



DocId:3820288

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RETURN TO: *Prepared by:*

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

2022R24622
STATE OF ILLINOIS
MADISON COUNTY
07/25/2022 09:40 AM
DEBRA D. MING-MENDOZA
CLERK & RECORDER
REC FEE: 50.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE:
OF PAGES: 11

CITY OF TROY

ORDINANCE 2022 – 26

50.00

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A WATER SERVICE AND
PRE-ANNEXATION AGREEMENT (70 Lake Shore Drive)**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY, ILLINOIS
THIS 18th DAY OF JULY, 2022**

ORDINANCE NO. 202226

**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 Jacob T. Lohead, (Twin Lakes Resub Lot 70; PPID 09-2-22-10-11-201-012), and commonly known as 70 Lake Shore Drive, 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 18th day of July, 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, the 18th day of July, 2022 by at least a vote of two-thirds of the corporate authorities of the City of Troy, Illinois.

Aldermen:	Dawson	<u>AYE</u>	Italiano	<u>AYE</u>	Total:	<u>8</u>	Ayes
	Flint	<u>AYE</u>	Knoll	<u>AYE</u>			
	Hellrung	<u>AYE</u>	Manley	<u>AYE</u>		<u>0</u>	Nays
	Henderson	<u>AYE</u>	Turner	<u>AYE</u>			


APPROVED by the Mayor of the City of Troy, Illinois, the 18th day of July, 2022.

APPROVED:



David Nonn
Mayor, City of Troy, Illinois

ATTEST:



Kim Thomas
City Clerk, City of Troy, Illinois

(SEAL)

PRE-ANNEXATION
REQUIREMENTS

Gave To
Andrea
5-6-22
TH

**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 6/6/2022 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 6/6/2022.

Property Address: 70 Lakeshore DR

Signed: [Signature]
(Property Owner)

Dated: 5/5/2022

Signed: _____
(Property Owner)

Dated: [Signature]

Accepted by: _____
(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

WHEREAS, the City Council of the City did, on the 18TH day of JULY, 2022, 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

WHEREAS, at its meeting on the 18TH day of JULY, 2022, the corporate authorities of the City did by vote of 8 to 0, 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.


Owner Signature

Jacob Lockhead
Printed Name

5/5/22
Date Signed


Owner Signature

Printed Name


Date Signed

DATED this 18TH day of JULY, 2022.

CITY OF TROY, ILLINOIS:



Mayor, City of Troy



City Clerk, City of Troy

Deed prepared by:

Paul H. Lauber
Attorney at Law
#3B Club Centre Court
Edwardsville, IL 62025
(618) 692-9080

TRUSTEE'S DEED

JOE MORNHINWEG ESTES, Successor Trustee under that certain Declaration Of Trust Of JACQUELYN MORNHINWEG ESTES Dated April 11, 2006,

Does hereby grant, bargain, sell, and convey unto

JACOB T. LOCHHEAD, the following described real estate, to-wit:

Lot 70 in Twin Lakes, a subdivision according to the plat thereof recorded in Plat Book 23 Page 168 (except coal and other minerals underlying said premises with the right to mine and remove same), in Madison County, Illinois;

Situated in the County of Madison, in the State of Illinois;

Subject to agreements, building lines, conditions, covenants, declarations, easements, exceptions, grants, ordinances, plats, reservations, restrictions, rights-of-way, and zoning regulations, of record; subject to taxes for the year 2021 and following;

COMMON ADDRESS: 70 Lake Shore Drive, Troy, Illinois 62294;

PARCEL ID NUMBER: 09-2-22-10-11-201-012.

The undersigned Trustee represents that the above-mentioned Trust is still in full force and effect, and that he is the duly appointed, current, Trustee.



Dated: 4/29, 2022

The Jacquelyn Mornhinweg Estates Trust,

By: Joe Mornhinweg Estes TTEE
JOE MORNHINWEG ESTES, not individually but as Trustee

STATE OF Illinois
COUNTY OF DuPage) SS.

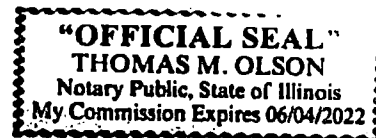
I, the undersigned, a Notary Public of the State of Illinois, certify that JOE MORNHINWEG ESTES, personally known to me to be the Trustee of the aforementioned Trust created under instrument dated April 11, 2006, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered the instrument as his free and voluntary act, for the uses and purposes therein set forth.

Dated 4/29, 2022.

[Signature]
Notary Public

Future Taxes to:

Return to:





APPLICATION FOR HOMEOWNER (WATER / SEWER / TRASH)

City of Troy - 116 E. Market St. - Troy, Illinois 62294
Public Works Dept. (618) 667-9924 ext. 2

www.troyil.us

ADDRESS: 70 Lakeshore DR City: TROY Zip: 62294

LOCATION: ☐ In City Limits ☐ Outside City Limits / Pre-annex Agreement

CLOSING DATE: May 5 2022

CONTACT INFORMATION:

Applicant Name (First/ M.I. / Last): Jake Lochhead Date of Birth (MM/DD/YYYY): 06 / 12 / 1985

Home Phone Number: _____ Cell / Work Phone Number(s): 618-615-9336

ID/ Driver's License Number (State/Number): L230-4389-5167 Email Address: jacob.lochhead@blockbuster.com

Additional Contacts: (if they would like to be included on the bill) Annika Ochs

Name: Annika Ochs Phone Number(s): 618-530-9670

FOR BILLING PURPOSES: (If different than address of service)

Address: _____ City: _____ State: _____ Zip: _____

Closing Date: _____

For the services requested, I agree to pay the City at the rates as prescribed in the effective schedule or schedules in the ordinance of the City as they exist from time to time and as amended, and to comply with the City's Rules and Regulations for such services.

