



DocId:8835276

Tx:4574348

Return.

Prepared by:

City Clerk
116 E. Market Street Troy,
Illinois 62294

2022R33356

STATE OF ILLINOIS
MADISON COUNTY
10/14/2022 09:29 AM
DEBRA D. MING-MENDOZA
CLERK & RECORDER
REC FEE: 65.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE:
OF PAGES: 12



#6500 CIV

Ordinance No. 2022 - 29

An Ordinance Annexing Certain Territory Owned by Osborn Development, LLC,
To and In the City of Troy, Madison County, Illinois Conditioned on
Changing the Zoning Designations of that Territory from R-1 Single-family
Residential to R-1A Single-family Residential and C-1 Neighborhood Commercial

WHEREAS, Osborn Development, LLC, has filed an application with the City of Troy to annex approximately 16 acres of territory with parcel numbers: **09-1-22-05-00-011.006**, **09-1-22-05-00-011.007** and **09-1-22-05-00-011.008**, in Troy, Illinois which is not within the corporate limits of any municipality, but which is contiguous to the City of Troy, Illinois. This annexation is conditioned on the subsequent approval of rezoning these tracts along with portions of parcels # 09-2-22-05-00-000-017, 09-2-22-05-00-000-018, 09-2-22-05-00-000-019, 09-2-22-05-00-000-023 that comprise the proposed developments of Troy Town Centre and Troy Town Centre Villas. A copy of the application with parcels pictured is attached hereto as Exhibit B; and

WHEREAS, the property owner has represented that there are no electors residing on the property; and

WHEREAS, a map and legal description of the territory to be annexed is attached hereto as Exhibit A and is an accurate map and description of said territory so sought to be annexed; and

WHEREAS, in compliance with the laws of the State of Illinois providing therefore, notice was given to the Trustees of the Troy Fire Protection District; the Supervisor, Trustees, and Highway Commissioner of Jarvis Township; and the Trustees of the Tri-Township Public Library in the manner provided by Statute, and

all required notices have heretofore been given as required by law concerning the petition for annexation of this territory to the City of Troy;

WHEREAS, all petitions, documents, and other necessary legal requirements are in full compliance with the statutes of the State of Illinois, specifically, 65 ILCS, para 5/7-1-8.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TROY, MADISON COUNTY, AND ILLINOIS AS FOLLOWS:

SECTION 1: That the following territory also known as **Troy Town Centre and Troy Town Centre Villas**, Troy, Illinois is hereby annexed and made a part of the City of Troy, Illinois, in accordance with the petition duly filed with the City of Troy, Illinois.

SECTION 2: That the described territory of land is hereby established in the zoning classification of "R-1 Single-family Residential." Said classification shall apply to the territory described as it has been established and is classified for zoning in the City of Troy, Madison County, Illinois.

SECTION 3: That the map attached hereto marked **Exhibit A**, and made a part hereof, which is found to be an accurate map of the annexed territory, shall be filed of record with this Ordinance.

SECTION 4: That the City Clerk is hereby directed to record with the Recorder of Deeds and to file with the County Clerk a certified copy of this Ordinance, together with copies of the annexation notice, the affidavit of service of notices, and the exhibits appended to this Ordinance.

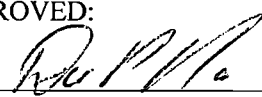
SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage, approval, 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 1st day of August, 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

