



DocId:8924677

Tx:4625138

**Prepared by:**

City Clerk  
116 E. Market Street  
Troy, Illinois 62294

2024R16018  
STATE OF ILLINOIS  
MADISON COUNTY  
06/10/2024 03:01 PM  
LINDA A. ANDREAS  
CLERK & RECORDER  
REC FEE: 50.00  
CO STAMP FEE:  
ST STAMP FEE:  
FF FEE:  
RHSPS FEE:  
# OF PAGES: 31



**Ordinance No. 2024 - 28**

50<sup>-</sup>  
CTY

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

(Namely, 8734 State Route 162  
Owned by  
The Roti Roti Family Revocable Trust)

*WHEREAS*, Roti Roti Family Revocable Trust, petitioners/owners of certain territory also known as 8734 State Route 162 (parcel number 09-1-22-10-20-401-006) 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; and

*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 8734 State Route 162, 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 20<sup>th</sup> day of May, 2024.

Aldermen:

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

**MAPS & PLATS**

Survey Required  
 For Recording

Initials AE

Date 6/10/2024



# PETITION FOR ANNEXATION

Please use ONLY BLUE or BLACK INK

www.troyil.us

Name Roti Roti Family Trust Address 3929 W. Outer Rd 62249  
Highland, IL  
 Phone Number 314-266-2276 Email plrotiroti@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: Property Address: 8734 Rte 162 - Troy, IL  
Lori A. Gray & David Moreland 62294

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)**

Patricia L. Roti Roti

Signature of Owner

Signature of Co-Owner

Patricia L. Roti Roti

Printed Name of Owner

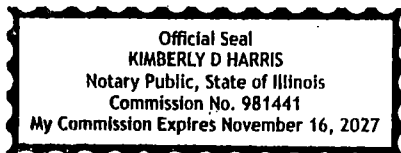
Printed Name of Co-Owner

\* \* \* \* \*

State of Illinois ) I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify  
 ) that Patricia Roti Roti personally known to me to be the same person(s)  
 County of Madison ) 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 4 day of April, 2024

Notary Seal



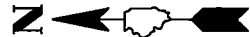
Kimberly Harris  
Notary Public

**OFFICE USE ONLY:**

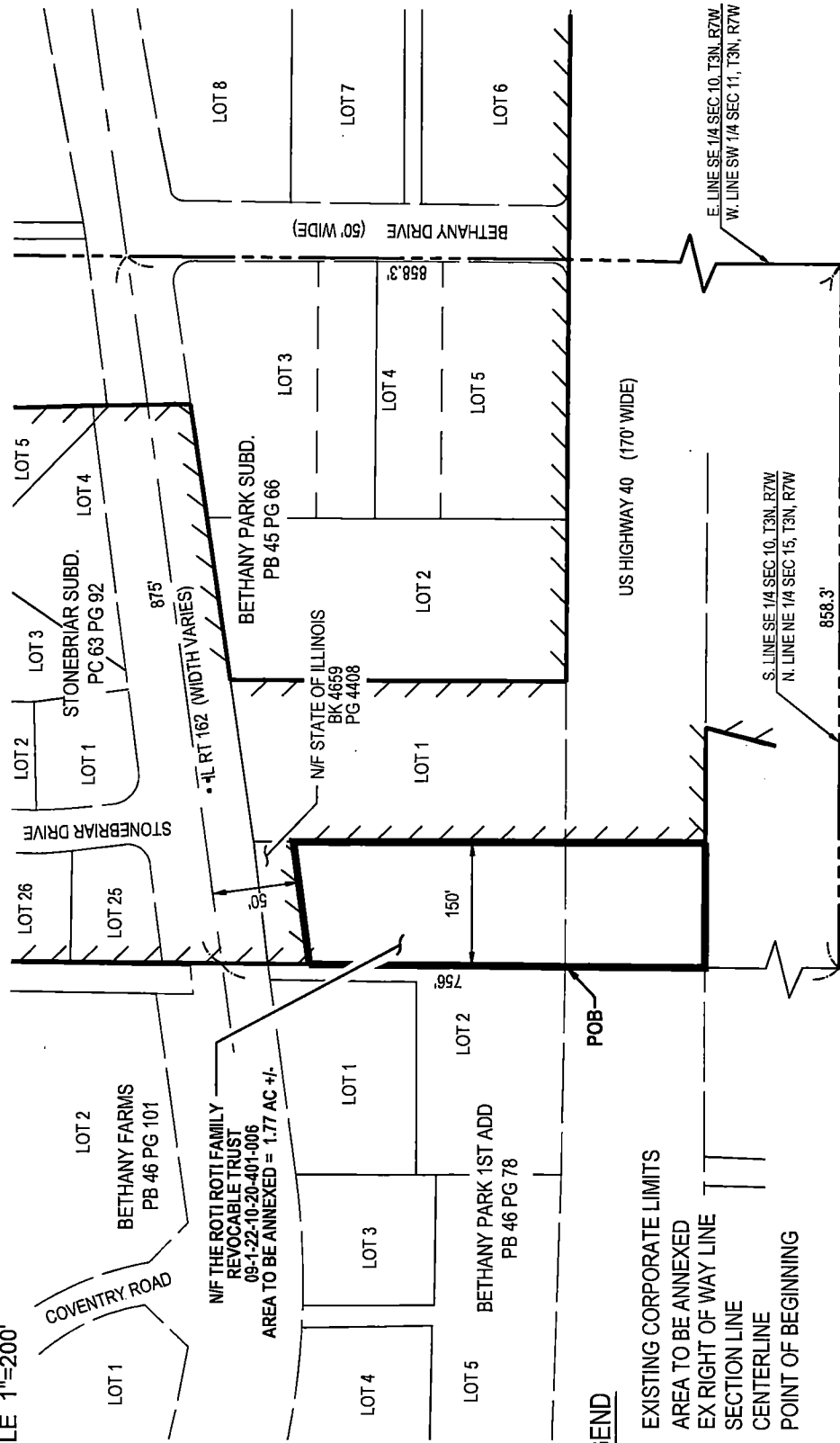
Date Received: \_\_\_\_\_ at \_\_\_\_\_ : \_\_\_\_\_ a.m./p.m. by \_\_\_\_\_

