

ORDINANCE NO. 2024-26

An Ordinance Amending Title XV, Chapter 161 of Ordinance  
2024-18 The Revised Code of Ordinances of the City  
of Mt. Vernon, Illinois, As Amended

WHEREAS, a petition has been filed with the City Clerk of the City of Mt. Vernon, Illinois, upon the proposition of amending the Zoning Ordinance of the City of Mt. Vernon, Illinois, being Title XV, Chapter 161, of Ordinance No. 2024-18, of the Revised Code of Ordinances of the City of Mt. Vernon, Illinois, as amended, so as to change the classification of the use of the real estate hereinafter described from Class B-PL Planned Business District, or such other classifications as such real estate may have to Class B-2, Secondary Business District, said real estate being more particularly described as follows:

See Exhibit attached hereto.

Parcel Index Numbers: 06-25-377-027 and 06-25-377-028

The common street address of the property is: 3406 Broadway, Mt. Vernon, IL 62864

WHEREAS said Petition has been referred to the Zoning Board of Appeals of said City to conduct a hearing upon said petition within the time and manner provided by law, and to thereafter make its recommendation to the City Council of said City with respect to the requests contained in said petition, said petition being on file and of record with the City Clerk of the City of Mt. Vernon, Illinois; and,

WHEREAS, due notice was given of the time, place, and subject matter of said hearing in the manner required by law, and as evidenced by the Certificates on file herein, and the Zoning Board of Appeals has held a hearing on July 8, 2024, at which hearing witnesses were heard and testimony adduced, all as provided by law; and,

WHEREAS, said Zoning Board of Appeals of said City has recommended to the City Council of said City that the aforesaid petition be granted, and that the Ordinance be amended as requested; and,

WHEREAS, the City Council of the City of Mt. Vernon, Illinois, has determined and does hereby determine that it is in the best interests of the City of Mt. Vernon, Illinois, and the residents and taxpayers thereof that the said zoning ordinance be amended as requested and all as hereafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
OF MT. VERNON, ILLINOIS AS FOLLOWS:

1. That Title XV, Chapter 161, of Ordinance No. 2024-18, The Revised Code of Ordinances of the City of Mt. Vernon, Illinois, as amended, and the plat of said City

designating the Districts therein, be amended, and the same are hereby re-classified and rezoned Class B-2, Secondary Business District, as set forth in said Title XV, Chapter 161, and that thereafter, from the effective date of this ordinance all land and buildings and said structures to be erected thereon and the uses of said premises and real estate hereinbefore described shall be subject to the regulations as a Class B-2, Secondary Business District, and shall not, in any way, be limited to the requirements of Class B-PL, Planned Business District, or such other classification it may have had; and that the official zoning map of the City of Mt. Vernon, Illinois, be and the same is hereby ordered and directed to be changed to show this amendment of said Title XV, Chapter 161 as herein set forth, and the City Manager, City Building Inspector, City Clerk, and other City officials having responsibility therefor are hereby directed to make such change on the official zoning map of the City of Mt. Vernon, Illinois.

2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed and declared null and void.
3. That this ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED by the City Council of the City of Mt. Vernon, Illinois, on this 15<sup>th</sup> day of July, 2024.

APPROVED by the Mayor of the City of Mt. Vernon, Illinois, on this 22<sup>ND</sup> day of July, 2024.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk by Deputy City Clerk

Legal Description of Mt. Vernon Parcel

Parcel 1:

Lot C in Wiggins Associates Subdivision of a part of the East Half of the Southeast Quarter of the Southwest Quarter of Section 25, and part of the East Half of the Northeast Quarter of the Northwest Quarter of Section 36, all in Township 2 South, Range 2 East of the Third Principal Meridian, Jefferson County, Illinois as shown by Plat recorded August 2, 1979 in Plat Book 3, page 100 in the Recorder's Office of Jefferson County, Illinois, said parcel of land also described as follows:

Part of the East Half of the Southeast Quarter of the Southwest Quarter of Section 25, and part of the East Half of the Northeast Quarter of the Northwest Quarter of Section 36, Township 2 South, Range 2 East of the Third Principal Meridian, Jefferson County, Illinois, more particularly described as follows:

Commencing at an iron pin at the Southwest corner of the East Half of the Southeast Quarter of the Southwest Quarter of Section 25; thence North 89 degrees 28 minutes 18 seconds East (Grid Bearing) along the South line of the Southwest Quarter of Section 25, a distance of 180.04 feet to an iron pin; thence South 00 degrees 41 minutes 19 seconds West a distance of 48.72 feet to an iron pin in the Northeast Quarter of the Northwest Quarter of Section 36 on the Northerly right of way line of S.B.I. Route 15; thence Easterly along said right of way along a curve to the left (with a radius of 20,351.07 feet, and an arc distance of 180.41 feet) a chord bearing of North 89 degrees 38 minutes 40 seconds East, a chord distance of 180.41 feet to an iron pin, to the point of beginning of the tract of land herein described; thence continuing along the Northerly right of way line of S.B.I. Route 15 on the curve to the left (with a radius of 20,351.07 feet and an arc distance of 209.98 feet) a chord bearing of North 89 degrees 05 minutes 42 seconds East a chord distance of 209.98 feet to an iron pin; thence North 39 degrees 44 minutes 58 seconds East, a distance of 51.69 feet to an iron pin; thence North 03 degrees 18 minutes 59 seconds East, a distance of 159.68 feet to an Iron pin; thence North 89 degrees 49 minutes 55 seconds West, a distance of 248.87 feet to an Iron pin; thence South 00 degrees 57 minutes 04 seconds West, a distance 01203.23 feet to the point of beginning, EXCEPT, however, that portion thereof, conveyed to the City of Mt. Vernon by Special Warranty Deed and Easement dated April 30, 1987 and recorded May 18, 1987 in Cabinet 3, Drawer 9, Instrument No. 4094, and described as follows:

Commencing at an iron pin on the West right of way line of 34th Street and the Northeast corner of Lot C of Wiggins Associates Subdivision: thence North 89 degrees

49 minutes 55 seconds West along the North line of said Lot C, a distance of 16.13 feet to the point of beginning; thence continuing North 89 degrees 49 minutes 55 seconds West a distance of 7.87 feet to a point; thence South 01 degree 32 minutes 26 seconds West a distance of 163.12 feet to a point on the North right of way line of S.8.1. Route 15; thence North 39 degrees 44 minutes 58 seconds East along said right of way line of S.B.I. Route 15 a distance of 4.72 feet to a point on the East line of said Lot C of Wiggins Associates Subdivision; thence North 03 degrees 18 minutes 59 seconds East along said East line of Lot Ca distance of 159.68 feet to the point of beginning, containing 0.0198 acres, more or less; EXCEPT all minerals together with the right to mine and remove the same and subject to all other rights and easements in favor of the owner of the mineral estate or of any party claiming by, through, or under said estate, in Jefferson County, Illinois.

Parcel 2:

Easement for the benefit of Parcel 1 as created by Declaration of Reciprocal Easements dated May 2, 1979, and filed May 3, 1979 In Cabinet 2, Drawer S, Instrument No. 2938 made by the First Bank and Trust Co., as Trustee under Trust No. 15225, by Amendment to Declaration of Reciprocal Easement dated May 22, 1979 and filed May 31, 1979 in Cabinet 2, Drawer S, Instrument No. 3444 and by the Second Amendment to Declaration of Reciprocal Easements dated January 17, 1980 and filed January 22, 1980 in Cabinet 2, Drawer U, Instrument No. 416, for passageway over Lot A in Wiggins Associates Subdivision of a part of the East Half of the Southeast Quarter of the Southwest Quarter of Section 25 and part of the East Half of the Northeast Quarter of the Northwest Quarter of Section 36, all In Township 2 South, Range 2 East of the Third Principal Meridian, in Jefferson County, Illinois, as shown by Plat recorded August 2, 1979 in Plat Book 3, page 100, In the Recorder's Office of Jefferson County, Illinois;

EXCEPT all minerals underlying the surface of said land with right to mine and remove the same and subject to all other rights and easements in favor of the owner of the mineral estate or of any party claiming by, through or under said estate, in Jefferson county, Illinois.

**PREPARED BY:**  
Arbeiter Law Office  
P.O. Box 367  
Chester, IL 62233

202400972

**MAIL TAX BILL TO:**  
AJM, LLC Mt. Vernon IL  
4216 DeWitt Ave.  
Matton, IL 61938

JOSEPH DAVIS  
JEFFERSON COUNTY CLERK & RECORDER  
JEFFERSON COUNTY, IL  
RECORDED ON  
04/02/2024 01:51:59 PM  
PAGES: 3

**MAIL RECORDED DEED TO:**  
Arbeiter Law Office  
P.O. Box 367  
Chester, IL 62233

RECORDING FEES	67.00
RHSP FEE	18.00
REV STAMP STATE FEE	250.00
REV STAMP COUNTY FEE	125.00

## SPECIAL WARRANTY DEED

THE GRANTOR(S), **Robinson Outdoor, LLC**, of Perryville, State of Missouri, for and in consideration of Ten Dollars (\$10.00) and other good and valuable considerations, in hand paid, GRANTS, CONVEYS AND SELLS to **AJM, LLC Mt. Vernon IL**, an Illinois series limited liability company, of Mattoon, Illinois, in the following described real estate situated in the County of JEFFERSON, State of Illinois, to wit:

Parcel 1:

Lot C in Wiggins Associates Subdivision of a part of the East Half of the Southeast Quarter of the Southwest Quarter of Section 25, and part of the East Half of the Northeast Quarter of the Northwest Quarter of Section 36, all in Township 2 South, Range 2 East of the Third Principal Meridian, Jefferson County, Illinois as shown by Plat recorded August 2, 1979 in Plat Book 3, page 100 in the Recorder's Office of Jefferson County, Illinois, said parcel of land also described as follows:

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EXCEPT all minerals underlying the surface of said land with right to mine and remove the same and subject to all other rights and easements in favor of the owner of the mineral estate or of any party claiming by, through or under said estate, in Jefferson County, Illinois.

Permanent Index Number(s): 06-25-377-027, 06-25-377-028

Property Address: 3406 Broadway Street, Mount Vernon, IL 62864

GRANTOR, for itself and its successors and assigns, hereby covenants and represents that it has not done, or suffered to be done, anything whereby the premises hereby conveyed is, or may be, in any manner encumbered or charged, except as recited herein, and that it will warrant and defend the premises against all persons lawfully claiming by, through or under grantor, subject to: general real estate taxes not yet due or payable, any special assessments not yet due or payable; building, building line and use or occupancy restrictions, conditions and covenants of record; zoning laws and ordinances, easements for public utilities; drainage ditches, feeders and drain tile, pipe or other conduit and all other matters of record affecting the property.

Dated this 25 day of March, 2024

Robinson Outdoor LLC

By: Edward A. No

STATE OF Missouri )  
COUNTY OF Perry ) SS.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Robinson Outdoor LLC, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she/they signed, sealed and delivered the said instrument, as his/her/their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal, this 25 day of March, 2024

**NICOLE M. KUEKER**  
Notary Public - Notary Seal  
State of Missouri  
Perry County  
My Commission Expires 09-25-2025  
Commission # 13770952

Nicole M. Kueker  
Notary Public  
My commission expires: 9-25-2025