DocId:9051834
Tx:4701780

RETURN TO:

KIM THOMAS
CLERK, CITY OF TROY
116 E. MARKET
TROY, IL 62294

2026R28023
STATE OF ILLINOIS
MADISON COUNTY
09/22/2026 11:02 AM
LINDA A. ANDREAS
CLERK & RECORDER
REC FEE: 50.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE:
OF PAGES: 5

CITY OF TROY

ORDINANCE NO. 2026 - 51

50 CTY

AN ORDINANCE ALLOWING THE CITY OF TROY, ILLINOIS, TO VACATE A PORTION OF A PUBLIC STREET COMMONLY KNOWN AS CHARCOAL STREET IN THE CITY OF TROY, ILLINOIS

ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY, ILLINOIS THIS 3RD DAY OF AUGUST, 2026

DR

ORDINANCE NO. 2026 - 51

AN ORDINANCE ALLOWING THE CITY OF TROY, ILLINOIS TO VACATE A PORTION OF A PUBLIC STREET COMMONLY KNOWN AS CHARCOAL STREET IN THE CITY OF TROY, ILLINOIS

WHEREAS, at least three-fourths of the Aldermen of the City of Troy, Madison County, Illinois believe that the pubic interest will be served by vacating a portion of a public street commonly known as Charcoal Street because the City of Troy will be relieved from the further burden, responsibility and potential liability of maintaining the property; and

WHEREAS, the Aldermen of the City of Troy believe it is in the public interest to maintain a permanent easement of this vacated property; and

WHEREAS, pursuant to 65 ILCS 5/11-91-1, a public hearing was held on August 3, 2026, pursuant to proper notice allowing interested persons the opportunity to be heard concerning the proposal for vacation.

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

1. The recitals are true and accurate and are hereby incorporated by reference.
2. The City of Troy hereby vacates that portion of Charcoal Street as described on "Exhibit A", attached hereto, and more particularly described as follows:
    a. All of Charcoal Street, 33 feet wide, lying between the southerly right of way line of East Center Street and northerly right of way line of vacated Oak Street and being adjacent to and contiguous with Lot 1 in Block 64 and Lot 2 in Block 68 of Wesley Jarvis Second Addition to Troy, reference being had to the plat thereof recorded in the Recorder's Office of Madison County, Illinois, in Plat Book 2 on Pag 2 and later transcribed to Plat Book 20 on Page 1, Madison County, Illinois.
    b. Said parcel contains 0.101 acre, more or less.
3. The property shall be vacated to the abutting property owners, James J. Kostedt and Sonja M. Kostedt, and the Mayor and Clerk are directed to sign the Deed of Vacation attached hereto as "Exhibit B".
4. James J. Kostedt and Sonja M. Kostedt will provide a Permanent Easement Agreement, "Exhibit C", which the Mayor and Clerk are directed to execute for the City of Troy.
5. The City Clerk is hereby directed to record a certified copy of this Ordinance, together with accompanying attachments with the Madison County, Illinois Recorder of Deeds.
6. If any section or provision of this Ordinance is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining sections or provisions of this Ordinance which can be given effect without the invalid section or provision, and to this end, the sections and provisions of this Ordinance are declared to be severable.

7. This Ordinance shall be effective upon its passage, signing 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 3rd day of August, 2026.

Aldermen Vote:

Dan Dawson	✓	Sam Italiano	✓	Ayes:	8
Tim Flint	✓	Debbie Knoll	✓	Nays:	0
Elizabeth Hellrung	✓	Heather Stirling	✓	Absent:	0
Nathan Henderson	✓	Troy Turner	✓	Abstain:	0



APPROVED:

David Nonn
Mayor, City of Troy, Illinois

ATTEST:

Kimberly Thomas, City Clerk

DEED OF VACATION

THE GRANTOR, CITY of TROY, a municipal corporation, 116 East Market Street, Troy, Illinois 62294, for and in consideration of Ten ($10.00) Dollars and other good and valuable consideration in hand paid, VACATES and CONVEYS to James J. and Sonja M. Kostedt, 217 E. Center Street, Troy, Illinois 62294 the following described Real Estate situated in Madison County, Illinois, to wit:

PUBLIC RIGHT-OF-WAY BEING WAIVED

MAPS & PLATS
Survey Required For Recording
Initials AE
Date 9/22/2026

James J. Kostedt and Sonja M. Kostedt
217 E Center St
Charcoal St Vacation
09-2-22-09-12-202-002

All of Charcoal Street, 33 feet wide, lying between the southerly right of way line of East Center Street and the northerly right of way line of vacated Oak Street and being adjacent to and contiguous with Lot 1 in Block 64 and Lot 2 in Block 68 of Wesley Jarvis Second Addition to Troy, reference being had to the plat thereof recorded in the Recorder's Office of Madison County, Illinois, in Plat Book 2 on Page 2 and later transcribed to Plat Book 20 on Page 1, Madison County, Illinois.

Said parcel contains 0.101 acre, more or less.

EXCEPT, such vacation shall reserve to any public utility with facilities located in, under, over or upon the land an easement for the continued use, if any, by such public utility. The City is responsible for maintaining the storm sewer, catch basin and drainageway within the easement.

DATED: This 4 day of AUG, 2026.

BY: David Nonn
Dave Nonn, Mayor,
City of Troy, Illinois

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 Dave Nonn, Mayor, City of Troy, Illinois, 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, seal 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 4TH day of AUGUST, 2026.

"OFFICIAL SEAL"
KIMBERLY ANN THOMAS
NOTARY PUBLIC — STATE OF ILLINOIS
COMMISSION NO. 1015690
MY COMMISSION EXPIRES AUG. 19, 2029

Kimberly Thomas
NOTARY PUBLIC

MAIL FUTURE TAX BILLS TO:

James J. and Sonja M. Kostedt
217 E. Center Street
Troy, IL 62294

RETURN THIS DOCUMENT TO:

Frederick W. Keck
KeckBrown, P.C.
3121 N. Illinois Street, Suite C
Swansea, IL 62226

This Instrument was prepared by:

Frederick W. Keck
KeckBrown, P.C.
3121 N. Illinois Street, Suite C
Swansea, IL 62226
618-418-5330 – phone
618-418-5355 - fax

END OF DOCUMENT