MAPS & PLATS

Survey Required
For Recording

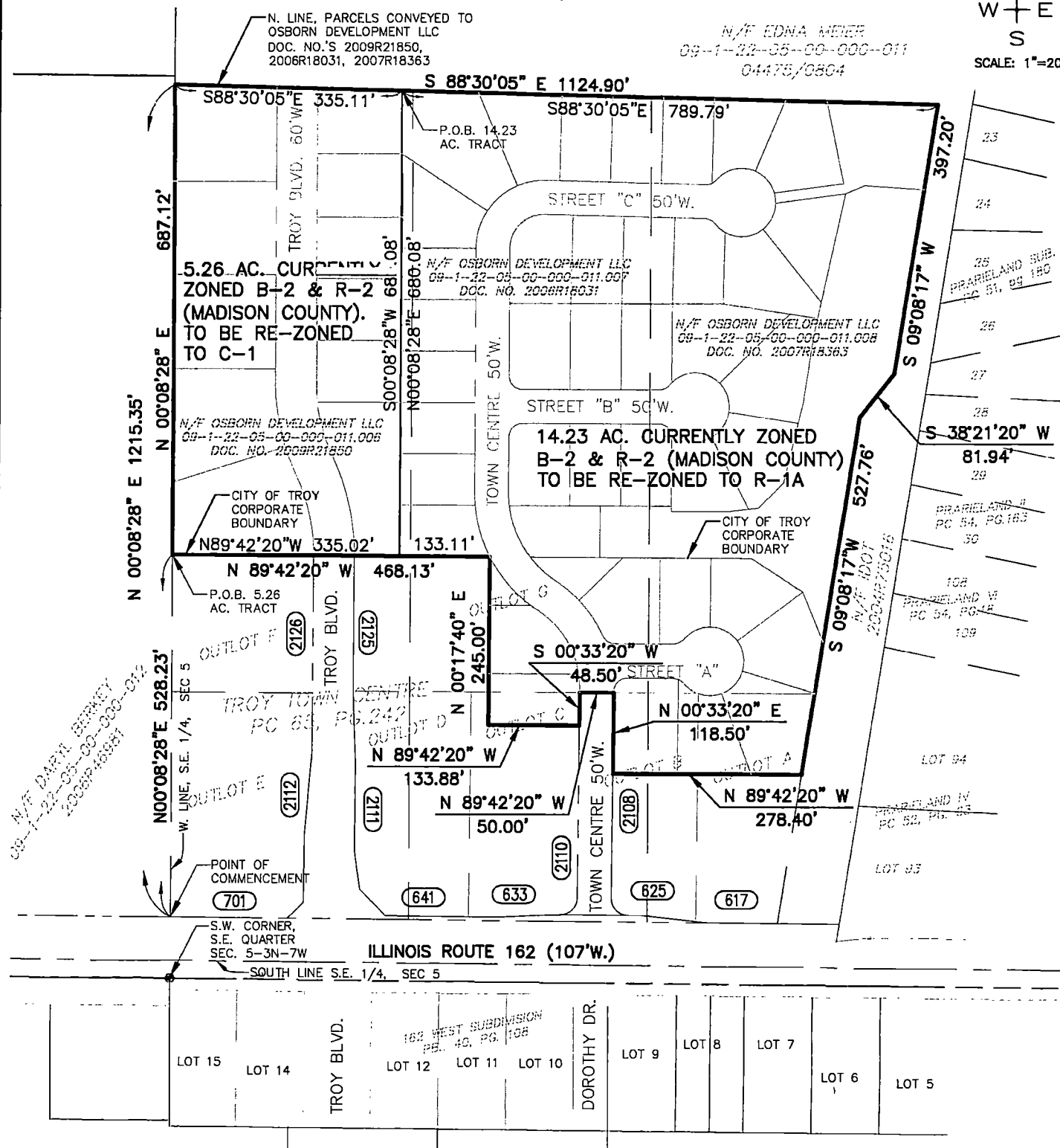
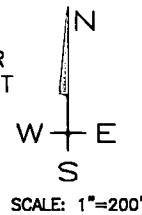
Initials: 

Date: 8/11/22

EXHIBIT A

RE-ZONING EXHIBIT DRAWING

PART OF OUTLOTS A, B, C, & G OF "TROY TOWN CENTRE," AND PART OF THE SOUTHEAST QUARTER OF SECTION 5, ALL IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 7 WEST OF THE 3RD PRINCIPAL MERIDIAN, MADISON COUNTY, ILLINOIS



IT IS NOT WARRANTED THAT THIS DRAWING CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIVE COVENANTS, BUILDING SET-BACK LINES, RIGHTS OF WAY, LAND USE REGULATIONS OR OTHER ENCUMBRANCES. FOR COMPLETE INFORMATION A TITLE OPINION, COMMITMENT FOR TITLE INSURANCE, AND/OR AN ALTA/NSPS LAND TITLE SURVEY SHOULD BE OBTAINED.



