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2011R20894

07/07/2011 04:08PM

REC FEE: 33.00

TOTAL: \$33.00

PAGES: 8

ANDREA

JOSHUA A. LANGFELDER
SANGAMON COUNTY RECORDER

Ordinance No. 11 - 20

**AN ORDINANCE APPROVING AN ANNEXATION
AGREEMENT WITH ROBERT E. TWYFORD**

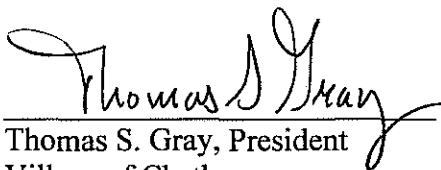
WHEREAS, on April 26th, 2011, pursuant to notice published as prescribed by statute, the corporate authorities of the Village of Chatham conducted a public hearing regarding an annexation agreement with Robert E Twyford copy of which is attached hereto.

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 Susan Tesar 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, President
Village of Chatham



ATTEST


Pat Schad, Village Clerk

AYES: 6 HERR MAU BOYLE REYNOLDS
KAVANACH SEATTEMAN
NAYS: 0
ABSENT: 0

PASSED: 4-26-11
APPROVED: 4-26-11

return to:
Prepared By:

VILLAGE OF CHATHAM
116 E. MULBERRY ST.
CHATHAM, ILLINOIS 62629

This Space for Recorder

ANNEXATION AGREEMENT

THIS AGREEMENT is made by Robert E Twyford (Owner"), and the Village of Chatham, Illinois (the "Village"), an Illinois municipal corporation, all of Sangamon County, Illinois, and is effective this 26th day of April, 2011.

WHEREAS, Robert E Twyford is the record Owner of property legally described as follows: Part of North Half of the Northeast Quarter of Section 13, Township 14 North, Range 6 West of the Third Principal Meridian described more particularly as follows: Commencing at a P.K. Nail marking the Northeast Corner of said Northeast of said Northeast Quarter; thence South 89 degrees 14 minutes 58 seconds West on the North line of said Northeast Quarter, 516.93 feet to a point on the West right of way line of the Illinois Traction System Railroad; thence South 20 degrees 08 minutes 25 seconds West on said West right of way line, 483.14 feet to a set iron pin, marking the point of beginning. From said point of beginning, thence continuing South 20 degrees 08 minutes 25 seconds West on said West right of way line, 364.42 feet to a set iron pin; thence South 89 degrees 14 minutes 58 seconds West, 643.61 feet to a set iron pin on the East right of way line of Illinois Route 4; thence North 20 degrees 43 minutes 40 seconds East on said east right of way line, 183.96 feet to a set iron pin; thence North 22 degrees 52 minutes 31 seconds East on said East right of way line, 184.76 feet to a set pin; thence North 89 degrees 14 minutes 58 seconds East 632.16 feet to the Point of beginning. Said Tract contains 5 acres, more or less, situated in Sangamon County, Illinois.

WHEREAS, the Property is located in unincorporated Sangamon County, Illinois, and is contiguous to the corporate limits of the Village;

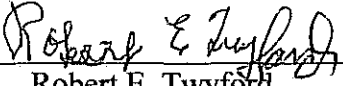
WHEREAS, Owner wishes to annex the Property to the Village and obtain an initial

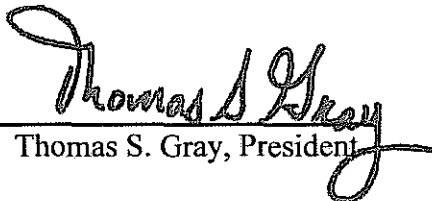
zoning upon annexation of I-1;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

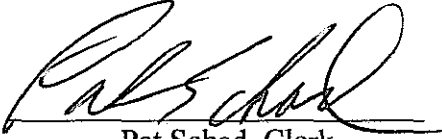
1. Owner has petitioned to annex the Property conditional upon this Agreement; a copy of the petition is attached hereto as an Exhibit.
2. Such annexation is be expressly conditioned and contingent upon the simultaneous zoning classification of the Property as I-1. Any ordinance annexing the Property or any part thereof without simultaneous initial zoning classification of I-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. 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.
4. 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.
5. 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.
6. 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.
7. The Village shall, at its expense, record this Agreement with the Sangamon County Recorder of Deeds within 30 days of its execution.

