



DocId:8866244

Tx:4591398

Prepared by:

City Clerk
116 E. Market Street
Troy, Illinois 62294

2023R13024
STATE OF ILLINOIS
MADISON COUNTY
05/19/2023 12:10 PM
LINDA A. ANDREAS
CLERK & RECORDER
REC FEE: 50.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE:
OF PAGES: 14

50⁰⁰ CTY**Ordinance No. 2023 - 23**

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

(Namely, 204
Arrowhead Drive Owned by
Eric R. Smith and Lauren V. Smith)

WHEREAS, Eric R. Smith and Lauren V. Smith, petitioners/owners of certain territory also known as 204 Arrowhead Drive (parcel number 09-2-22-09-15-402-024) 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.

DR

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 204 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 15th day of May, 2023.

Aldermen Vote:

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
DAVID NONN, Mayor
City of Troy, Illinois

ATTEST:

By:

Kimberly Thomas
KIMBERLY THOMAS, Clerk
City of Troy, Illinois

MAPS & PLATS

Survey Required
For Recording

Initials AE

Date 5/19/2023



EXHIBIT B



PETITION FOR ANNEXATION

Please use ONLY BLUE or BLACK INK

www.troyil.us

Name Eric & Lauren Smith

Address 204 Arrowhead DR TROY, IL 62294

Phone Number (618) 978-9447

Email Smith.r.eric@gmail.com

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)

[Signature]
Signature of Owner

Eric R Smith
Printed Name of Owner

[Signature]
Signature of Co-Owner

Lauren V Smith
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 30TH day of MARCH, 2023



[Signature]
Notary Public

Notary Seal

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

WARRANTY DEED

141217

klk

THIS INDENTURE WITNESSETH, that the Grantor, HEATHER GALLIA, 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 ERIC R. SMITH AND LAUREN V. SMITH,

whose address is:

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

Lot 4 in Creekside III, a subdivision according to the plat thereof recorded in Plat Book 46 Page 121, (except coal, gas and other mineral rights conveyed, excepted or reserved in prior conveyances) in Madison County, Illinois.

Commonly known as: 204 Arrowhead Drive, Troy, IL 62294

Permanent Parcel No. 09-2-22-09-15-402-024

SUBJECT TO THE EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

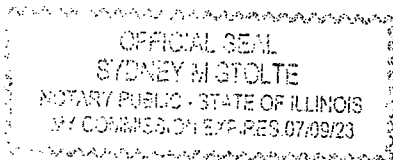
Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

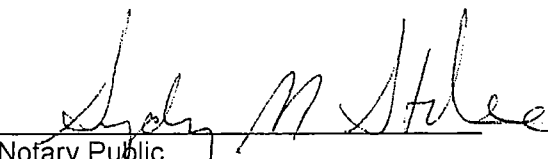
Dated this 9th day of March, 2023.


HEATHER GALLIA

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 HEATHER GALLIA, personally known to me to be 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 9th day of March, 2023.

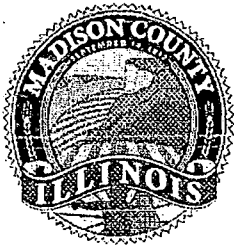



Notary Public

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.

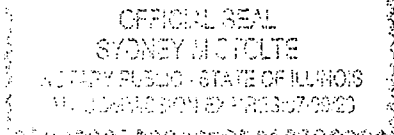
____ 9. The sale of a single lot/tract less than five (5) acres from a larger tract. (Exception only applies to the 1st tract conveyed from a larger tract as it existed on October 1, 1973.) (The single tract of less than five (5) acres must have been surveyed by an Illinois Registered Land Surveyor whose 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 Heather Gallia SIGNATURE: [Signature] DATE: 3-9, 2023
 (Please Print)

Subscribed and sworn to before me this 9th day of March, 2023



[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)



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 4-14-2023 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

4-14-2023

(Due Date)

Property Address: 204 Arrowhead DR Troy, IL 62294

Signed: [Signature]

(Property Owner)

Dated: 3/30/23

Signed: [Signature]

(Property Owner)

Dated: 3/30/23

Accepted by: [Signature]

(City of Troy Representative)



*PETITION FOR THE ANNEXATION
OF 204 ARROWHEAD DRIVE
TROY, ILLINOIS*

Notice of Intent to Annex

TO WHOM IT MAY CONCERN:

Notice is hereby given that the owners of record and at least fifty-one percent of the electors 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 **204 Arrowhead Drive**, Troy, Madison County, Illinois.

