



DocId:8886873

Tx:4591767

Return to:

City Clerk
116 E. Market Street
Troy, Illinois 62294

2023R13451

STATE OF ILLINOIS
MADISON COUNTY
05/24/2023 01:12 PM
LINDA A. ANDREAS
CLERK & RECORDER
REC FEE: 50.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE:
OF PAGES: 24



5000

Ordinance No. 2023 - 25

AN ORDINANCE Annexing and Zoning Certain Property

To and in the City of Troy, Madison County, Illinois

*(Namely, the southerly 350 feet of a vacant tract
with PID 09-1-22-10-00-000-006*

Owned by the Jeanne L. Bohnenstiehl Living Trust)

Whereas, grantors for the Jeanne L. Bohnenstiehl Living Trust, owners the southerly 350 feet of a vacant tract with parcel ID 09-1-22-10-00-000-006, Troy, Illinois which is not within the corporate limits of any municipality, but which is contiguous to the City of Troy, Illinois, has filed a written petition with the City of Troy requesting that said property be annexed to the City of Troy, Illinois, a copy of which is attached hereto as Exhibit C; and

Whereas, the property owners have represented that there are no electors residing on the property; and

DR

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

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, Clerk, 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 property 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, Illinois As Follows:

SECTION 1: That the following southerly 350 feet of a vacant tract with parcel ID 09-1-22-10-00-000-006, 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 property is hereby established in the zoning classification of "R-1 Single-family Residential." Said classification shall apply to the property 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 B, and made a part hereof, which is found to be an accurate map of the annexed property, 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 fifteenth day of May, 2023.

Aldermen:

Dawson AYE

Italiano AYE

Total:

Flint AYE

Knoll AYE

8 Ayes

Hellrung AYE

Manley AYE

0 Nays

Henderson AYE

Turner AYE

0 Abstain

APPROVED:



David Nonn

Mayor

ATTEST:



Kimberly Thomas

City Clerk

MAPS & PLATS

Survey Required
For Recording

Initials AF

Date 05/23/2023





CONSULTING ENGINEERING
GEOSPATIAL SERVICES

THOUVENOT, WADE & MOERCHEN, INC.

CORPORATE OFFICE
4940 OLD COLLINSVILLE ROAD
SWANSEA, IL 62226
618.624.4488
TWM-INC.COM

EXHIBIT A

SOUTHERLY 350 FEET OF 09-1-22-10-00-000-006

A tract of land in the Northeast Quarter of the Northwest Quarter of Section 10, Township 3 North, Range 7 West of the Third Principal Meridian, Cuntly of Madison, State of Illinois and more particularly described as follows:

The southerly 350.00 feet of said Northeast Quarter of the Northwest Quarter of Section 10.

As shown on Exhibit B attached hereto and made a part hereof.