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



TERRITORY TO BE ANNEXED BY THE CITY OF TROY, ILLINOIS BY ORDINANCE NO. \_\_\_\_\_  
BEING PART OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 3 NORTH, RANGE 7 WEST  
OF THE 3RD PRINCIPAL MERIDIAN, MADISON COUNTY, ILLINOIS

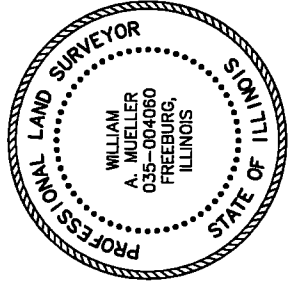



- LEGEND**
- EXISTING CORPORATE LIMITS
  - AREA TO BE ANNEXED
  - EX RIGHT OF WAY LINE
  - SECTION LINE
  - CENTERLINE
  - POINT OF BEGINNING

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

*William A. Mueller* 03/11/2024

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





**OATES**  
ASSOCIATES

---

ANNEXATION PLAT  
8734 STATE ROUTE 162  
CITY OF TROY, IL

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PROJECT NO.:	15062.002
DATE:	03/06/2024
REVISION:	A

EXHIBIT: **A**

Annexation Legal Description

Owner: The Roti Roti Family Revocable Trust

Parcel: 09-1-22-10-20-401-006

The West 150 feet of even width off of a tract of ground in the Southeast Quarter of the Southeast Quarter of Section 10, Township 3 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois, lying North of the North right of way line of U.S. Route 40 (FAR No. 12), described as follows:

Beginning at the Southeast corner of said Quarter Quarter Section; thence Westerly along the South line thereof 858.3 feet; thence North 756 feet to the corner line of the State Road, known as Route No. 11; thence Northeasterly along the said center line of said road 875 feet more or less to the East line of said Southeast Quarter of the Southeast Quarter of said Section 10; thence South along the said East line 858.3 feet to the place of beginning, in Madison County, Illinois; exception therefrom that part conveyed to the State of Illinois in Book 4659 Page 4408, in Madison County, Illinois.

Further described as follows:

Beginning at the southeast corner of Lot 2 of Bethany Park-First Addition, reference being had to the plat thereof recorded in the Recorder's Office of Madison County, Illinois in Plat Book 46 on Page 78, said point also being the southwest corner of a tract of land described in the deed to The Roti Roti Family Revocable Trust, recorded in said Recorder's Office as Document No. 2023R13438; thence northerly on the west line of said Roti Roti tract to the southerly line of a tract of land described in the deed to The People of the State of Illinois, recorded in said Recorder's Office in Book 4659 on Page 4408; thence northeasterly on said southerly line to the east line of said Roti Roti tract, also being a line 150 feet east of and parallel with the west line of said Roti Roti tract; thence southerly on said east line to the south line of said Roti Roti tract, also being the north right of way line of US Highway 40; thence westerly on said south line to the Point of Beginning.



PETITION FOR THE ANNEXATION  
OF 8734 STATE ROUTE 162  
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 **8734 State Route 162**, Troy, Madison County, Illinois.

An ordinance to annex this property with **parcel ID # 09-1-22-10-20-401-006** will be presented to the corporate authorities of the City of Troy, Madison County, Illinois at the regular City Council meeting on Monday, May 20, 2024, 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: 04/15/23

Linda Taake,  
Building & Zoning  
Administrative Coordinator

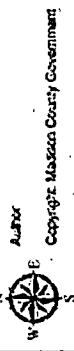
8734 State Route 162



Date: 3/20/2024  
Time: 1:30 PM



Service Layer Credits







*PETITION FOR THE ANNEXATION  
OF 8734 STATE ROUTE 162  
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 **8734 State Route 162**, Troy, Madison County, Illinois.