IN WITNESS WHEREOF, the parties have executed this Agreement on this 26th day of
April, 2011.


Robert E. Twyford


Thomas S. Gray, President

Attest:


Pat Schad, Clerk



PETITION FOR ANNEXATION

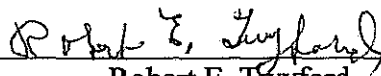
Robert E. Twyford (Petitioner"), being duly sworn on oath, hereby petition the Village of Chatham, pursuant to Section 7-1-8 of the Illinois Municipal Code, to annex within its corporate limits certain real estate, the legally described as follows:

Part of North Half of the Northeast Quarter of Section 13, Township 14 North, Range 6 West of the Third Principal Meridian described more particularly as follows: Commencing at a P.K. Nail marking the Northeast Corner of said Northeast of said Northeast Quarter; thence South 89 degrees 14 minutes 58 seconds West on the North line of said Northeast Quarter, 516.93 feet to a point on the West right of way line of the Illinois Traction System Railroad; thence South 20 degrees 08 minutes 25 seconds West on said West right of way line, 483.14 feet to a set iron pin, marking the point of beginning. From said point of beginning, thence continuing South 20 degrees 08 minutes 25 seconds West on said West right of way line, 364.42 feet to a set iron pin; thence South 89 degrees 14 minutes 58 seconds West, 643.61 feet to a set iron pin on the East right of way line of Illinois Route 4; thence North 20 degrees 43 minutes 40 seconds East on said east right of way line, 183.96 feet to a set iron pin; thence North 22 degrees 52 minutes 31 seconds East on said East right of way line, 184.76 feet to a set pin; thence North 89 degrees 14 minutes 58 seconds East 632.16 feet to the Point of beginning. Said Tract contains 5 acres, more or less, situated in Sangamon County, Illinois. A Plat of Survey and a Plat of Annexation is attached hereto as Exhibits, together with any public highways within such property or contiguous thereto.

Petitioners hereby state as follows:

1. The above-described territory is contiguous to the Village of Chatham, or will be contiguous at the time of annexation.
2. The above-described territory is not within the corporate limits of any municipality.
3. The petitioners are the sole owners of record of the property, and they are at least 51% of the electors residing therein.

