2015

This Space for Recorder of Deeds

Ordinance No. 15- 30

## AN ORDINANCE ANNEXING CERTAIN LAND TO THE VILLAGE OF CHATHAM, ILLINOIS, AND ZONING THE LAND IN ACCORDANCE WITH AN ANNEXATION AGREEMENT (Cardinal Ridge)

WHEREAS, the Village of Chatham has this date approved an annexation

agreement with Apartment Mart of Springfield, Inc., an Illinois corporation, and Lake

Area Development Group, LLC, an Illinois Limited Liability Company ("Owner")

executed on \_\_\_\_\_, 2015 (the "Annexation Agreement");

WHEREAS, the Annexation Agreement included a Petition for Annexation

pursuant to Section 7-1-8 of the Illinois Municipal Code filed by the Owner;

WHEREAS, the property sought to be annexed (the "Property") is depicted on a Plat of Annexation attached hereto as Exhibit A and legally described as follows:

Part of the Northwest Quarter of Section 1 and Part of the Northeast Quarter of Section 2, all in Township 14 north, Range 6 West of the Third principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Beginning at a nail found at the Northwest corner of said Northwest Quarter; thence North 89 degrees 13 minutes 16 seconds East on the North line of said Northwest Quarter, a distance of 757.61 feet to a mag nail set; thence South 01 degrees 23 minutes 03 seconds East, a distance of 313.78 feet to an iron pin found; thence North 89 degrees 22 minutes 03 seconds East, a distance of 378.73 feet to an iron pin set; thence South 01 degrees 10 minutes 21 seconds East, a distance of 2328.03 feet to an iron pin found on the South line of said Northwest Quarter, thence South 89 degrees 22 minutes 15 seconds West on said South line, a distance of 1158.98 feet to a pipe found at the Southwest corner of said Northwest quarter; thence South 89 degrees 24 minutes 05 seconds West on the South line of the Northeast Quarter of said Section 2, a distance of 88.36 feet to an iron pin set; thence North 00 degrees 54 minutes 49 seconds West, a distance of 2639.72 feet to an iron pin found on the North line of said Northwest Quarter, thence South 89 degrees 24 minutes of 2639.72 feet to an iron pin found on the North line of said Northwest Quarter, thence South 89 degrees 24 minutes 05 seconds West degrees 24 minutes 3 seconds East on said Northwest Quarter, thence North 89 degrees 54 minutes 49 seconds West, a distance of 2639.72 feet to an iron pin found on the North line of said Northeast Quarter, thence North 89 degrees 24 minutes 23 seconds East on said North line, a distance of 97.88 feet to the point of beginning. Containing 3,159,299.817 square feet (72.528 acres), more or less.

WHEREAS, the Petition for Annexation states that the Petitioner comprises all of

the owners of record of the land sought to be annexed and that no electors reside on the

Property;

WHEREAS, the Owner has requested, and the Village of Chatham Planning

Commission has recommended, initial zoning of the Property as follows, with the several

parcels being depicted on a zoning plat, Exhibit B hereto:

Parcel	Approximate Acreage	Desired Zoning
P.I.N. 28-20	)-200-003:	
А	The South 774 feet	R1
В	except the north 1696 and The south 774 feet	R2
C.	The north 1696 feet	R3
P.I.N. 28-01	1-200-004	
А.	The south 774 feet	R1

В.	Except the South 774 feet and	
	The North 1696 feet of the West	
	810 feet.	R2
C.	The north 1696 feet of the	
	West 810 feet.	R3

WHEREAS, pursuant to notice duly published in a newspaper of general circulation within the Village, the necessary public hearing has been conducted by the Chatham Planning Commission with respect to the zoning, and the necessary public hearing has been conducted by the Chatham Village Board with respect to the annexation agreement;

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

**SECTION 1**: The Property, is hereby annexed to the Village of Chatham and zoned as follows:

Parcel	Approximate <u>Acreage</u>	Desired Zoning
P.I.N. 28-20	)-200-003:	
А	The South 774 feet	R1
В	except the north 1696 and The south 774 feet	R2
C.	The north 1696 feet	R3
P.I.N. 28-01-200-004		
Α.	The south 774 feet	R1
B.	Except the South 774 feet	and

	The North 1696 feet of the West 810 feet.	R2
C.	The north 1696 feet of the West 810 feet.	R3

**SECTION 2**: This annexation and initial zoning upon annexation is subject to the terms and conditions of the Annexation Agreement.

