



DocId:8857808

Tx:4586634

Prepared by:

City Clerk
116 E. Market Street
Troy, Illinois 62294

2023R07542
STATE OF ILLINOIS
MADISON COUNTY
03/22/2023 09:26 AM
LINDA A. ANDREAS
CLERK & RECORDER
REC FEE: 50.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE:
OF PAGES: 13



50.00 CITY

Ordinance No. 2023 – 11

**AN ORDINANCE Annexing and Zoning Certain Territory
To and In the City of Troy, Madison County, Illinois**

(Namely, 305 Arrowhead Drive Owned by
Koty and Christy Whitaker)

WHEREAS, Koty and Christy Whitaker, petitioners/owners of certain territory also known as 305 Arrowhead Drive (parcel number 09-2-22-09-16-402-014) Troy, Illinois which is not within the corporate limits of any municipality, but which is contiguous to the City of Troy, Illinois, have filed a written petition with the City of Troy requesting that said territory be annexed to the City of Troy, Illinois, a copy of which is attached hereto as Exhibit B; and

WHEREAS, the property owners have represented that there are electors residing on the property; and

WHEREAS, a map and legal description of the territory to be annexed is attached hereto as Exhibit A is an accurate map 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 305 Arrowhead Drive, 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 Low Density 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 21st day of February, 2023.

Aldermen:

Dan Dawson ABSENT
Tim Flint AYE
Elizabeth Hellrung AYE
Nathan Henderson AYE

Sam Italiano AYE
Debbie Knoll ABSENT
Tony Manley AYE
Troy Turner AYE

Ayes: 6
Nays: 0
Absent: 2
Abstain: 0

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 AE

Date 03/27/23



PETITION FOR ANNEXATION

Please use ONLY BLUE or BLACK INK

www.troyil.us

Name _____ Address 305 Arrowhead Dr.

Phone Number _____ Email _____

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 "_____" 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 copy of the map 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: _____

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 Section 7-1-8 of the Illinois Municipal Code of the State of Illinois, as amended.
- B. That such other action be taken as is appropriate in the premises.

Sign in person – witnessed by a Notary Public (available at City Hall)

Christy Whitaker
Signature of Owner

Christy Whitaker
Printed Name of Owner

Katy Whitaker
Signature of Co-Owner

KATY WHITAKER
Printed Name of Co-Owner

* * * * *

State of Illinois) I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify
County of Madison) that _____ 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 22 day of September, 2022

Notary Seal

OFFICIAL SEAL
KATHRYN R SHARPE
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/29/2022

Kathryn R Sharpe
Notary Public

OFFICE USE ONLY:

Date Received: _____ at _____ a.m./p.m. by _____

Comments: _____

- ☐ Map prepared by an Illinois registered land surveyor
- ☐ 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, affidavit or proof of service and the map must be filed with: ☐ Madison County Recorder of Deeds ☐ Madison County Maps & Plats ☐ Madison County Clerk
- ☐ Copy of Ordinance sent to owner



PETITIONERS MUST FURNISH ALL OF THE FOLLOWING INFORMATION WITH
THEIR AGREEMENT FOR WATER SERVICE AND ANNEXATION

- 1) Full names, addresses and phone numbers of ALL the 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 payment of the required completed application. In order for water services to be continued Petitioners have until _____ to return the attached "Agreement for Water Service and Annexation" with all required documentation as noted above. If this agreement is not returned by the previously stated date, water services 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 Annexation along with required documentation by

9/30/2022

(Due Date)

Property Address: 305 Arrowhead DR

Signed: Christy Whitman
(Property Owner)

Dated: 8/30/22

Signed: Kathy [Signature]
(Property Owner)

Dated: 9/20/22

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

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 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 of proposed **ORDINANCE NO 2023- 11** – **An Ordinance Annexing and Zoning Certain Territory To and In the City of Troy, Madison County, Illinois (305 Arrowhead Drive owned by Koty and Christy Whitaker)** and public meeting date for adoption thereon to the following, via Certified Mail, Return Receipt Requested, and First Class U.S. Mail on the 20th day of January, 2023:

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

Twyla Juehne
Tri-Township Library
1031 Bauer Rd
Troy, Illinois 62294

Dale Grapperhaus
Township Highway Commissioner
7948 W. Kirsch Road
Troy, Illinois 62294

Steve Lynn
Trustee – TFPD
8383 Mill Hill Lane
Troy, Illinois 62294

Marcella Lindsay
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

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

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

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

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

Andrea D. Lambert
Andrea D. Lambert

1-23-23
Date

SUBSCRIBED and SWORN to before me this 23rd day of January, 2023.

