

CITY OF NEWTON, ILLINOIS

ORDINANCE NO. 24-04

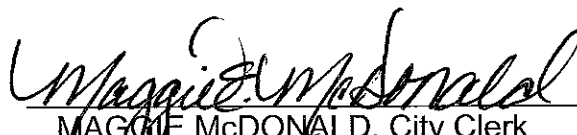
A CITY OF NEWTON ORDINANCE TO
ENTER INTO A SUBLEASE AGREEMENT BETWEEN
SAINT THOMAS THE APOSTLE PARISH, AS SUBLESSOR,
AND THE CITY OF NEWTON, ILLINOIS, AS SUBLESSEE
INCREASING PAYMENTS FOR WATER WELLS

ADOPTED BY THE CITY COUNCIL
OF THE CITY OF NEWTON, ILLINOIS
THIS 5TH DAY OF MARCH, 2024

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF
THE CITY COUNCIL OF THE CITY OF NEWTON
JASPER COUNTY, ILLINOIS
THIS 5TH DAY OF MARCH, 2024

CERTIFICATE OF PUBLICATION

I, MAGGIE McDONALD, 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 5th day of March, 2024.


MAGGIE McDONALD, City Clerk

ORDINANCE NO. 24-04

A CITY OF NEWTON ORDINANCE TO
ENTER INTO A SUBLEASE AGREEMENT BETWEEN
SAINT THOMAS THE APOSTLE PARISH, AS SUBLESSOR,
AND THE CITY OF NEWTON, ILLINOIS, AS SUBLESSEE
INCREASING PAYMENTS FOR WATER WELLS

WHEREAS, the CITY OF NEWTON is the beneficiary of a certain Lease Agreement entered into by and between SAINT THOMAS THE APOSTLE PARISH and the CITY OF NEWTON dated May 14, 1990 and amendment thereto dated March 25, 2009, and

WHEREAS, it is the best interest of the CITY OF NEWTON to enter into a new payment agreement with respect thereto; and

WHEREAS, the Land which is the subject of the original Lease Agreement is currently owned by the ROMAN CATHOLIC DIOCESE OF SPRINGFIELD ILLINOIS TRUSTEE CORPORATION, an Illinois Not for Profit Corporation, as Trustee and is Leased to SAINT THOMAS THE APOSTLE PARISH of NEWTON ILLINOIS, a Not-for-Profit Corporation; and

NOW THEREFORE, BE IT ORDAINED by the City Council of the CITY OF NEWTON, Illinois as follows:

1. The CITY will enter into a new SUBLEASE AGREEMENT between SAINT THOMAS THE APOSTLE PARISH, as Sublessor and the CITY OF NEWTON as Sublessee, a copy of which is attached hereto and incorporated herein by this reference as Exhibit A.

2. The Mayor of the CITY OF NEWTON and the Clerk of the CITY OF NEWTON are hereby authorized to enter into said SUBLEASE, upon the signature thereto by FATHER PAWEL LUCZAK of SAINT THOMAS THE APOSTLE PARISH.


3. Except as set forth in said SUBLEASE all original terms of LEASE AGREEMENT dated May 14, 1990 and AMENDMENT thereto dated March 25, 2009 shall remain in full force and effect.

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 Alderperson voted:

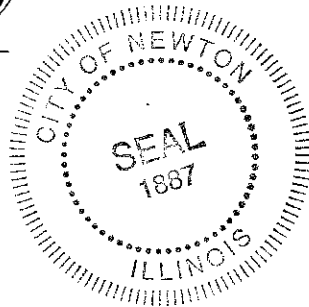
| | Aye | Nay | Abstain | Not Present |
|-------------------|-----|-----|---------|-------------|
| Gayle Glumac | | | | ✓ |
| Kaleb Wright | | | | ✓ |
| Larry Brooks | | | | ✓ |
| R. J. Lindemann | ✓ | | | |
| Eric Blake | ✓ | | | |
| Mike Swick | ✓ | | | |
| Mayor Joshua Kuhl | ✓ | | | |

Passed, approved and published in pamphlet form this 5th day of March, 2024.