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

Dated: 04/15/23

Linda Taake,  
Building & Zoning  
Administrative Coordinator

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 for the City of Troy, Illinois, 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 (letter containing proposed **ORDINANCE NO 2024- 28 An Ordinance Annexing and Zoning Certain Territory To and In the City of Troy, Madison County, Illinois (Namely, 8734 State Route 162) Owned by The Roti Roti Family Revocable 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 15<sup>th</sup> day of April, 2024:

Linda Taake  
Tri-Township Library  
34 David Drive  
St. Jacob, Illinois 62281

Allen Adomite  
Jarvis Township Supervisor  
500 Lakewood Drive  
Troy, Illinois 62294

Kevin Byrne  
Troy Fire Protection District  
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  
Troy Fire Protection District  
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  
Troy Fire Protection District  
27 Stonebrooke  
Troy, Illinois 62294

Katie Devany  
Tri-Township Library  
1 Autumn Oaks  
Troy, Illinois 62294

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

Steve Lynn  
Troy Fire Protection District  
8383 Mill Hill Lane  
Troy, Illinois 62294

Dawn Henry  
Tri-Township Library  
256 Fairington Drive  
Troy, Illinois 62294

Scott Wiesehan  
Jarvis Township  
1129 Troy O'Fallon Road  
Troy, Illinois 62294

Fred Patterson  
Troy Fire Protection District  
127 Pebblebrooke  
Troy, Illinois 62294

Kathy Scheller  
Tri-Township Library  
600 Woodland Hills  
Troy, Illinois 62294

Jason Helldoerfer  
Jarvis Township  
132 Blackjack Road  
Troy, Illinois 62294

Troy Post Office  
Attn: Postmaster  
515 Edwardsville Road  
Troy, Illinois 62294

Liz Compton  
Tri-Township Library  
10 Autumn Oaks  
Troy, Illinois 62294

Nathan Hovatter  
Jarvis Township  
409 Avalon  
Troy, Illinois 62294

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

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

Monica Hartlein  
Jarvis Township  
2069 Grandview  
St. Jacob, Illinois 62281

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

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.

Andrea D Lambert  
Andrea D. Lambert

4/15/24  
Date

SUBSCRIBED and SWORN to before me this 15<sup>TH</sup> day of April, 2024.

My commission expires:

Linda S. Taake  
Notary Public



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 for the City of Troy, Illinois, and I am competent to testify to the matters set forth herein, all of which are based upon my personal knowledge.
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Linda Taake  
Tri-Township Library  
34 David Drive  
St. Jacob, Illinois 62281

Allen Adomite  
Jarvis Township Supervisor  
500 Lakewood Drive  
Troy, Illinois 62294

Kevin Byrne  
Troy Fire Protection District  
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  
Troy Fire Protection District  
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  
Troy Fire Protection District  
27 Stonebrooke  
Troy, Illinois 62294

Katie Devany  
Tri-Township Library  
1 Autumn Oaks  
Troy, Illinois 62294

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

Steve Lynn  
Troy Fire Protection District  
8383 Mill Hill Lane  
Troy, Illinois 62294

Dawn Henry  
Tri-Township Library  
256 Fairington Drive  
Troy, Illinois 62294

Scott Wiesehan  
Jarvis Township  
1129 Troy O'Fallon Road  
Troy, Illinois 62294

Fred Patterson  
Troy Fire Protection District  
127 Pebblebrooke  
Troy, Illinois 62294

SAME NAME AFFIDAVIT (Borrower)

DATE:

FILE: NIL-1386328

BEFORE ME, the undersigned, this day personally appeared

Roti Roti Family Revocable Trust Paricia L Roti Roti

("Affiant") who being by me duly sworn, affirmed as follows:

1. Affiant is one and the same as:

Name:

Signature:

N/A

2. This affidavit is given in reference to the conveyance/purchase/refinance of the property commonly known as:

8734 State Route 162

*Paricia L. Roti Roti*

Roti Roti Family Revocable Trust Paricia L Roti Roti

STATE OF IL

COUNTY OF Madison

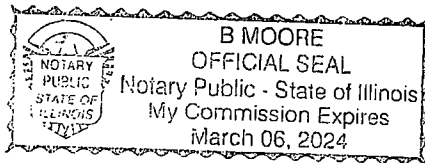
Subscribed and sworn to before me this 24th day of May, 2023

*B. Moore*

Notary Public

My Commission Expires:

(Seal)



2023R13438  
STATE OF ILLINOIS  
MADISON COUNTY  
05/24/2023 11:23 AM  
LINDA A. ANDREAS  
CLERK & RECORDER  
REC FEE: 51.00  
CO STAMP FEE: 165.00  
ST STAMP FEE: 330.00  
RHSPS FEE: 9.00  
# OF PAGES: 16

PTAX-039155

File No: NIL-1386328

Prepared by: Sarah Cordell, Esq., Cordell Law LLC, Illinois Bar No. 6305565, 5315 N Clark Street #173, Chicago, IL 60640, (866) 363-3337.

The preparer of this instrument has neither been requested to nor has the preparer conducted a title search or an inspection of the real property transferred hereby. No representations or warranties as to accuracy of the description, the status of title or condition of the real property have been made by the preparer.