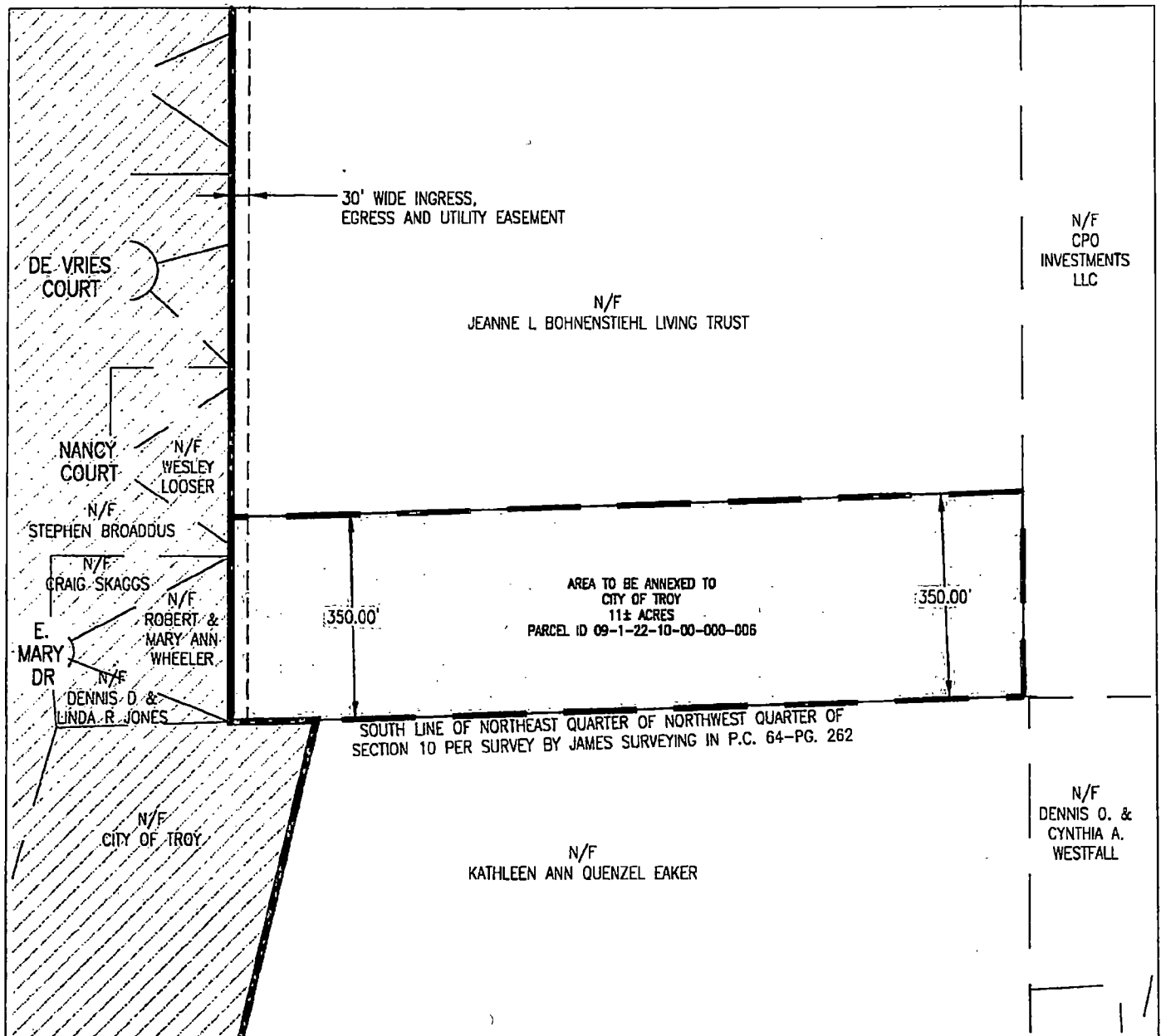
09-1-22-10-00-000-006.001

100% EMPLOYEE OWNED • EXCEPTIONAL SERVICE. NOTHING LESS.

ILLINOIS | SWANSEA • WATERLOO • EDWARDSVILLE MISSOURI | ST. LOUIS • ST. CHARLES

EXHIBIT B

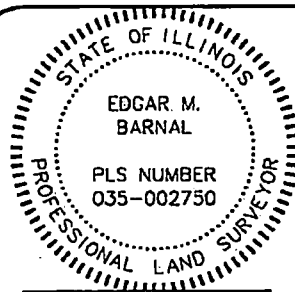
PLAT OF ANNEXATION FOR CITY OF TROY, ILLINOIS



CERTIFICATION

THIS IS TO CERTIFY THAT "THOUVENOT, WADE & MOERCHEN, INC." HAS PREPARED THIS PLAT FOR ANNEXATION TO CITY OF TROY, COUNTY OF MADISON, STATE OF ILLINOIS.

Edgar M. Barnal
EDGAR M. BARNAL
I.P.L.S. # 2750



SIGN. DATE: 11-17-2022
EXP. DATE 11-30-2022

LEGEND:

EXIST. CORP. LIMITS
PRO. CORP. LIMITS
AREA TO BE ANNEXED
EXISTING VILLAGE OF
MARYVILLE LIMITS



THOUVENOT, WADE & MOERCHEN, INC.
SWANSEA OFFICE
4940 OLD COLLINSVILLE RD, SWANSEA, ILLINOIS 62226
PHONE (618) 624-4488 FAX (618) 624-6688

SCALE:
1"=250'



PETITION FOR ANNEXATION

Address: Southerly 350 foot vacant tract PPID: 09-1-22-10-00-000-006

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 " 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 " B " and by reference thereto is made a part thereof.
5. Any additional information: N/A

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 1 day of may, 2023

Signed: Jeane Bohnenstiehl/Mark Bohnenstiehl
Jeane Bohnenstiehl/Mark Bohnenstiehl

Date: 5/1/23

Signed: Chad Bohnenstiehl/Chastity Bohnenstiehl
Chad Bohnenstiehl/Chastity Bohnenstiehl

Date: 5/1/23

Signed: Jason Bohnenstiehl/Dana Bohnenstiehl
Jason Bohnenstiehl/Dana Bohnenstiehl

Date: 5-1-23

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

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

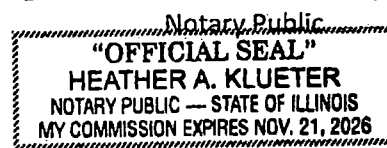
State of Illinois)
)
County of Madison)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that Jeanne, Mark, Chad, Chasity, Jason, Dana Bohnenstiehl 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 1 day of may, 2023

