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DENNIS KNOBLOCH  
MONROE COUNTY RECORDER  
WATERLOO, IL  
RECORDED ON  
05/04/2018 09:32:06AM  
MISC R FEE: 55.00  
PAGES: 10  
BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

**CITY OF COLUMBIA, ILLINOIS  
ORDINANCE NO. 3386**

**AN ORDINANCE ANNEXING AND ZONING CERTAIN TERRITORY IN  
THE CITY OF COLUMBIA, ILLINOIS - ERNEST AND CONSTANCE  
EVERETT**

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, Ernest and Constance Everett, ("Petitioners") 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 5.70 acres more or less and is associated with Parcel IDs: 04-22-201-006-000, 04-22-201-007-000, 04-22-207-008-000; 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 Petitioners 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

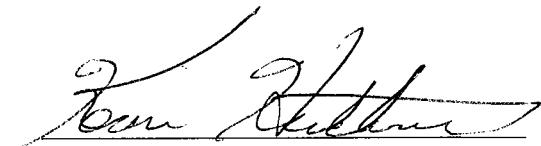
Martens.

NAYS: None.

ABSTENTIONS: None.

ABSENT: None.

PASSED and APPROVED this 2<sup>nd</sup> day of April, 2018.

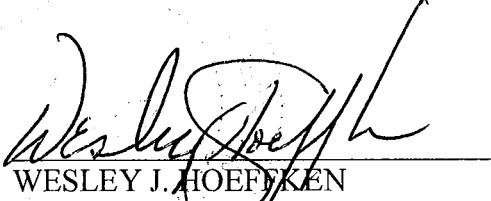


KEVIN B. HUTCHINSON

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. 3386 entitled:

**“AN ORDINANCE ANNEXING AND ZONING CERTAIN TERRITORY IN  
THE CITY OF COLUMBIA, ILLINOIS - ERNEST AND CONSTANCE  
EVERETT”**

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  
WESLEY J. HOEFFKEN, City Clerk

(SEAL)

### 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 VIRGINIA 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:

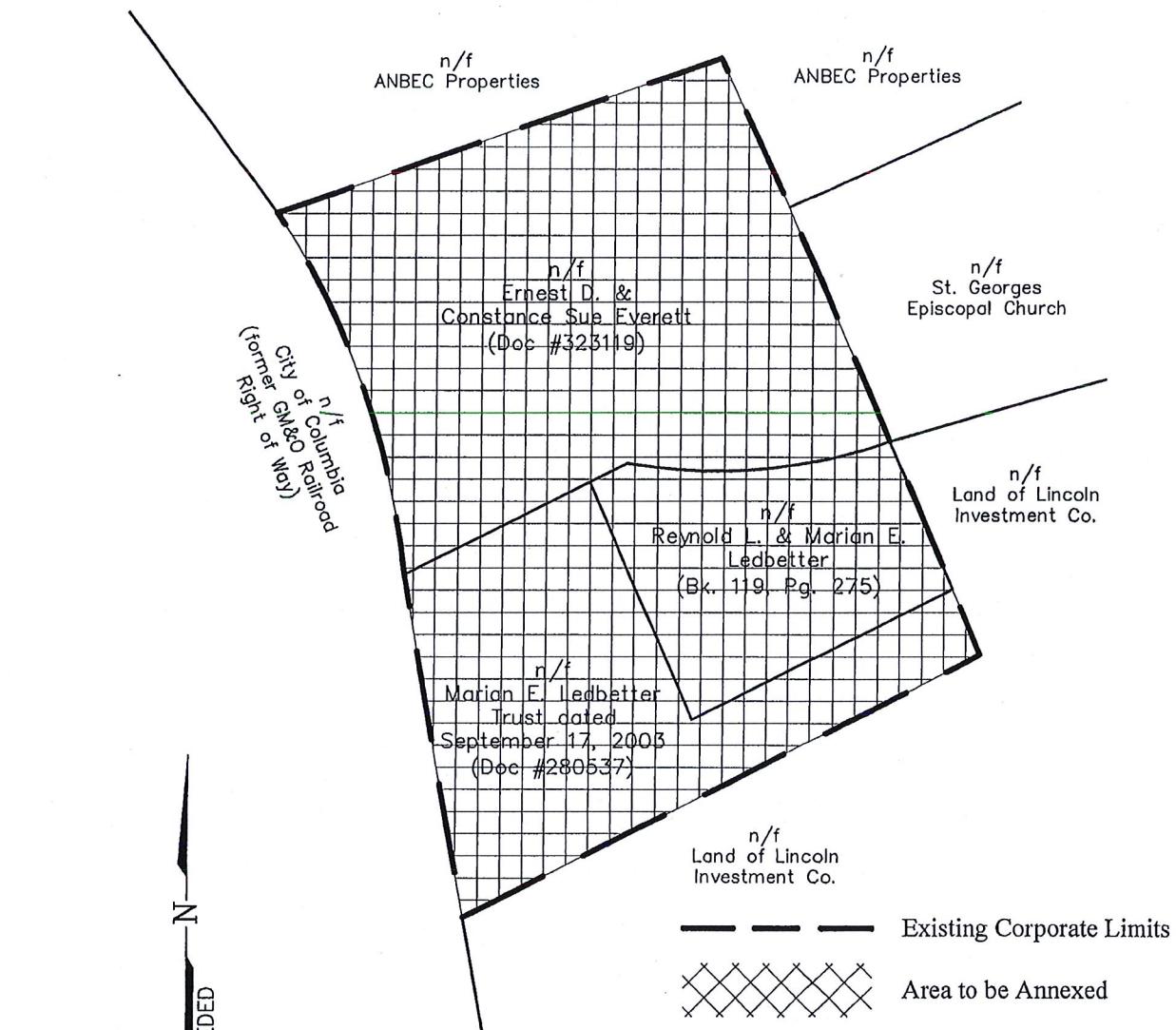
A STRIP OF LAND 60 FEET WIDE, BEING 30 FEET WIDE ON EITHER SIDE OF AND PARALLEL TO THE CENTER OF THE SPUR TO QUARRY OF PETER FRIERDICH NEAR COLUMBIA, ILLINOIS, BEGINNING WHERE SAID 30 FEET LINE WOULD LEAVE THE LINE OF THE RIGHT-OF-WAY OF THE ST. LOUIS & CAIRO R.R., WHICH POINT IS 85 FEET NORTHWARDLY, 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.

# Annexation Plat

Exhibit B

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



0' 200' 400'



SCALE: 1" = 200'

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](http://www.haengr.com)

Project No. 60000-132

PROFESSIONAL DESIGN FIRM REGISTRATION NO: 184-002692  
 EXPIRES: APRIL 30, 2017

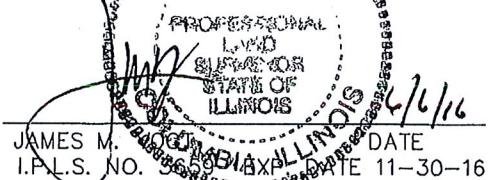


EXHIBIT C

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

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 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

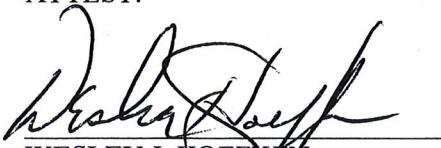
**Now, therefore**, in consideration of the premises and the mutual covenants and agreement contained herein, it is mutually agreed by and between the parties hereto, that:

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.

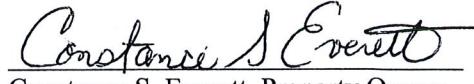
**In witness thereof**, the parties hereto have made and entered into this agreement on the date first above written.

  
KEVIN B. HUTCHINSON  
Mayor, City of Columbia

ATTEST:

  
WESLEY J. HOEKKEN  
City Clerk, City of Columbia

  
Ernest D. Everett, Property Owner

  
Constance S. Everett, Property Owner

ATTEST:

  
WESLEY J. HOEKKEN  
City Clerk, City of Columbia

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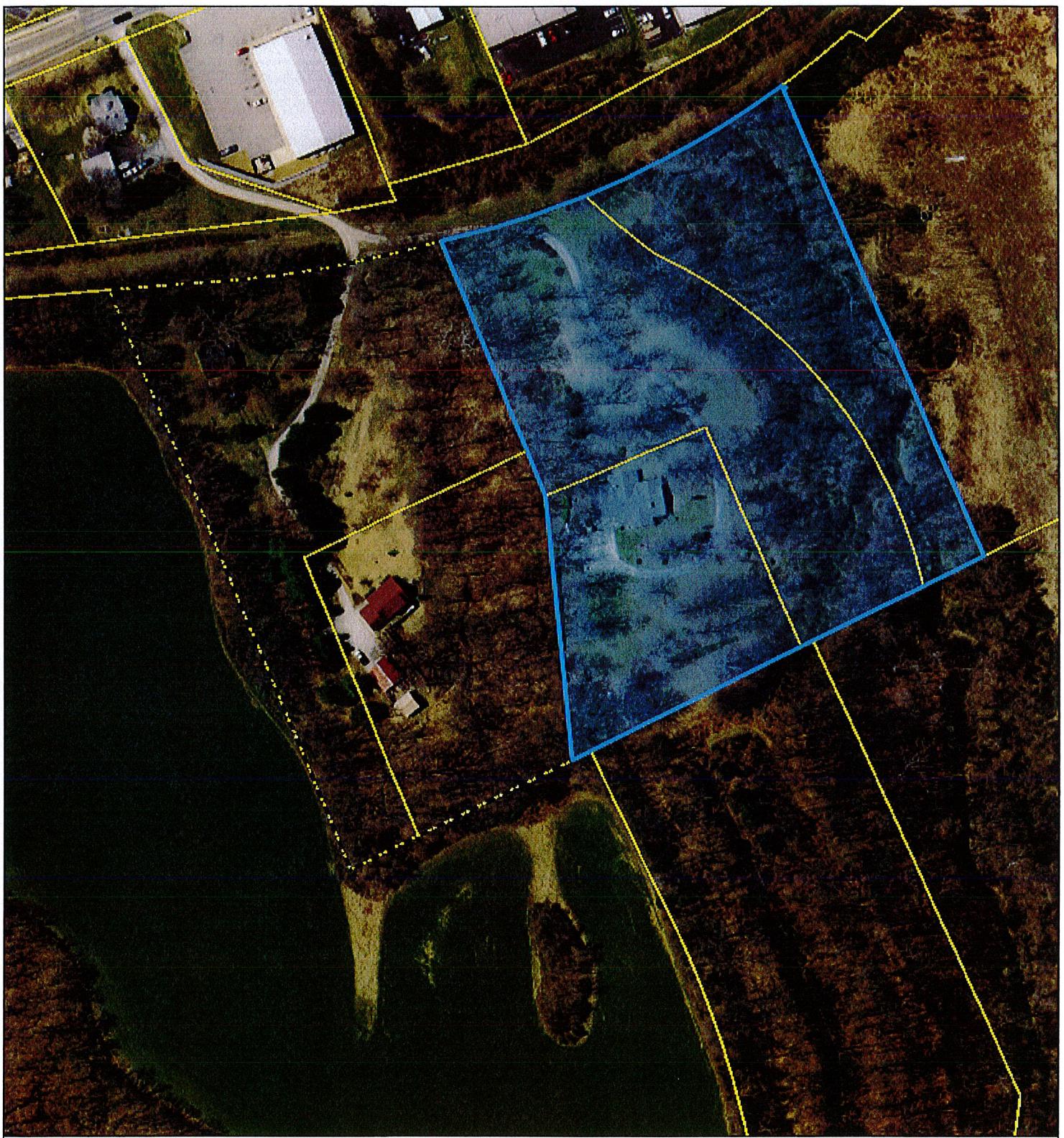