After Recording, Send to:  
Netco Title  
4224 State Route 159  
Glen Carbon, IL 62034

Mail Tax Statements To: **The Roti Roti Family Revocable Trust, Dated May 20, 2010, as Amended and Restated September 2, 2022:8734 State Route 162, Troy, IL 62294**

Parcel Number: 09-1-22-10-20-401-006

### GENERAL WARRANTY DEED

**Richard William Cole, II and Kristin Cole, husband and wife not as tenants in common but as joint tenants ("Grantor"), of 8734 State Route 162, Troy, IL 62294, for and in consideration of \$330,000.00 (Three Hundred Thirty Thousand Dollars and Zero Cents) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, grants and conveys with general warranty covenants to The Roti Roti Family Revocable Trust, Dated May 20, 2010, as Amended and Restated September 2, 2022, ("Grantee"), whose tax mailing address is 8734 State Route 162, Troy, IL 62294, the following described real estate:**

**The West 150 feet of even width off of a tract of ground in the Southeast Quarter of the Southeast Quarter of Section 10, Township 3 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois, lying North of the North right of way line of U.S. Route 40 (FAR No. 12), described as follows:**

**Beginning at the Southeast corner of said Quarter Quarter Section; thence Westerly along the South line thereof 858.3 feet; thence North 756 feet to the corner line of the State Road, known as Route No. 11; thence Northeasterly along the said center line of said road 875 feet more or less to the East line of said Southeast Quarter of the Southeast Quarter of said Section 10; thence South along the said East line 858.3 feet to the place of beginning, in Madison County, Illinois; exception therefrom that part conveyed to the State of Illinois in Book 4659 Page 4408, in Madison County, Illinois.**

**Parcel Number(s): 09-1-22-10-20-401-006**

**Commonly known as: 8734 State Route 162, Troy, IL 62294**

**Prior deed recorded at Instrument No. 2019R19404**

Title to the property hereinabove described is subject to the following: a) real estate taxes and assessments not yet due and payable; b) zoning laws and ordinances; c) covenants, conditions, restrictions of record and easements for the use of public utilities; d) legal roads and highways; and e) any rights of tenants in possession.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behalf of the grantee forever.

Executed by the undersigned on 5 - 24, 2023:

[Signature]  
Richard William Cole, II by  
Kristin Cole as Attorney in Fact

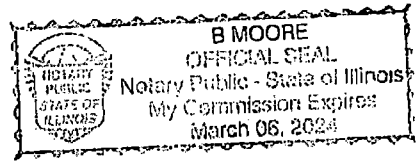
[Signature]  
Kristin Cole

STATE OF ILLINOIS  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT **Kristin Cole**, individually and as Attorney in Fact for Richard William Cole, II personally known to me, or has produced ED, as identification, to be the same person(s) whose names are subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that (he/she/they) signed, sealed, and delivered the said instrument as (his/her/their) free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 24<sup>th</sup> day of May, 2023.

[Signature]  
Notary Public





**NETCO File Number: NIL-1386328**

**Borrower Last Name:**

---

**Exhibit A  
Legal Description**

**The West 150 feet of even width off of a tract of ground in the Southeast Quarter of the Southeast Quarter of Section 10, Township 3 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois, lying North of the North right of way line of U.S. Route 40 (FAR No. 12), described as follows:**

**Beginning at the Southeast corner of said Quarter Quarter Section; thence Westerly along the South line thereof 858.3 feet; thence North 756 feet to the corner line of the State Road, known as Route No. 11; thence Northeasterly along the said center line of said road 875 feet more or less to the East line of said Southeast Quarter of the Southeast Quarter of said Section 10; thence South along the said East line 858.3 feet to the place of beginning, in Madison County, Illinois; exception therefrom that part conveyed to the State of Illinois in Book 4659 Page 4408, in Madison County, Illinois.**

**Commonly known as: 8734 State Route 162, Troy, IL 62294 in the County of Madison**

**Parcel Number: 09-1-22-10-20-401-006**

# **DURABLE POWER OF ATTORNEY FOR FINANCIAL MANAGEMENT**

## **WARNING TO PERSON EXECUTING THIS DOCUMENT**

**THIS IS AN IMPORTANT LEGAL DOCUMENT. IT CREATES A DURABLE  
POWER OF ATTORNEY. BEFORE EXECUTING THIS DOCUMENT, YOU  
SHOULD KNOW THESE IMPORTANT FACTS:**

**THIS DOCUMENT MAY PROVIDE THE PERSON YOU DESIGNATE AS YOUR  
AGENT WITH BROAD LEGAL POWERS, INCLUDING THE POWERS TO  
MANAGE, DISPOSE, SELL AND CONVEY YOUR REAL AND PERSONAL  
PROPERTY AND TO BORROW MONEY USING YOUR PROPERTY AS  
SECURITY FOR THE LOAN.**

**THESE POWERS WILL CONTINUE TO EXIST EVEN IF YOU BECOME  
DISABLED OR INCAPACITATED. THESE POWERS WILL EXIST UNTIL YOU  
REVOKE OR TERMINATE THIS POWER OF ATTORNEY. YOU HAVE THE  
RIGHT TO REVOKE OR TERMINATE THIS POWER OF ATTORNEY AT ANY  
TIME.**

**THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL  
OR OTHER HEALTH CARE DECISIONS FOR YOU.**

**IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT  
UNDERSTAND, YOU SHOULD ASK A LAWYER TO EXPLAIN IT TO YOU.**

### **1. Principal and Agent**

#### ***PRINCIPAL***

Richard William Cole II  
2709 Sterling Way  
Schertz, Texas 78108

I, Richard William Cole II, appoint the person named below as my agent to act for me in any lawful way with respect to the powers delegated in Part 4, below.

- X Rive (13) Government benefits.
- X Rive (14) Retirement plan transactions.
- X Rive (15) Tax matters.
- X Rive (16) Gift transactions.

These powers are defined in Part 12, below.