Heather A. Kluter

My commission expires: 11/21/26



For Office Use Only:

Date Received: May 1, 20 23

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

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 Coordinator, 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- 25** – **An Ordinance Annexing and Zoning Certain Territory To and In the City of Troy, Madison County, Illinois (the southerly 350 feet consisting of 11 ± acres of parcel ID 09-1-22-10-00-000-006 owned by Jeanne L Bohnenstiehl Living Trust)** 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

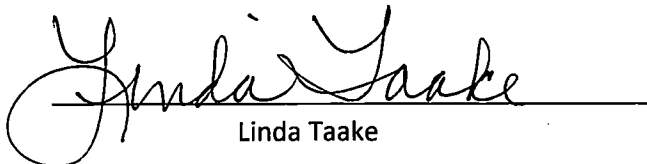
Madison County Election Authorities
Madison County Clerk
157 N. Main Street
Edwardsville, Illinois 62025

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

Kirk Brown
IDOT District #8
1102 Eastport Plaza Drive
Collinsville, IL 62234

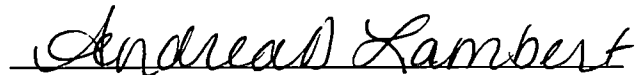
3. I declare under penalty of perjury that the foregoing is true and correct.


Linda Taake

5/3/23
Date

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

My commission expires: 9.7.25





Notary Seal

END OF DOCUMENT

PREPARED BY:

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

CITY OF TROY

RESOLUTION 2023 – 09

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
A DEED OF EASEMENT & RIGHT OF WAY FOR UTILITIES,
INGRESS AND EGRESS**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY, ILLINOIS
THIS 6TH DAY OF FEBRUARY 2023**

RESOLUTION NO. 2023 - 09

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
A DEED OF EASEMENT & RIGHT OF WAY FOR UTILITIES,
INGRESS AND EGRESS**

WHEREAS, the City Council for the City of Troy, Illinois, has determined that it is in the best interests of the City to enter into a Deed of Easement & Right of Way for Utilities, Ingress and Egress with the Jeanne L. Bohnenstiehl Living Trust; and

WHEREAS, the City believes that same is the best interest of the health, safety and general welfare of its citizens.

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

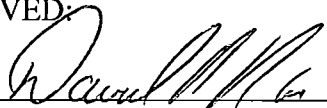
1. The recitals set forth above are hereby incorporated herein as if fully set forth.
2. The Mayor of the City of Troy, Illinois, is hereby authorized to execute and enter into the attached Deed of Easement & Right of Way for Utilities, Ingress and Egress, with the Jeanne L. Bohnenstiehl Living Trust, and is further authorized to take all actions and sign all documents necessary to fulfill the intent of this Resolution.
3. This Resolution shall be in effect following its passage, approval and publication as provided 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 6TH day of FEBRUARY 2022.

Aldermen Vote:

Dan Dawson	<u>AYE</u>	Sam Italiano	<u>AYE</u>	Ayes:	<u>7</u>
Tim Flint	<u>ABSENT</u>	Debbie Knoll	<u>AYE</u>	Nays:	<u>0</u>
Elizabeth Hellrung	<u>AYE</u>	Tony Manley	<u>AYE</u>	Absent:	<u>1</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

Exhibit A

- Easement

(See Attached Exhibit)



CONSULTING ENGINEERING
GEOSPATIAL SERVICES

THOUVENOT, WADE & MOERCHEN, INC.

