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DENNIS KNOBLOCH
MONROE COUNTY RECORDER
WATERLOO, IL

RECORDED ON

05/04/2018 09:31:58AM

MISC R FEE: 61.00

PAGES: 16

BOOK _____ PAGE _____

**CITY OF COLUMBIA, ILLINOIS
ORDINANCE NO. 3378**

**AN ORDINANCE ANNEXING AND ZONING CERTAIN TERRITORY IN
THE CITY OF COLUMBIA, ILLINOIS - WAYNE BAKER**

- WHEREAS, the City of Columbia ("City"), Monroe and St. Clair Counties, Illinois, is a duly created, organized and validly existing municipality of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and
- WHEREAS, Wayne Baker, ("Petitioner") owner of record, has submitted an Annexation Petition for the territory ("Territory") described in Exhibit A and shown graphically on Exhibit B; and
- WHEREAS, said territory contains 2.53 acres more or less and is associated with Parcel ID: 04-05-100-003-000; and
- WHEREAS, the said territory is not within the corporate limit of any municipality but is wholly bounded by the City; and
- WHEREAS, legal notice was published on March 2, 2018, in a newspaper of general circulation, within the territory which will be annexed on April 2, 2018; and
- WHEREAS, legal notice was served by certified mail on the taxpayer of record of the proposed annexed territory not less than fifteen (15) days before the passage of this annexation ordinance;
- WHEREAS, legal notice regarding the intention of the City to annex said territory has been sent by certified mail to all public bodies required to receive such notice by state statute not less than ten (10) days before the passage of this annexation ordinance; and

WHEREAS, both the City and the Petitioner have agreed to the terms of annexation set forth in the Annexation Agreement, incorporated herewith as Exhibit C; and

WHEREAS, all documents and other necessary legal requirements are in full compliance with the statutes of the State of Illinois Municipal Code; and

WHEREAS, it is in the best interests of the City of Columbia that the territory be annexed thereto.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Columbia, Monroe and St. Clair Counties, Illinois, as follows:

Section 1: That the recitations in the upper part of this ordinance be restated, realleged, and adopted as paragraph one (1).

Section 2: That the Territory described in Exhibit A and which is indicated on an accurate map in Exhibit B, is hereby annexed to the City of Columbia Illinois.

Section 3: That the Territory is hereby zoned A-1 Agricultural District.

Section 4: That the Territory is subject to all terms and conditions set forth in the Annexation Agreement incorporated herewith as Exhibit C.

Section 5: That the City Clerk is hereby directed to record with the Recorder and to file with the County Clerk a certified copy of this Ordinance, together with the accurate map of the territory annexed appended to the Ordinance.

Section 6: That this Ordinance shall be in full force and effect from and after its passage and approval.

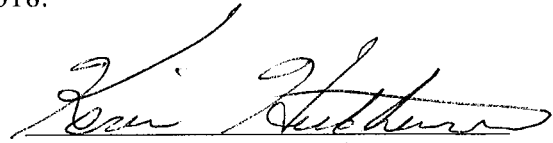
YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Reis, Holtkamp, and Martens.

NAYS: None.

ABSTENTIONS: None.

ABSENT: None.

PASSED and APPROVED this 2nd day of April, 2018.



KEVIN B. HUTCHINSON

Mayor

City of Columbia

ATTEST:



WESLEY J. HOEFFKEN

City Clerk

City of Columbia

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

CERTIFICATE OF TRUE COPY

I, Wesley J. Hoeffken, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois, and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 3378, entitled:

**“AN ORDINANCE ANNEXING AND ZONING CERTAIN TERRITORY IN
THE CITY OF COLUMBIA, ILLINOIS - WAYNE BAKER”**

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois, City Council held on the 2nd day of April, 2018.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 2nd day of April, 2018.



