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Page 1 of 10
Fees: \$80.00
Jasper County
Amy Tarr Clerk Recorder
File# 5046

BK **252** PG **116-125**

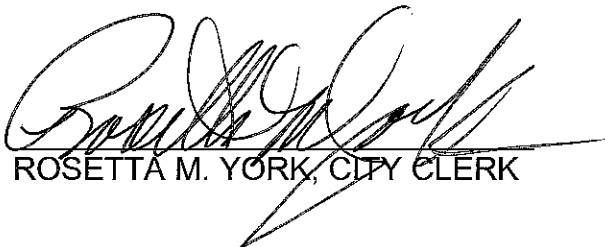
CITY OF NEWTON, ILLINOIS

ORDINANCE NO. 20-09

AN ORDINANCE APPROVING ANNEXATION AGREEMENT
WITH MICHAEL BIRCH AND SANDY BIRCH
TO THE CITY OF NEWTON, JASPER COUNTY, ILLINOIS

ADOPTED BY THE CITY COUNCIL
OF THE CITY OF NEWTON, ILLINOIS
THIS 16th DAY OF JUNE, 2020

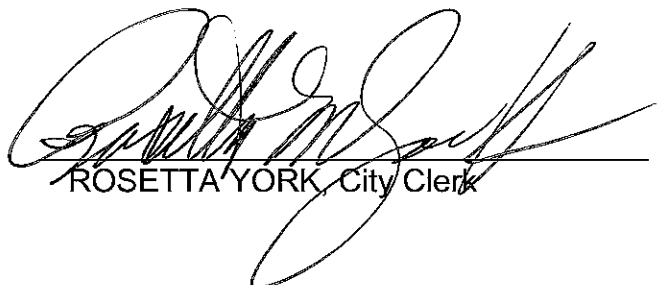
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF
THE CITY COUNCIL OF THE CITY OF NEWTON,
JASPER COUNTY, ILLINOIS
THIS 16th DAY OF JUNE, 2020



ROSETTA M. YORK, CITY CLERK

CERTIFICATE OF PUBLICATION

I, ROSETTA YORK, the duty qualified City Clerk of the City of Newton, Illinois, and the official custodian of records of said City do hereby certify that this Ordinance was published in pamphlet form by authority of the City Council on the 16th day of JUNE, 2020.



ROSETTA YORK, City Clerk

ORDINANCE NO. 20-09

AN ORDINANCE APPROVING ANNEXATION AGREEMENT
WITH MICHAEL BIRCH AND SANDY BIRCH
TO THE CITY OF NEWTON, JASPER COUNTY, ILLINOIS

WHEREAS, MICHAEL BIRCH and SANDY BIRCH desire to secure water service from the City of Newton, Illinois to the real estate that they own described on Exhibit A, and

WHEREAS, MICHAEL BIRCH and SANDY BIRCH are willing to agree to annex said real estate to the City of Newton upon it becoming contiguous to the City; and,

WHEREAS, the City and MICHAEL BIRCH and SANDY BIRCH have entered into an Annexation Agreement, a true copy of which is attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Newton, Jasper County, Illinois, as follows:

1. Annexation Agreement between the City of Newton, Illinois and MICHAEL BIRCH and SANDY BIRCH, as set forth in form of same attached hereto as Exhibit B is hereby approved.

2. The Mayor and City Clerk are hereby authorized and directed to enter into said Annexation Agreement and to cause it to be recorded in the office of the Recorder of Jasper County, Illinois after it has been duly executed by MICHAEL BIRCH and SANDY BIRCH.

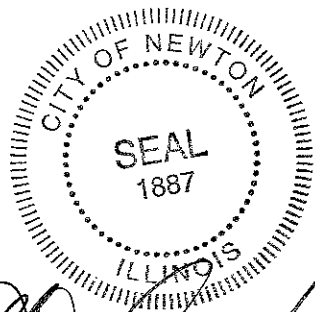
3. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Upon roll call vote the following Alderpersons voted yea: **Gayle Glumac, Larry Brooks, Robert Reisner and Marlene Harris**

Upon roll call vote the following Alderperson voted nay: **None**

Upon roll call vote the following Alderperson were absent: **David Brown and Eric Blake**

Passed, approved and published in pamphlet form this this 16th day of June, 2020.




