

**Return to:**

City Clerk  
116 E. Market Street  
Troy, Illinois 62294



\* 2 0 1 2 R 2 2 7 4 8 5 \*

2012R22748

STATE OF ILLINOIS  
MADISON COUNTY

FILED FOR RECORD IN  
THE RECORDERS OFFICE

05/30/2012 04:09PM

MATT RICE, RECORDER

REC FEE: 29.00



29.00 Charge  
CTY

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***Ordinance No. 2012 - 05***

AN ORDINANCE Amending Ordinance 2004-21 of the Troy  
Municipal Code Also Known as the Troy Zoning Ordinance  
For the Purpose Of Rezoning Certain Property  
Located at 217 Hazel Street (vacant land)  
(Rose Mary Schultze – Property Owner/Tri-Star, Inc. – Applicant)

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*Whereas*, the City of Troy, County of Madison, State of Illinois, presently has in force the Troy Zoning Ordinance, which is contained in the Troy Municipal Code as Ordinance No. 2004-21 adopted August 2, 2004, as amended from time to time; and

*Whereas*, Tri-Star, Inc, applicant (hereinafter “Applicant”) and Rose Mary Schultze, property owner (hereinafter “Owner”) of certain property located at 217 Hazel Street (vacant land) in the City of Troy, Illinois have filed an application for rezoning the property from R-1 Single Family Residential to R-2 Two Family Residential; and

*Whereas*, the map attached hereto, marked Exhibit B, is an accurate map of the property so sought to be rezoned and such rezoning shall be in accordance with the boundaries indicated on the map; and

*Whereas*, the City Planning Commission has complied with the provisions of 65 ILCS 5/11-13-14 and Article 8, Section 8-4 of the Troy Zoning Ordinance regarding amendments of regulations and zoning districts by holding a public hearing on May 10, 2012 to consider the request for a rezoning of certain property filed by the property owner, pursuant to notice as required by Statute; and

*Whereas*, as a result of said hearing, the Planning Commission has made a recommendation to the City Council that it approves the request for rezoning (see Recommendation No. 2012-03PC); and

*Whereas*, the City Council has considered and accepted the recommendation of the Planning Commission (see Resolution 2012-11 ) and has determined that it is in the best interest of the public health, safety and welfare, and in compliance with the powers conferred upon the City and the objectives and purposes set out in 65 ILCS 5/11-13-1, to adopt an amendment to the Troy Zoning Ordinance for the purpose of rezoning the vacant land at 217 Hazel Street from R-1 Single Family Residential to R-2 Two Family Residential in accordance with the map attached hereto as Exhibit B.

*Now, Therefore, Be It Ordained By The Mayor And The City Council Of The City Of Troy, Madison County, Illinois As Follows:*

SECTION 1: Ordinance 2004-21 of the City of Troy, as amended from time to time and commonly known as the Troy Zoning Ordinance, is hereby amended to change the zoning classification from R-1 Single Family Residential to R-2 Two Family Residential in accordance with the map attached hereto as Exhibit B and as more particularly described on the legal description attached hereto as Exhibit A.

SECTION 2: That all other provisions of said Ordinance 2004-21 shall remain unchanged and in full force and effect except as specifically amended by this ordinance.

SECTION 3: If a court of competent jurisdiction declares any provision of this Ordinance unconstitutional or invalid, that decision shall not affect the validity of the remainder of this Ordinance.

SECTION 4: This Ordinance shall be effective upon its passage, signing, and publication as required by law.

*Passed* by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this twenty-first day of May 2012.