JOSHUA J. KUHL, Mayor

ATTEST:


MAGGIE McDONALD, City Clerk





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 Recorded: 03/06/2024 at 08:45:00 AM
 Page 1 of 5
 Fees: \$65.00
 Jasper County
 Amy Tarr Clerk Recorder
 File# 240373

BK **260** PG **693-697**

Prepared By:
WILLIAM G. HEAP
WEBER, HEAP, AYRES,
& GREENE, P.C.
 122 South Van Buren Street
 Newton, IL 62448
 (618) 783-8471

RECORDER'S DATA ONLY

**SUBLEASE AGREEMENT BETWEEN SAINT THOMAS THE APOSTLE PARISH, AS
 SUBLESSOR, AND THE CITY OF NEWTON, ILLINOIS, AS SUBLESSEE**

WHEREAS, SAINT THOMAS THE APOSTLE PARISH, is Lessee from SAINT THOMAS THE APOSTLE PARISH TRUST c/o THE ROMAN CATHOLIC DIOCESE OF SPRINGFIELD as Trustee of the Land described on Exhibit A attached hereto and incorporated herein by this reference;

WHEREAS, there is currently located upon Land which is the subject hereof, four (4) water wells for which the CITY OF NEWTON has in the past been paying the sum of \$500 per well per year;

WHEREAS, it is the desire of SAINT THOMAS THE APOSTLE PARISH as Sub-lessor to enter into a sublease with the CITY OF NEWTON in order to modify and increase the amount of money paid by the CITY OF NEWTON per year, per well.

NOW, THEREFORE, in consideration of One Dollar (\$1.00), paid by CITY OF NEWTON as Sub-lessee to SAINT THOMAS THE APOSTLE PARISH as Lessee from SAINT THOMAS THE APOSTLE PARISH, c/o ROMAN CATHOLIC DIOCESE OF

SPRINGFIELD, Trustee and for other good and valuable considerations, the receipt and sufficiency which is hereby acknowledged the parties hereto agree as follows:

1. THE CITY OF NEWTON as Sub-lessee agrees to pay to Sub-lessor, SAINT THOMAS THE APOSTLE PARISH, annually the sum of \$1,000.00 per well per year for the four (4) existing wells and for each new well hereinafter completed, if any, on the Lease Land.

2. Except as herein before set forth, the original terms of the Lease Agreement entered into by and between SAINT THOMAS THE APOSTLE PARISH and the CITY OF NEWTON, dated May 14, 1990 and Amendment thereto dated March 25, 2009, except as modified herein remain in full force and effect according to their original terms.

Dated this 5th day of March 2024.

CITY OF NEWTON, ILLINOIS,
an Illinois Municipal Corporation

Joshua J. Kuhl
JOSHUA J. KUHL, Mayor

ATTEST:

Maggie McDonald
MAGGIE MCDONALD, City Clerk



SAINT THOMAS THE APOSTLE PARISH

Paul Luczak
FATHER PAWEL LUCZAK

STATE OF ILLINOIS)
) SS:
COUNTY OF JASPER)

The foregoing instrument was acknowledged before me this 5th day of March, 2024, by JOSHUA J. KUHL, Mayor and MAGGIE McDONALD, City Clerk of the CITY OF NEWTON, Jasper County, an Illinois Municipal Corporation on behalf of the Corporation.

Melissa Brooks
NOTARY PUBLIC



STATE OF ILLINOIS)
) SS:
COUNTY OF JASPER)

The foregoing instrument was acknowledged before me this 28th day of February, 2024, by FATHER PAWEL LUCZAK, Saint Thomas the Apostle Parish.



Dena L. Rauch
NOTARY PUBLIC

CONSENT TO SUBLEASE

The Roman Catholic Diocese of Springfield in Illinois Trustee Corporation, an Illinois not-for-profit corporation, as Trustee under that certain SAINT THOMAS THE APOSTLE PARISH of Newton, Illinois Real Estate Trust Agreement dated July 1, 2012 ("Lessor"), does hereby consent to that certain Sublease by and between SAINT THOMAS THE APOSTLE PARISH of Newton, Illinois, an Illinois not-for-profit corporation (hereinafter called "Lessee") and the CITY OF NEWTON, ILLINOIS an Illinois Municipal Corporation ("Sub-Lessee"), a copy of which is attached hereto as Exhibit "A."

Date:

† Thomas John Paprocki
The Roman Catholic Diocese of
Springfield in Illinois Trustee
Corporation
By: The Most Reverend Thomas John
Paprocki
Its: President

EXHIBIT 'A'

The Northwest Quarter (NW/4) of the Southwest Quarter (SW/4) of Section 31, Township 7 North, Range 10 East of the Third Principal Meridian; and the Southeast Quarter (SE/4) of the Northwest Quarter (NW/4) of Section 31, Township 7 North, Range 10 East of the Third Principal Meridian, except that part of said last named subdivision lying West of the Wagon Road, containing 95 acres, more or less, all located in Jasper County, Illinois.