WESLEY J. HOEFFKEN, City Clerk

(SEAL)

Exhibit A

THAT PART OF FRACTIONAL SECTION FIVE (5) TOWNSHIP 1 SOUTH, RANGE 10 WEST OF THE 3RD. P. M. MONROE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF U.S. SURVEY 431 WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE GULF, MOBILE AND OHIO RAILROAD, THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE GULF, MOBILE, & OHIO RAILROAD, TO A POINT IN THE NORTHEASTERLY RIGHT OF WAY LINE OF FEDERAL AID ROUTE NO. 132; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF FEDERAL AID ROUTE NO. 132, TO A POINT 13.75 CHAINS EAST OF THE WEST LINE OF FRACTIONAL SECTION FIVE (5); THENCE NORTH ALONG A LINE PARALLEL TO THE WEST LINE OF FRACTIONAL SECTION FIVE (5) TO THE NORTHEAST CORNER OF A 12.5 ACRE TRACT OF LAND KNOWN AS THE RITTER LAND; THENCE WEST ALONG THE NORTH LINE OF THE RITTER LAND, A DISTANCE 13.75 CHAINS TO THE NORTHWEST CORNER OF THE RITTER LAND; THENCE NORTH ALONG THE WEST LINE OF FRACTIONAL SECTION FIVE (5), TO ITS INTERSECTION WITH THE SOUTHEASTERLY LINE OF U.S. SURVEY 431; THENCE IN A NORTHEASTERLY DIRECTION ALONG THE SOUTHEASTERLY LINE OF U.S. SURVEY 431 TO THE POINT OF BEGINNING, CONTAINING 21.8 ACRES, MORE OR LESS, SUBJECT TO THE RIGHTS OF THE PUBLIC IN ALL EXISTING PUBLIC ROADS. ALSO, SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

EXCEPTING:

PART OF TAX LOT 7-B OF FRACTIONAL SECTION 5, TOWNSHIP 1 SOUTH, RANGE 10 WEST OF THE THIRD PRINCIPAL MERIDIAN, MONROE COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT WHICH MARKS THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 28-A WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE GULF, MOBILE, AND OHIO RAILROAD (ABANDONED); THENCE AT AN ASSUMED BEARING OF SOUTH 22°-57'-04" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 28-A, A DISTANCE OF 498.90 FEET TO AN IRON BAR WHICH MARKS THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE SOUTH 74°-26'-45" EAST, A DISTANCE OF 503.27 FEET TO AN IRON BAR; 74°-26'-45" WEST, A DISTANCE OF 529.80 FEET TO AN IRON BAR WHICH LIES ON SAID EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 28-A; THENCE NORTH 22°-18'-6" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 28-A, A DISTANCE OF 171.57 FEET TO AN IRON BAR; THENCE NORTH 22°-57'-04" EAST CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 28-A, A DISTANCE OF 49.46 FEET TO THE POINT OF BEGINNING.

FURTHER EXCEPTING:

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FURTHER EXCEPTING:

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ALSO,

ALL THAT PORTION OF THE ORIGINAL 100' WIDE RIGHT-OF-WAY OF THE ILLINOIS CENTRAL GULF RAILROAD COMPANY'S ABANDONED SPARTA DISTRICT, EXTENDING NORTHWESTERLY ACROSS THE NORTHERN PORTION OF SECTION 5, T 1 S, R 10 W, AND THE SOUTHERN PORTION OF SURVEY 431-CLAIM 337, MONROE COUNTY, ILLINOIS, APPROXIMATELY 1977' AS MEASURED ALONG