Prepared by:
Sherbut-Carson-Claxton, LLC
#4 Meadow Hts Prof Park
Collinsville, Illinois 62234
(618) 345-5454
info@sherbutpc.com

MAY 31, 2022
S-C-C LLC JOB No. 2317



PETITION FOR ANNEXATION

To: Mayor and City Council, City of Troy, Illinois


The undersigned Petitioner(s) respectfully represent(s):

1. Petitioner(s) is/are owner(s) of record of all lands within the territory sought to be annexed and legally described in the document attached hereto as Exhibit "A+B" and by reference thereto made a part hereof and sometimes referred to herein as the Tract.
2. The Tract is not within the corporate limits of any municipality but is contiguous to the City of Troy, Illinois.
3. ☒ There are no electors residing in the Tract.
☐ This petition, in addition to being signed by all owners of record of all lands within the territory sought to be annexed, is also signed by at least 51% of the electors residing therein.
4. That a plat of the lands sought to be annexed is attached hereto as Exhibit "____" and by reference thereto is made a part thereof.
5. Any additional information: Annexation Contingent on Rezoning to C-1 + R-1A

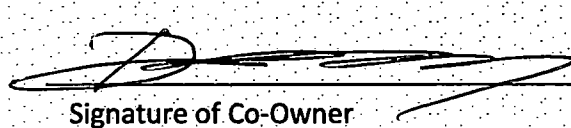
The undersigned Petitioner(s) respectfully requests:

- A. That the above described tract be annexed to the City of Troy, Illinois, by ordinance of the Mayor and City Council of the City of Troy, Illinois, pursuant to the provisions of Chapter 65 ILCS 5/7-1-8.
- B. That such other action be taken as is appropriate in the premises.

Dated this 11 day of July, 2022


Signature of Owner

Joseph Osborn
Printed Name of Owner


Signature of Co-Owner

Donald Osborn
Printed Name of Co-Owner

Building & Zoning Dept.
116 E. Market Street
Troy, Illinois 62294

(618) 667-8734 ext. 4
buildingzoning@trovil.us email
www.trovil.us

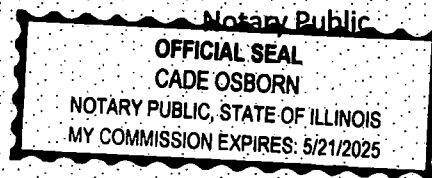
State of Illinois)
)
County of Madison)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that
Joseph and Donald Osborn personally known to me to be the
same person(s) whose name(s) is/are subscribed to the foregoing Petition for Annexation, respectively,
appeared before me this day in person and acknowledged that he/she/they signed and delivered the
said instrument as his/her/their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 11 day of July, 2022



My commission expires: 5-21-2025



For Office Use Only:

Date Received: _____, 20____

Comments:

☐ Plat of annexation prepared by an Illinois registered land surveyor

☐ Legal description

Annexation notice mailed to:

☐ Jarvis Township Board

☐ Tri-Township Library Trustees

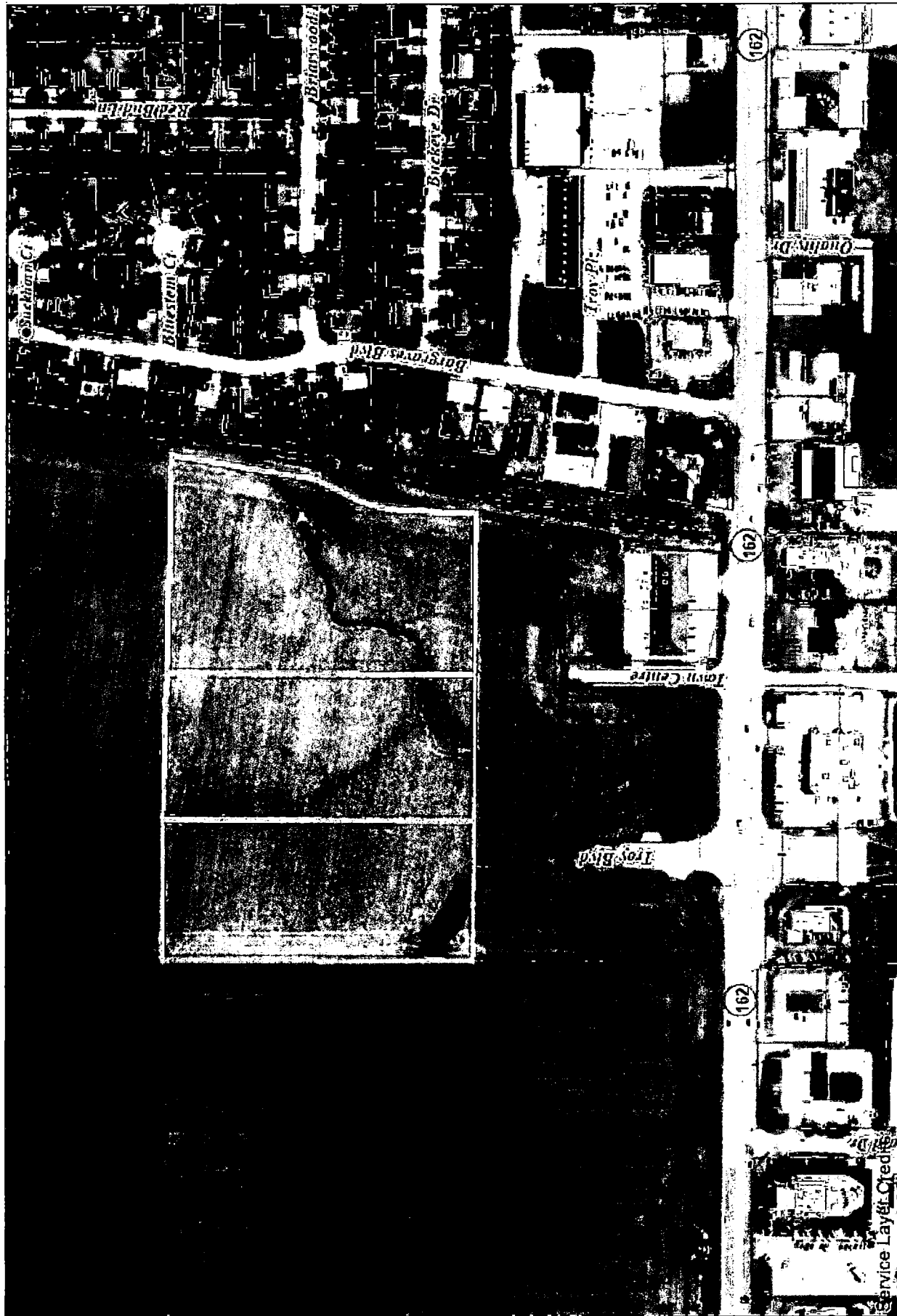
☐ Troy Fire Protection District Trustees

☐ Affidavit verifying notification to each taxing district filed with the Recorder of Deeds Office

☐ Certified copy of the annexation ordinance including the ordinance, legal description, plat of annexation and affidavit
or proof of service must be filed with Madison County Recorder of Deeds

☐ Copy of ordinance sent to owner

Exhibit B



Author: Madison County GIS
Copyright: Madison County Government

Date: 7/13/2022
Time: 10:12:04 AM

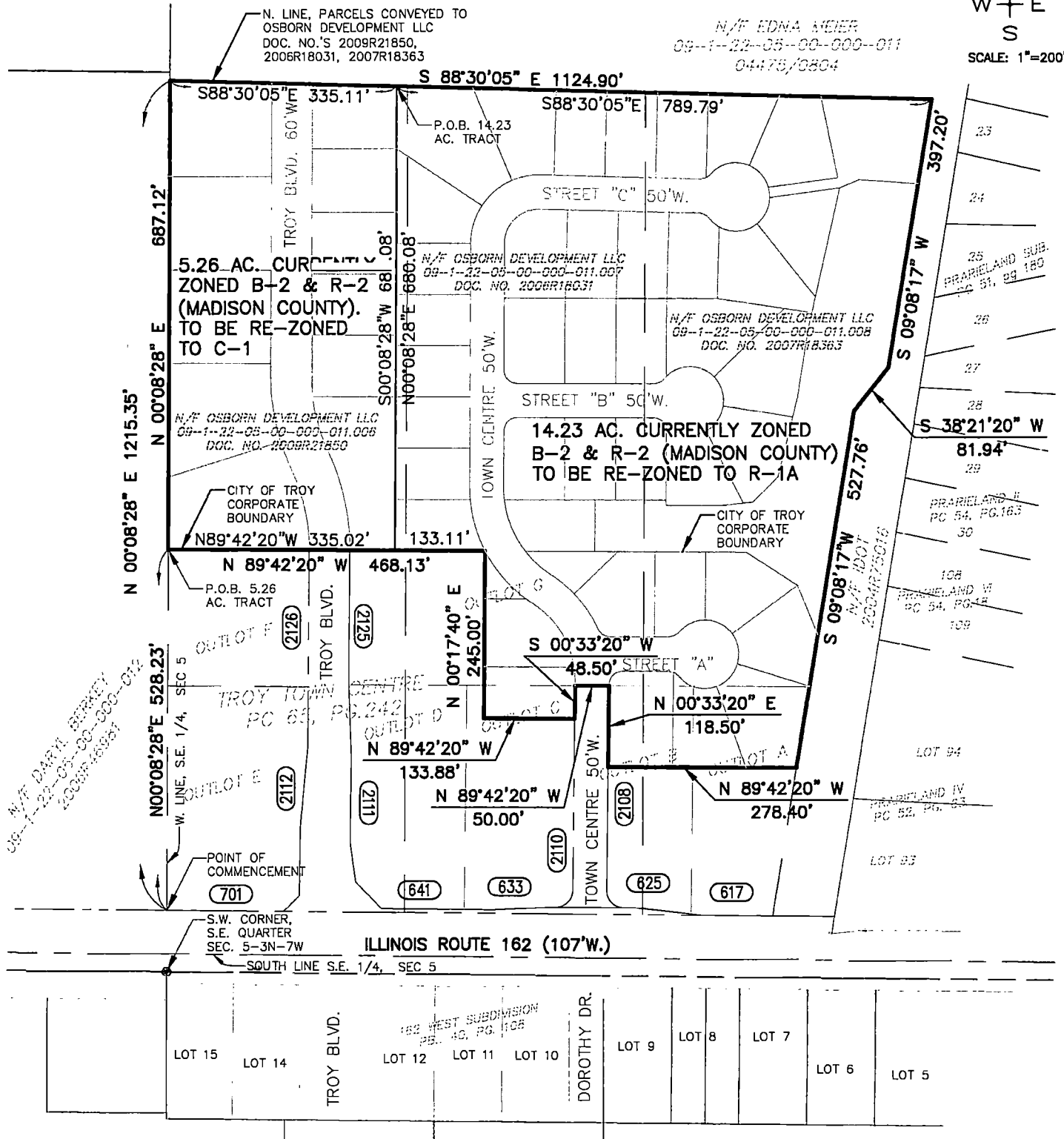
0 100 200 300 400 500 600 700 800 900

162 162 162

EXHIBIT A

RE-ZONING EXHIBIT DRAWING

PART OF OUTLOTS A, B, C, & G OF "TROY TOWN CENTRE," AND PART OF THE SOUTHEAST QUARTER OF SECTION 5, ALL IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 7 WEST OF THE 3RD PRINCIPAL MERIDIAN, MADISON COUNTY, ILLINOIS



IT IS NOT WARRANTED THAT THIS DRAWING CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIVE COVENANTS, BUILDING SET-BACK LINES, RIGHTS OF WAY, LAND USE REGULATIONS OR OTHER ENCUMBRANCES. FOR COMPLETE INFORMATION A TITLE OPINION, COMMITMENT FOR TITLE INSURANCE, AND/OR AN ALTA/NSPS LAND TITLE SURVEY SHOULD BE OBTAINED.



Prepared by:
Sherbut-Carson-Claxton, LLC
#4 Meadow Hts Prof Park
Collinsville, Illinois 62234
(618) 345-5454
info@sherbutpc.com

MAY 31, 2022
S-C-C LLC JOB No. 2317

EXHIBIT A (continued)
SHERBUT-CARSON-CLAXTON, LLC
CIVIL ENGINEERS - LAND SURVEYORS
LAND DEVELOPMENT CONSULTANTS

J.G. Sherbut, P.E., P.L.S (1979-2004)
Keith G. Carson, P.L.S.

4 Meadow Heights Professional Park
Collinsville, Illinois 62234
(618) 345-5454
FAX 345-3017
Email: Info@Sherbutpc.com

David B. Claxton, P.E., P.L.S.

Legal Description
for Osborn Development LLC
14.23 acres to be Re-Zoned R-1A
May 31, 2022

Part of Outlots A, B, C, & G of "Troy Town Centre," and part of the Southeast Quarter of Section 5, all in the Southeast Quarter of Section 5, Township 3 North, Range 7 West of the 3rd Principal Meridian, Madison County, Illinois, said part being more particularly described as follows:

Commencing at the intersection of the northerly right of way line of Illinois Route 162 with the west line of the Southeast Quarter of Section 5, said point being the southwest corner of "Outlot E" of "Troy Town Centre," as recorded in Plat Cabinet 65 on Page 242 in the Madison County records; thence on an assumed bearing of North 00 degrees 08 minutes 28 seconds East, on the west line of said Southeast Quarter of Section 5, a distance of 1215.35 feet to the northwest corner of a tract conveyed to Osborn Development LLC by a deed recorded as Document No. 2009R21850 in the Madison County records; thence South 88 degrees 30 minutes 05 seconds East, along the north line of said tract described in Document No. 2009R21850, a distance of 335.11 feet to the POINT OF BEGINNING of the tract described herein; thence continuing South 88 degrees 30 minutes 05 seconds East, along the north line of said tract described in Document No. 2009R21850, and along the southeasterly prolongation thereof, a distance of 789.79 feet to the northeast corner of a tract conveyed to Osborn Development LLC by a deed recorded as Document No. 2007R18363 in the Madison County records; thence South 09 degrees 08 minutes 17 seconds West, along the easterly line of said tract described in Document No. 2007R18363, a distance of 397.20 feet to a point; thence South 38 degrees 21 minutes 20 seconds West, along said easterly line, 81.95 feet; thence South 09 degrees 08 minutes 17 seconds West, along said easterly line, 527.76 feet; thence North 89 degrees 42 minutes 20 seconds West, 278.40 feet to a point in the east right of way line of Town Centre as shown on the aforementioned plat of "Troy Town Centre;" thence North 00 degrees 33 minutes 20 seconds East, along said right of way line, 118.50 feet to the northwest corner of "Outlot B" as shown on said plat of "Troy Town Centre;" thence North 89 degrees 42 minutes 20 seconds West, along the south line of "Outlot G" as shown on said plat of "Troy Town Centre," 50.00 feet to the northeast corner of "Outlot C" as shown on said plat of "Troy Town Centre;" thence South 00 degrees 33 minutes 20 seconds West, along the east line of said "Outlot C," 48.50 feet; thence North 89 degrees 42 minutes 20 seconds West, 133.88 feet; thence North 00 degrees 17 minutes 40 seconds East, 245.00 feet to a point in the north line of the aforementioned "Outlot G" as shown on said plat of "Troy Town Centre" thence North 89 degrees 42 minutes 20 seconds West, along said north line, 133.11 feet; thence North 00 degrees 08 minutes 28 seconds East, 680.08 feet to the point of beginning and containing 14.23 acres.

