



DocId:8797403
Tx:4552276

2022R11476

STATE OF ILLINOIS
MADISON COUNTY
04/04/2022 09:46 AM
DEBRA D. MING-MENDOZA
CLERK & RECORDER
REC FEE: 50.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE:
OF PAGES: 17

RETURN TO: EW

**CLERK, CITY OF TROY
116 E. MARKET
TROY, IL 62294**

CITY OF TROY

ORDINANCE 2022 – 07

50.00 CTY

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A WATER SERVICE AND
PRE-ANNEXATION AGREEMENT (5 TRACI ANN CT)**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY, ILLINOIS
THIS 21st DAY OF MARCH, 2022**

ORDINANCE NO. 2022-07

AN ORDINANCE AUTHORIZING THE EXECUTION OF A WATER SERVICE AND PRE-ANNEXATION AGREEMENT

WHEREAS, it is in the best interest of the City of Troy ("City"), Madison County, Illinois, to enter into an Agreement for Water Service and Pre-Annexation pertaining to the property owned by Cody R Foote and Ashley Russo, (Lot 28 in Oakland Hills; PPID 10-2-16-34-03-303-009), and commonly known as 5 Traci Ann Ct, Troy, Illinois 62294; and

WHEREAS, an Agreement for Water Service and Pre-Annexation has been drafted, a copy of which is attached hereto and incorporated herein; and

WHEREAS, the Petitioner is described in the aforesaid Agreement and/or the legal owner of record of the territory which is the subject of said Agreement is ready, willing, and able to enter said Agreement and to perform the obligations as required thereunder; and

WHEREAS, the City did, on the 21st day of March, 2022, hold and conduct a public hearing pursuant to notice and statute; and

WHEREAS, all other statutory requirements set forth by 65 ILCS 5/11 pertaining to Annexation Agreements have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TROY, COUNTY OF MADISON, STATE OF ILLINOIS, as follows:

SECTION 1: That the Mayor is hereby authorized and directed to execute the Agreement for Water Service and Pre-Annexation and the City Clerk is authorized and directed to attest the same and affix thereto the Corporate Seal of the City.

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Troy, Illinois, approved by the Mayor and deposited in the office of the city Clerk this 21st day of March, 2022.

Aldermen:

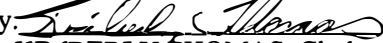
Dan Dawson	<u>AYE</u>	Sam Italiano	<u>AYE</u>	Ayes:	<u>8</u>
Tim Flint	<u>AYE</u>	Debbie Knoll	<u>AYE</u>	Nays:	<u>0</u>
Elizabeth Hellrung	<u>AYE</u>	Tony Manley	<u>AYE</u>	Absent:	<u>0</u>
Nathan Henderson	<u>AYE</u>	Troy Turner	<u>AYE</u>	Abstain:	<u>0</u>

APPROVED:

By:


DAVID NONN, Mayor
City of Troy, Illinois

ATTEST:

By: 
KIMBERLY THOMAS, Clerk
City of Troy, Illinois



PRE-ANNEXATION REQUIREMENTS

Petitioners Must Furnish All of the Following Information with Their Agreement for Water Service and Pre-annexation

- 1) Full names, addresses and phone numbers of **ALL** owners of record. *Please note all owners are required to sign the agreement.*
☐ If property is owned by a corporation, a resolution from the corporation authorizing named individuals to sign the agreement is required.
☐ If the Petitioner is involved in a partnership, all partners are required to sign the agreement.
- 2) ~~A copy of the most recent warranty deed or~~ quit claim deed as evidence demonstrating the owners of record.
- 3) Proper legal description.
- 4) Map of property. *(This will be furnished by the City.)*

Initial water service will be provided upon receipt of completed application for water service. In order for water service to be continued Petitioners have until 11/22/2021 to return the attached "Agreement for Water Service and Pre-annexation" with all required documentation as noted above. If this agreement is not returned by the previously stated date, water service will be discontinued until such time as the completed agreement is returned to the City.

We, the undersigned property owner(s), agree to the foregoing and agree to provide the City of Troy with a completed Agreement for Water Service and Pre-Annexation along with required documentation by 11/22/2021.

Property Address: 5 Traci Ann Ct

Signed: [Signature]
(Property Owner)

Dated: 15 OCT 21

Signed: [Signature]
(Property Owner)

Dated: 11-17-2021

Accepted by: [Signature]
(City of Troy Representative)

CITY OF TROY, ILLINOIS

AGREEMENT FOR WATER SERVICE AND PRE-ANNEXATION

This Agreement made by and between the City of Troy, Illinois, a municipal corporation, hereinafter referred to as "City" and the undersigned owner(s), hereinafter referred to as "Petitioners".