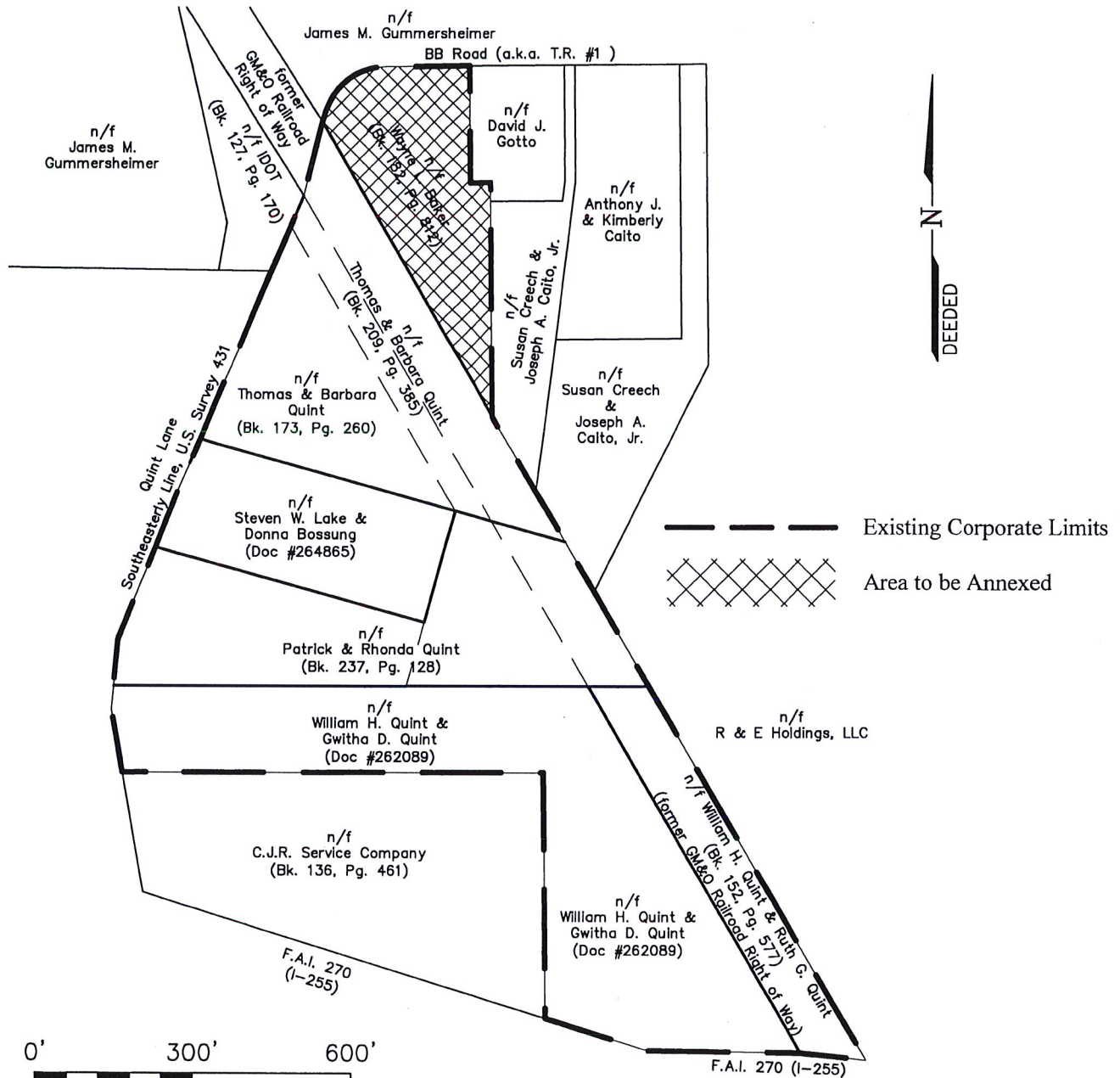
THE CENTER OF SAID 100' STRIP, FROM THE NORTH LINE OF THAT 2.53 ACRE EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF A GRADE SEPARATION GRANTED TO THE STATE OF ILLINOIS, DEPT. OF TRANSPORTATION 12-14-1978 AT RAILROAD VALUATION STATION 3341+47.78, TO THE CENTER OF A PUBLIC ROAD CROSSING AT VALUATION STATION 33461+25.