My commission expires: 3/11/23

Linda S. Taake



Annexation Legal Description

Owner: Koty Whitaker and Christy Whitaker

Parcel: 09-2-22-09-16-402-014

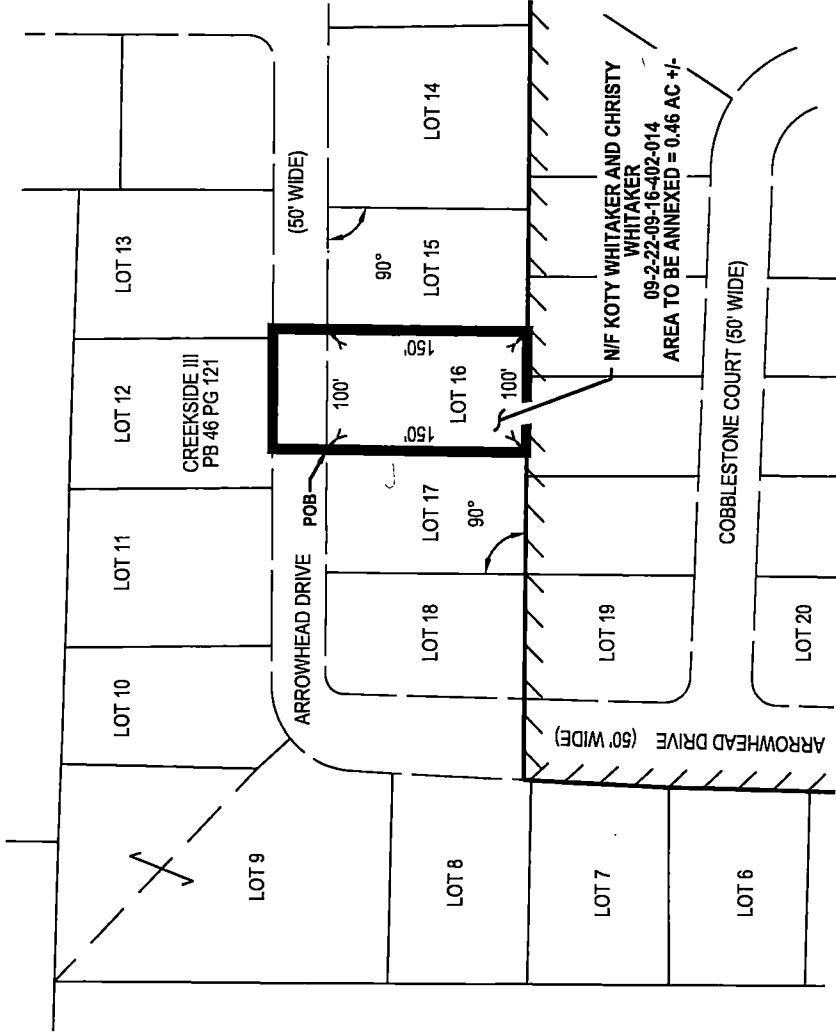
Lot 16 of Creekside III, a subdivision according to the plat thereof recorded in Plat Book 46 Page 121 in the Office of the Recorder of Madison County, Illinois, (except coal and other mineral rights conveyed, excepted or reserved in prior conveyances) in Madison County, Illinois.

Further described as follows:

Beginning at the northwest corner of said Lot 16; thence easterly on the north line of said Lot 16, a distance of 100 feet to the east line of said Lot 16; thence southerly on said east line, 150 feet to the south line of said Lot 16; thence westerly on said south line, 100 feet to the west line of said Lot 16; thence northerly on said west line, 150 feet to the Point of Beginning.

