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SANGAMON COUNTY
ILLINOIS

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MARY ANN LANN
SANGAMON COUNTY RECORDER

VILLAGE OF CHATHAM, ILLINOIS

ORDINANCE NO. 01 - 77

AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT
WITH J. ELMER AND LOIS L. FRAZZE

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF
CHATHAM, ILLINOIS THIS 18TH DAY OF DECEMBER, 2001

Published in pamphlet form by the authority of the President and
Board of Trustees of the Village of Chatham, Sangamon County,
Illinois, this 18th day of December 2001.

RTN:
RABIN, MYERS + HANKEN, P.C.
1300 S. 8TH ST.
SPFLD., IL 62703

000112

Ordinance No. 01- 77

AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT
WITH J. ELMER FRAZEE & LOIS L. FRAZEE

WHEREAS, on 12/18, 2001, pursuant to notice published as prescribed by statute, the corporate authorities of the Village of Chatham conducted a public hearing regarding an annexation agreement between J. Elmer and Lois L. Frazee and the Village of Chatham, 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 J. Elmer and Lois L. Frazee 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.

Thomas S Gray
Thomas S. Gray, President
Village of Chatham



ATTEST
Pat Schad
Pat Schad, Village Clerk

AYES: 5
NAYS: 0
ABSENT: MC ADAMS

PASSED: 12-18-01
APPROVED: 12-18-01

This Space for Recorder

ANNEXATION AGREEMENT

THIS AGREEMENT is made by Round Farms, Inc., Lois and Elmer Frazee, (Owners"), and the Village of Chatham, Illinois (the "Village"), an Illinois municipal corporation, all of Sangamon County, Illinois, and is effective this 11th day of July, 2001.

WHEREAS, Round Farms Inc., Lois and Elmer Frazee are the record Owners of property legally described in Exhibit "A" attached hereto; and

WHEREAS, the Property is located in unincorporated Sangamon County, Illinois, but is not 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 and R-1 respectively;

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 "D".
2. When the property becomes contiguous to the Village, then 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. Such annexation shall be expressly conditioned and contingent upon the simultaneous zoning classification of the Property as P-1 and R-1 as depicted in the attached Zoning map attached hereto marked as Exhibit "C". Any ordinance annexing the Property or any part thereof without simultaneous initial zoning classification of P-1 and R-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.
4. 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 that lies within the Village's corporate limits.
5. 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.
6. 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.
7. 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.

8. 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.
9. The Village shall, at its expense, record this Agreement with the Sangamon County Recorder of Deeds within 30 days of its execution.

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. IN WITNESS WHEREOF, the parties have executed this Agreement on this 11th day of July, 2001.