PERMANENT REAL ESTATE INDEX NUMBER 04-05-300-001-000.

Annexation Plat

Exhibit B

of Part of Fractional Section 5
Township 1 South, Range 10 West
of the Third Principal Meridian, Monroe County, Illinois



0' 300' 600'



SCALE: 1" = 300'

THIS IS TO CERTIFY THAT AT THE REQUEST OF JAMES MORANI, CITY ADMINISTRATOR, CITY OF COLUMBIA, I HAVE PREPARED THIS PLAT BASED UPON LEGAL DESCRIPTIONS, TAX MAPS, AND NOT BY AN ACTUAL LAND SURVEY.



HENEGHAN AND ASSOCIATES, P.C.

ENGINEERS ~ SURVEYORS

310A Vision Drive

Columbia, Illinois 62236

(618)281-8133 FAX: (618)281-8290

www.haengr.com

Project No. 60000-132

PROFESSIONAL DESIGN FIRM REGISTRATION NO: 184-002892

EXPIRES: APRIL 30, 2019

JAMES M. VOGT

I.P.L.S. NO. 3669

EXP. DATE 11-30-18

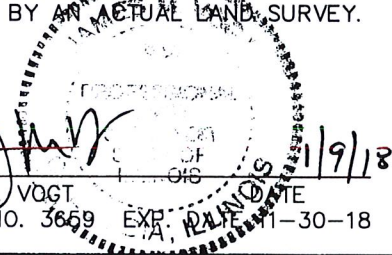


EXHIBIT C

Annexation Agreement by and between the City of Columbia and Wayne Baker

This Annexation Agreement is made and entered into this 2nd day of April, 2018 by and between the City of Columbia ("City"), Monroe and St. Clair Counties, Illinois, a duly created, organized and validly existing municipality of the State of Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, and Wayne Baker ("Owner"), record owner of the property described within this agreement.

Whereas, the City desires to annex the property legally described in Exhibit A ("Property"), shown in map form in Exhibit B, and on a Plat of Annexation in Exhibit C; and

Whereas, the Owner of the Property desires to annex said Property to the City of Columbia; and

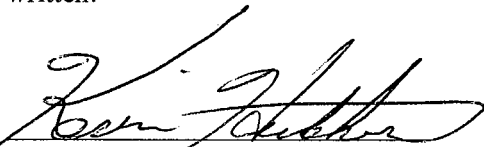
Whereas, the Property is not located within the corporate limit of any municipality but is contiguous to the City of Columbia's corporate boundary; and


Whereas, this agreement shall remain in full force and effect for a period of twenty (20) years from the date of its approval; and

Now, therefore, in consideration of the premises and the mutual covenants and agreement contained herein, it is mutually agreed by and between the parties hereto, that:

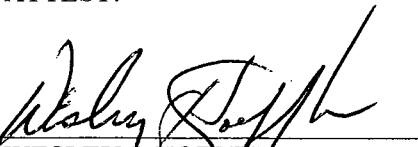
1. The City shall waive the tap-in fees associated with the water and sewer connection, up to a one inch (1") maximum meter size, when service becomes available to the property. Said fees will only be waived for the Property and not for any subsequent divisions or subdivisions of land. The Owner shall be responsible for all remaining meter, material, and labor costs associated with water and/or sewer connection.
2. Upon annexation, the property will be zoned A-1 Agricultural District.
3. Owner agrees that they will not attempt to disconnect the Property from the City.
4. The City Clerk of the City of Columbia will record this agreement with the County Clerk.

In witness thereof, the parties hereto have made and entered into this agreement on the date first above written.