An ordinance to annex this property with **parcel ID #s 09-2-22-09-15-402-024** will be presented to the corporate authorities of the City of Troy, Madison County, Illinois at the regular City Council meeting on Monday, May 15, 2023 at 6:30 p.m. in the City Council Chambers, Troy Municipal Building, 116 E. Market Street, Troy, Illinois 62294.

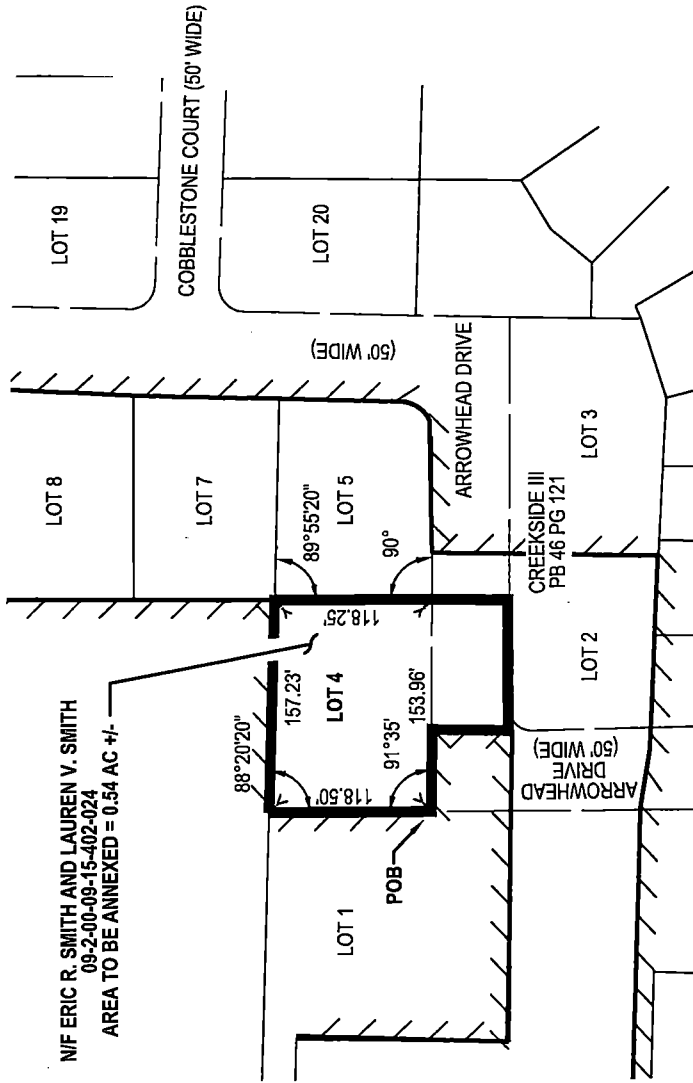
All interested persons are invited to appear at the time and place listed above.

Dated: 5/2/23

Linda Taake,
Building & Zoning
Administrative Coordinator

EXHIBIT A

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



N/E ERIC R. SMITH AND LAUREN V. SMITH
 09-2-00-09-15-402-024
 AREA TO BE ANNEXED = 0.54 AC +/-

LEGEND

- EXISTING CORPORATE LIMITS
- AREA TO BE ANNEXED
- EX RIGHT OF WAY LINE
- SECTION LINE
- 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 05/09/2023