WHEREAS, Petitioners are the owner(s) of record of all lands within the territory legally described in Exhibit A, which is attached hereto and incorporated herein by reference, and

WHEREAS, Petitioners are desirous of obtaining water from the City and further desirous of annexing said territory to the City as soon as said annexation can be legally and practicably accomplished, all in order that Petitioners can obtain the benefit of various City services, including, but not limited to, police protection, snow removal, water and sewer services and others, and

WHEREAS, the described territory is not now contiguous to the boundaries of the City, thus precluding an immediate annexation of said territory, and

WHEREAS, the City is desirous of expanding its boundaries through annexation, and

WHEREAS, Petitioners have requested that the City execute this Agreement for Water Service and Pre-Annexation and commit itself to the terms and provisions hereof, and

WHEREAS, the Mayor and City Council of the City have determined that the future annexation of the above-referenced territory would benefit the City and its citizens and coincide with the long range planning and development goals of the City, and **21st day of March, 2022**

WHEREAS, the City Council of the City did, on the ~~X~~ day of ~~March~~, 20~~X~~, hold and conduct a public hearing pursuant to notice and statute at which time any proponents or opponents to the terms of the Agreement for Water Service and Pre-Annexation were heard in such public hearing, and **21st day of March, 2022**

WHEREAS, at its meeting on the ~~X~~ day of ~~March~~, 20~~X~~, the corporate authorities of the City did by vote of ~~X~~ to ~~X~~, authorize its appropriate officials to execute said Agreement for Water Service and Pre-Annexation on behalf of the City.

NOW, THEREFORE, the parties to this Agreement do hereby mutually acknowledge and agree as follows:

- 1. That the City of Troy will permit the Petitioners to connect to the water system of the City at the place and at the manner determined by the Water and Sewer Superintendent upon payment of the required fee, charges and deposits.**
- 2. That water will be furnished to Petitioners at the rate as may from time to time be established by the Mayor and City Council of the City.**
- 3. That Petitioners will pay for water furnished by the City at the rates for water service furnished to properties outside the City limits as established by Ordinance as long as this Agreement remains in effect.**
- 4. That the City assumes no liability for either the supply or the pressure of the water to be furnished to the Petitioners.**
- 5. That Petitioners will provide, install and maintain at their own cost and expense all necessary easements, pipes and attachments from the point of tap-on, and the plans and specifications for said work and performance of the same shall be subject to the approval of and done to the satisfaction of the Director of Public Works of the City.**
- 6. That Petitioners shall at no time permit any other person, corporation, partnership or other entity to attach to the pipe or pipes authorized herein.**
- 7. That at such time in the future as the boundaries of the City become contiguous to the territory herein referenced, the undersigned Petitioners, for themselves, their heirs, successors and assigns, in consideration of the foregoing, and the furnishing of water hereunder, that they shall, upon written request of the City, petition the City for annexation and shall execute all documents necessary to effect that end, and the City, by its duly authorized representatives, shall thereupon act as to cause and effect said annexation through Ordinance or otherwise, pursuant to the Illinois Municipal Code, Section 7-1-8 as amended, or by any means or methods of annexation then available and authorized by law.**
- 8. That Petitioners, for themselves, their heirs, successors and assigns, agree that at such time as annexation becomes possible, that Petitioners, for themselves, their heirs, successors and assigns, will be responsible to pay for preparation of the Petitions and all other documents needed to perfect the annexation, including reasonable attorney's fees and a fee for preparation of the annexation map.**

9. That this Agreement shall be binding upon the parties hereto, their heirs, successors and assigns, for a period of twenty (20) years from date hereof. This Agreement shall be subject to a request for renewal prior to expiration if Petitioners still require City water.
10. That this Agreement shall constitute a covenant running with the land and shall supersede all previous contracts or agreements between the parties hereto relative to water supply and annexation of Petitioner's property.
11. That upon the execution of the Agreement, a copy thereof, shall be caused to be filed in the office of the Recorder of Deeds, Madison County, Illinois, so as to put on notice any and all persons having an interest herein that this Agreement is intended to, and does in fact constitute a covenant running with the land and is thereby binding upon each of the undersigned, their heirs, agents, assigns, transferees, grantees, and successors.

No Public Hearing as of Nov, 22, 2021.