EXHIBIT A

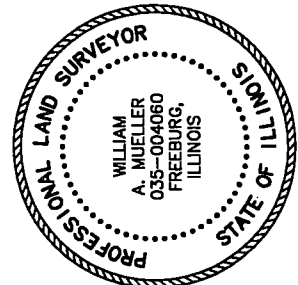
TERRITORY TO BE ANNEXED BY THE CITY OF TROY, ILLINOIS BY ORDINANCE NO. 2023-11
BEING PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 7 WEST
OF THE 3RD PRINCIPAL MERIDIAN, MADISON COUNTY, ILLINOIS



LEGEND

- EXISTING CORPORATE LIMITS
- AREA TO BE ANNEXED
- EX RIGHT OF WAY LINE
- SECTION LINE
- POB
- POINT OF BEGINNING

WE, OATES ASSOCIATES, INC., HAVE AT THE REQUEST OF THE CITY OF TROY, ILLINOIS, PREPARED THIS PLAT FROM RECORD SOURCES.



William A. Mueller 01/20/2023
WILLIAM A. MUELLER
ILLINOIS PROFESSIONAL LAND SURVEYOR
NO. 035-004060
EXPIRES 11-30-2024


ANNEXATION PLAT
305 ARROWHEAD DRIVE
CITY OF TROY, IL

PROJECT NO.: 15062.002
DATE: 01/20/2023
REVISION:
EXHIBIT: **A**




305 Arrowhead






Author: Service Layer Credits

Copyright: Madison County Government



0 0.02 0.04 0.08 0.12 0.16 mi



Date: 1/17/2023
Time: 12:50 PM

WARRANTY DEED

140144

klk

THIS INDENTURE WITNESSETH, that the Grantors, DUSTIN JOSEPH DOZARD AND SAMANTHA RAE DOZARD, 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, CONVEY and WARRANT to KOTY WHITAKER AND CHRISTY WHITAKER,

whose address is:

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

Lot 16 in Creekside III, a subdivision according to the plat thereof recorded in Plat Book 46 Page 121 in the Office of the Recorder of Madison County, Illinois, (except coal and other mineral rights conveyed, excepted or reserved in prior conveyances) in Madison County, Illinois.


Commonly known as: 305 Arrowhead Dr., Troy, IL 62294


Permanent Parcel No. 09-2-22-09-16-402-014

SUBJECT TO THE EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

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

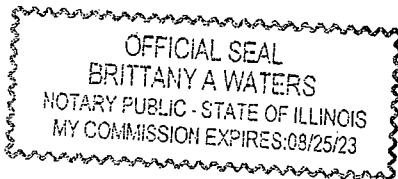
Dated this 2nd day of September, 2022.



DUSTIN JOSEPH DOZARD


SAMANTHA RAE DOZARD

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 DUSTIN JOSEPH DOZARD AND SAMANTHA RAE DOZARD, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as having executed the same, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as 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 2nd day of September, 2022.





Notary Public

Return Document to:

Future Taxes To Grantee's Address:

This Instrument Prepared By:
Barbara L. Sherer, Attorney at Law
Attorney Registration # 06202620
205 N. Second Street, Suite 102
Edwardsville, Illinois 62025
618/692-6656



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.

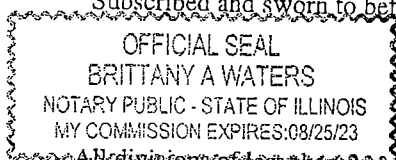
___ 9. The sale of a single lot/tract less than five (5) acres from a larger tract. (Exception only applies to the 1st tract conveyed from a larger tract as it existed on October 1, 1973.) (The single tract of less than five (5) acres must have been surveyed by an Illinois Registered Land Surveyor whose 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 D. J. W. DOZARD SIGNATURE: [Signature] DATE: 9/2, 2022
 (Please Print)

Subscribed and sworn to before me this 2 day of September, 2022



[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

 Date

END OF DOCUMENT

(Revised 8/11)