CORPORATE OFFICE
4940 OLD COLLINSVILLE ROAD
SWANSEA, IL 62226
618.624.4488
TWM-INC.COM

EXHIBIT A

WESTERLY 30 FEET OF 09-1-22-10-00-000-006 & 09-1-22-03-00-000-017

TWM PROJECT NO: E08200127

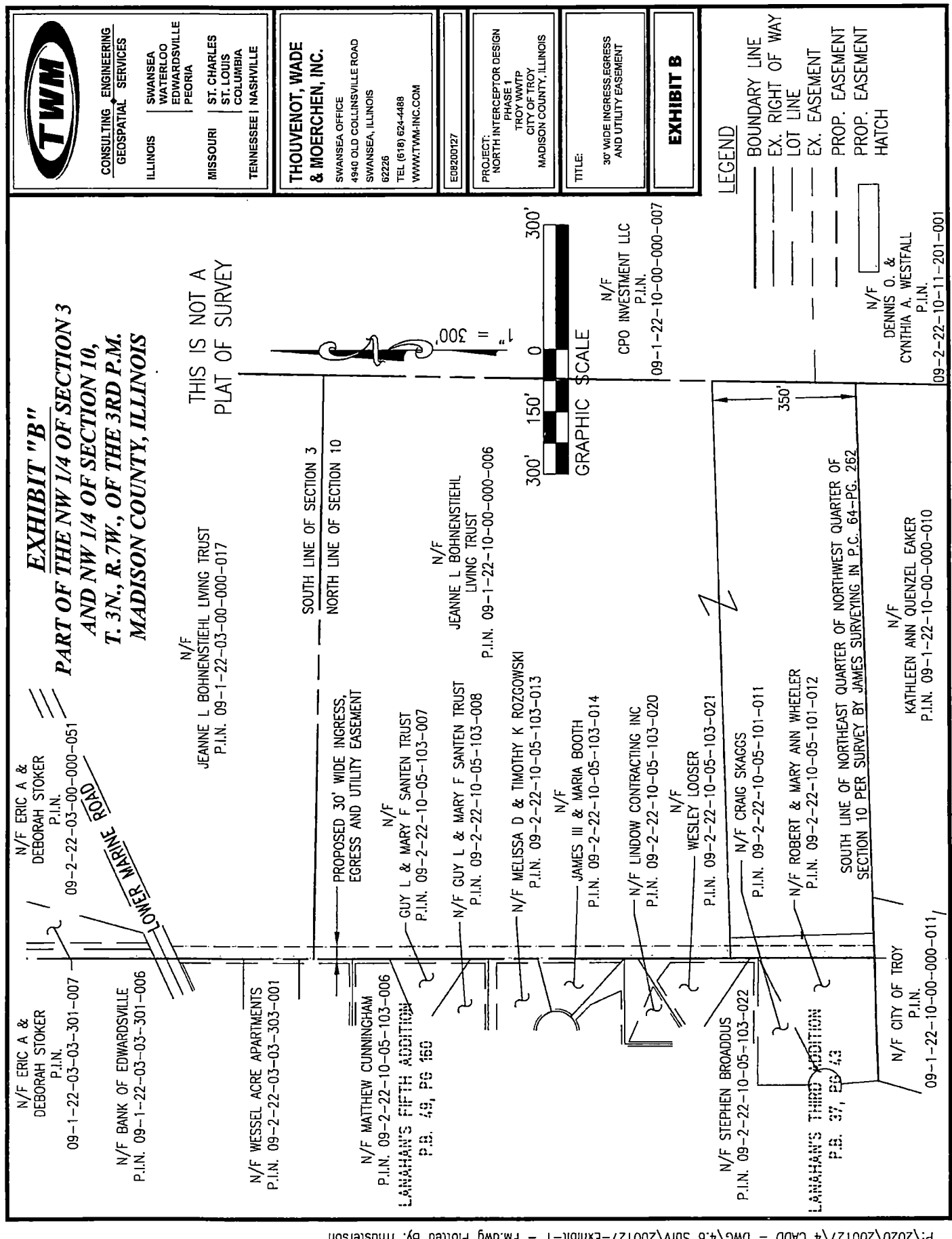
DATE OF PREPARATION: January 31, 2023

RE: INGRESS, EGRESS AND UTILITY EASEMENT

A 30 foot wide ingress, egress and utility easement being part of the Southeast Quarter of the Southwest Quarter of Section 3 and the Northeast Quarter of the Northwest Quarter of Section 10, Township 3 North, Range 7 West of the Third Principal Meridian, Cuntty of Madison, State of Illinois and more particularly described as follows:

The westerly 30.00 feet of said Southeast Quarter of the Southwest Quarter of Section 3 and the Northeast Quarter of the Northwest Quarter of Section 10 lying southerly of the southerly right of way line of Lower Marine Road.

As shown on Exhibit B attached hereto and made a part hereof.



CONSULTING ENGINEERING
GEOSPATIAL SERVICES

ILLINOIS | SWANSEA
WATERLOO
EDWARDSVILLE
PEORIA

MISSOURI | ST. CHARLES
ST. LOUIS
COLUMBIA

TENNESSEE | NASHVILLE

**THOUVENOT, WADE
& MOERCHEN, INC.**

SWANSEA OFFICE
4940 OLD COLLINSVILLE ROAD
SWANSEA, ILLINOIS
62226
TEL (618) 624-4488
WWW.TWM-INC.COM

PROJECT:
NORTH INTERCEPTOR DESIGN
PHASE 1
TROY WWTP
CITY OF TROY
MADISON COUNTY, ILLINOIS

TITLE:
30' WIDE INGRESS EGRESS
AND UTILITY EASEMENT

EXHIBIT B

LEGEND

— BOUNDARY LINE
— EX. RIGHT OF WAY
— LOT LINE
— EX. EASEMENT
— PROP. EASEMENT
— PROP. EASEMENT
HATCH

N/F
DENNIS O. &
CYNTHIA A. WESTFALL
P.I.N.
09-2-22-10-11-201-001

EXHIBIT "B"
**PART OF THE NW 1/4 OF SECTION 3
AND NW 1/4 OF SECTION 10,
T. 3N., R. 7W., OF THE 3RD P.M.
MADISON COUNTY, ILLINOIS**