SECTION 3: The Village Clerk shall forthwith cause this Ordinance to be recorded with the Recorder of Deeds of Sangamon County and with the County Clerk of Sangamon County, and shall send a copy by registered mail to the post office branch serving the territory.

<b>SECTION 4:</b> This Ordinance is effective immediately.
PASSED this 14 day of July, 2015.
ATTEST: Village Clerk
AYES: 5 KIMSEY LINOHORST MAN SCHATTEMAN GRAY
NAYS: 2 CLAYTON ROYCE
PASSED: 2-14-15
APPROVED: 7-14-15
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. 15-<u>30</u>, adopted by the President and Board of Trustees of said Village on the <u>[4]</u> day of <u>fuly</u>, 2015, said Ordinance being

## entitled:

# AN ORDINANCE ANNEXING CERTAIN LAND TO THE VILLAGE OF CHATHAM, ILLINOIS, AND ZONING THE LAND IN ACCORDANCE WITH AN ANNEXATION AGREEMENT (Cardinal Ridge)

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 14 day of \_\_\_\_\_, 2015.

Schad

## PREPARED BY/RETURN TO:

Alex B. Rabin SGRO, HANRHAN, DURR & RABIN, LLP 1119 South 6<sup>th</sup> Street Springfield, IL 62703 217-789-1200

#### PETITION FOR CHANGE OF CLASSIFICATION UNDER THE PROVI OF THE VILLAGE OF CHATHAM ZONING ORDINANCE



- TO: Village of Chatham Planning Commission
- TO: Village of Chatham Board of Trustees

## VILLAGE OF CHATHAM

NOW COMES, Apartment Mart of Springfield, Inc. (hereinafter called "Petitioner") by and through its attorneys Sorling Northrup, Jeffrey T. Baker, of Counsel, and respectfully petitions the Village of Chatham Planning Commission and the Village of Chatham Board of Trustees as follows:

1. Petitioner is the Contract Buyer of 72.528 acres of land situated on Mansion Road. This land is being purchased from Kent P. Weinmeister, Trustee of the Kent P. Weinmeister Separate Property Trust under agreement dated July 26, 2007, and Barbara A. Weinmeister, Trustee, UDT, BW Revocable Trust, dated August 24, 2010, Title Owners. The Title Owners have consented to the filing of this Petition. The property is presently vacant farmland and no address has been assigned to it.

2. The Real Estate Contract includes two parcels of land, namely PIN No. 28-01-100-004 (Parcel I) and PIN No. 28-20-200-003 (Parcel II), both of which are legally described on the attached **Exhibit** A and which are collectively hereinafter referred to as the "Subject Property."

- A. Parcel I is a tract containing 66.885 acres and is presently zoned A (Agricultural District) by Sangamon County.
- B. Parcel II is a tract of land containing 5.643 acres and is presently zoned A (Agricultural District) by Sangamon County.

3. Petitioner, simultaneously with the filing of this Zoning Petition, is filing an annexation petition for the Subject Property into the Village of Chatham.

4. Petitioner desires that upon annexation into the Village of Chatham, the Subject Property shall be zoned according to the attached Exhibit B.

5. Petitioner is a well-established apartment developer who manages and owns a 300 unit apartment complex known as "Lake Pointe Apartments" located at 1600 Toronto Road, Springfield. Petitioner further owns and manages a 224 unit apartment complex known as "Prairie Vista" at 1830 Prairie Vista Drive in Chatham, Illinois. Petitioner's intended use for the Subject Property includes the development of a 304 unit apartment complex, 36 duplex lots and 49 single-family residential lots. The apartment complex will include an office, swimming pool, and playground.

6. Directly to the north of the Subject Property is Mansion Road and to the northwest of the Subject Property is a single, single-family residence. Directly to the east of the Subject Property is the Northpoint residential subdivision. Directly to the south and the west of the Subject Property is vacant farmland.

7. The Subject Property is ideally suited for a combination of single-family and multi-family residential uses, including single-family homes, duplexes and an apartment complex. The trend of development in this area in recent years has included a mixture of multi-family and single-family homes. The majority of the property surrounding the Subject Property is undeveloped, or vacant farmland.