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



Robert E. Twyford

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

VERIFICATION

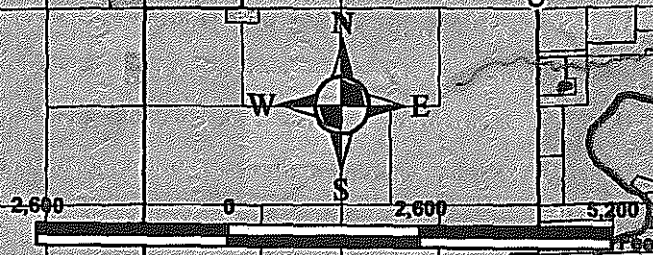
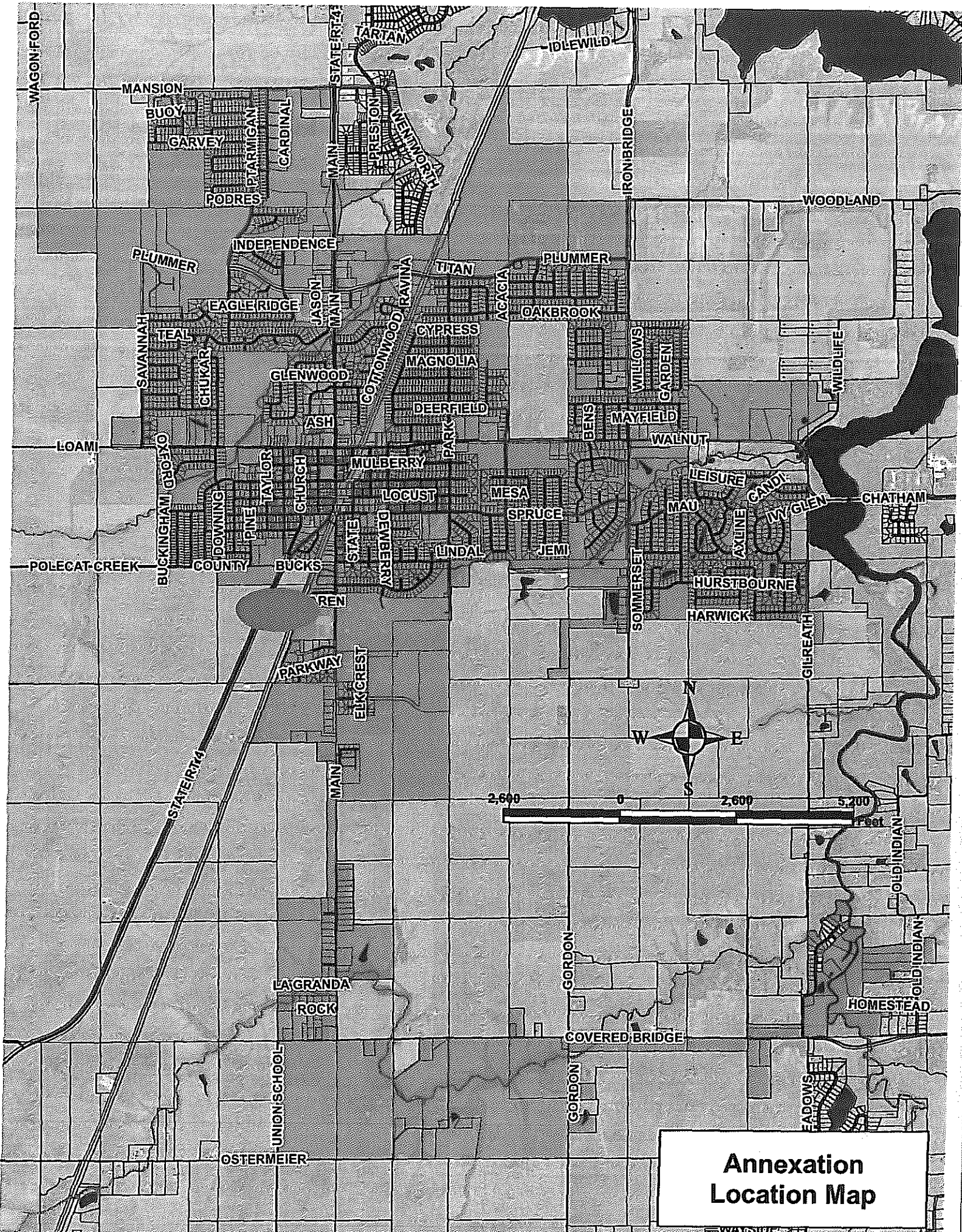
Robert E. Twyford, being duly sworn on his oath, depose and state that he has reviewed the foregoing Petition for Annexation, and the statements therein made are true and correct

Robert E. Twyford
Robert E. Twyford

SUBSCRIBED AND SWORN before me
this 26th day of April, 2011.

Jill A. Butler
Notary Public





**Annexation
Location Map**

PREPARED FOR
 STEVE COPP
 11068 CATHOLIC CEMETERY RD
 GLENARM IL
 & ROBERT TWYFORD
 9516 STATE RTE 4
 CHATHAM IL

OWNER
 ROTH NELLIE E
 c/o: BANK ONE FARM MGMT
 PO BOX 19266
 SPFLD IL 62794-9266

SURVEY PLAT
 CHATHAM TWP.