KEVIN B. HUTCHINSON
Mayor, City of Columbia


Wayne Baker
Property Owner

ATTEST:


WESLEY J. HOEFFKEN
City Clerk, City of Columbia

ATTEST:

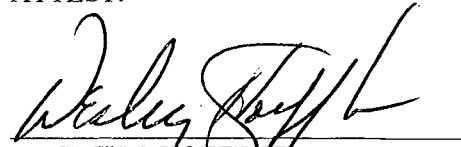

WESLEY J. HOEFFKEN
City Clerk, City of Columbia

Exhibit A

THAT PART OF FRACTIONAL SECTION FIVE (5) TOWNSHIP 1 SOUTH, RANGE 10 WEST OF THE 3RD. P. M. MONROE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

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FURTHER EXCEPTING:

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FURTHER EXCEPTING:

PART OF TAX LOT 7-B OF FRACTIONAL SECTION 5, TOWNSHIP 1, SOUTH, RANGE 10 WEST OF THE THIRD PRINCIPAL MERIDIAN, MONROE COUNTY, ILLINOIS, BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

COMMENCING AT AN OLD IRON BAR WHICH MARKS THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 28-A WITH SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE GULF, MOBILE AND OHIO RAILROAD (ABANDONED); THENCE AT AN ASSUMED BEARING OF SOUTH 22°-57'-04" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 28-A, A DISTANCE OF 548.36 FEET TO AN IRON BAR; THENCE SOUTH 22°-18'-16" WEST CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 28-A, A DISTANCE OF 361.68 FEET TO AN IRON BAR; THENCE SOUTH 4°-46'-40" WEST, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 28-A, A DISTANCE OF 88.00 FEET TO A POINT; THENCE NORTH 89°-55'-47" EAST, A DISTANCE OF 556.25 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE NORTH 15°-33'-15" EAST, A DISTANCE OF 344.86 FEET TO A POINT; THENCE SOUTH 74°-26'-45" EAST, A DISTANCE OF 215.70 FEET TO A POINT WHICH LIES ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE GULF, MOBILE AND OHIO RAILROAD (ABANDONED); THENCE SOUTH 30°-22'-00" EAST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 317.37 FEET TO A POINT; THENCE SOUTH 89°-55'-47" WEST, A DISTANCE OF 460.71 FEET TO A POINT OF BEGINNING.

ALSO,

ALL THAT PORTION OF THE ORIGINAL 100' WIDE RIGHT-OF-WAY OF THE ILLINOIS CENTRAL GULF RAILROAD COMPANY'S ABANDONED SPARTA DISTRICT, EXTENDING NORTHWESTERLY ACROSS THE NORTHERN PORTION OF SECTION 5, T 1 S, R 10 W, AND THE SOUTHERN PORTION OF SURVEY 431-CLAIM 337, MONROE COUNTY, ILLINOIS, APPROXIMATELY 1977' AS MEASURED ALONG

THE CENTER OF SAID 100' STRIP, FROM THE NORTH LINE OF THAT 2.53 ACRE EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF A GRADE SEPARATION GRANTED TO THE STATE OF ILLINOIS, DEPT. OF TRANSPORTATION 12-14-1978 AT RAILROAD VALUATION STATION 3341+47.78, TO THE CENTER OF A PUBLIC ROAD CROSSING AT VALUATION STATION 33461+25.

PERMANENT REAL ESTATE INDEX NUMBER 04-05-300-001-000.

