

Ordinance No. 92-35

AN ORDINANCE APPROVING AN AGREEMENT FOR
EXCHANGE OF PROPERTY WITH JOHN SCHROEDER

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

SECTION 1: That certain agreement attached hereto as
Exhibit A between the Village of Chatham and John Schroeder is
hereby approved.

SECTION 2: The President of the Village is authorized
and directed to sign said agreement on behalf of the Village, and
the proper officers of the Village are authorized and directed to
carry out the terms of the Agreement.

SECTION 3: This Ordinance is effective immediately.

PASSED this 22 day of SEPTEMBER, 1992.

Carl J. Oblinger
CARL OBLINGER, VILLAGE PRESIDENT

ATTEST:

Pat Schindler
Village Clerk

AYES: 5
NAYS: 0

PASSED: 9-22-92
APPROVED: 9-22-92

ABSENT: 1

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. 92-35, adopted by the President and Board of Trustees of said Village on the 22 day of SEPTEMBER, 1992, said Ordinance being entitled:

**AN ORDINANCE APPROVING AN AGREEMENT FOR
EXCHANGE OF PROPERTY WITH JOHN SCHROEDER**

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 22 day of SEPTEMBER 1992.



Village Clerk

AGREEMENT

This Agreement is between the VILLAGE OF CHATHAM, Illinois, an Illinois municipal corporation ("Village") , and JOHN and JACQUELINE C. SCHROEDER, ("Schroeder"), of Springfield, Sangamon County, Illinois.

WHEREAS, Schroeder is the owner of certain property located at the Southeast and Southwest corners of the intersection of Walnut Street and Ball Street (a.k.a Park Street) in Chatham, Illinois;

WHEREAS, in connection with the annexation and development of certain property owned by Breckenridge Development Corporation ("Breckenridge") to the East and South of Schroeder's property, the Village desires to widen Ball Street South of Walnut Street;

WHEREAS, Breckenridge and the Village have negotiated a tentative Annexation Agreement, pursuant to which Breckenridge has agreed in principle to convey to Schroeder 20 feet immediately to the east of Schroeder's property in exchange for a portion of Schroeder's property adjacent to Ball Street;

WHEREAS, the Annexation Agreement between the Village and Breckenridge has yet to be finalized, requiring further public hearings and action of the Board Of Trustees;

WHEREAS, the of the portion of Schroeder's property to be exchanged, herein referred to as Parcel A, is legally described as follows:

Parcel 1: Part of the Southeast Quarter of Section 7, Township 14 North, Range 5 West of the Third Principal Meridian, described more particularly as follows: Commencing at an iron pipe over a stone marking the center of the aforementioned Section 7, thence South 00 degrees 00 minutes 00 seconds West along the quarter section line a distance of 30.00 feet to the true point of beginning, thence North 89 degrees 29 minutes 07 seconds East a distance of 34.00 feet, thence South 00 degrees 00 minutes 00 seconds West a distance of 20.00 feet, thence North 89 degrees 29 minutes 07 seconds East a distance of 12.00 feet, thence South 00 degrees 00 minutes 00 seconds West a distance of 188.71 feet, thence South 89 degrees 29 minutes 07 seconds West a distance of 46.00 feet to a point on the quarter section line, thence North 00 degrees 00 minutes 00 seconds East along the quarter section line a distance of 208.71 feet to the true point of beginning. Said parcel contains 0.215 acre, more or less, including 0.163 acre within the existing right-of-way of Park Avenue (Ball Street) in the Village of Chatham, in the County of Sangamon, State of Illinois.

and

Parcel 2: Part of Lot 9 in Tier One of Thayer's Addition to the Town of Chatham described more particularly as follows: Commencing at an iron pipe over a stone marking the center of the Section 7, Township 14 North, Range 5 West of the Third Principal Meridian, thence South 00 degrees 00 minutes 00 seconds West along the quarter section line a distance of 30.00 feet, thence South 89 degrees 29 minutes 07 seconds West a distance of 18.55 feet to the true point of beginning, thence South 00 degrees 09 minutes 35 seconds East along the West Right-of-Way line of Park Avenue (Ball Street) a distance of 20.00 feet, thence North 45 degrees 20 minutes 14 seconds West a distance of 28.20 feet to a point on the South Right-of-Way Line of Walnut Street, thence North 89 degrees 29 minutes 07 seconds East along said Right-of-Way Line a distance of 20.00 feet to the true point of beginning. Said parcel contains 0.004 acre, more or less, all in the Village of Chatham, County of Sangamon, State of Illinois.

WHEREAS, the 20 feet of land owned by Breckenridge immediately east of Schroeder's property to be conveyed to Schroeder, herein referred to as Parcel B, is legally described as follows:

The East 20 feet of the West 430.42 feet of the North 238.71 feet of the Southeast corner of Section 7, Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, containing 4,774.2 square feet, or .110 acre, more or less.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Section 1:

Schroeder hereby agrees to convey Parcel A to the Village;

Section 2:

The Village hereby agrees to convey, or secure the conveyance of, Parcel B to Schroeder;

Section 3:

This Agreement is contingent upon:

A. The Village entering into an Annexation Agreement with Breckenridge Development Corporation pertaining to the annexation of approximately 150 acres owned by Breckenridge Development Corporation, of which Parcel B is a portion;

B. Approval of said annexation by the corporate authorities of the Village of Chatham;

C. Pursuant to such Annexation Agreement, execution by Breckenridge Development Corporation of a deed conveying Parcel B to the Village or Schroeder.

D. Approval of this Agreement by Ordinance not later than 30 days from the date hereof.

Section 4:

Schroeder shall tender a deed to Parcel A within 10 days of the Village tendering a deed to parcel B. If the Village has not tendered to Schroeder a deed to Parcel B within 1 year of execution of this Agreement, then Schroeder may, at his sole option, declare this Agreement to be void and of no effect.

AGREED THIS _____ DAY OF SEPTEMBER, 1992.

VILLAGE OF CHATHAM,

JOHN SCHROEDER

By: _____

JACQUELINE C. SCHROEDER