*

Ordinance No. 10- 48

**AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT  
WITH CHESTER W. PING JR. AND LEONARD C. PING TRUST AND ETAL TR 597-  
174**

WHEREAS, on August 10, 2010, 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 Chester W. Ping Jr. and Leonard C. Ping Trust and Etal TR 597-174, a copy of which is attached hereto.

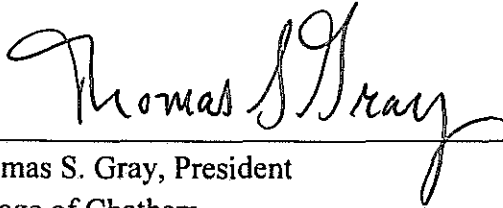
*NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:*

**SECTION 1:** That certain Annexation Agreement attached hereto by and between the Village of Chatham and Chester W. Ping Jr. and Leonard C. Ping Trust and Etal TR 597-174 is hereby approved.

**SECTION 2:** The President is authorized and 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.

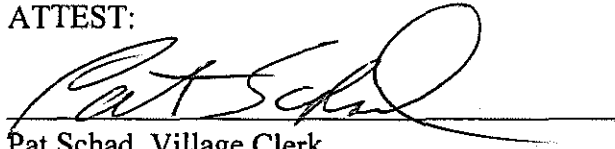
**SECTION 3:** This Ordinance is effective immediately.

PASSED THIS 10<sup>th</sup> DAY OF August, 2010



Thomas S. Gray, President  
Village of Chatham

ATTEST:



Pat Schad, Village Clerk

PASSED: 8-10-10

APPROVED: 8-10-10

AYES: 6 HERR MAUL BOYCE REYNOLDS  
6 KAVANAUGH SCHATTEMAN

NAYS: 0

ABSENT: 0

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*This Space for Recorder*

**ANNEXATION AGREEMENT**

THIS AGREEMENT is made by Chester W. Ping Jr. and Leonard C. Ping Trust and Etal TR 597-174 ("Owners"), and the Village of Chatham, Illinois (the "Village"), an Illinois municipal corporation, all of Sangamon County, Illinois, and is effective this 10 day of AUG, 2010.

WHEREAS, Chester W. Ping Jr. and Leonard C. Ping Trust and Etal TR 597-174. is the record Owners of property legally described as follows:

The East half of the Northeast quarter of Section 25, Township 14 North, Range 6 West of the Third Principal Meridian, situated in Sangamon County, Illinois (the "Property").

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

WHEREAS, Owner wishes to annex the Property to the Village and obtain an initial zoning upon annexation of P-1;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Owner has petitioned to annex the Property conditional upon this Agreement; a copy of the petition is attached hereto as Exhibit A.

2. Such annexation is be expressly conditioned and contingent upon the simultaneous zoning classification of the Property as P-1. Any ordinance annexing the Property or any part thereof without simultaneous initial zoning classification of P-1 shall be void unless this Agreement has been amended as hereafter provided. Prior to executing this Agreement, this zoning has been considered by the appropriate administrative bodies of the Village.

3. The Village shall, during the term of this agreement and so long as the Property remains unimproved farm ground, rebate the Village's share of property taxes extended with respect to the Property upon the annual application of Owner accompanied by proof of payment of such taxes.

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 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 Owners shall be the same person. However, Owners may retain separate counsel at their expense to represent their interests.

IN WITNESS WHEREOF, the parties have executed this Agreement on this 10 day of AUG, 2010.

CHESTER W. PING JR.

By: Chester W. Ping Jr.  
Owner

LEONARD C. PING

By: [Signature]  
Owner



VILLAGE OF CHATHAM, ILLINOIS

BY: Thomas S Gray  
President

Attest: Pat Schulz  
Village Clerk

PETITION FOR ANNEXATION

Chester W. Ping Jr. and Leonard C. Ping Trust and Etal TR 597-174 ("Petitioners"), 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:

The East half of the Northeast quarter of Section 25, Township 14 North, Range 6 West of the Third Principal Meridian, situated in Sangamon County, Illinois (the "Property"). Containing 80.00 acres, more or less.

and a plat of which is attached hereto. (Sangamon County tax id no. 28-25.0-200-003).

Petitioners 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 Petitioners are the sole Owners of record of the property, and no electors reside therein.

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

CHESTER W. PING JR.

By: Chester W. Ping Jr.  
Owner

LEONARD C. PING

By: [Signature]  
Owner

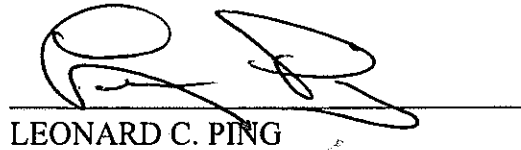


STATE OF ILLINOIS            )  
  )  
COUNTY OF SANGAMON        )

VERIFICATION

Chester W. Ping Jr. and Leonard C. Ping Trust and Etal TR 597-174 being duly sworn on their oaths, deposes and state that they are the Petitioners, and that they have reviewed the foregoing Petition for Annexation, and the statements therein made are true and correct.

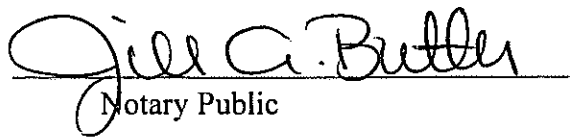
  
\_\_\_\_\_  
CHESTER W. PING JR.

  
\_\_\_\_\_  
LEONARD C. PING



SUBSCRIBED AND SWORN TO before me

this 10<sup>th</sup> day of Aug, 2010.