MARK BOLANDER, MAYOR

ATTEST:

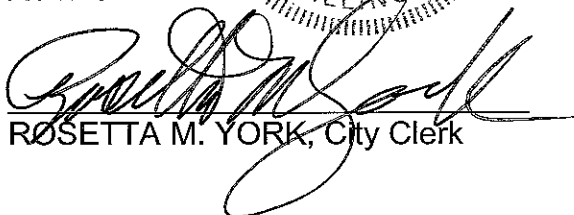

ROSETTA M. YORK, City Clerk

EXHIBIT A

A part of the Southeast Quarter of the Southeast Quarter of Section Eleven (11), Township Six (6) North, Range Nine (9) East of the Third Principal Meridian, Jasper County, Illinois, more particularly described as follows: Commencing at an iron pin found at the Southeast Corner of Section Eleven (11), Township Six (6) North, Range Nine (9) East of the Third Principal Meridian, Jasper County, Illinois, thence N-00°-07'-21"-W 325.00 feet along the East line of said Section 11 to the point of beginning, said point being at the Northeast Corner of the South 325.00 feet of the Southeast Quarter of the Southeast Quarter of said Section 11, thence N-89°-35'-39"-W 260.00 feet to an iron pin set on the North line of the South 325.00 feet of the Southeast Quarter of the Southeast Quarter of said Section 11, thence N-00°-07'-21"-W 250.00 feet to an iron pin set, thence S-89°-35'-39"-E 260.00 feet to the East line of said Section 11, thence S-00°-07'-21"-E 250.00 feet to the point of beginning, containing 1.49 acres, more or less, as per Survey of Jon W. Earnest, Illinois Professional Land Surveyor No. 2794, dated February 24, 2020.

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Page 1 of 7
Fees: \$65.00
Jasper County
Amy Tarr Clerk Recorder
File# 5045
BK **252** PG **109-115**

Prepared by: WILLIAM G. HEAP
WEBER, TEDFORD, HEAP &
AYRES, P.C.
122 South Van Buren Street
P.O. Box 7
Newton, IL 62448
(618) 783-8471

RECORDER'S DATA ONLY

ANNEXATION AGREEMENT

This Agreement is made this date by and between the CITY of Newton, Jasper County, Illinois, hereinafter referred to as CITY, and MICHAEL BIRCH and SANDY BIRCH, owners of the real estate set forth on Exhibit A attached hereto and incorporated herein by this reference, hereinafter referred to as OWNERS:

WITNESSETH:

WHEREAS, OWNER and CITY are desirous that the real estate of OWNERS be annexed to the CITY; and

WHEREAS, the CITY is willing to install, maintain and operate at its costs a water line to be extended from the CITY main to a spot located on the real estate described on Exhibit A as determined by the CITY to serve said real estate; and

WHEREAS, the water meter shall be owned by the CITY and the cost of same is included in the tap on fee to be paid by owner, and

WHEREAS, OWNERS are willing to pay certain necessary cost attendant to the connection of the water meter on the real estate set forth on Exhibit A to the water line; and

WHEREAS, both the CITY and OWNERS are desirous of formalizing an agreement relative to the CITY'S installation of the water line to the water meter to be owned by the CITY on the OWNER'S described property.

NOW, THEREFORE, in consideration of the mutual covenants and undertakings of the parties hereto, it is agreed as follows:

1. When OWNER'S real estate described on Exhibit A becomes contiguous to the CITY of Newton, Illinois, OWNER agrees to petition to the CITY to annex to the CITY said real estate and the CITY shall annex said real estate once all legal requirements for such annexation have been met.

2. The CITY shall within a reasonable time cause a water line to be installed from one of its water mains to the CITY'S water meter, to serve said described real estate in conformity with CITY regulations and all applicable State and Federal rules, Regulations and Laws. CITY will thereafter own and maintain said water line to the OWNER'S water meter.

3. OWNERS, shall at their sole expense, pay the cost of boring under the roadway to facilitate the installation of said water line and meter. OWNERS shall also pay the standard tap-on fee of \$750.00 per tap when connected plus the utility deposit of \$350.00. OWNERS shall pay the cost of the water line and connections from the meter to the structure on said property and thereafter shall own and maintain those portions of the water lines and connections which run from the meter to their structures.

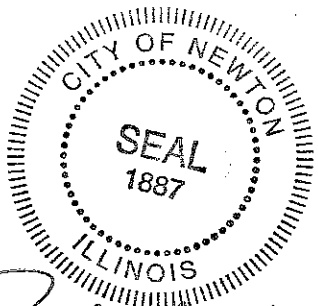
4. The CITY and OWNERS agree that the water rate to be charged to the OWNERS prior to annexation shall be the water usage rate in effect from time to time

for water service outside the city limits of the CITY of Newton, Illinois. After the Annexation has occurred, the OWNERS will be charged inside city limit rates.

5. OWNERS does hereby grant unto the CITY a blanket easement over, under and upon the real estate described in Exhibit A for the CITY'S operation, maintenance, repair, replacement and customary servicing of its water line and meter.

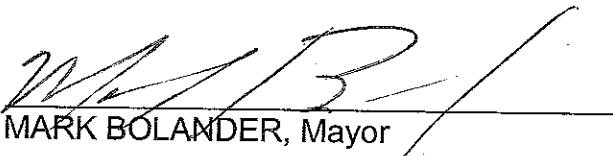
6. This Annexation Agreement shall be binding upon and shall inure the benefit of the parties hereto and their perspective successors and assigns. It shall be recorded in the office of the Recorder of Jasper County, Illinois.