THIS IS NOT A
PLAT OF SURVEY

SOUTH LINE OF SECTION 3
NORTH LINE OF SECTION 10

PROPOSED 30' WIDE INGRESS,
EGRESS AND UTILITY EASEMENT

N/F MATTHEW CUNNINGHAM
P.I.N. 09-2-22-10-05-103-006
LANAHAN'S FIFTH ADDITION
P.B. 49, PG 160

N/F GUY L & MARY F SANTEN TRUST
P.I.N. 09-2-22-10-05-103-007

N/F JEANNE L BOHNENSTIEHL
LIVING TRUST
P.I.N. 09-1-22-10-00-000-006

N/F MELISSA D & TIMOTHY K ROZGOWSKI
P.I.N. 09-2-22-10-05-103-013

N/F JAMES III & MARIA BOOTH
P.I.N. 09-2-22-10-05-103-014

N/F LINDOW CONTRACTING INC
P.I.N. 09-2-22-10-05-103-020

N/F WESLEY LOOSER
P.I.N. 09-2-22-10-05-103-021

N/F CRAIG SKAGGS
P.I.N. 09-2-22-10-05-101-011

N/F ROBERT & MARY ANN WHEELER
P.I.N. 09-2-22-10-05-101-012

N/F STEPHEN BROADUS
P.I.N. 09-2-22-10-05-103-022

LANAHAN'S THIRD ADDITION
P.B. 37, PG 43

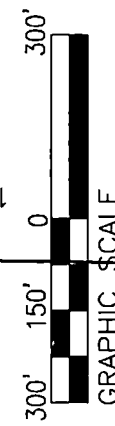
SOUTH LINE OF NORTHEAST QUARTER OF
SECTION 10 PER SURVEY BY JAMES SURVEYING IN P.C. 64-PG. 262

N/F CITY OF TROY
P.I.N.
09-1-22-10-00-000-011

N/F KATHLEEN ANN QUENZEL EAKER
P.I.N. 09-1-22-10-00-000-010

N/F DENNIS O. &
CYNTHIA A. WESTFALL
P.I.N.
09-2-22-10-11-201-001

N/F CPO INVESTMENT LLC
P.I.N.
09-1-22-10-00-000-007



**Deed of Easement
& Right-of-Way for Utilities,
Ingress & Egress**

After recording return to:

City of Troy

116 Market Street
Troy, IL 62294

Description No.: **30' Ingress/Egress &
Utility**

Project: **Northern Interceptor**

T HIS INDENTURE, made this 1st day of May, 20 23, by and between Jeanne L. Bohnenstiehl Living Trust having an address at 3516 Old Staunton Road, Edwardsville, IL 62025, hereinafter referred to as the "**Grantor**", and the City of Troy organized and existing under the laws of the State of Illinois, having an office for the transaction of business at 116 Market Street, Troy, IL 62294, hereinafter referred as the "**Grantee**".

WITNESSETH:

T he **Grantor**, in consideration of the covenants and agreements hereinafter recited and the sum of Ten Dollar(s) (\$10.00), the receipt and sufficiency of which are hereby acknowledged, does hereby give, grant, and convey unto the **Grantee**, its successor and assigns, forever, an ingress and egress easement and a free uninterrupted and unobstructed right of way in, under, across, and over the property of the **Grantor** situated in Madison County, Illinois; said right of way to be 30 feet in width and more particularly described as follows:

See Exhibit A and Drawing Exhibit 25

and as shown on the exhibit attached hereto and made a part hereof, for the purpose of said easement.

TO HAVE AND TO HOLD unto the said **Grantee**, its successors or assigns forever, with the right and authority perpetually to use and maintain for access purposes in and along said easements and also the right and authority to go upon the land belonging to the **Grantor** for the purpose of making all necessary excavations and doing all acts necessary or convenient for the purpose of constructing a roadway, installing, laying, operating, maintaining, inspecting, removing, repairing, replacing, relaying, and adding to, from time to time, utilities, with necessary appurtenances, and attached facilities, together with the right and authority to go upon said land at all reasonable times in the future for the purpose of doing all acts necessary to maintain and repair the roadway and utilities for its intended purpose, and to use such additional space adjacent to the right-of-way so granted as may be required for working room during the time of construction or maintenance of the roadway.