J Elmer Frozee
Owner

Loid L. Frozee
Owner

VILLAGE OF CHATHAM, ILLINOIS

BY: Thomas S Gray
President

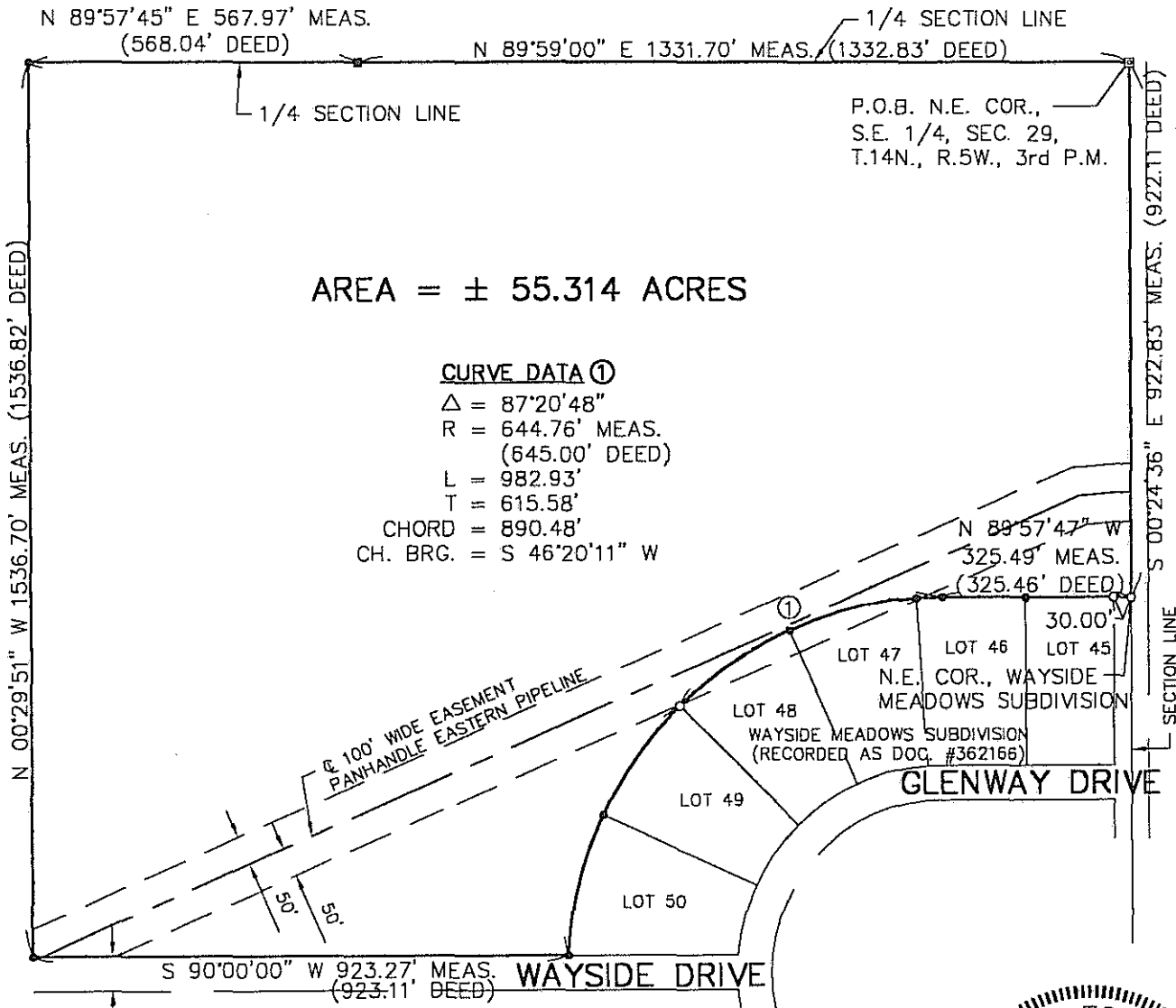
Attest: Pat Chad
Village Clerk

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PLAT OF ANNEXATION

LEGAL DESCRIPTION
SEE ATTACHED SHEET

TOWNSHIP : BALL
TAX I.D. NOS. :
29-29-400-005 THRU 015

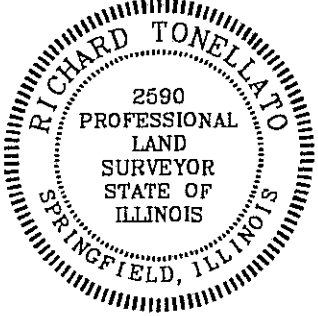


TWP. RD. 1 WEST (WAYSIDE MEADOW ROAD)

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

Richard Tonellato

ILLINOIS PROFESSIONAL LAND SURVEYOR # 2590



EXPIRES: 11/30/02

LEGEND

- IRON PIPE (SET)
- IRON PIN (FOUND)
- STONE (FOUND)
- ⊠ PIPE OVER STONE (FOUND)
- △ MAG NAIL (SET)

	GREENE & BRADFORD, INC. OF SPRINGFIELD CONSULTING ENGINEERS 3501 CONSTITUTION DRIVE SPRINGFIELD, ILLINOIS 62707 (217) 793-8844, (217) 793-6227 FAX	DATE 07-09-01 DRAWN DEFRATES PROJ. NO. 01-062 FIELD BOOK HB223 COMPUTER FILE NO. 01062ANX - 300
	PROFESSIONAL LAND SURVEYING FIRM NO. 048-000098	

PLAT OF ANNEXATION

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN; DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT AN IRON PIPE OVER A STONE MARKING THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE AFOREMENTIONED SECTION 29, THENCE SOUTH 00 DEGREES 24 MINUTES 36 SECONDS EAST ALONG THE SECTION LINE A DISTANCE OF 922.83 FEET MEASURES (922.11 FEET DEED) TO AN IRON PIPE MARKING THE NORTHEAST CORNER OF WAYSIDE MEADOWS SUBDIVISION, THENCE NORTH 89 DEGREES 57 MINUTES 47 SECONDS WEST ALONG THE NORTH LINE OF SAID SUBDIVISION A DISTANCE OF 325.49 FEET TO AN IRON PIN MARKING THE BEGINNING OF A 644.76 FOOT RADIUS CURVE TO THE LEFT, THENCE SOUTHWESTERLY 982.93 FEET ALONG THE NORTHWESTERLY LINE OF SAID SUBDIVISION WITH SAID CURVE WHOSE LONG CHORD BEARS SOUTH 46 DEGREES 20 MINUTES 11 SECONDS WEST FOR A DISTANCE OF 890.48 FEET TO AN IRON PIN MARKING THE NORTH RIGHT-OF-WAY LINE OF WAYSIDE DRIVE, THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 923.27 FEET MEASURED (923.11 FEET DEED) TO AN IRON PIN, THENCE NORTH 00 DEGREES 29 MINUTES 51 SECONDS WEST A DISTANCE OF 1536.70 FEET MEASURED (1536.82 FEET DEED) TO A IRON PIN ON THE QUARTER SECTION LINE, THENCE NORTH 89 DEGREES 57 MINUTES 45 SECONDS EAST ALONG THE QUARTER SECTION LINE A DISTANCE OF 567.97 FEET MEASURED (568.04 FEET DEED) TO A STONE, THENCE NORTH 89 DEGREES 59 MINUTES 00 SECONDS EAST A DISTANCE OF 1331.70 FEET MEASURED (1332.83 FEET DEED) TO THE TRUE POINT OF BEGINNING. SAID TRACT CONTAINS 55.314 ACRES, MORE OR LESS, ALL IN THE COUNTY OF SANGAMON, STATE OF ILLINOIS.

BASIS OF BEARING IS SOUTH 00 DEGREES 24 MINUTES 36 SECONDS EAST ALONG THE SECTION LINE.

EXHIBIT "A"

PETITION FOR ANNEXATION

Round Barn Farms, Inc., (Lois and Elmer Frazee), being duly sworn on their oath, hereby petition 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 attached hereto marked as Exhibit "A" and an Annexation map attached hereto marked as Exhibit "B". Petitioner hereby states as follows:

1. The described territory is not yet contiguous to the Village of Chatham, but will be contiguous at the time of annexation.
2. The 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 they comprise at least 51% of the electors residing therein.

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

Elmer Frazee
Petitioner

Lois L. Frazee
Petitioner

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EXHIBIT D

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

VERIFICATION

Round Barn Farms, Inc., Lois and Elmer Frazee being duly sworn on oath, depose and state that they have reviewed the foregoing Petition for Annexation, and the statements therein made are true and correct.

J Elmer Frazee
Petitioner
Lois L. Frazee
Petitioner

SUBSCRIBED AND SWORN TO before me

this 11th day of July, 2001.

Barbara Gillock
Notary Public



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