Executed this 9 day of June, 2020.



CITY OF NEWTON, ILLINOIS, a
Municipal Corporation

By:


MARK BOLANDER, Mayor

ATTEST:

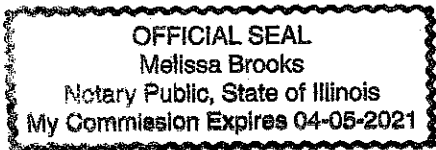

ROSETTA M. YORK, CITY Clerk


MICHAEL BIRCH


SANDY BIRCH

STATE OF ILLINOIS)
) SS:
COUNTY OF JASPER)

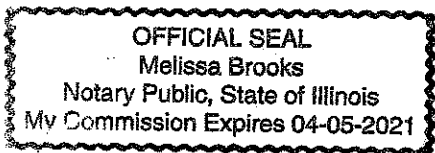
Subscribed and sworn to before me by MARK BOLANDER, Mayor this 9th day of June, 2020.



Melissa Brooks
Notary Public

STATE OF ILLINOIS)
) SS:
COUNTY OF JASPER)

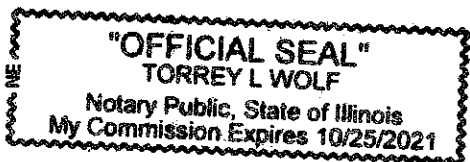
Subscribed and sworn to before me by ROSETTA M. YORK, CITY Clerk this 9th day of June, 2020.



Melissa Brooks
Notary Public

STATE OF ILLINOIS)
) SS:
COUNTY OF JASPER)

Subscribed and sworn to before me by MICHAEL BIRCH and SANDY BIRCH, this 8th day of June, 2020.



Torrey L Wolf
Notary Public

EXHIBIT A

A part of the Southeast Quarter of the Southeast Quarter of Section Eleven (11), Township Six (6) North, Range Nine (9) East of the Third Principal Meridian, Jasper County, Illinois, more particularly described as follows: Commencing at an iron pin found at the Southeast Corner of Section Eleven (11), Township Six (6) North, Range Nine (9) East of the Third Principal Meridian, Jasper County, Illinois, thence N-00°-07'-21"-W 325.00 feet along the East line of said Section 11 to the point of beginning, said point being at the Northeast Corner of the South 325.00 feet of the Southeast Quarter of the Southeast Quarter of said Section 11, thence N-89°-35'-39"-W 260.00 feet to an iron pin set on the North line of the South 325.00 feet of the Southeast Quarter of the Southeast Quarter of said Section 11, thence N-00°-07'-21"-W 250.00 feet to an iron pin set, thence S-89°-35'-39"-E 260.00 feet to the East line of said Section 11, thence S-00°-07'-21"-E 250.00 feet to the point of beginning, containing 1.49 acres, more or less, as per Survey of Jon W. Earnest, Illinois Professional Land Surveyor No. 2794, dated February 24, 2020.

TO: CITY COUNCIL OF THE CITY OF NEWTON, ILLINOIS

PETITION TO ANNEX


The undersigned, being of legal age and under no legal disability and after being duly sworn under oath state that they are the owners of the land which is contiguous to the City of Newton, Illinois and which land is described on Exhibit "A" attached hereto and incorporated herein by this reference.

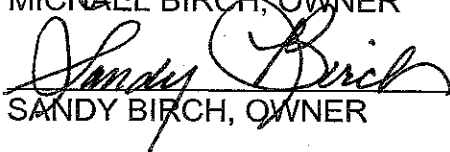
The undersigned do hereby further request that all of said real estate be annexed to the City of Newton, Illinois.

The lands described on Exhibit "A" attached are commonly known as 8075 North 1100th Street, Newton, Illinois 62448.

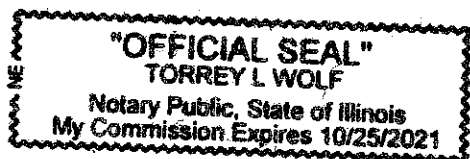
The undersigned further state that not less than 51% of the Electors residing on the described real estate have signed this Petitioner to Annex.

Dated this 8th day of June, 2020.


MICHAEL BIRCH, OWNER


SANDY BIRCH, OWNER

Subscribed and sworn to before me by MICHAEL BIRCH and SANDY BIRCH
this 8th day of June, 2020.



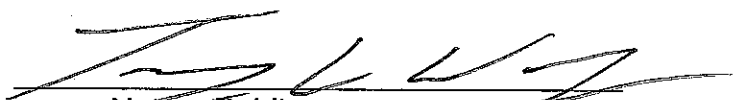

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