WILLIAM A. MUELLER
 ILLINOIS PROFESSIONAL LAND SURVEYOR
 NO. 035-004060
 EXPIRES 11-30-2024



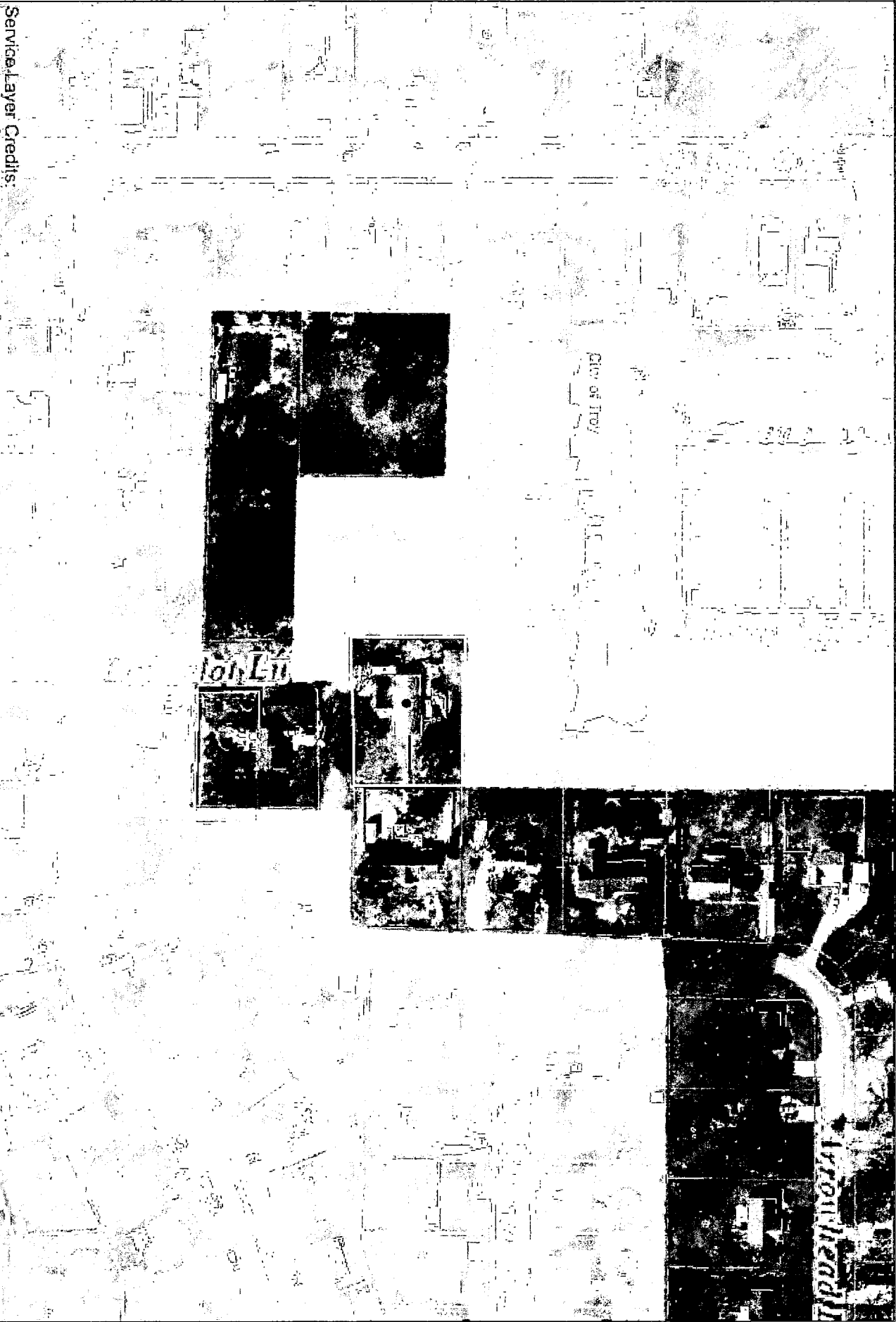
OATES
 ASSOCIATES

ANNEXATION PLAT
 204 ARROWHEAD DRIVE
 CITY OF TROY, IL

PROJECT NO.:	15062.002
DATE:	05/09/2023
REVISION:	

EXHIBIT: **A**

204 Arrowhead



Service Layer Credits:



City of Troy
Copyright: Mapbox, OpenStreetMap contributors



DAVID S. ROBERTS
TROY, MI 48063



Annexation Legal Description

Owner: Eric R. Smith and Lauren V. Smith

Parcel: 09-2-22-09-15-402-024

Lot 4 of Creekside III, a subdivision according to the plat thereof recorded in Plat Book 46 Page 121, (except coal and other mineral rights conveyed, excepted or reserved in prior conveyances) in Madison County, Illinois.

Further described as follows:

Beginning at the southwest corner of said Lot 4; thence northerly on the west line of said Lot 4, a distance of 118.50 feet to the north line of said Lot 4; thence easterly on said north line, 157.23 feet to the east line of said Lot 4; thence southerly on said east line, 118.25 feet to the south line of said Lot 4; thence westerly on said south line, 153.96 feet to the Point of Beginning.

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- 23** – **An Ordinance Annexing and Zoning Certain Territory To and In the City of Troy, Madison County, Illinois (204 Arrowhead Drive owned by Eric R. and Lauren V. Smith)** and public meeting date for adoption thereon to the following, via Certified Mail, Return Receipt Requested, and First Class U.S. Mail on the 3rd day of March, 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

Dawn Henry
Tri-Township Library
256 Fairington 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

Elizabeth Compton
10 Autumn Oaks
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

5.3.23
Date

SUBSCRIBED and SWORN to before me this 3rd day of May, 2023.

My commission expires: 3/11/27

Linda S. Taake

Notary Seal



END OF DOCUMENT