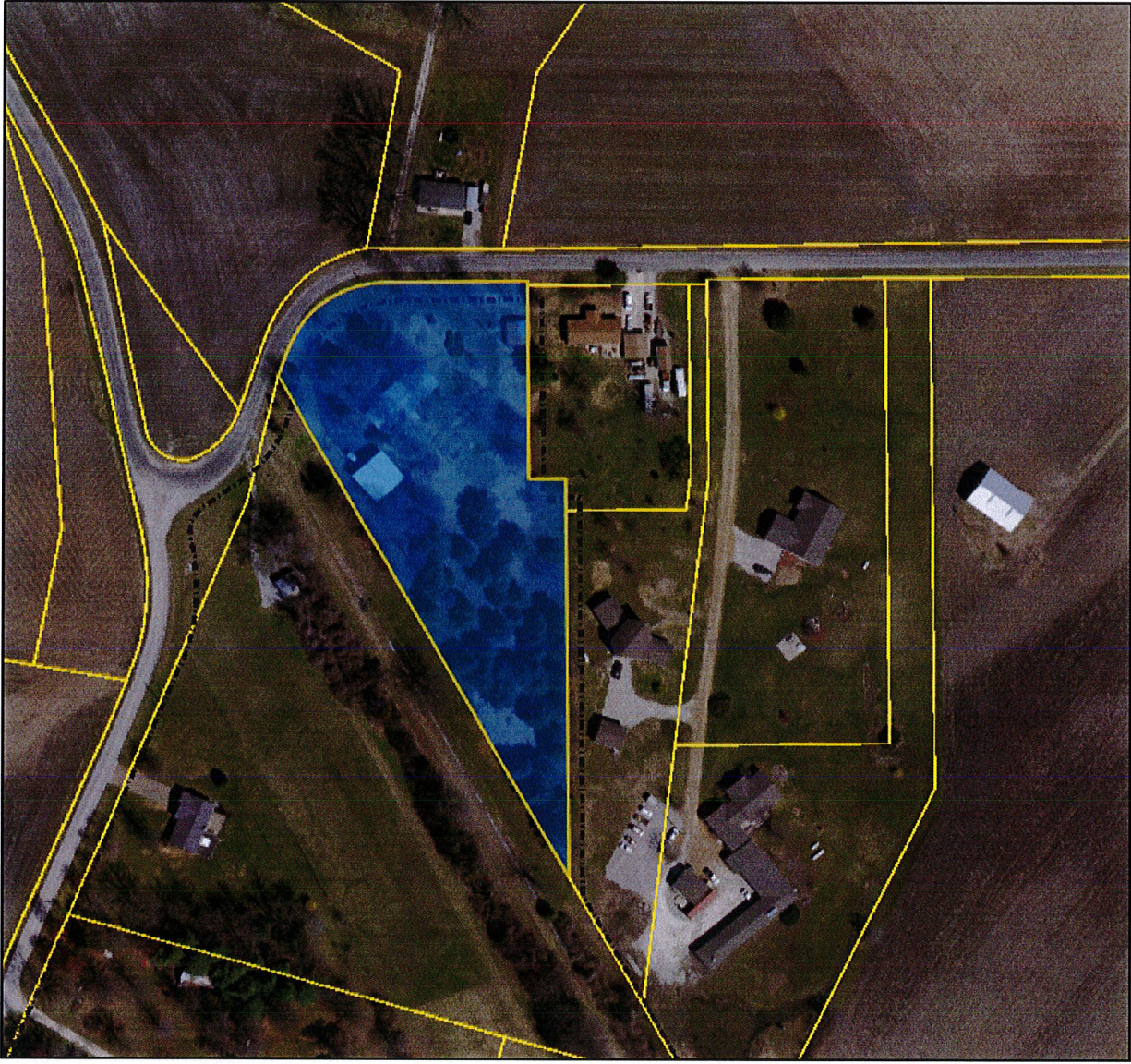


Exhibit B

04-05-100-003-000



City Limit
Parcels



0 188
Feet

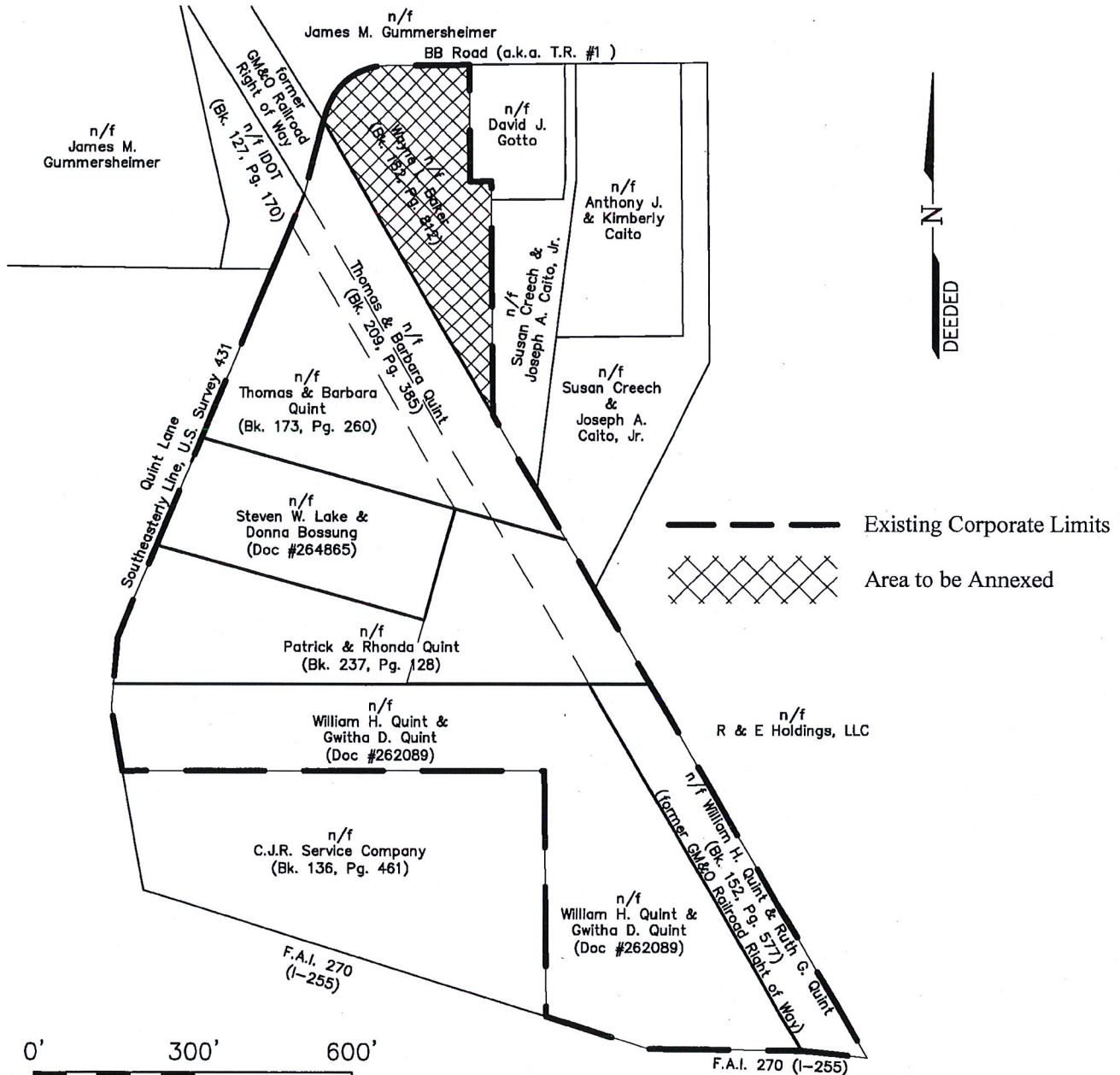
July 31, 2017

EF



Prepared By HORNER SHIRAIN

Exhibit C



THIS IS TO CERTIFY THAT AT THE REQUEST OF JAMES MORANI, CITY ADMINISTRATOR, CITY OF COLUMBIA, I HAVE PREPARED THIS PLAT BASED UPON LEGAL DESCRIPTIONS, TAX MAPS, AND NOT BY AN ACTUAL LAND SURVEY.



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(618)281-8133 FAX: (618)281-8290
www.haengr.com
Project No. 60000-132

PROFESSIONAL DESIGN FIRM REGISTRATION NO: 184-002892
EXPIRES: APRIL 30, 2019

JAMES M. VOGT
I.P.L.S. NO. 3659 EXP. DATE 11-30-18