WHEREFORE, Petitioner Apartment Mart Inc. requests that the Village of Chatham Planning Commission will, after due notice and public hearing, recommend to the Village of Chatham the adoption of, and the Village of Chatham Board of Trustees will thereafter adopt an ordinance amending the zoning classification of the two above-described parcels as requested herein.

> APARTMENT MART OF SPRINGFIELD INC., Petitioner

One of Its Attorneys

Sorling Northrup Jeffrey T. Baker, of Counsel 1 North Old State Capitol Plaza, Suite 200 P.O. Box 5131 Springfield, Illinois 62705 Tel: (217) 544-1144 Fax: (217) 522-3173 <u>itbaker@sorlinglaw.com</u>

ACKNOWLEDGMENT	& CONSI	ENT BY OWNERS OF RECORD
STATE OF Alizola COUNTY OF Maricopa	) )	SS

Kent P. Weinmeister, Trustee of the Kent P. Weinmeister Separate Property Trust under agreement dated July 26, 2007 being first duly sworn upon oath deposes and states that he has subscribed to the foregoing Petition for Annexation and has read the same before signing; and that the statements made therein are true and correct, and that all electors who reside upon said above-described property, if any, join in this Petition for Annexation.

KENT P. WEINMEISTER, Trustee of THE KENT P. WEINMEISTER SEPARATE PROPERTY TRUST under agreement-dated July 26, 2007

Subscribed and sworn to before me by the persons whose signatures appears above this

C. ALBRIGHT 2015. Notary Public STATE OF SS COUNTY OF

Barbara A. Weinmeister, Trustee, UDT, BW Revocable Trust, dated August 24, 2010 being first duly sworn upon oath deposes and states that she has subscribed to the foregoing Petition for Annexation and has read the same before signing; and that the statements made therein are true and correct, and that all electors who reside upon said above-described property, if any, join in this Petition for Annexation.

> BARBARA A. WEINMEISTER, Trustee, UDT, BW REVOCABLE TRUST, dated August 24, 2010

Subscribed and sworn to before me by the persons whose signatures appears above this

\_\_\_\_\_ day of \_\_\_\_\_\_, 2015.

Notary Public

41K8173 4/24/2015

#### ACKNOWLEDGMENT & CONSENT BY OWNERS OF RECORD

STATE OF	)	
	)	SS
COUNTY OF	)	

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day of M Y	, 2015.	
-	Jon Juner Notary Public	_
STATE OF AR. ZONA	) ) SS	
COUNTY OF MARICOPA	) 33	

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Barbara a. Wermeister

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day of My , 2015. Jon Juse Notary Public

41K8173 4/24/2015

LORI TRUAX Notary Public, State of Arizona Maricopa County y Commission Expires November 14, 2017

Page 3 of 3

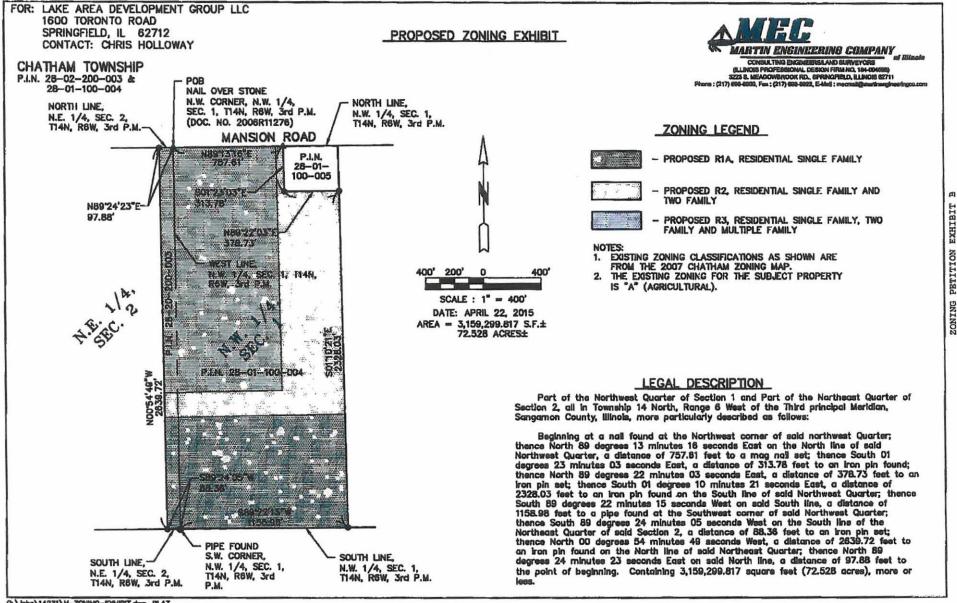
#### EXHIBIT A

#### Legal Description

Part of the Northwest Quarter of Section 1 and Part of the Northeast Quarter of Section 2, all in Township 14 North, Range 6 West of the Third principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Beginning at a nail found at the Northwest corner of said northwest Quarter; thence North 89 degrees 13 minutes 16 seconds East on the North line of said Northwest Quarter, a distance of 757.61 feet to a mag nail set; thence South 01 degrees 23 minutes 03 seconds East, a distance of 313.78 feet to an iron pin found; thence North 89 degrees 22 minutes 03 seconds East, a distance of 2328.03 feet to an iron pin found on the South 01 degrees 10 minutes 21 seconds East, a distance of 2328.03 feet to an iron pin found on the South line of said Northwest Quarter; thence South 89 degrees 22 minutes 15 seconds West on said South line, a distance of 1158.98 feet to a pipe found at the Southwest corner of said Northwest Quarter; thence South 89 degrees 24 minutes 05 seconds West on the South line of the Northeast Quarter of said Section 2, a distance of 88.36 feet to an iron pin found on the North line of said Northeast Quarter; thence North 89 degrees 24 minutes 05 seconds West, a distance of 88.36 feet to an iron pin found on the North line of said Northeast Quarter; thence North 89 degrees 24 minutes 05 seconds West, a distance of 88.36 feet to an iron pin found on the North line of said Northeast Quarter; thence North 89 degrees 24 minutes 05 seconds West, a distance of 88.36 feet to an iron pin found on the North line of said Northeast Quarter; thence North 89 degrees 24 minutes 23 seconds East on said North line, a distance of 97.88 feet to the point of beginning. Containing 3,159,299.817 square feet (72.528 acres), more of less.

PIN NUMBERS: 28-01-100-004 and 28-20-200-003



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EXHIBIT PETITION DNINOZ

#### PETITION FOR ANNEXATION



STATE OF ILLINOIS ) ) SS COUNTY OF SANGAMON )

VILLAGE OF CHATHAM

### TO: THE VILLAGE OF CHATHAM PLANNING COMMISSION AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM:

The undersigned persons, each being 21 or more years of age and under no disability, hereby petition the Village of Chatham to annex within its corporate limits; the following described real estate in the County of Sangamon:

ADDRESS: Mansion Road (no address number)

TAX ID NUMBER(S): 28-01-100-004 and 28-20-200-003

TOWNSHIP: Chatham

LEGAL DESCRIPTION: SEE ATTACHED EXHIBIT A

and for the purposes of authorizing the Village of Chatham to enact an appropriate ordinance of annexation in the manner provided in Section 7-1-1, *et. seq.*, of the Illinois Municipal Code, and knowing that the certifications herein made will be relied upon by the Village of Chatham, the undersigned persons certify to the Village of Chatham the following:

- 1. That the above-described territory is now contiguous to the Village of Chatham, Illinois
- 2. That the above-described territory is not within the corporate limits of any municipality.
- 3. That no electors reside upon or occupy any lands within the above described territory.
- 4. That the Petitioner is the Contract Buyer of the above-described territory and that the undersigned, namely, Kent P. Weinmeister, Trustee of the Kent P. Weinmeister Separate Property Trust under agreement dated July 26, 2007, and Barbara A. Weinmeister, Trustee, UDT, BW Revocable Trust, dated August 24, 2010, are the true and correct owners of record of all the land within the above described territory, as established by the records in the Office of the Recorder of Deeds of Sangamon County, Illinois and that there are no other persons, firms or corporations who have any right, title or interest of record in and to any land within said above described territory herein requested to be annexed and said title owners have consented to the filing of this Petition.
- 5. That said property is located within the Chatham Fire Protection District and the Trustees of said District are being given notice of this annexation in accordance with the statute.