DBC/dc
Job No. 2317

EXHIBIT A (continued)
SHERBUT-CARSON-CLAXTON, LLC
CIVIL ENGINEERS - LAND SURVEYORS
LAND DEVELOPMENT CONSULTANTS

J.G. Sherbut, P.E., P.L.S. (1979-2004)
Keith G. Carson, P.L.S.

4 Meadow Heights Professional Park
Collinsville, Illinois 62234
(618) 345-5454
FAX 345-3017
Email: Info@Sherbutpc.com

David B. Claxton, P.E., P.L.S.

Legal Description
for Osborn Development LLC
5.26 Acres to be Re-Zoned C-1
May 31, 2022

Part of the Southeast Quarter of Section 5, Township 3 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois, said part being more particularly described as follows:

Commencing at the intersection of the northerly right of way line of Illinois Route 162 with the west line of the Southeast Quarter of said Section 5, said point being the southwest corner of "Outlot E" of "Troy Town Centre," as recorded in Plat Cabinet 65 on Page 242 in the Madison County records; thence on an assumed bearing of North 00 degrees 08 minutes 28 seconds East, on the west line of said Southeast Quarter of Section 5, a distance of 528.23 feet to the northwest corner of "Outlot F" of said "Troy Town Centre," said point being the POINT OF BEGINNING of the tract described herein; thence continuing North 00 degrees 08 minutes 28 seconds East, on the west line of said Southeast Quarter of Section 5, a distance of 687.12 feet to the northwest corner of a tract conveyed to Osborn Development LLC by a deed recorded as Document No. 2009R21850 in the Madison County records; thence South 88 degrees 30 minutes 05 seconds East, along the north line of said tract described in Document No. 2009R21850, a distance of 335.11 feet; thence South 00 degrees 08 minutes 28 seconds West, parallel with said west line of the Southeast Quarter of Section 5, a distance of 680.08 feet to a point in the north line of "Outlot G" of "Troy Town Centre;" thence North 89 degrees 42 minutes 20 seconds West, along said north line, and along the northwesterly prolongation thereof, 335.02 feet to the Point of Beginning and containing 5.26 acres.

DBC/dc
Job No. 2317



*PETITION FOR THE ANNEXATION
OF TROY TOWN CENTRE VILLAS
TROY, ILLINOIS*

Notice of Intent to Annex

TO WHOM IT MAY CONCERN:

Notice is hereby given that the owners of record of the following described territory have filed with the City of Troy a Petition for Annexation (pursuant to 65 ILCS 5/7-1-1 et seq.) requesting the annexation of the proposed **TROY TOWN CENTRE VILLAS**, Troy, Madison County, Illinois.

This request is conditioned on the subsequent rezoning of parcel # **09-1-22-05-00-011.006** to **C-1 Commercial**, and # **09-1-22-05-00-011.007** and # **09-1-22-05-00-011.008** to **R-1A Residential**.

An ordinance to annex these properties with parcel IDs # **09-1-22-05-00-011.006**, # **09-1-22-05-00-011.007**, and # **09-1-22-05-00-011.008** will be presented to the corporate authorities of the City of Troy, Madison County, Illinois at the regular City Council meeting on Monday, August 1st, 2022 at 6:30 p.m. in the City Council Chambers, Troy Municipal Building, 116 E. Market Street, Troy, Illinois 62294.

All interested persons are invited to appear at the time and place listed above.

