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CITY OF TROY

RESOLUTION 2023 – 10

50.00 CITY

**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**

[Handwritten mark]

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.

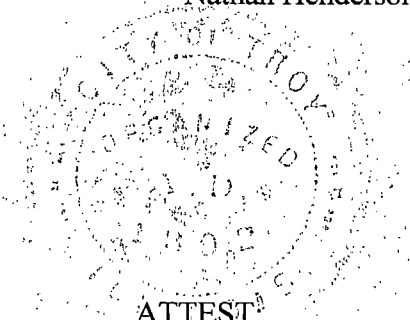
NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TROY, ILLINOIS, AS FOLLOWS:

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
DAVID NONN, Mayor
City of Troy, Illinois

ATTEST:

By: Kimberly Thomas
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: Mark & Jeanne Bohnenstiehl
Jeanne & Mark Bohnenstiehl

And

By: Chad & Chasity Bohnenstiehl
Chad & Chasity Bohnenstiehl
Chasity

And

By: Jason & Dana Bohnenstiehl
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

