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2010R50171

12/20/2010 09:02AM

REC FEE: 36.00

TOTAL: \$36.00

PAGES: 11

DELLA

JOSHUA A. LANGFELDER
SANGAMON COUNTY RECORDER

This Space for Recorder

Ordinance No. 10- 56

**AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT
WITH RANDALL W. & BRENDA S. STRETCH**

WHEREAS, on 10-12-10, 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 Randall W. & Brenda S. Stretch 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 Randall W. & Brenda S. Stretch 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 12 DAY OF OCT, 2010

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

ATTEST:

Pat Schad
Pat Schad, Village Clerk



PASSED: 10-12-10

APPROVED: 10-12-10

AYES: 6 HERRMAN BOULE REYNOLDS KAVANAGH SCHATTENMAN

NAYS: 0

ABSENT: 0

This Space for Recorder

ANNEXATION AGREEMENT

THIS AGREEMENT is made by Randall W. & Brenda S. Stretch, and the Village of Chatham, Illinois (the "Village"), an Illinois municipal corporation, all of Sangamon County, Illinois, and is effective this 12 day of OCT, 2010.

WHEREAS, Randall W. & Brenda S. Stretch is the record Owners of property legally described as follows:

Part of the Southwest Quarter of the Northeast Quarter of Section 16, Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, being described as follows: commencing at an iron pin at the Northeast corner of said Quarter, Quarter Section: thence South 0 degrees 03 minutes 29 seconds West 394.83 feet to an iron pin at the point of beginning, thence South 0 degrees 03 minutes 29 Seconds West 218.40 feet; thence South 89 degrees 59 minutes 50 seconds West 1007.33 feet to an iron pin; thence North 0 degrees 02 minutes 02 seconds East 218.40 feet to an iron pin; thence North 89 degrees 59 minutes 50 seconds East 1007.43 to the point of beginning, all in the County of Sangamon, State of Illinois.

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 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

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

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.

10. 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.

11. 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 12 day of OCT, 2010.



RANDALL W. STRETCH

By: Randall W. Stretch
Owner

BRENDA S. STRETCH

By: Brenda S. Stretch
Owner

VILLAGE OF CHATHAM, ILLINOIS

BY: Thomas J. Gray
President

Attest: [Signature]
Village Clerk



PETITION FOR ANNEXATION

Randall W. and Brenda S. Stretch ("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:

Part of the Southwest Quarter of the Northeast Quarter of Section 16, Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, being described as follows: commencing at an iron pin at the Northeast corner of said Quarter, Quarter Section: thence South 0 degrees 03 minutes 29 seconds West 394.83 feet to an iron pin at the point of beginning, thence South 0 degrees 03 minutes 29 Seconds West 218.40 feet; thence South 89 degrees 59 minutes 50 seconds West 1007.33 feet to an iron pin; thence North 0 degrees 02 minutes 02 seconds East 218.40 feet to an iron pin; thence North 89 degrees 59 minutes 50 seconds East 1007.43 to the point of beginning

and a plat of which is attached hereto. (Sangamon County tax id no. 29-16.0-200-065).

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.

RANDALL W. STRETCH

By: *Randall W. Stretch*
Petitioner

BRENDA S. STRETCH

By: *Brenda S. Stretch*
Petitioner



STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

VERIFICATION

Randall W. and Brenda S. Stretch, being duly sworn on their oaths, depose and state that they are the owners and that they have reviewed the foregoing Petition for Annexation, and the statements therein made are true and correct.

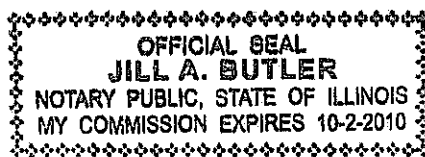
Randall W. Stretch
Randall W. Stretch

Brenda S. Stretch
Brenda S. Stretch

SUBSCRIBED AND SWORN TO before me

this 13th day of September, 2010.