### **5. Compensation and Reimbursement of Agent**

My agent shall not be compensated for services, but shall be entitled to reimbursement, from my assets, for reasonable expenses. Reasonable expenses include but are not limited to reasonable fees for information or advice from accountants, lawyers or investment experts relating to my agent's responsibilities under this power of attorney.

### **6. Personal Benefit to Agent**

My agent may buy any assets of mine or engage in any transaction he or she deems in good faith to be in my interest, no matter what the interest or benefit to my agent.

### **7. Commingling by Agent**

My agent may commingle any of my funds with any funds of his or hers.

### **8. Liability of Agent**

My agent shall not incur any liability to me, my estate, my heirs, successors or assigns for acting or refraining from acting under this document, except for willful misconduct or gross negligence. My agent is not required to make my assets produce income, increase the value of my estate, diversify my investments or enter into transactions authorized by this document, as long as my agent believes his or her actions are in my best interests or in the interests of my estate and of those interested in my estate. A successor agent shall not be liable for acts of a prior agent.

### **9. Nomination of Conservator or Guardian of Estate**

If, in a court proceeding, it is ever resolved that I need a conservator, guardian or other person to supervise my estate, I nominate my agent to serve in that capacity.

### **10. Reliance on This Power of Attorney**

Any third party who receives a copy of this document may rely on and act under it. Revocation of the power of attorney is not effective as to a third party until the third party has actual knowledge of the revocation. I agree to indemnify the third party for any claims

**AGENT**

Kristin Elizabeth Cole  
2709 Sterling Way  
Schertz, Texas 78108  
Main phone: 6163293169

**2. Delegation of Authority**

My agent may delegate, in writing, any authority granted under this durable power of attorney to a person he or she selects. Any such delegation shall state the period during which it is valid and specify the extent of the delegation.

**3. Effective Date**

This power of attorney is effective immediately, and shall continue in effect if I become incapacitated or disabled.

**4. Powers of Agent**

I grant my agent power to act on my behalf in the following matters, as indicated by my initials next to each granted power.

**INITIALS**

- X KEC (1) Real estate transactions.
- X KEC (2) Tangible personal property transactions.
- X KEC (3) Stock and bond, commodity, option and other securities transactions.
- X KEC (4) Banking and other financial institution transactions.
- X KEC (5) Business operating transactions.
- X KEC (6) Digital assets.
- X KEC (7) Insurance and annuity transactions.
- X KEC (8) Estate, trust, and other beneficiary transactions.
- X KEC (9) Living trust transactions.
- X KEC (10) Legal actions.
- X KEC (11) Personal and family care.
- X KEC (12) Pet care.

that arise against the third party because of reliance on this power of attorney.

#### **11. Severability**

If any provision of this document is ruled unenforceable, the remaining provisions shall stay in effect.

#### **12. Definition of Powers Granted to Agent**

The powers granted in Part 4, above, authorize my agent to do the following:

##### ***(1) Real estate transactions***

My agent may act for me in any manner to deal with all or any part of any interest in real property that I own at the time of execution of this document or later acquire, under such terms, conditions and covenants as my agent deems proper. My agent's powers include but are not limited to the power to:

- (a) Accept as a gift, or as security for a loan, reject, demand, buy, lease, receive or otherwise acquire ownership or possession of any estate or interest in real property.
- (b) Sell, exchange, convey with or without covenants, quitclaim, release, surrender, mortgage, encumber, partition or consent to the partitioning of, grant options concerning, lease, sublet or otherwise dispose of any interest in real property.
- (c) Maintain, repair, improve, insure, rent, lease, and pay or contest taxes or assessments on any estate or interest in real property I own or claim to own.
- (d) Prosecute, defend, intervene in, submit to arbitration, settle and propose or accept a compromise with respect to any claim in favor of or against me based on or involving any real estate transaction.

##### ***(2) Tangible personal property transactions***

My agent may act for me in any manner to deal with all or any part of any interest in personal property that I own at the time of execution of this document or later acquire, under such terms as my agent deems proper. My agent's powers include but are not limited to the power to lease, buy, exchange, accept as a gift or as security for a loan, acquire, possess, maintain, repair, improve, insure, rent, sell, convey, mortgage, pledge, and pay or contest taxes and assessments on any tangible personal property.

##### ***(3) Stock and bond, commodity, option and other securities transactions***

My agent may do any act which I can do through an agent, with respect to any interest in a bond, share, other instrument of similar character or commodity. My agent's

powers include but are not limited to the power to:

- (a) Accept as a gift or as security for a loan, reject, demand, buy, receive or otherwise acquire ownership or possession of any bond, share, instrument of similar character, commodity interest or any investment with respect thereto, together with the interest, dividends, proceeds or other distributions connected with it.
- (b) Sell (including short sales), exchange, transfer, release, surrender, pledge, trade in or otherwise dispose of any bond, share, instrument of similar character or commodity interest.
- (c) Demand, receive and obtain any money or other thing of value to which I am or may become or may claim to be entitled as the proceeds of any interest in a bond, share, other instrument of similar character or commodity interest.
- (d) Agree and contract, in any manner, and with any broker or other person and on any terms, for the accomplishment of any purpose listed in this section.
- (e) Execute, acknowledge, seal and deliver any instrument my agent thinks useful to accomplish a purpose listed in this section, or any report or certificate required by law or regulation.