LEGEND

- IRON PIPE FOUND
- ⊙ IRON PIN SET
- △ PK NAIL SET
- (XXX.X) DEED OR RECORD
- SURVEYED BOUNDARY

PLAT OF SURVEY

PART OF NORTH HALF NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 14 NORTH, RANGE 6 WEST, THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS.

28-13-200-022

N 89°14'58" E
 632.16'

TOTAL AREA
 217811 SQ. FT. ±
 5.000 ACRES ±

S 89°14'58" W
 643.61'
 N 89°14'58" E

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN AND BEING A PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 14 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT A SET P.K. NAIL MARKING THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 14 MINUTES 58 SECONDS WEST ON THE NORTH LINE OF SAID NORTHEAST QUARTER, 516.93 FEET TO A POINT ON ON THE WEST RIGHT OF WAY LINE OF THE ILLINOIS TRACTION SYSTEM RAILROAD; THENCE SOUTH 20 DEGREES 08 MINUTES 25 SECONDS WEST ON SAID WEST RIGHT OF WAY LINE, 483.14 FEET TO A SET IRON PIN, MARKING THE POINT OF BEGINNING;

FROM SAID POINT OF BEGINNING; THENCE CONTINUING SOUTH 20 DEGREES 08 MINUTES 25 SECONDS WEST ON SAID WEST RIGHT OF WAY LINE, 364.42 FEET TO A SET IRON PIN; THENCE SOUTH 89 DEGREES 14 MINUTES 58 SECONDS WEST, 643.61 FEET TO A SET IRON PIN ON THE EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE 4; THENCE NORTH 20 DEGREES 43 MINUTES 40 SECONDS EAST ON SAID EAST RIGHT OF WAY LINE, 183.96 FEET TO A SET IRON PIN; THENCE NORTH 22 DEGREES 52 MINUTES 31 SECONDS EAST ON SAID EAST RIGHT OF WAY LINE, 184.76 FEET TO A SET IRON PIN; THENCE NORTH 89 DEGREES 14 MINUTES 58 SECONDS EAST, 632.16 FEET TO THE POINT OF BEGINNING, CONTAINING 5.000 ACRES MORE OR LESS; ALL AS PER SURVEY IN APRIL OF 2011 OF HANS B. DISTLEHORST PROFESSIONAL LAND SURVEYOR #035-3271.

NORTH LINE, NE 1/4,
 SECTION 13

S 89°14'58" W
 516.93'

POC
 PK NAIL SET @
 NE COR SECTION
 13-14N-6W
 3RD PM

SCALE: 1" = 100'



REMAINDER OF 22-13-400-029 TO BE
 COMBINED WITH PARCEL
 28-13-400-018

NOTES:

"THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY".

NO SEARCH WAS PERFORMED BY THE SURVEYOR FOR THIS SURVEY WHICH MAY DISCLOSE ANY RECORDS OF EASEMENTS, RIGHT OF WAYS, VACATIONS, ENCUMBRANCES, OR OTHER FACTS RELATED TO THIS PROPERTY.

BASIS OF BEARINGS FROM OPUS GPS OBSERVATION, NAD83, IL WEST.

THE ABOVE DESCRIBED PLAT IS LOCATED IN ZONE X FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. CPN# 17167C0415C, EFFECTIVE DATE AUGUST 2, 2007.

PART OF TAX ID: 28-13-200-029

FIELD WORK COMPLETED APRIL 13, 2011

Sangamon Valley Surveying & Consulting, P.C.
 5560 GRIFFITT LANE, RIVERTON, IL 62561
 Ph./fax (217)629-7773 or (217)652-6772
 Professional Design Firm No. 184-004490
 Drawn by: HBD Date: 4-15-2011
 Job No.: 2011-003(029) Sheet 1 of 2



ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3271
 LICENSE EXPIRES NOVEMBER 30, 2012

