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DENNIS KNOBLOCH  
MONROE COUNTY RECORDER  
WATERLOO, IL  
RECORDED ON

05/04/2018 09:32:05AM

MISC R FEE: 52.00

PAGES: 7

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

## **ORDINANCE NO. 3385**

### **AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT BETWEEN THE CITY OF COLUMBIA, ILLINOIS AND ERNEST AND CONSTANCE EVERETT FOR A TRACT OF PROPERTY COMPRISING APPROXIMATELY 5.70 ACRES**

**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**, the City has determined and hereby declares that is in the best interest of the City to enter into an annexation agreement with Ernest and Constance Everett, owners of a tract of land approximately 5.70 acres in size ("Property") and adjacent to the City; and

**WHEREAS**, the said written Annexation Agreement ("Agreement") has been prepared and a copy of the same is attached hereto and incorporated herewith; and

**WHEREAS**, all requirements set forth in 65 ILCS 5/11 pertaining to Annexation Agreements have been met; and

**WHEREAS**, it is necessary and appropriate that the City enact this Ordinance to authorize and approve the Annexation Agreement incorporated herewith as Exhibit A and authorize the Mayor to enter into said agreement on behalf of the City.

**NOW, THEREFORE, IT BE ORDAINED**, by the City Council of the City of Columbia, Illinois as follows:

**Section 1.** The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of the Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

**Section 2.** The Mayor is hereby authorized and directed to execute and deliver the Annexation Agreement for and on behalf of the City and the City Clerk is hereby authorized and directed to attest the same and affix thereto the Corporate Seal of the City.

**Section 3.** This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

**Section 4.** The City Clerk or his designee is authorized and directed to record in the office of the Recorder of Deeds in and for Monroe County, Illinois, a copy of the fully executed Annexation Agreement, with a certified true copy of this Ordinance attached thereto.

Alderman Holtkamp moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Roessler and the roll call vote was as follows:

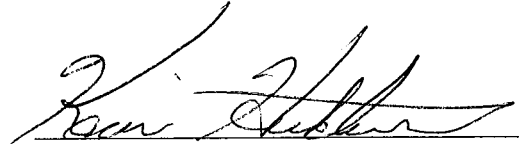
YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Reis, Holtkamp, and Martens.

NAYS: None.

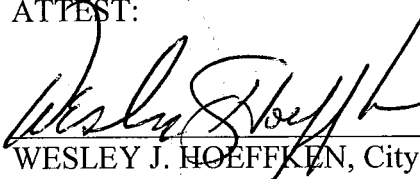
ABSTENTIONS: None.

ABSENT: None.

PASSED by the City Council and APPROVED by the Mayor this 2<sup>nd</sup> day of April, 2018.

  
\_\_\_\_\_  
KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
\_\_\_\_\_  
WESLEY J. HOEFFKEN, City Clerk

STATE OF ILLINOIS       )  
                                      ) SS  
COUNTY OF MONROE     )

**CERTIFICATE OF TRUE COPY**

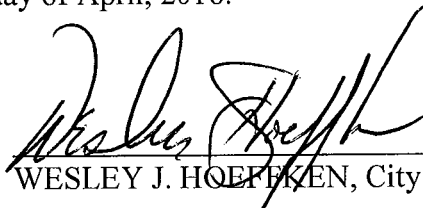
I, Wesley J. Hoeffken, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois, and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 3385, entitled:

**“AN ORDINANCE AUTHORIZING THE EXECUTION OF AN  
ANNEXATION AGREEMENT BETWEEN THE CITY OF COLUMBIA, ILLINOIS  
AND ERNEST AND CONSTANCE EVERETT FOR A TRACT OF PROPERTY  
COMPRISING APPROXIMATELY 5.70 ACRES”**

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 2<sup>nd</sup> day of April, 2018.

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

  
\_\_\_\_\_  
WESLEY J. HOEFFKEN, City Clerk

(SEAL)

**Annexation Agreement by and between the City of Columbia and Ernest D. & Constance S. Everett**

This Annexation Agreement is made and entered into this <sup>2nd</sup> ~~7th~~ day of ~~Feb~~ <sup>April</sup>, 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 Ernest D. & Constance S. Everett ("Owners"), record owners 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 Owners 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

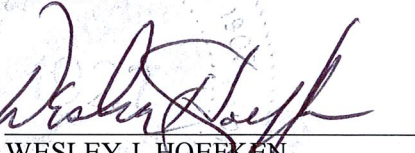
**Now, therefore**, in consideration of the premises and the mutual covenants and agreement contained herein, it is mutually agreed by and between the parties hereto, that:

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.

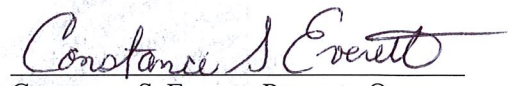
**In witness thereof**, the parties hereto have made and entered into this agreement on the date first above written.