	Ashley Russo	11-22-2021
Owner Signature	Printed Name	Date Signed

	CODY FOOTE	22 NOV 21
Owner Signature	Printed Name	Date Signed

DATED this 22nd day of NOVEMBER, 20 21.

CITY OF TROY, ILLINOIS:



Mayor, City of Troy



City Clerk, City of Troy



DocId:8763610

Tx:4531446

PTAX-028928

2021R44552
STATE OF ILLINOIS
MADISON COUNTY
10/22/2021 09:38 AM
DEBRA D. MING-MENDOZA
CLERK & RECORDER
REC FEE: 51.00
CO STAMP FEE: 192.50
ST STAMP FEE: 385.00
RHSPS FEE: 9.00
OF PAGES: 3

137800
Abstracts & Titles, Inc.
205 N Second Street
Edwardsville, IL 62025

WARRANTY DEED
137800

60.00

10F2

THIS INDENTURE WITNESSETH, that the Grantor, GLEN A. MCELLIGOTT, of the County of MADISON and State of ILLINOIS, for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, CONVEYS and WARRANTS to CODY R. FOOTE AND ASHLEY D. RUSSO,

5 Traci Ann Ct.

whose address is:

Troy, IL 62294

not as tenants in common, but as JOINT TENANTS, the following described real estate, to-wit:

Lot 28 in the First Addition to Oak Land Hills, according to the plat thereof recorded in the Recorder's Office of Madison County, Illinois, in Plat Cabinet 60 Page 170, (except coal, gas and other mineral rights conveyed, excepted or reserved in prior conveyances) in Madison County, Illinois.

Commonly known as: 5 Traci Ann Court, Troy, IL 62294

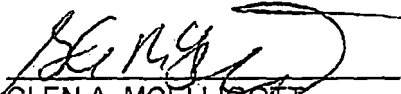
Permanent Parcel No. 10-2-16-34-03-303-009

SUBJECT TO THE EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

[Handwritten signature]

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

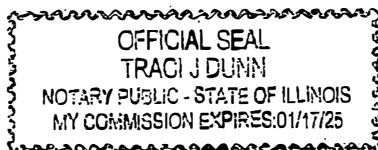
Dated this 15 day of October, 2021.

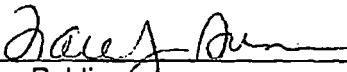


GLEN A. MCELLIGOTT

STATE OF ILLINOIS)
) SS
COUNTY OF MADISON)

I, the undersigned, a Notary Public in and for said county and State aforesaid, DO HEREBY CERTIFY THAT GLEN A. MCELLIGOTT, personally known to me to the same person whose name is subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that he/she signed, sealed and delivered the said instrument as his/her 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 15 day of October, 2021.





Notary Public

Return Document to:

Future Taxes To Grantee's Address:

This Instrument Prepared By:
David M. Fahrenkamp, Attorney at Law
Attorney Registration # 03122820
205 N. Second Street, Suite 103
Edwardsville, Illinois 62025
618/656-4226

This instrument was prepared without advice or counsel by David M. Fahrenkamp.
This instrument prepared without title opinion, title examination and without
guarantee of description by the preparing attorney. The preparer assumes no
responsibility for merchantability of title.



AFFIDAVIT FOR PURPOSE OF PLAT ACT REQUIREMENTS (765 ILCS 205)
THIS IS A LEGAL DOCUMENT – CONSULT YOUR PRIVATE ATTORNEY
 (County Zoning & Subdivision Ordinances May Also Apply)

ORIGINAL AFFIDAVIT REQUIRED FOR RECORDING, COPIES WILL NOT BE ACCEPTED

Affiant is the Grantor or is the Grantors authorized representative in a deed transferring interest in the real estate described in the accompanying deed. Affiant further states this transfer is exempt from the Illinois Plat Act because it is:

(Please check all that apply)

☒ A. NOT A DIVISION OF LAND (parcel lines unchanged) () C. DIVISION FOR TAXING PURPOSES ONLY (parcel lines change)

() B. A DIVISION OF LAND THAT MEETS ONE OF THE FOLLOWING EXCEPTIONS TO THE PLAT ACT;

___ 1. A division or subdivision of land into tracts of five (5) acres or more not involving new streets or easements of access with a minimum of five (5) acres residue or Grandfathered under prior approved plat by Land Use Committee.

___ 2. A division of lots or blocks of less than one (1) acre in a recorded subdivision not involving new streets or easements of access.