Aldermen:

Adomite yea

Jackson yea

Total:

Evans yea

Lanahan yea

6 Ayes

Hendrickson yea

Metcalf yea

0 Nays

Italiano absent

Partney absent

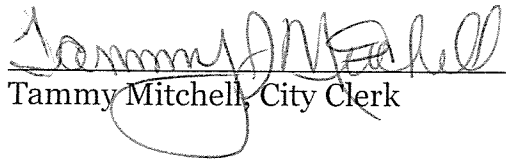
APPROVED BY:



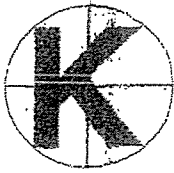
Tom Caraker, Sr.,

Mayor, City of Troy, Illinois

ATTEST:

  
\_\_\_\_\_  
Tammy Mitchell, City Clerk

(SEAL)

**KOCH****SURVEYING & ENGINEERING, INC.**650 VANDALIA • SUITE 100  
COLLINSVILLE, IL 62234  
• 618-345-1327  
618-345-1329 (FAX)200 EAST MILL ST.  
WATERLOO, IL 62298  
618-939-3866  
618-939-2902 (FAX)*Exhibit A***LAND DESCRIPTION  
FOR  
ROSEMARY SCHULTZE****WEST PARCEL**

LOT 20, 22, AND PART OF LOT 24 OF "HAZELWOOD PLACE," REFERENCE BEING MADE TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 24, OF THE MADISON COUNTY RECORDER'S OFFICE, BEING PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF TROY, MADISON COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 28 OF SAID "HAZELWOOD PLACE"; THENCE ALONG AN ASSUMED BEARING OF NORTH 89 DEGREES 35 MINUTES 55 SECONDS WEST, ALONG THE NORTH LINE OF LOTS 28, 26, AND 24 OF SAID "HAZELWOOD PLACE" A DISTANCE OF 113.40 FEET TO A POINT LYING 140.00 FEET EASTERLY OF THE NORTHWEST CORNER OF LOT 20 OF SAID "HAZELWOOD PLACE", SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE SOUTH 00 DEGREES 21 MINUTES 20 SECONDS WEST, PARALLEL WITH THE WEST LINE OF SAID LOT 20, A DISTANCE OF 131.82 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 24 LYING 140.00 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID LOT 20; THENCE NORTH 89 DEGREES 45 MINUTES 41 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOTS 24, 22, AND 20, A DISTANCE OF 140.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 20; THENCE NORTH 00 DEGREES 21 MINUTES 20 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 20, A DISTANCE OF 132.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 20; THENCE SOUTH 89 DEGREES 35 MINUTES 55 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOTS 20, 22, AND 24, A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 18,483 SQUARE FEET, MORE OR LESS.