Nothing in this Indenture shall be so construed as to prevent the free and unrestrained use by the **Grantor** of the ground in said easement, except in such manner as would interfere with the free and unrestrained use of said ingress and egress easement by the **Grantee**.

The **Grantee** agrees, by acceptance of this **Easement** that, upon any repair and maintenance undertaken in connection with any of the purposes of this ingress and egress and utility easement, said repair and maintenance shall be restored to as nearly as possible the same condition as existed when said repair and maintenance was made, provided that **Grantee**

shall not be obligated to restore landscaping, other than grass which was destroyed upon entry, all such work to be done at the expense of the **Grantee**.

And the **Grantor** does further covenant with the **Grantee** as follows:

1. That the **Grantor** is the owner in fee simple of the real estate hereby subjected to said easement and right of way and has good title to convey the same.
2. That the **Grantee** shall quietly enjoy the said easement and right of way.

IN WITNESS WHEREOF, the Grantor has duly executed this INDENTURE, all as of the day and year first above written.

GRANTEE:

CITY OF TROY
Signature: David P. Ann
Title: MAYOR TROY, IL

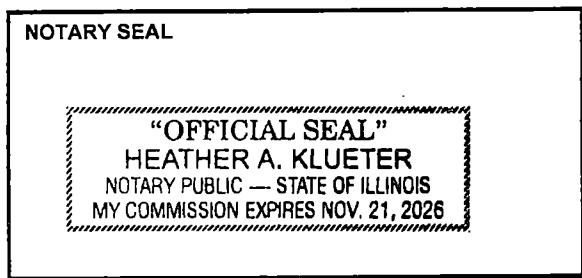
GRANTOR:

Mark Bohnenstiehl
Signature: Mark Bohnenstiehl
Title: Trustee

STATE OF ILLINOIS)
COUNTY OF MADISON) SS

I, Heather A. Klueter, a Notary Public for the State and County aforesaid, do hereby certify that Mark Bohnenstiehl, 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/she signed and delivered the same instrument as the free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 1 day of may, 2023.



Heather A. Klueter
Notary Public

My Commission Expires: 11/21/26

Exempt under provision of paragraph (b)(1) section 4 of Il. Real Estate Transfer Tax Act.

Buyer, Seller, or Representative

Date



WWW.TWM-INC.COM

CORPORATE OFFICE
4940 OLD COLLINSVILLE ROAD
SWANSEA, IL 62226
TEL 618.624.4488
FAX 618.624.6688

THOUVENOT, WADE & MOERCHEN, INC.

CONSULTING ENGINEERS ■ LAND SURVEYORS ■ PLANNERS

SWANSEA • WATERLOO • EDWARDSVILLE • ST. CHARLES • ST. LOUIS

RE: 30' WIDE INGRESS, EGRESS & UTILITY EASEMENT

EXHIBIT A

WESTERLY 30 FEET OF 09-1-22-10-00-000-006 & 09-1-22-03-00-000-017

A 30 foot wide ingress, egress and utility easement being part of the Southeast Quarter of the Southwest Quarter of Section 3 and the Northeast Quarter of the Northwest Quarter of Section 10, Township 3 North, Range 7 West of the Third Principal Meridian, Cuntly of Madison, State of Illinois and more particularly described as follows:

The westerly 30.00 feet of said Southeast Quarter of the Southwest Quarter of Section 3 and the Northeast Quarter of the Northwest Quarter of Section 10 lying southerly of the southerly right of way line of Lower Marine Road.

As shown on Exhibit B attached hereto and made a part hereof.

EXCEPTIONAL SERVICE.
NOTHING LESS.