___ 3. A sale or exchange of land between owners of adjoining and contiguous land.

___ 4. A conveyance of land for use as a right-of-way for public utilities and other pipelines not involving new streets or easements of access.

___ 5. A conveyance of land owned by a public utility not involving new streets or easements of access.

___ 6. A conveyance of land for highway or other public purpose or relating to a dedication of land or for vacation of land subject to a public use.

___ 7. A conveyance made to correct a description in prior conveyance.

___ 8. The sale or exchange of parcels of land following the division into no more than two (2) parts of a parcel existing on July 17, 1959, and not involving any new streets or easements of access.

___ 9. The sale of a single lot/tract less than five (5) acres from a larger tract. (Exception only applies to the 1st tract conveyed from a larger tract as it existed on October 1, 1973.) (The single tract of less than five (5) acres must have been surveyed by an Illinois Registered Land Surveyor whose survey must accompany the deed)

IF A IS MARKED ABOVE, APPROVAL BY THE MAPS & PLATS GIS DIVISION IS NOT REQUIRED.
IF B OR C IS MARKED ABOVE, APPROVAL BY THE MAPS & PLATS GIS DIVISION IS REQUIRED.

Under the penalties of perjury I swear that the statements contained here are true and correct.

NAME Glen A. McEligott SIGNATURE: [Signature] DATE: October 15, 2021
 (Please Print)

Subscribed and sworn to before me this 15 day of October, 2021

OFFICIAL SEAL
 TRACI J DUNN
 NOTARY PUBLIC - STATE OF ILLINOIS
 MY COMMISSION EXPIRES 04/17/25

[Signature]
 Notary Public

All divisions of less than 2 acres within the County jurisdiction must be reviewed by the
 Madison County Planning and Development Department

This affidavit only ensures the Recorder's Office compliance with the State Plat Act. If the property is located within a municipality or within 1.5 miles of a municipality, local ordinances may apply. If exception 9 is used, it is required that this land division be reviewed & approved by the participating municipality. Each municipality has five (5) business days to review deed(s) and return. If the five day limit expires, Maps & Plats will process the deed upon proof of date submitted to municipality.

Date Submitted to Municipality (s) _____ (Please check one) () Municipality Jurisdiction () County Jurisdiction

Municipality (s) with Jurisdiction: _____

 Municipal Planning Official's Signature

 Print Name

 Date

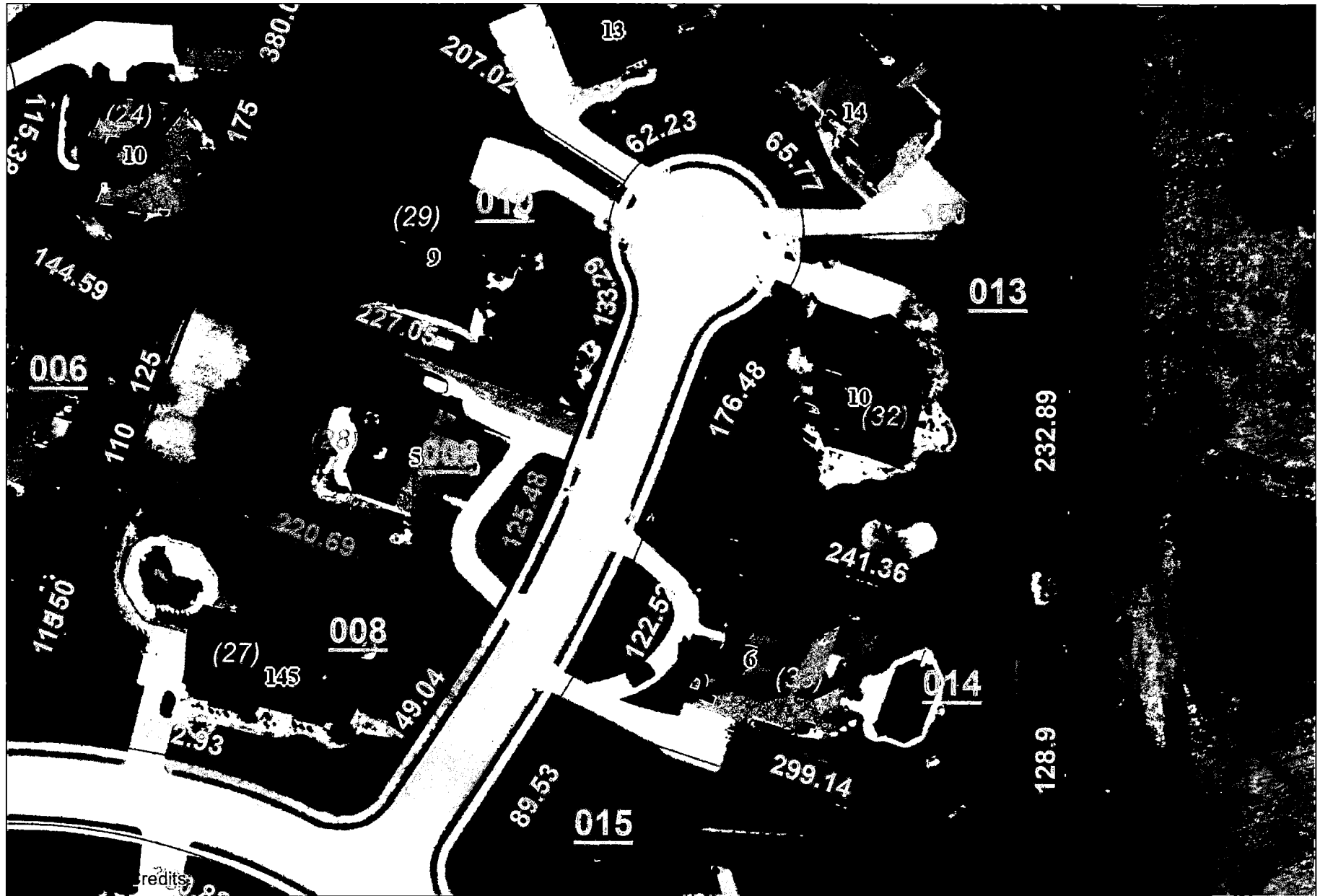
 Municipal Planning Official's Signature

 Print Name

 Date

(Revised 8/11)

5 Traci Ann Ct



Author: Madison County GIS
Copyright: Madison County Government



Date: 2/28/2022
Time: 3:07:36 PM



5 Traci Ann Ct



Author: Madison County GIS

Copyright: Madison County Government

0 475 950 1,900 2,850 3,800
ft

Date: 2/28/2022
Time: 3:08:58 PM





DocId:8783610
Tx:4531446

PTAX-028928

2021R44552
STATE OF ILLINOIS
MADISON COUNTY
10/22/2021 09:38 AM
DEBRA D. MING-MENDOZA
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137800
Abstracts & Titles, Inc.
205 N Second Street
Edwardsville, IL 62025

WARRANTY DEED 137800

60.00

10F2

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Commonly known as: 5 Traci Ann Court, Troy, IL 62294

Permanent Parcel No. 10-2-16-34-03-303-009

SUBJECT TO THE EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

[Handwritten signature]

Property Information		
Parcel Number 10-2-16-34-03-303-009	Site Address 5 TRACI ANN CT TROY, IL 62294	Owner Name & Address FOOTE, CODY R 5 TRACI ANN CT TROY, IL, 62294
Tax Year 2021 (Payable 2022) ▼		
Sale Status None	Neighborhood Code 0J68	Land Use 0431 - Single Family - Residential
Property Class 0040 - IMPROVED LOTS	Tax Code 063 - #2; TROY FIRE; TRI -TWP PARK	Tax Status Taxable
Net Taxable Value 0	Tax Rate Unavailable	Total Tax Unavailable
Township 10-PIN OAK	Acres 0.0000	Mailing Address
1977 Assessment 0	Lot Size	TIF Base Value 0
Legal Description 1ST ADDN TO OAKLAND HILLS LOT 28 125.48 X 227.05 IRR		

No Billing Information

Payment History			
Tax Year	Total Billed	Total Paid	Amount Unpaid
2020	\$6,423.66	\$6,423.66	\$0.00
2019	\$6,325.44	\$6,325.44	\$0.00
2018	\$6,272.39	\$6,272.39	\$0.00
Show 12 More			

Assessments						
Level	Homesite	Dwelling	Farm Land	Farm Building	Mineral	Total
Board of Review	22,200	72,250	0	0	0	94,450
S of A Equalized	22,200	72,250	0	0	0	94,450
Supervisor of Assessments	22,200	72,250	0	0	0	94,450
Township Assessor	22,200	72,250	0	0	0	94,450
Prior Year Equalized	22,200	72,250	0	0	0	94,450

Exemptions						
Exemption Type	Requested Date	Granted Date	Renewal Date	Prorate Date	Requested Amount	Granted Amount
Owner Occupied	9/9/2007	9/9/2007	3/17/2021		6,000	6,000

