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2011R01029

01/07/2011 03:56PM

REC FEE: 35.00

TOTAL: \$35.00

PAGES: 10

LAVERNE

JOSHUA A. LANGFELDER
SANGAMON COUNTY RECORDER

This Space for Recorder

Ordinance No. 10- 69

**AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT
WITH L. KENT HILL**

WHEREAS, on 12-14-10, 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 L. Kent Hill 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 the L. Kent Hill 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 14 DAY OF DEC, 2010

Thomas S Gray

Thomas S. Gray, President
Village of Chatham

ATTEST:

Pat Schad

Pat Schad, Village Clerk



PASSED: 12-14-10

APPROVED: 12-14-10

AYES: 6 HERRMAN BOYLE
REYNOLDS KAVANAGH SCHATTEMAN

NAYS: 0

ABSENT: 0

This Space for Recorder

ANNEXATION AGREEMENT

THIS AGREEMENT is made by L. Kent Hill, and the Village of Chatham, Illinois (the "Village"), an Illinois municipal corporation, all of Sangamon County, Illinois, and is effective this 14 day of Dec, 2010.

WHEREAS, L. Kent Hill is the record Owners of property legally described as follows:

Part of the Southeast Quarter of Section 16, Township 14 North, Range 5 West of the Third Principal Meridian in Sangamon County, Illinois: described as follows: commencing at the Southwest corner of the Southeast Quarter of the aforementioned Section 16, thence East along the Section Line 519.42 feet to the true point of beginning, thence North 417.42 feet, thence East 1773.33 feet, thence South Parallel to the West right of way line of FAI.55 Service Road (Palm Road) 270.00 feet, thence East 325 feet to said West Right of Way Line, thence South 148.04 feet to the Section Line, thence West 2096.51 feet to the true point of beginning

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. Owners wish to receive an Electric rate not to exceed Two cents per kilowatt hour above the Village Rate to its customers for the same service.

5. Owners wish to receive the inside Village rate for Water Service.

6. The Village agrees to reimburse the owner the amount of \$4,500 for the oil and chip of his driveway after receiving an invoice and with Village Board approval

7. 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.

8. 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.

9. 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.

10. 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.

11. The Village shall, at its expense, record this Agreement with the Sangamon County Recorder of Deeds within 30 days of its execution.

12. 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.

13. 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 14 day of DEC, 2010.

L. KENT HILL

By: 
Owner

VILLAGE OF CHATHAM, ILLINOIS

BY: Thomas J Gray
President

Attest: Pat Schaefer
Village Clerk



PETITION FOR ANNEXATION

L, Kent Hill 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 Southeast Quarter of Section 16, Township 14 North, Range 5 West of the Third Principal Meridian in Sangamon County, Illinois: described as follows: commencing at the Southwest corner of the Southeast Quarter of the aforementioned Section 16, thence East along the Section Line 519.42 feet to the true point of beginning, thence North 417.42 feet, thence East 1773.33 feet, thence South Parallel to the West right of way line of FAI.55 Service Road (Palm Road) 270.00 feet, thence East 325 feet to said West Right of Way Line, thence South 148.04 feet to the Section Line, thence West 2096.51 feet to the true point of beginning situated in Sangamon County, Illinois


and a plat of which is attached hereto. (Sangamon County tax id no. 29-16.0-400-025

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 no electors reside therein.

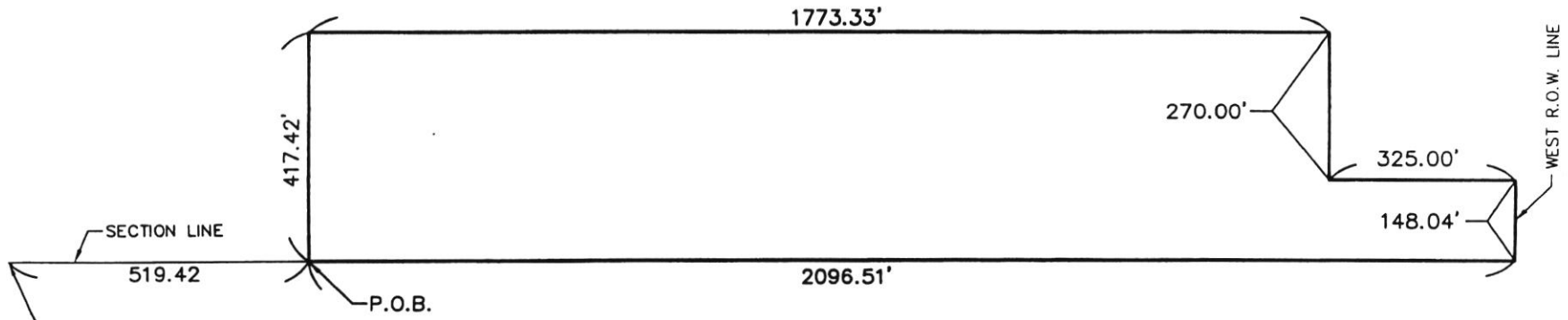
WHEREFORE, Petitioner hereby requests that the above-described real estate be annexed to the Village of Chatham, Sangamon County, Illinois.

L. KENT HILL

By: 
Petitioner

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

OWNER: L. KENT HILL
TAX I.D. NO.: 29-16-400-025
BASIS OF BEARING: ASSUMED MERIDIA
Ball TWP

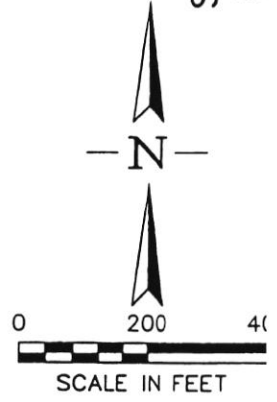


I-55
SERVICE ROAD
(PALM ROAD)

S.W. COR., S.E. 1/4,
SEC. 16, T.14N.,
R.5W., 3RD P.M.

LEGAL DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN IN SANGAMON COUNTY, ILLINOIS; DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE AFORMENTIONED SECTION 16, THENCE EAST ALONG THE SECTION LINE 519.42 FEET TO THE TRUE POINT OF BEGINNING, THENCE NORTH 417.42 FEET, THENCE EAST 1773.33 FEET, THENCE SOUTH PARALLEL TO THE WEST RIGHT OF WAY LINE OF I-55 SERVICE ROAD (PALM ROAD) 270.00 FEET, THENCE EAST 325 FEET TO SAID WEST RIGHT OF WAY LINE, THENCE SOUTH 148.04 FEET TO THE SECTION LINE, THENCE WEST 2096.51 FEET TO THE TRUE POINT OF BEGINNING.



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
10-25-10
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	10/22/10
DRAWN	COAL
PROJ. NO.	08-1
FIELD BOOK	
COMPUTER FILE NO.	08127-AP-Kent.dwg
PLOT SCALE	1" = 40'

PLEASE RETURN TO:
PAT SCHAID
836 OXFORD
CHATHAM IL. 62629

RECORDING - RESEARCH

NAME: VILLAGE OF
ADDRESS: CHATHAM 116 E
CITY/STATE: MULGERRY
PHONE: CHATHAM IL.
217-720-3429

RECEIVED
JAN 07 2011
Recorder's Office

DRID ~~10-16~~ 60
10-68
10-69 CHARGE

STAFF INITIAL: LH DATE: 1-7-11
JOSHUA A. LANGFELDER, RECORDER