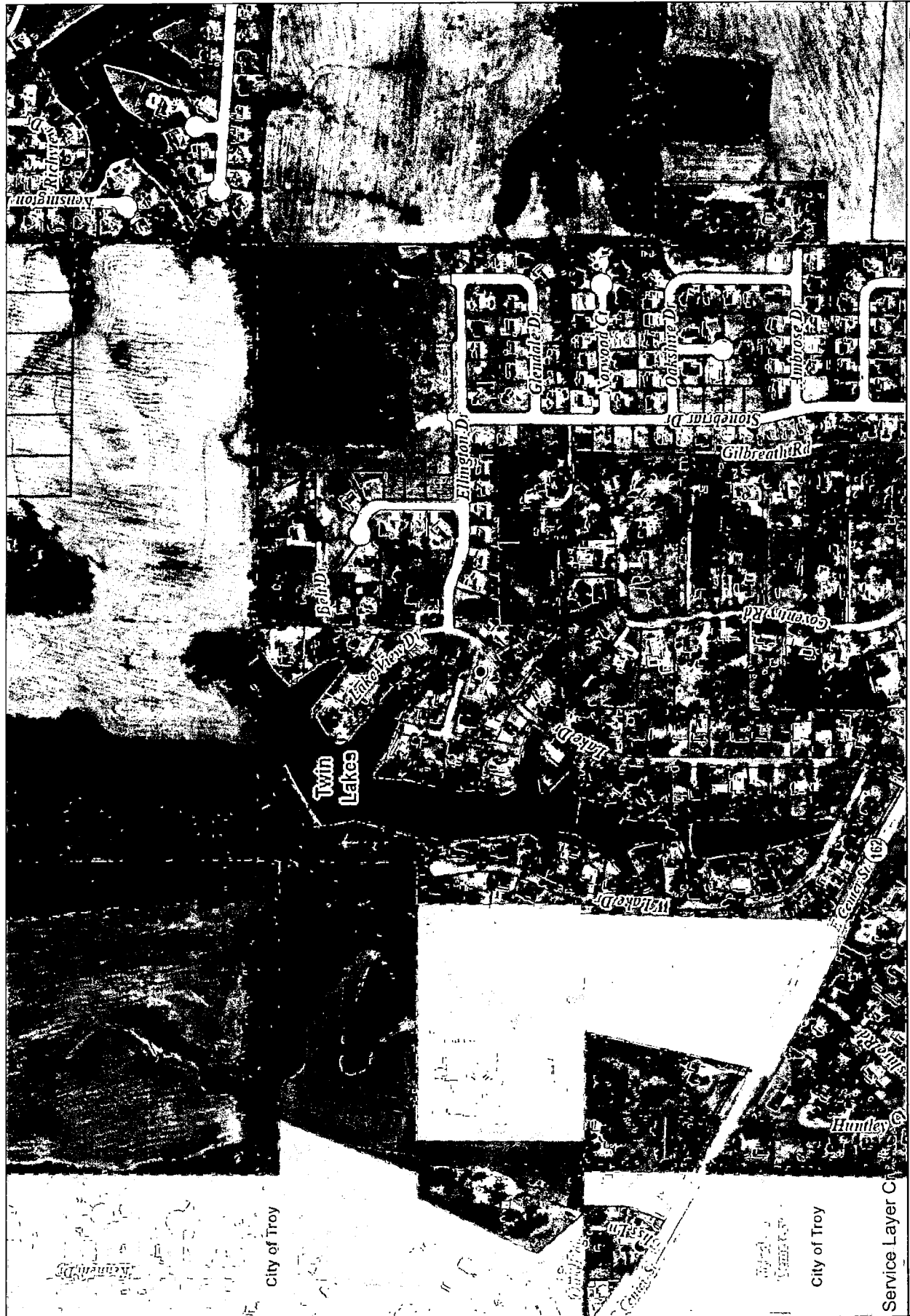
I also agree to be responsible for all services used on said premises until forty-eight (48) hours after notice has been given at the Office of Administration to discontinue services.

I also agree to be responsible for all costs of collection incurred by the City, including collection agencies, court costs and attorneys' fees, to collect my account should it become delinquent.

Applicant Sign or Print: [Signature]

Date: 5/5/22

70 Lake Shore Dr



Date: 6/21/2022
Time: 7:18:41 AM



Author: Madison County GIS
Copyright: Madison County Government



Service Layer Ch

City of Troy

City of Troy

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 30th day of June 2022 A.D., and the last in the paper published on the 30th day of June 2022 A.D. and said the newspaper was regularly published for once a week.

Printer's Fees- \$16.00

TIMES - TRIBUNE

By 

Troy, IL June 29th 2022 A.D.

Public Hearing

A Public Hearing will be held on Monday, July 18, 2022 at 6:02 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:

Jacob T. Lohead
70 Lakeshore Drive
Troy, IL 62294

(parcel no 09-2-22-10-11-201-012)

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

City Clerk

Kimberly Thomas

6/30c

END OF DOCUMENT