Exhibit B

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



City Limit



Parcels



0

188  
Feet

July 31, 2017

EF

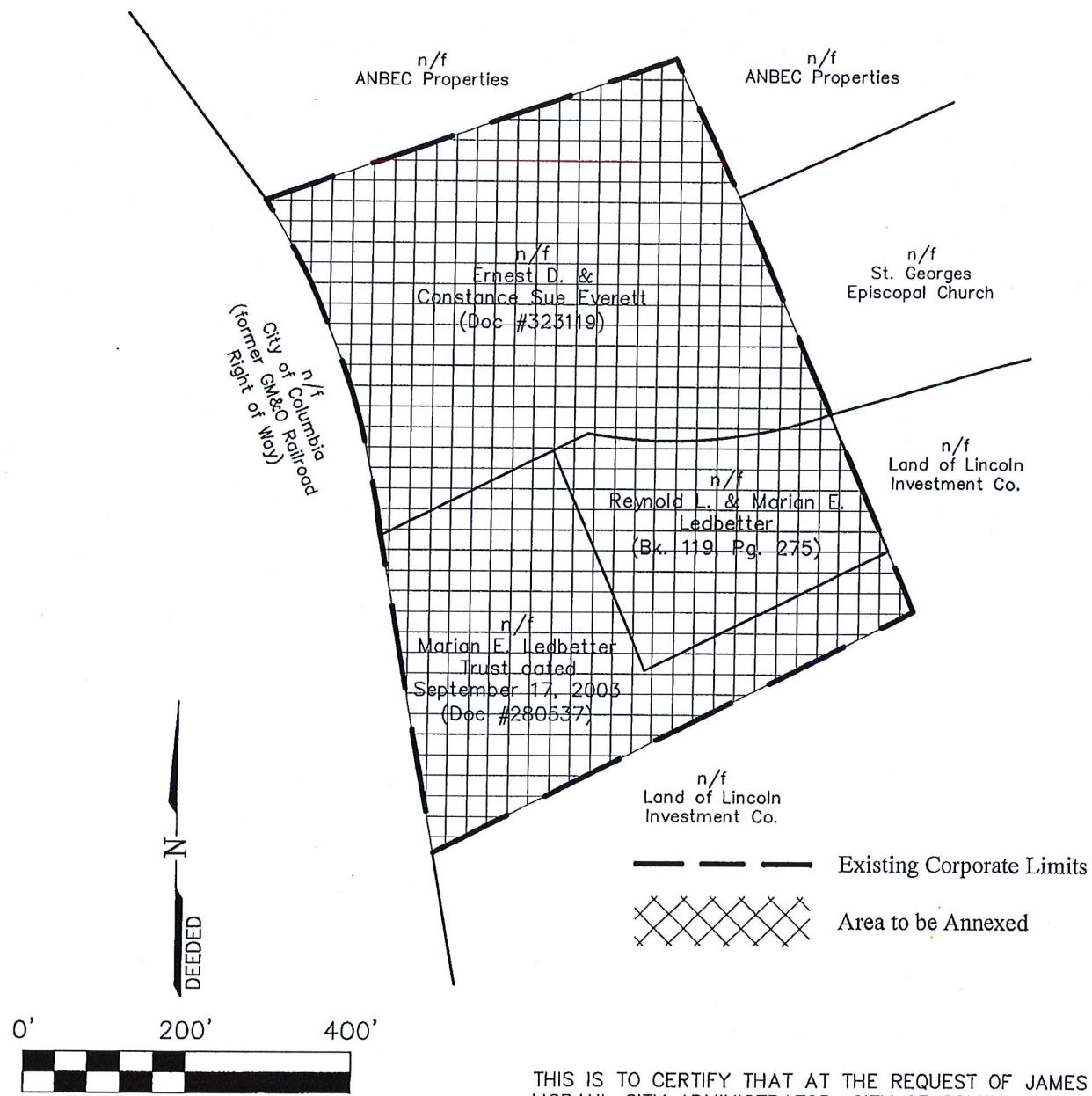


## Annexation Plat

### Exhibit c

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



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TAX MAPS, AND NOT BY AN ACTUAL SURVEY.

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ENGINEERS ~ SURVEYORS

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310A Vision Drive

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Columbia, Illinois 62236

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

[www.haengr.com](http://www.haengr.com)

Project No. 60000-132

PROFESSIONAL DESIGN FIRM REGISTRATION NO: 184-002692  
EXPIRES: APRIL 30, 2017

PROFESSIONAL  
LAWYER  
SUPERVISOR  
STATE OF  
ILLINOIS  
JAMES M. B. BIXBY, ILLINOIS  
I.P.L.S. NO. 366593 EXPIRATION DATE 11-30-16  
6/16/16