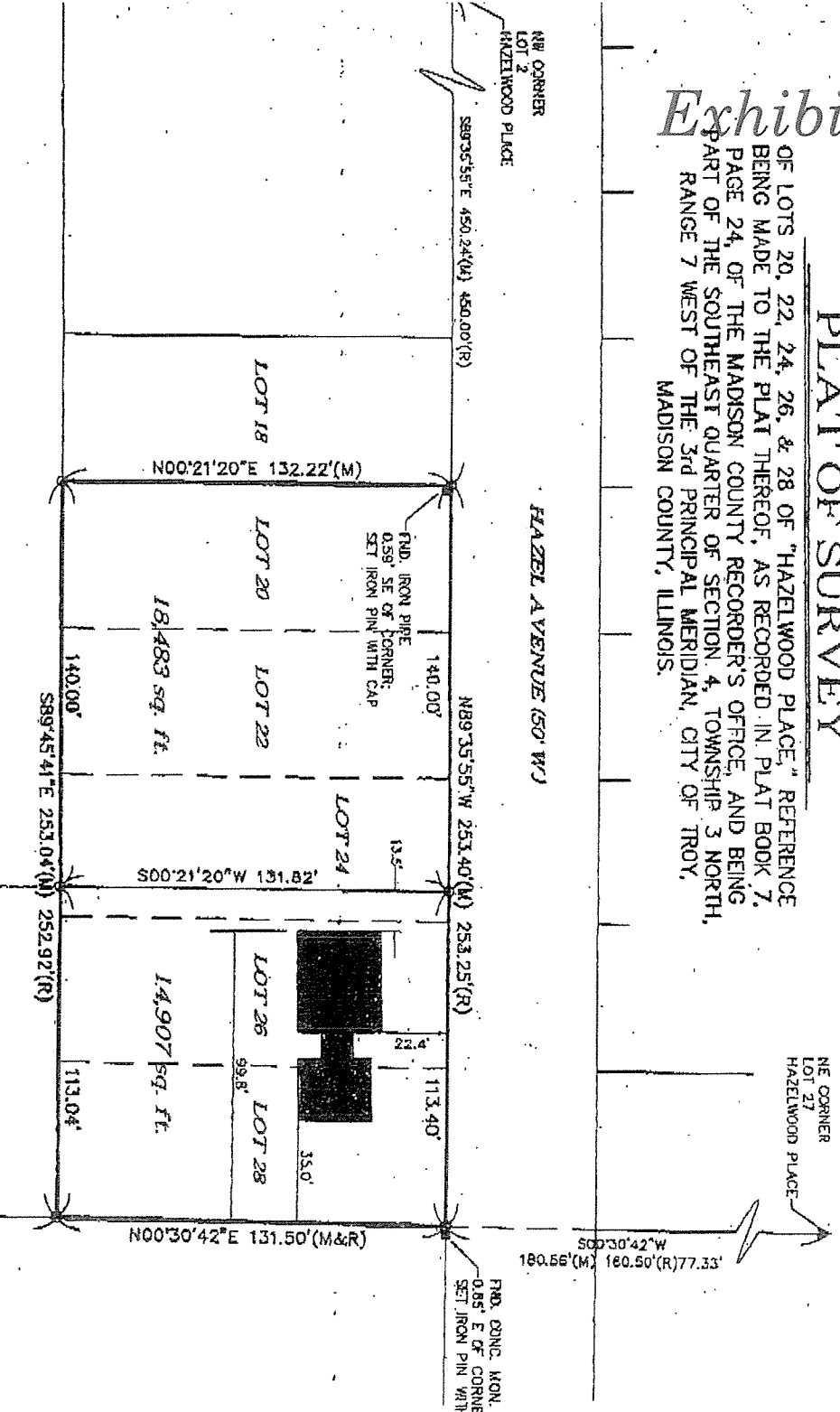
SUBJECT TO EASEMENTS, RIGHTS AND RESTRICTIONS OF RECORD OR EXISTENCE, IF ANY.

RWK/dbm  
02/08/06  
JOB NO. 1593

# Exhibit B

## PLAT OF SURVEY

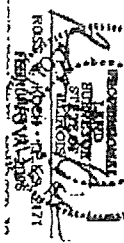
OF LOTS 20, 22, 24, 26, & 28 OF "HAZELWOOD PLACE," REFERENCE BEING MADE TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 24, OF THE MADISON COUNTY RECORDER'S OFFICE, AND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 7 WEST OF THE 3rd PRINCIPAL MERIDIAN, CITY OF TROY, MADISON COUNTY, ILLINOIS.



### SURVEYOR'S CERTIFICATE

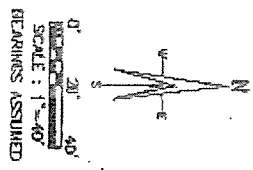
WE, KOCH SURVEYING AND ENGINEERING, INC., HEREBY DECLARE THAT WE HAVE, AT THE REQUEST AND FOR THE EXCLUSIVE USE OF ROSEMARY SCHLITZ AND RELAY REALTY, PERFORMED A BOUNDARY SURVEY OF THE TRACT SHOWN HEREON AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS PROFESSIONAL STANDARDS FOR A BOUNDARY SURVEY.

KOCH SURVEYING AND ENGINEERING, INC.



### LEGEND:

- ▲ DENOTES SURVEY STAKE FOUND
- DENOTES IRON PIPE FOUND
- DENOTES CONCRETE MONUMENT FOUND
- DENOTES IRON PIN SET
- (R) DENOTES RECORD DISTANCE
- (M) DENOTES MEASURED DISTANCE



# END OF DOCUMENT

BOUNDARY SURVEY

PROFESSIONAL RECORD PLAT NO. 184-023854

DATE: 11/15/2011

PROJECT NO. 184-023854

CLIENT: ROSEMARY SCHLITZ & RELAY REALTY

DATE: 11/15/2011

BY: ROSS A. KOCH