FOUNDERS

Roland G. Thouvenot, PE
Jerry T. Wade, PLS (Dec.)
William J. Moerchen

PRINCIPALS

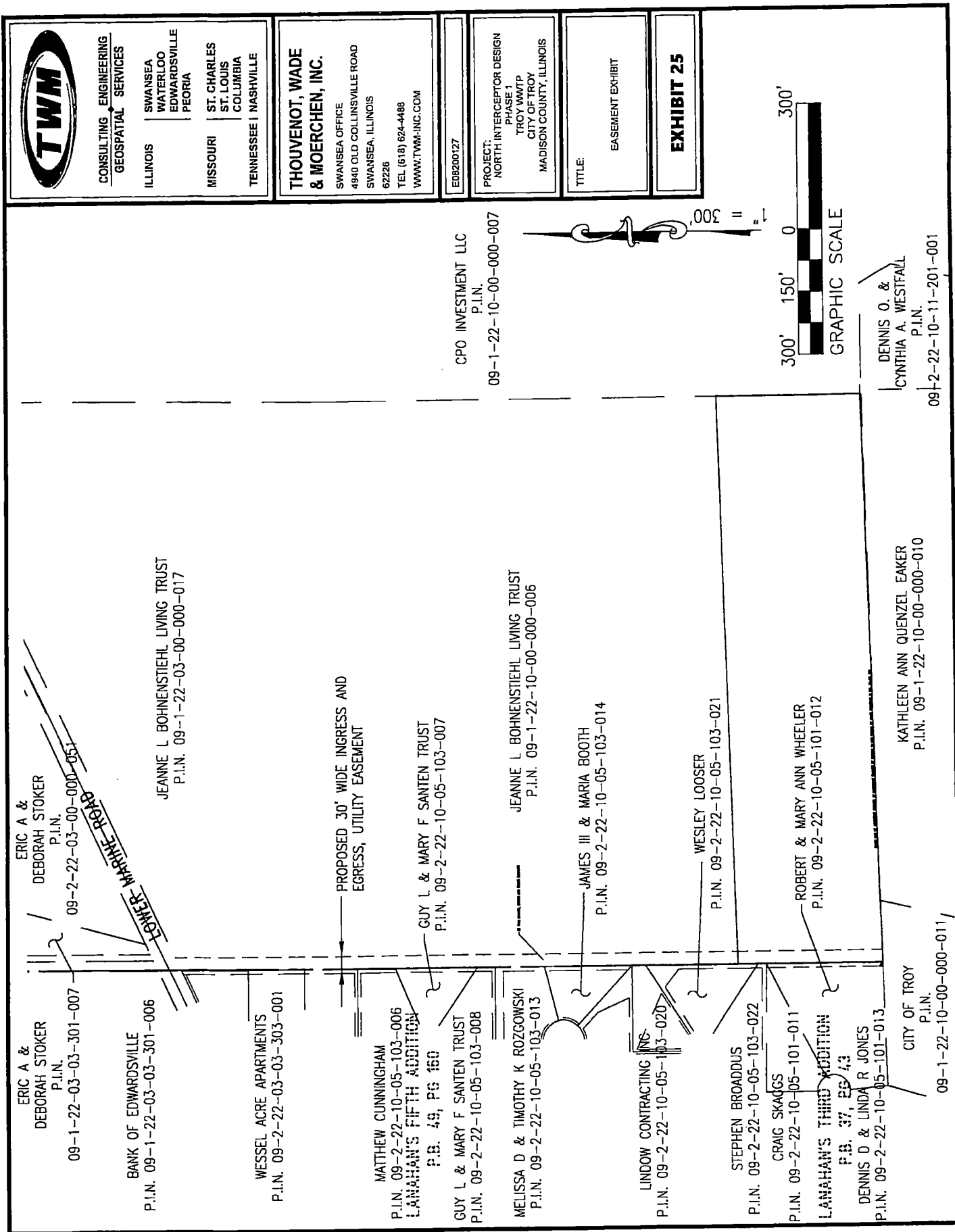
Roland G. Thouvenot, PE
Paul K. Homann, PE
Randall W. Burk
Craig D. Brauer, PE

ASSOCIATES

Joseph W. Moerchen, PLS
Vicki L. Wade, PE
"Rusty" Christmann, PE, SE
Marsha J. Maller, PE
Robert S. DeConcini, PE
Edgar "Mike" Barnal, PLS
Sheila J. Kimlinger, PE, SE
Dana L. Link, PE
J.R. Landeck, PLS, EI
Ann M. Hammer

P:\2020\20012715 Dept Design & Technical Data\5 6 Survey\Legal Descriptions\200127-Easement Over Westerly 10 Ft Of 09-1-22-10-00-000-006 & 09-1-22-03-00-000-017 .Docx 11/17/2022 1:15 PM

P:\2020\200127\4 CADD - DWG\4.6 Surv\200127-Exhibit-1 - Fm.dwg Plotted By: mborral



PREPARED BY:

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

This resolution was
recorded on May 19, 2023
as Document 2023R12980
~~on May 19, 2023~~
See the attached copy
of the recording.
The recorded Doc was
emailed & returned
CT by mail to you

RESOI

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
A MEMORANDUM OF UNDERSTANDING
(Bohnenstiehl Property)**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY, ILLINOIS
THIS 6TH DAY OF FEBRUARY 2023**

RESOLUTION NO. 2023 - 10

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
A MEMORANDUM OF UNDERSTANDING
(Bohnenstiehl Property)**

WHEREAS, the City Council for the City of Troy, Illinois, has determined that it is in the best interests of the City to enter into a Memorandum of Understanding with the Jeanne L. Bohnenstiehl Living Trust; and

WHEREAS, the City believes that same is the best interest of the health, safety and general welfare of its citizens.