***(4) Banking and other financial institution transactions***

My agent may do any act that I can do through an agent in connection with any banking transaction that might affect my financial or other interests. My agent's powers include but are not limited to the power to:

- (a) Continue, modify and terminate any deposit account or other banking arrangement, or open either in the name of the agent alone or my name alone or in both our names jointly, a deposit account of any type in any financial institution, rent a safe deposit box or vault space, have access to a safe deposit box or vault to which I would have access, and make other contracts with the institution.
- (b) Make, sign and deliver checks or drafts, and withdraw my funds or property from any financial institution by check, order or otherwise.
- (c) Prepare financial statements concerning my assets and liabilities or income and expenses and deliver them to any financial institution, and receive statements, notices or other documents from any financial institution.
- (d) Borrow money from a financial institution on terms my agent deems acceptable, give security out of my assets, and pay, renew or extend the time of payment of

any note given by or on my behalf.

**(5) Business operating transactions**

My agent may do any act that I can do through an agent in connection with any business operated by me that my agent deems desirable. My agent's powers include but are not limited to the power to:

- (a) Perform any duty and exercise any right, privilege or option which I have or claim to have under any contract of partnership, enforce the terms of any partnership agreement, and defend, submit to arbitration or settle any legal proceeding to which I am a party because of membership in a partnership.
- (b) Exercise in person or by proxy and enforce any right, privilege or option which I have as the holder of any bond, share or instrument of similar character and defend, submit to arbitration or settle a legal proceeding to which I am a party because of any such bond, share or instrument of similar character.
- (c) With respect to a business owned solely by me, continue, modify, extend or terminate any contract on my behalf, demand and receive all money that is due or claimed by me and use such funds in the operation of the business, engage in banking transactions my agent deems desirable, determine the location of the operation, the nature of the business it undertakes, its name, methods of manufacturing, selling, marketing, financing, accounting, form of organization and insurance, and hiring and paying employees and independent contractors.
- (d) Execute, acknowledge, seal and deliver any instrument of any kind that my agent thinks useful to accomplish any purpose listed in this section.
- (e) Pay, compromise or contest business taxes or assessments.
- (f) Demand and receive money or other things of value to which I am or claim to be entitled as the proceeds of any business operation, and conserve, invest, disburse or use anything so received for purposes listed in this section.

**(6) Digital assets**

My agent may act for me as an account holder and authorized user of my digital assets. My agent's powers include but are not limited to access, control, use, transfer, distribution, duplication, deactivation or deletion of my digital assets. My digital assets include but are not limited to email or other electronic communication, personal or professional websites, online banking and other financial accounts, frequent flyer accounts and other reward programs, social media profiles, digital

music, photographs or videos, software or any other electronic record or account. To exercise this power, my agent may access and control any device or equipment used by me to store or manage my digital assets, such as desktop computers, laptop computers, tablets, external drives, cell phones or any other device used for access and control of digital assets that currently exists or may exist as technology develops.

***(7) Insurance and annuity transactions***

My agent may do any act that I can do through an agent, in connection with any insurance or annuity policy, that my agent deems desirable. My agent's powers include but are not limited to the power to:

- (a) Continue, pay the premium on, modify, rescind or terminate any annuity or policy of life, accident, health, disability or liability insurance procured by me or on my behalf before the execution of this power of attorney.
- (b) Procure new, different or additional contracts of life, accident, health, disability or liability insurance; modify, rescind or terminate any such contract; and designate the beneficiary of any such contract.
- (c) Sell, assign, borrow on, pledge, or surrender and receive the cash surrender value of any policy.

***(8) Estate, trust and other beneficiary transactions***

My agent may act for me in all matters that affect a trust, probate estate, guardianship, conservatorship, escrow, custodianship or other fund from which I am, may become or claim to be entitled, as a beneficiary, to a share or payment. My agent's authority includes the power to disclaim, release or renounce any assets which I am, may become or claim to be entitled, as a beneficiary, to a share or payment.

***(9) Living trust transactions***

My agent may transfer ownership of any property over which he or she has authority under this document to the trustee of a revocable trust I have created as settlor. Such property may include real property, stocks, bonds, accounts with financial institutions, insurance policies or other property.

***(10) Legal actions***

My agent may act for me in all matters that affect claims in favor of or against me and proceedings in any court or administrative body. My agent's powers include but are not limited to the power to:



- (a) Hire an attorney to assert any claim or defense before any court, administrative board or other tribunal.
- (b) Submit to arbitration or mediation or settle any claim in favor of or against me or any litigation to which I am a party, pay any judgment or settlement and receive any money or other things of value paid in settlement.

***(11) Personal and family care***

My agent may do all acts necessary to maintain my customary standard of living, and that of my spouse and children and other persons customarily supported by or legally entitled to be supported by me. My agent's powers include but are not limited to the power to:

- (a) Pay for medical, dental and surgical care, living quarters, usual vacations and travel expenses, shelter, clothing, food, appropriate education and other living costs.
- (b) Continue arrangements with respect to automobiles or other means of transportation, charge accounts, discharge of any services or duties assumed by me to any parent, relative or friend, contributions or payments incidental to membership or affiliation in any church, club, society or other organization.

***(12) Pet care***

My agent may use my funds or other property as reasonably necessary to provide for the health, care, and welfare of any pets or animals that belong to me, including (but not limited to) expenditures for food, veterinary care, grooming, toys, day care, and temporary boarding or pet-sitting fees. I grant my agent the authority to maintain my pets or animals in the same standard of health, care, and welfare as I have done. For purposes of this document, any actions taken by my agent for the benefit of my pets or animals shall be considered taken for my own benefit.