Jill A. Butler
Notary Public



PLAT OF ANNEXATION

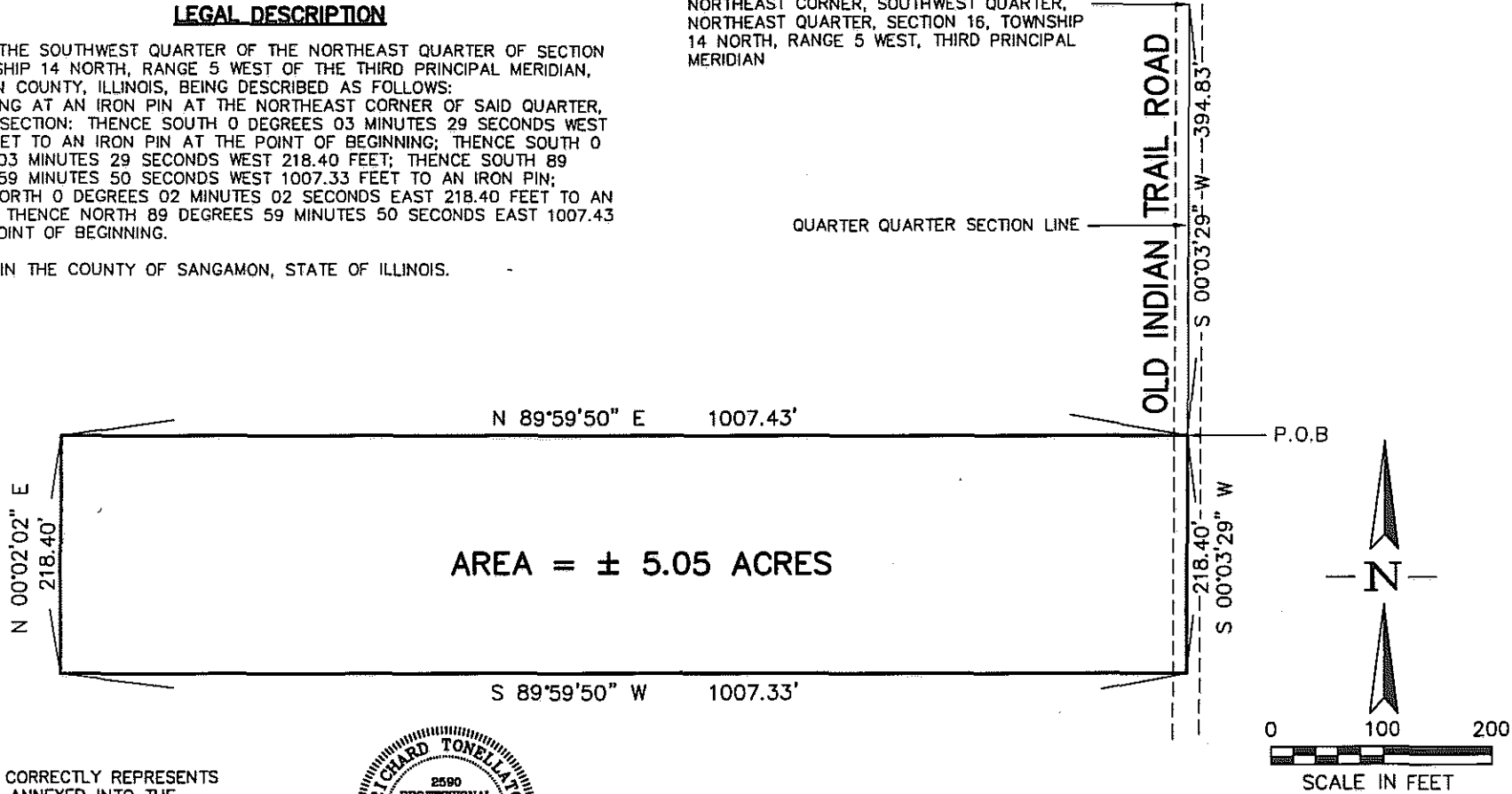
OWNER: RANDALL AND BRENDA STRETCH
 TAX I.D. NO.: 29-16-200-065
 TOWNSHIP: BALL

LEGAL DESCRIPTION

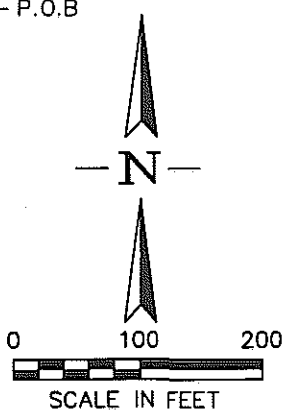
PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS:
 COMMENCING AT AN IRON PIN AT THE NORTHEAST CORNER OF SAID QUARTER, QUARTER SECTION: THENCE SOUTH 0 DEGREES 03 MINUTES 29 SECONDS WEST 394.83 FEET TO AN IRON PIN AT THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 03 MINUTES 29 SECONDS WEST 218.40 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 50 SECONDS WEST 1007.33 FEET TO AN IRON PIN; THENCE NORTH 0 DEGREES 02 MINUTES 02 SECONDS EAST 218.40 FEET TO AN IRON PIN; THENCE NORTH 89 DEGREES 59 MINUTES 50 SECONDS EAST 1007.43 TO THE POINT OF BEGINNING.

NORTHEAST CORNER, SOUTHWEST QUARTER, NORTHEAST QUARTER, SECTION 16, TOWNSHIP 14 NORTH, RANGE 5 WEST, THIRD PRINCIPAL MERIDIAN

SITUATED IN THE COUNTY OF SANGAMON, STATE OF ILLINOIS.



AREA = ± 5.05 ACRES



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



EXPIRES: 11/30/10

Richard Tonello
 ILLINOIS PROFESSIONAL LAND SURVEYOR # 2590
 9-10-11
 DATE SIGNED

REVISIONS	DATE	BY

	GREENE & BRADFORD, INC. OF SPRINGFIELD	DATE 09-09-10
	CONSULTING ENGINEERS 3501 CONSTITUTION DRIVE SPRINGFIELD, ILLINOIS 62711 (217) 793-8844, (217) 793-6227 FAX PROFESSIONAL LAND SURVEYING FIRM NO. 048-000098	DRAWN DEFRATES PROJ. NO. 10001.16 FIELD BOOK X COMPUTER FILE NO. 10001-16AP-Stretch.dwg PLOT SCALE 1 = 100

J:\10001.16\DRAWINGS\10001-16AP-Stretch.dwg Fri, 09/10/2010 7:13am
 dcmd
 dms

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

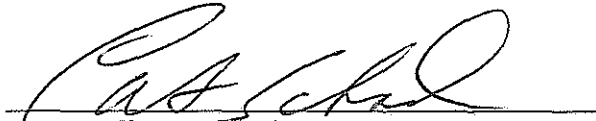
I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 10- 56 , adopted by the President and Board of Trustees of said Village on the 12 day of OCT , 2010, said Ordinance being entitled:

**AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT
WITH RANDALL W. AND BRENDA S. STRETCH**

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 12 day of OCT , 2010.



Village Clerk



RETURN TO:
PAT SEHAD
836 OXFORD
CHATHAM, IL 62629