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

1. The recitals set forth above are hereby incorporated herein as if fully set forth.
2. The Mayor of the City of Troy, Illinois, is hereby authorized to execute and enter into the attached Memorandum of Understanding with the Jeanne L. Bohnenstiehl Living Trust, and is further authorized to take all actions and sign all documents necessary to fulfill the intent of this Resolution.
3. This Resolution shall be in effect following its passage, approval and publication as provided 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 6th day of February 2023.

Aldermen Vote:

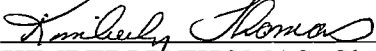
Dan Dawson	<u>AYE</u>	Sam Italiano	<u>AYE</u>	Ayes:	<u>7</u>
Tim Flint	<u>ABSENT</u>	Debbie Knoll	<u>AYE</u>	Nays:	<u>0</u>
Elizabeth Hellrung	<u>AYE</u>	Tony Manley	<u>AYE</u>	Absent:	<u>1</u>
Nathan Henderson	<u>AYE</u>	Troy Turner	<u>AYE</u>	Abstain:	<u>0</u>

APPROVED:

By:


DAVID NONN, Mayor
City of Troy, Illinois

ATTEST:

By: 
KIMBERLY THOMAS, Clerk
City of Troy, Illinois

(See Attached Exhibit - MOU)

Exhibit A

MEMORANDUM OF UNDERSTANDING

WHEREAS, the Jeanne L. Bohnenstiehl Living Trust, as well as Jeanne & Mark Bohnenstiehl, Chad & Chastity Bohnenstiehl and Jason & Dana Bohnenstiehl, by and through their interests in the Jeanne L. Bohnenstiehl Living Trust (collectively "Owners"), own Parcel Nos. 09-1-22-10-00-000-006 and 09-1-22-03-00-000-017 in Madison County, Illinois; and

WHEREAS, Owners have agreed to annex the following Property located in Madison County, Illinois, into the City of Troy, Illinois ("City"): the Southerly Three Hundred & Fifty Feet (350') of Parcel No. 09-1-22-10-00-000-006 ("Annexed Property") (See Attached Exhibit A, Petition for Annexation); and

WHEREAS, Owners have further agreed to grant a Deed of Easement & Right of Way for Utilities, Ingress and Egress to the City (See Attached Exhibit B, Deed of Easement & Right of Way for Utilities, Ingress and Egress); and

WHEREAS, the actions of the Owners set forth in the previous two (2) paragraphs are contingencies which are required to occur prior to performance of the actions of the City set forth in the following paragraphs; and

WHEREAS, in exchange for the forgoing actions of Owners, the City has agreed to abate 100% of the ad valorem taxes on the Annexed Property for the next ten (10) years; and

WHEREAS, in further exchange for the forgoing, the City has agreed to abate 100% of the ad valorem taxes on the remainder of Parcel Nos. 09-1-22-10-00-000-006 and 09-1-22-03-00-000-017 in Madison County, Illinois ("Unannexed Property") for the next ten (10) years (from the date of this Memorandum of Understanding), provided that 1) the Unannexed Property is annexed into the City at a later date; and 2) that the Unannexed Property is still owned by the Bohnenstiehl family; and 3) that the Unannexed Property remains farmland; and

WHEREAS, in further exchange for the forgoing, the City has agreed to provide Owners, their successor and/or assigns, with one (1) water and one (1) sewer tap (total - not each) for Parcel Nos. 09-1-22-10-00-000-006 and 09-1-22-03-00-000-017 in Madison County, Illinois. The taps (i.e. one (1) water and one (1) sewer) are meant to run with the property and not the Owners.

NOW THEREFORE, the parties to this Memorandum of Understanding do hereby agree to the forgoing, this 6th day of February, 2023.

OWNERS,

By:

Jeanne & Mark Bohnenstiehl

And

By:

Chad & Chastity Bohnenstiehl

And

By:

Jason & Dana Bohnenstiehl

And

CITY OF TROY, ILLINOIS,

By:

David Nonn
DAVID NONN, Mayor
City of Troy, Illinois

ATTEST:

BY:

Kimberly Thomas
KIMBERLY THOMAS, Clerk
City of Troy, Illinois

(SEAL)