Dated: July 14, 2022

Linda Taake,
Building & Zoning
Administrative Coordinator

Building & Zoning Department
116 E. Market Street
Troy, Illinois 62294

(618)667-8734 ext. 4
buildingzoning@troyil.us - email
www.troyil.us

RETURN TO:

CITY OF TROY
Building & Zoning Dept.
116 E. Market St.
Troy, Illinois 62294

Affidavit of Service of Notice

I, Andrea D. Lambert, hereby state as follows:

1. I am the Building and Zoning Administrative Clerk and Deputy Clerk for the City of Troy, Illinois, and I am competent to testify to the matters set forth herein, all of which are based upon my personal knowledge.
2. Per 65 ILCS 5/7-1-1, this shall serve as an Affidavit of Service of Notice that I duly provided notice letter containing information about the proposed ordinance (**Ordinance 2022-29**) & **conditional annexation** of parcel # **09-1-22-05-00-011.006 to C-1 Commercial**; and # **09-1-22-05-00-011.007** and # **09-1-22-05-00-011.008 to R-1A Residential**. The public meeting date (August 1st, 2022) for adoption thereon to the following, via Certified Mail, Return Receipt Requested, and First Class U.S. Mail on the 13th day of July, 2022:

Tri-Township Library
209 South Main Street
Troy, Illinois 62294

Jarvis Township
112 N Main Street
Troy Illinois 62294

Troy Fire Protection District
116 W Clay St.
Troy, IL 622294

Dennis Ashcraft
Tri-Township Library
2623 Staunton Road
Troy, Illinois 62294

Andrea May
Jarvis Township Supervisor
10 Sandstone Court
Troy, Illinois 62294

Kevin Byrne
Trustee – TFPD
26 Lake Dr.
Troy, Illinois 62294

Michelle Erschen
Tri-Township Library
903 Long Branch Road
Troy, Illinois 62294

Alan Dunstan
Jarvis Township Clerk
1101 Antler Drive
Troy, Illinois 62294

Ryan Cunningham
Trustee – TFPD
112 Reagan Dr.
Troy, Illinois 62294

Maryellen Akridge
Tri-Township Library
43 Lake Drive
Troy, Illinois 62294

Jessica Dudley
Jarvis Township Assessor
506 Lower Marine Road
Troy, Illinois 62294

Michael Cushing
Trustee – TFPD
27 Stonebrooke
Troy, Illinois 62294

Marcella Lindsay
Trustee – Tri-Township Library
59 Lake Shore Drive
Troy, Illinois 62294

Scott Wiesehan
Jarvis Township Trustee
1129 Troy O'Fallon Road
Troy, Illinois 62294

Fred Patterson
Trustee – TFPD
127 Pebblebrooke
Troy, Illinois 62294

Kathy Scheller
Tri-Township Library
600 Woodland Hills
Troy, Illinois 62294

Jason Helldoerfer
Jarvis Township Trustee
132 Blackjack Road
Troy, Illinois 62294

Troy Post Office
Attn: Postmaster
515 Edwardsville Road
Troy, Illinois 62294

Pamela Espindola
74 Stonebrook
Troy, Illinois 62294

Nathan Hovatter
Jarvis Township Trustee
409 Avalon
Troy, Illinois 62294

Ameren Services Company
Attn: Tax Compliance
PO Box 66149, MC 212
St. Louis, Missouri 63166

Madison County Election Authorities
Madison County Clerk
157 N. Main Street
Edwardsville, Illinois 62025

Monica Hartlein
Jarvis Township Trustee
2069 Grandview
St. Jacob, Illinois 62281

Member Records Clerk
Southwestern Electric Cooperative
525 US Route 40
Greenville, Illinois 62246

3. I declare under penalty of perjury that the foregoing is true and correct.

Andrea D. Lambert
Andrea D. Lambert

7-27-22
Date

SUBSCRIBED and SWORN to before me this 27TH day of July, 2022.

My commission expires:

Linda S. Taake
Notary Public



END OF DOCUMENT