Market Land Valuation					
Property Class	Description	Type	Sq. Ft.	Calc. Acres	Deed Acres
RES - Residential	IRREGULAR LOT	IRREGULAR -	0	0.00	0.00

⊕ Structure (1 of 1)

No Farmland Information

Parcel Owner Information

Name	Tax Bill	Address
CODY R FOOTE	Y	5 TRACI ANN CT TROY, IL, 62294
ASHLEY D RUSSO	N	5 TRACI ANN CT TROY, IL, 62294

Sales History

Year	Document #	Sale Type	Sale Date	Notes	Sold By	Sold To	Price
2021	2021R44552	Valid Sale	10/22/2021		GLEN MCELLIGOTT	CODY FOOTE ASHLEY RUSSO	\$385,000.00
2003	2003061883	Unknown	12/22/2003	Book: 04625 Page: 5461			\$36,000.00
2002	2002061882	Unknown	10/3/2002	Book: 04518 Page: 5819			\$35,000.00

No Taxing Bodies Information

Permits

Permit Number	Issue Date	Status	Description	Value
20041000006	1/5/2004	COMPLETE	RESI	217,854.00

⊖ Legal Information

⊕ Legal 1

Legal Description

1ST ADDN TO OAKLAND HILLS LOT 28 125.48 X 227.05 IRR

Disclaimer

Madison County Government makes every effort to produce and publish the most current and accurate information possible. The information maintained on this website should not be relied upon for any purposes except for those of the Madison County Government staff. Madison County Government accepts no responsibility for the consequences of the inappropriate use or the interpretation of data. No warranties, expressed or implied, are provided for data herein. By proceeding with a property search you are stating that the notice has been read and that you understand and agree with its contents.

NOTICE OF A PUBLIC HEARING

A Public Hearing will be held on Monday, March 21, 2022 at 7:01 p.m. (or immediately following the previous public hearing) at Troy City Hall, 116 E. Market Street, Troy, IL to hear the petition for Water Service and Pre-Annexation submitted by:

Cody Foote and Ashley Russo

5 Traci Ann Ct

Troy, IL 62294

(parcel no 10-2-16-34-03-303-009)

At this time any and all proponents or opponents to the terms of the Water Service and Pre-annexation Agreement will be heard.

Kimberly Thomas
City Clerk



Monday, March 21, 2022
Public Hearing Pre-Annexation #2 - 5 Traci Ann Ct

City of Troy
Public Hearing

The Meeting is held in the Council Chambers, City Municipal Building, 116 East Market Street, Troy, Illinois 62294

7:01pm (or immediately following the previous public hearing)

A. Agenda Items

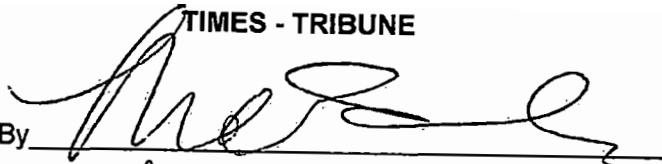
1. Call to Order and Pledge of Allegiance
2. Roll Call in Alphabetical Order
3. Presentation and Discussion: Pre-Annexation of 5 Traci Ann Ct (Permanent Parcel Number 10-2-16-34-03-303-009)
4. Request for Anyone Wishing to Speak During the Hearing to Sign In
5. Comments of Petitioner and/or Representative (or Attorney, if Present)
6. Public Comment
7. Discussion by the City Council
8. Adjournment

CERTIFICATION OF PUBLICATION

State of Illinois)
County of Madison)

THIS IS TO CERTIFY, that the notice which is a printed copy is hereto annexed, was published 1 times, once in each week for successive weeks in the TIMES-TRIBUNE, a newspaper of general circulation, published in the City of Troy, in said County and State, by Better Newspapers, INC and that the first insertion was made in the paper published on the 10th day of March 2022 A.D., and the last in the paper published on the 12th day of March 2022 A.D. and said the newspaper was regularly published for once a week.

Printer's Fees- \$ 7.60

TIMES - TRIBUNE
By 
Troy, IL March 9th 2022 A.D.

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Cody Foote and Ashley Russo
5 Traci Ann Ct
Troy, IL 62294

(parcel no 10-2-16-34-03-303-009)

At this time any and all proponents or opponents to the terms of the Water Service and Pre-annexation Agreement will be heard.

Kimberly Thomas
City Clerk
3/10c

END OF DOCUMENT