  
KEVIN B. HUTCHINSON  
Mayor, City of Columbia

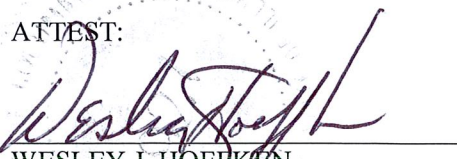
ATTEST:

  
WESLEY J. HOEPKEN  
City Clerk, City of Columbia

  
Ernest D. Everett, Property Owner

  
Constance S. Everett, Property Owner

ATTEST:

  
WESLEY J. HOEPKEN  
City Clerk, City of Columbia

### **Exhibit A**

ALL THAT PART OF LOT NUMBER TWO (2) AND LOT NUMBER (3) IN THE SUBDIVISION OF CHAS. MITWEIDE'S LAND IN SURVEY 773, CLAIM 2053 LYING EAST OF THE GULF, MOBILE AND OHIO RAILROAD COMPANY FORMERLY THE MOBILE AND OHIO RAILROAD COMPANY RIGHT-OF-WAY; EXCEPT A STRIP OF GROUND SOLD BY JOHN GUNDLACH TO PETER FRIERDICH FOR RIGHT-OF-WAY FOR A RAILROAD SWITCH TO QUARRY, AND EXCEPTING ALSO THE RIGHT-OF-WAY TAKEN BY THE EAST ST. LOUIS, COLUMBIA AND WATERLOO RAILWAY, AS SHOWN BY COUNTY RECORDS, AND BEING THE SAME LANDS ACQUIRED BY JACOB RAU BY WARRANTY DEED DATED AUGUST 27, 1920, FROM JOHN RIES, ET. AL. AS SHOWN BY DEED RECORD BOOK 45 ON PAGE 147 IN THE OFFICE OF THE RECORDER OF DEEDS OF MONROE COUNTY, ILLINOIS.

ALSO:

A PARCEL OF LAND IN SURVEY 773, CLAIM 2053, IN TOWNSHIP OF ONE SOUTH, RANGE TEN WEST OF THE 3<sup>RD</sup> PRINCIPAL MERIDIAN, MONROE COUNTY, ILLINOIS, BEING A PART OF LOTS 2, 3, AND 4 OF "CHARLES MITWEIDE'S SUBDIVISION OF A PART OF SURVEY 773", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK A ON PAGE 20 OF THE MONROE COUNTY RECORDS, AND BEING ALL OF SAID LOTS 2, 3, AND 4 WHICH LIE WITHIN A TRACT CONVEYED TO CHARLES W. TODD, JR AND VIRGINA TODD, HIS WIFE, BY DEED RECORDED IN BOOK 78 PAGE 165 OF THE MONROE COUNTY RECORDS; THE PARCEL HERE DESCRIBED CONTAINING 1.5 ACRES, MORE OR LESS.

ALSO:

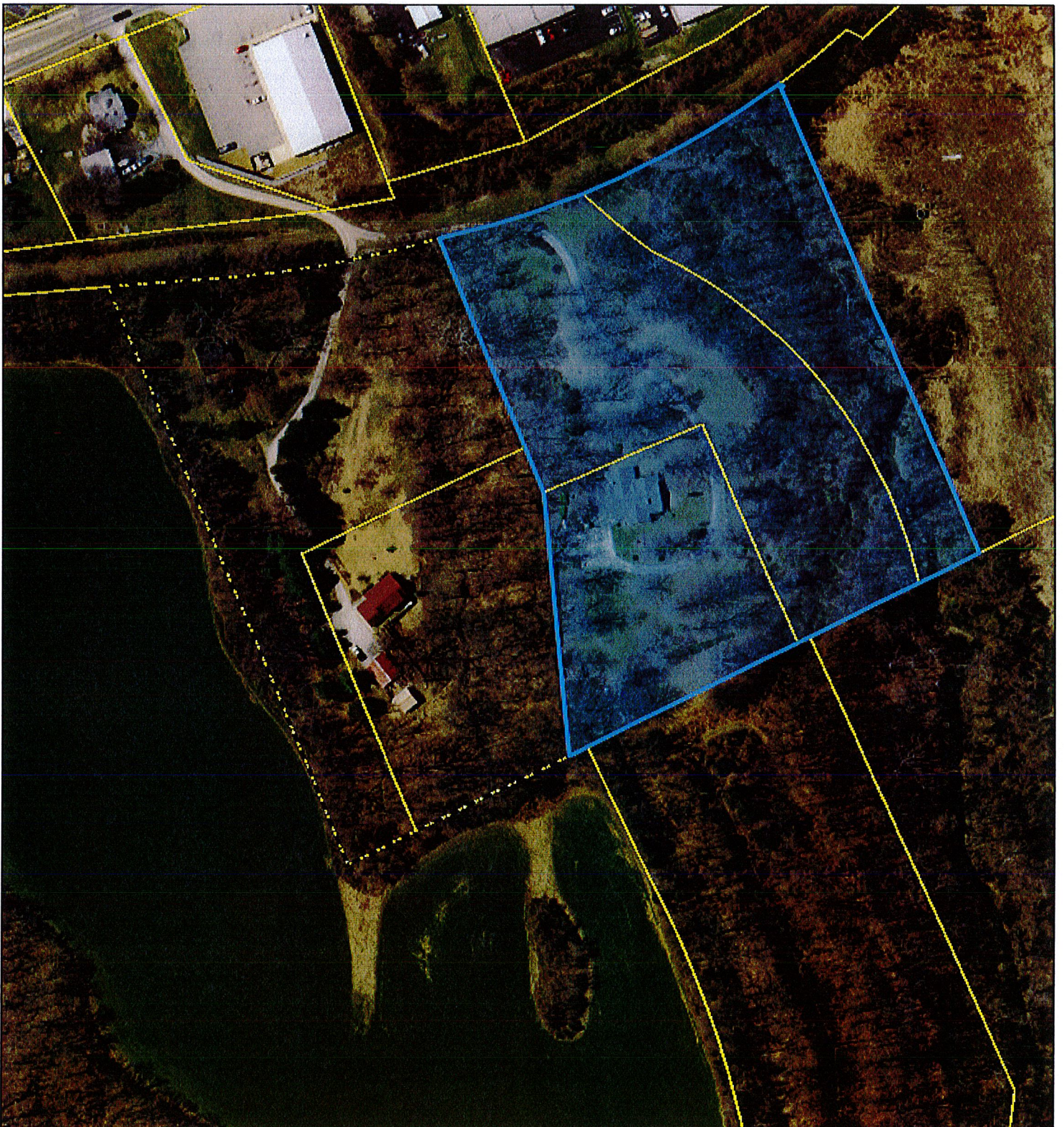
A STRIP OF LAND 60 FEET WIDE, BEING 30 FEET WIDE ON EITHER SIDE OF AND PARALLEL TO THE CENTER OF THE SPUR TO QUARRY OF PETER FRIERDICH NEAR COLUMBIA, ILLINOIS, BEGINNING WHERE SAID 30 FEET LINE WOULD LEAVE THE LINE OF THE RIGHT-OF-WAY OF THE ST. LOUIS & CAIRO R.R., WHICH POINT IS 85 FEET NORTHWARDLY, MEASURED ALONG THE CENTERLINE OF SAID ST. LOUIS & CAIRO R.R. FROM WHERE THE SOUTHERLY LINE OF THE LAND OF JOHN GUNDLACH CROSSES SAID ST. LOUIS & CAIRO R.R.; THENCE RUNNING 30 FEET FROM AND PARALLEL TO A 20° CURVE FOR 430 FEET; THENCE IN A STRAIGHT LINE, FROM AND PARALLEL TO SAID CENTERLINE TO A TANGENT FOR 260 FEET TO THE EASTERLY LINE OF SAID JOHN GUNDLACH'S LAND, SAID TANGENT CROSSING SAID EASTERLY LINE AT A POINT 80 FEET SOUTHWARDLY FROM THE N.E. CORNER OF SAID TRACT OF LAND, SAID POINT BEING 690 FEET FROM THE POINT OF BEGINNING, MEASURING ALONG SAID CENTERLINE OF SAID QUARRY SPUR. THE ABOVE DESCRIBED STRIP CONTAINS 0.813 ACRE, MORE OR LESS. THE ABOVE DESCRIBED STRIP OF LAND IS THE RIGHT-OF-WAY ACROSS JOHN GUNDLACH'S LAND FOR THE SPUR TO QUARRY NEAR COLUMBIA, MONROE COUNTY, ILLINOIS. SAID STRIP OF LAND IS SITUATED IN SECTION NUMBER 22, T. 1 S., R. 10 W., SURVEY 773, CLAIM 2053.

PERMANENT REAL ESTATE INDEX NUMBERS 04-22-201-006-000, 04-22-201-007-000 & 04-22-201-008-000.



Exhibit B

04-22-201-006-000  
and  
04-22-201-007-000  
and  
04-22-201-008-000



0 188

Feet

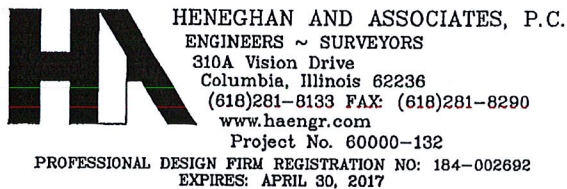
July 31, 2017

EF





of Part of Lots 2, 3, 4, 5, & 6 of Charles Mitweide's Subdivision  
of part of U.S. Survey 773, Claim 2053  
Township 1 South, Range 10 West  
of the Third Principal Meridian, Monroe County, Illinois



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 SURVEY.