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- 6. That said property is located within the Chatham Library District and the Trustees of said District are being given notice of this annexation in accordance with the statute.
- The above-described property will be used for single-family and multi-family residential use after annexation and will not be used as a retail business.
- That a plat of the real estate sought to be annexed, prepared by a Licensed Professional Land Surveyor, is attached hereto as Exhibit B.
- 9. The annexation of this property is contingent upon approval of the Petition for Change of Classification to R1A (Residential, Single Family, Low Density), R2 (Residential, Single Family and Two-Family, Low Density), and R3 (Residential District, Multiple Family, Medium Density) as illustrated on the attached Exhibit C and a mutually agreeable preannexation agreement, if required.

# APARMENT MART OF SPRINGFIELD, INC., Petitioner

By: \_\_\_\_\_One of Its Attorneys

Sorling Northrup Jeffrey T. Baker, of Counsel 1 North Old State Capitol Plaza, Suite 200 P.O. Box 5131 Springfield, Illinois 62705 Tel: (217) 544-1144 Fax: (217) 522-3173 <u>itbaker@sorlinglaw.com</u>

CKNOWLEDGMENT BY OWNERS OF RECORD Heizona Maricopa STATE OF SS COUNTY OF

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Subscribed and sworn to before me by the persons whose signatures appears above this

C. ALBRIGHT ay of Ward ly Public - State of Artz Notary Public STATE OF SS COUNTY OF

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\_\_\_\_ day of \_\_\_\_\_\_, 2015.

Notary Public

#### ACKNOWLEDGMENT BY OWNERS OF RECORD

STATE OF	)	
	) \$5	5
COUNTY OF	)	

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	Mon mor Notary Public
STATE OF ARIZONA COUNTY OF MARCOPA	) ) SS

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> BARBARA A. WEINMEISTER, Trustee, UDT, BW **REVOCABLE TRUST, dated August 24, 2010**

Barbara ( Wanneister)

Subscribed and sworn to before me by the persons whose signatures appears above this

1 day of MY	,2015.
LORI TRUAX	Notary Public

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Maricopa County My Commission Expires November 14, 2017

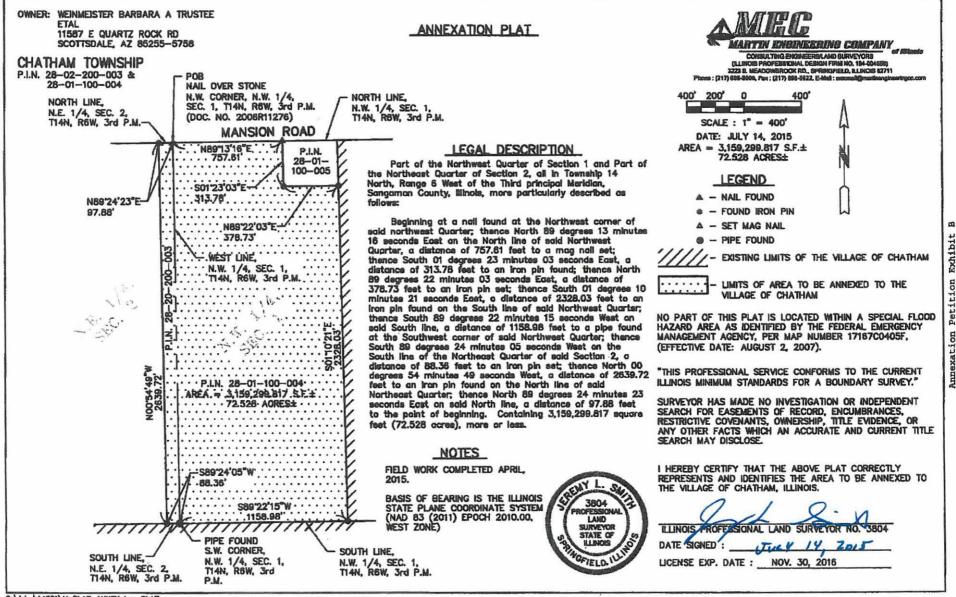
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PIN NUMBERS: 28-01-100-004 and 28-20-200-003



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