  
\_\_\_\_\_  
Notary Public



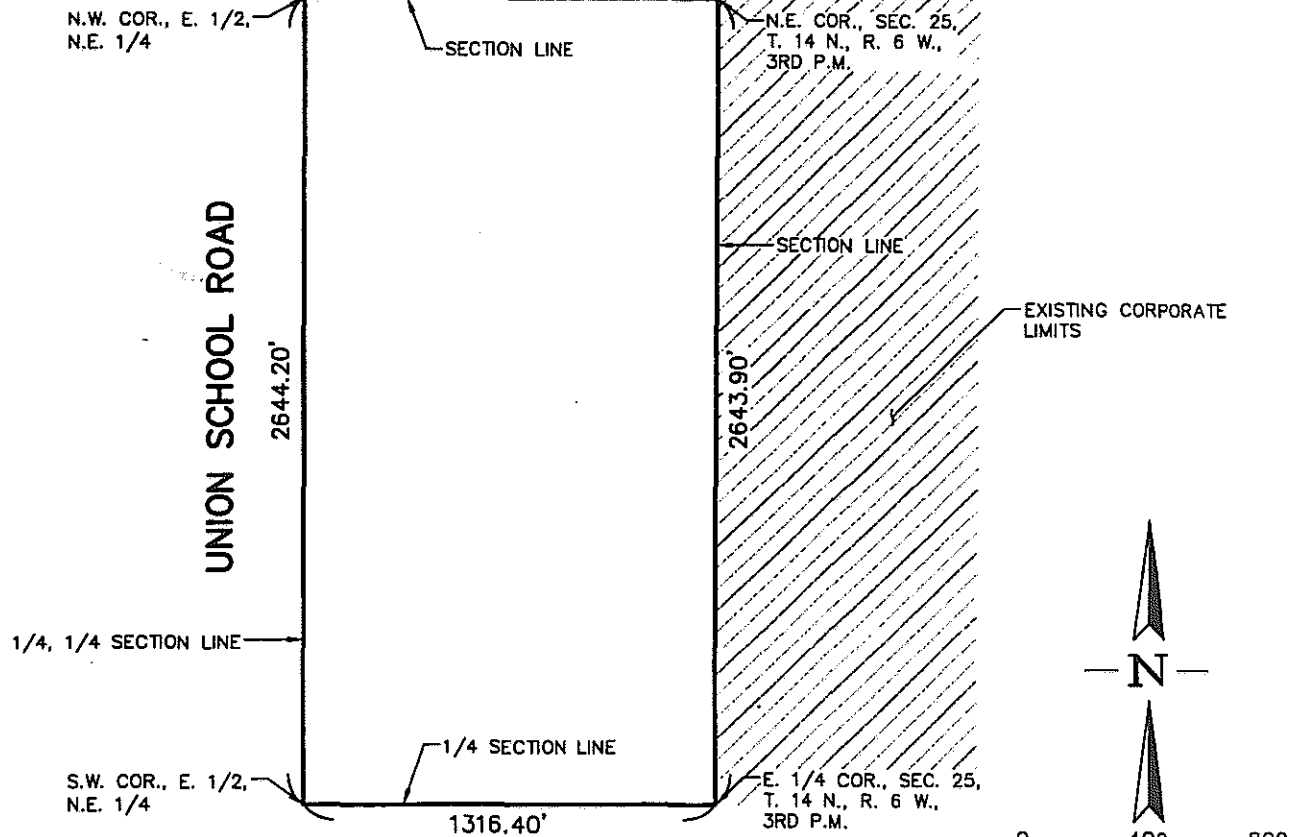
**PLAT OF ANNEXATION  
TO THE VILLAGE OF CHATHAM**

**COVERED BRIDGE ROAD**

OWNER: CHESTER & LEONARD PING,  
TRUST ETAL  
TAX I.D. NO.: 28-25-200-003  
BASIS OF BEARING: ASSUMED MERIDIAN

**LEGAL DESCRIPTION**

THE EAST HALF OF THE NORTHEAST  
QUARTER OF SECTION 25, TOWNSHIP 14  
NORTH, RANGE 6 WEST OF THE THIRD  
PRINCIPAL MERIDIAN, SANGAMON COUNTY,  
ILLINOIS.



THE ABOVE DESCRIBED PLAT CORRECTLY REPRESENTS THE  
PARCEL OF LAND TO BE ANNEXED INTO THE VILLAGE OF  
CHATHAM, ILLINOIS.

*Richard Tonellato*  
ILLINOIS PROFESSIONAL LAND SURVEYOR # 2590  
6-29-10  
DATE SIGNED



EXPIRES: 11/30/10

REVISIONS	DATE	BY



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

CONSULTING ENGINEERS  
3501 CONSTITUTION DRIVE  
SPRINGFIELD, ILLINOIS 62711  
(217) 793-8844, (217) 793-6227 FAX  
PROFESSIONAL LAND SURVEYING FIRM NO. 048-000098

DATE	06/22/10
DRAWN	BISHOP
PROJ. NO.	10-001.09
FIELD BOOK	X
COMPUTER FILE NO.	10001.09ANNEX01.dwg
PLOT SCALE	1" = 40'

**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. 10- 48, adopted by the President and Board of Trustees of said Village on the 10 day of AUG, 2010, said Ordinance being entitled:

**AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT  
WITH CHESTER W. PING JR. AND LEONARD C. PING TRUST AND ETAL TR 597-  
174**

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 10 day of AUG, 2010.



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