***(13) Government benefits***

My agent may act for me in all matters that affect my right to government benefits, including Social Security, Medicare, Medicaid, or other governmental programs, or civil or military service. My agent's powers include but are not limited to the power to:

- (a) Prepare, execute, file, prosecute, defend, submit to arbitration or settle a claim on my behalf to benefits or assistance, financial or otherwise.

(b) Receive the proceeds of such a claim and conserve, invest, disburse or use them on my behalf.

***(14) Retirement plan transactions***

My agent may act for me in all matters that affect my retirement plans. My agent's powers include but are not limited to the power to select payment options under any retirement plan in which I participate, make contributions to those plans, exercise investment options, receive payment from a plan, roll over plan benefits into other retirement plans, designate beneficiaries under those plans and change existing beneficiary designations.

***(15) Tax matters***

My agent may act for me in all matters that affect my local, state and federal taxes. My agent's powers include but are not limited to the power to:

- (a) Prepare, sign and file federal, state, local and foreign income, gift, payroll, Federal Insurance Contributions Act returns and other tax returns, claims for refunds, requests for extension of time, petitions, any power of attorney required by the Internal Revenue Service or other taxing authority, and other documents.
- (b) Pay taxes due, collect refunds, post bonds, receive confidential information, exercise any election available to me and contest deficiencies determined by a taxing authority.

X ***(16) Gift transactions***

My agent may make gifts and other transfers of my property without consideration or with less than full consideration, including forgiveness of debts owed to me and completion of charitable pledges that I have made, even if a gift or transfer exceeds the annual dollar limits of the federal gift tax exclusion. However, my agent shall not make gifts of my property to himself or herself, or anyone he or she is legally obligated to support, worth more than a total of \$1,000,000 in any calendar year.

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I understand the importance of the powers I delegate to my agent in this document. I recognize that the document gives my agent broad powers over my assets, and that these powers will become effective as soon as I sign this document and continue indefinitely unless I revoke this durable power of attorney.

Signed this 20th day of JUNE, 2016

State of Texas, County of GUADALUPE

Signature: Richard G. [Signature]

**WITNESSES**

On the date written above, the principal declared to me that this instrument is his durable power of attorney, and that he willingly executed it as a free and voluntary act. The principal signed this instrument in my presence.

Signature: [Signature]

Print Name: John Motok S

Address: 8203 BISHOP CONVERSE TX 78105

Signature: [Signature]

Print Name: Laura Lara

Address: 7906 APPALOSA PASS

**CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC**

State of TEXAS )  
 ) ss.

County of GUADALUPE )

On JUNE 20, 2010, before me, [Signature], a

notary public in and for said state, personally appeared

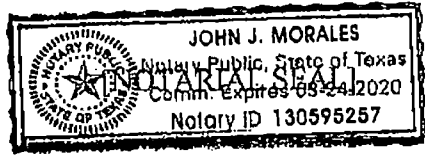
[Signature], personally known to me (or proved on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]

Notary Public

My commission expires: 03/04/2020





**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.

\_\_\_ 5. A conveyance of land owned by a public utility not involving new streets or easements of access.

\_\_\_ 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.

\_\_\_ 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.

\_\_\_ 3. A sale or exchange of land between owners of adjoining and contiguous land.

\_\_\_ 7. A conveyance made to correct a description in prior conveyance.

\_\_\_ 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.

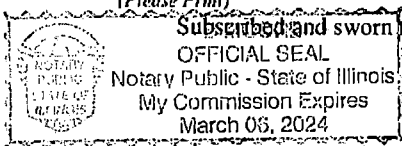
\_\_\_ 8. The sale or exchange of parcels of land following the division into no more than two (2) parts of a parcel existing on July 17, 1959, and not involving any new streets or easements of access.

\_\_\_ 9. The sale of a single lot/tract less than five (5) acres from a larger tract. (Exception only applies to the 1<sup>st</sup> 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 Kristo Cole SIGNATURE: [Signature] DATE: 5-24, 2023



Subscribed and sworn to before me this 24<sup>th</sup> day of May, 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)



AFFIDAVIT IN LIEU OF SURVEY /
AFFIDAVIT OF NO NEW IMPROVEMENTS

The undersigned owners of record and sellers as described in File No. NIL-1386328 and commonly known as 8734 State Route 162, Troy, IL 62294, being first duly sworn, depose and say:

AFFIDAVIT IN LIEU OF SURVEY



That we did not receive any survey at the time we purchased the property, nor have we subsequently obtained a survey, or if we did receive a survey we are now unable to locate it. In addition, we have been advised by our lender that they do not have a survey in their files. To the best of our knowledge, we certify that the improvements (house, garage, outbuildings, fences, etc.) on the subject property are within the boundary lines, easement lines, and setback lines, if any, of said property, and that there are no encroachments (house, garage, outbuildings, fences, walkways, driveways, eaves, drains, etc.) of improvements on adjoining property onto the subject property, and that we know of no assertion being made by any adjoining property owner, nor by us against an adjoining property owner, as to occupancy of any portions of our property or their property except: (Use space below to explain any disputes.)

OR



AFFIDAVIT OF NO NEW IMPROVEMENTS

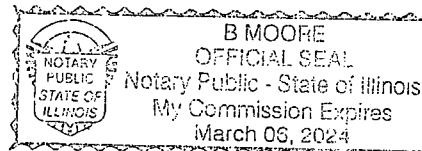
That the attached survey dated \_\_\_\_\_ is a correct and complete representation of all improvements now located on the subject property except for:

This affidavit is given to NETCO, Inc. and its Underwriters as an inducement to issue extended coverage on the proposed Owner's and Loan Policies over questions of survey, encroachments, and easements not shown of record.

Roti Roti Family Revocable Trust Paricia L Roti Roti

Richard William Cole II by Kristin Cole his Attorney in Fact

Kristin Cole
Subscribed and sworn to before me this 24th day of May, 2023
B Moore Notary Public



# CERTIFICATION OF DEATH RECORD

## EDWARDSVILLE CITY CLERK EDWARDSVILLE, ILLINOIS MEDICAL CERTIFICATE OF DEATH

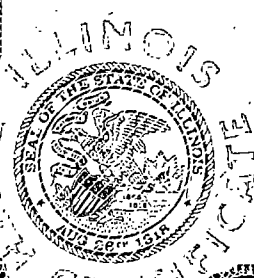
STATE FILE NUMBER 2023 0015944

MEDICAL EXAMINER'S CASE NUMBER 2023-00387

DATE ISSUED 2/24/2023

DECEDENT'S LEGAL NAME JOSEPH LEE ROTI ROTI PHD		SEX MALE	DATE OF DEATH FEBRUARY 18, 2023	
COUNTY OF DEATH MADISON	AGE AT LAST BIRTHDAY 79 YEARS	DATE OF BIRTH OCTOBER 12, 1943		
CITY OR TOWN HIGHLAND	HOSPITAL OR OTHER INSTITUTION NAME ST JOSEPH'S HOSPITAL			
PLACE OF DEATH EMERGENCY ROOM / OUTPATIENT				
BIRTHPLACE NEWPORT, RI	SOCIAL SECURITY NUMBER [REDACTED]	STATUS AT TIME OF DEATH MARRIED	SURVIVING SPOUSE/CIVIL UNION PARTNER'S MAIDEN NAME PATRICIA LEE WILHELM	EVER IN U.S. ARMED FORCES? NO
RESIDENCE 13641 BAVARIAN WAY	APT. NO.	CITY OR TOWN HIGHLAND	INSIDE CITY LIMITS? NO	
COUNTY MADISON	STATE IL	ZIP CODE 62249	FATHER/CO-PARENT'S NAME PRIOR TO FIRST MARRIAGE/CIVIL UNION DONALD S ROTI ROTI	MOTHER/CO-PARENT'S NAME PRIOR TO FIRST MARRIAGE/CIVIL UNION SHIRLEY LOUISE LEMMER
INFORMANT'S NAME PATRICIA LEE ROTI ROTI		RELATIONSHIP WIFE	MAILING ADDRESS 13641 BAVARIAN WAY, HIGHLAND, IL, 62249	
METHOD OF DISPOSITION CREMATION	PLACE OF DISPOSITION CREMATION SERVICES OF METRO EAST, LLC	LOCATION - CITY OR TOWN AND STATE O FALLON, IL	DATE OF DISPOSITION FEBRUARY 24, 2023	
FUNERAL HOME SPENGL-BOULANGER FUNERAL HOME INC, 1501 NINTH @ LEMON STREET, HIGHLAND, IL, 62249				
FUNERAL DIRECTOR'S NAME JAY W BOULANGER			FUNERAL DIRECTOR'S ILLINOIS LICENSE NUMBER 034010733	
LOCAL REGISTRAR'S NAME MICHELLE A BOYER			DATE FILED WITH LOCAL REGISTRAR FEBRUARY 24, 2023	
<b>CAUSE OF DEATH</b> PART I. ATHEROSCLEROTIC ARTERY DISEASE				
IMMEDIATE CAUSE (Final disease or condition resulting in death)		a.	APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH	
		b.		
		c.		
Due to (or as a consequence of):				
PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I.				
			WAS AN AUTOPSY PERFORMED? NO	
			WERE AUTOPSY FINDINGS USED TO COMPLETE CAUSE OF DEATH? N/A	
FEMALE PREGNANCY STATUS NOT APPLICABLE			MANNER OF DEATH NATURAL	
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?	
LOCATION OF INJURY				
DESCRIBE HOW INJURY OCCURRED:			IF TRANSPORTATION INJURY, SPECIFY:	
ATTEND THE DECEASED? YES	DATE LAST SEEN ALIVE NOVEMBER 17, 2022	WAS MEDICAL EXAMINER OR CORONER CONTACTED? YES	DATE PRONOUNCED	TIME OF DEATH 08:46 AM
CERTIFIER PHYSICIAN			DATE CERTIFIED FEBRUARY 23, 2023	
NAME, ADDRESS AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH DR MICHAEL BAVLSIK, 114 NORTH TAYLOR AVENUE, SAINT LOUIS, MISSOURI, 63108			PHYSICIAN'S LICENSE NUMBER 102863 (MO)	

This is to certify that this is a true and correct copy from the official death record filed with the Illinois Department of Public Health.



Michelle A. Boyer  
 Edwardsville City Clerk & Registrar



**ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE**