

Ordinance #O-13-04

An Ordinance ANNEXING 33.71 ACRES OF TERRITORY IN EAST GALENA TOWNSHIP.

Adopted by the City Council of the City of Galena this 22nd Day of April 2013.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 22nd Day of April 2013.

STATE OF ILLINOIS)
) City of Galena
COUNTY OF JO DAVIESS)

CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, JoDaviess County, Illinois.

I further certify that on the 22nd Day of April 2013, the Corporate Authorities of said municipality passed and approved Ordinance No. O-13-04 entitled **AN ORDINANCE ANNEXING 33.71 ACRES OF TERRITORY IN EAST GALENA TOWNSHIP** which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O-13-04 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 23rd Day of April 2013 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 23rd Day of April 2013.



Mary Beth Hyde
City Clerk

(Seal)

ORDINANCE NO. O.13.04

ORDINANCE ANNEXING 33.71 ACRES OF TERRITORY IN EAST GALENA TOWNSHIP

WHEREAS, a written Petition (marked as Exhibit A and made a part of this Ordinance), signed by James Richards, JoAnn Richards, Joseph Borsdorf, Alexander Phillips, and James Sullivan, (“Owner”), the Owners of territory hereinafter described, has been filed with the City Clerk of the City of Galena, Jo Daviess County, Illinois, requesting that said territory be annexed to the City of Galena; and

WHEREAS, there are no (0) electors residing within the said territory; and

WHEREAS, the said territory is not within the corporate limits of any municipality, but is contiguous to the City of Galena; and

WHEREAS, in accordance with the Illinois Compiled Statutes (65 ILCS 5/7), legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice; and

WHEREAS, copies of such notices required to be recorded, if any, have been placed as record in the office of the Recorder of Deeds of Jo Daviess County; and

WHEREAS, it is in the best interest of the City of Galena that said territory be annexed hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Galena, Jo Daviess County, Illinois as follows:

SECTION I: That the following described territory (found in the Petition for Annexation marked as Exhibit A and made a part of this Ordinance), is hereby annexed to the City of Galena, Jo Daviess County, Illinois, and that the boundary lines of Galena be and are hereby enlarged and extended to include, within the corporate boundaries

thereof, the territory above described and as shown in the Plat of Annexation (marked as Exhibit B and made a part of this Ordinance).

SECTION II: That the City Clerk is hereby directed to record with the Recorder and to file with the County Clerk, a certified copy of this Ordinance, together with an accurate map of the territory annexed.

SECTION III: That this Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

SECTION IV: Passed and approved this 22nd day of April, A.D., 2013.

AYES:

Greene, Lincoln,
Painter, Cording,
Fach, Renner

NAYS:

None

ABSENT:

Murphy



Mayor, Terry Renner

ATTEST:



City Clerk, Mary Beth Hyde

Prepared by:

Joe Nack, City Attorney
312 ½ North Main Street
Galena, IL 61036

Return to:

Mark Moran
City Administrator
312 ½ North Main Street
Galena, IL 61036

PETITION FOR ANNEXATION

To: Mayor & City Council
City of Galena
Jo Daviess County, IL

The Petitioner(s), respectfully state under oath as follows:

1. That the Petitioner(s), JAMES W. RICHARDS as Trustee under the provisions of a Trust Agreement known as Richards Revocable Trust dated August 21, 2002 and JOANN RICHARDS, his wife, JOSEPH R. BORSDORF, ALEXANDER K. PHILLIPS and JAMES S. SULLIVAN, is (are) the legal and equitable owner(s) of record of the following legally described land:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE PART HEREOF.

2. The property referred to in Paragraph 1 above is not situated within the limits of the City of Galena, Jo Daviess County, IL or any other municipality and it is, or will be, contiguous to the limits of said Village at the time of its annexation.

3. There are no electors residing within the property referred to herein.

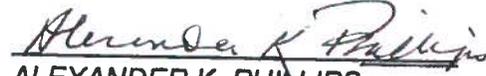
4. Petitioner(s) and elector(s) respectfully request:

A. That the above property legally described in Exhibit "A" be annexed to the City of Galena by Ordinance at the discretion of the Mayor and City Council of the City of Galena, upon said property being or becoming contiguous to the City of Galena pursuant to the provisions of Sections 65 ILCS 5/7-1-1 and 65 ILCS 5/7-1-8.

B. That such other action be taken as may be appropriate.

Elector(s) and Petitioner(s):

DATED: December 06, 2012.


ALEXANDER K. PHILLIPS

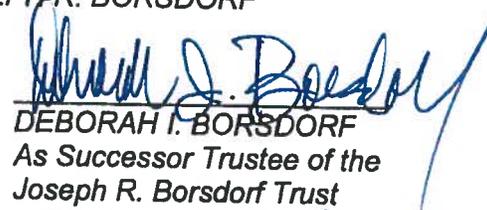
DATED: December 06, 2012.


JAMES S. SULLIVAN

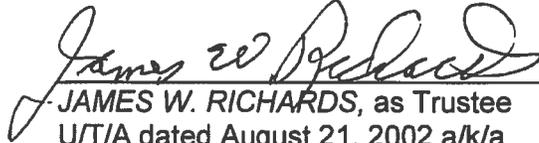
DATED: December 06, 2012.

JOSEPH R. BORSDORF

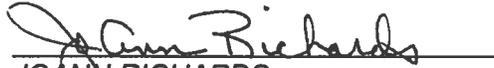
By:


DEBORAH I. BORSDORF
As Successor Trustee of the
Joseph R. Borsdorf Trust
U/T/A dated 01-20-93
and/or as Executor named in
the Will of Joseph R. Borsdorf,
Deceased

DATED: ~~December~~ ^{February} 28, 2013

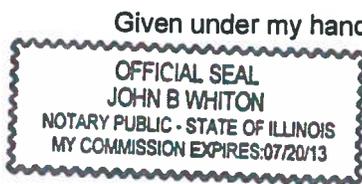

JAMES W. RICHARDS, as Trustee
U/T/A dated August 21, 2002 a/k/a
Richards Revocable Trust

DATED: ~~December~~ ^{February} 28, 2013


JOANN RICHARDS

STATE OF ILLINOIS)
) SS
JO DAVIESS COUNTY)

I, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JOSEPH R. BORSDORF, by DEBORAH I. BORSDORF as Successor Trustee of the Joseph R. Borsdorf Trust U/T/A dated 01-20-93 and/or as Executor named in the Will of Joseph R. Borsdorf, Deceased, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the purposes therein set forth.



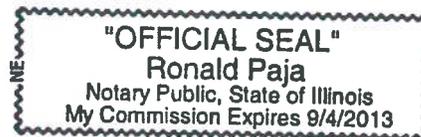
John B. Whiton
Notary Public

STATE OF ILLINOIS)
) SS
JO DAVIESS COUNTY)

I, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JAMES S. SULLIVAN, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the purposes therein set forth.

Given under my hand and notarial seal as of 12/06, 2012.

Ronald Paja
Notary Public

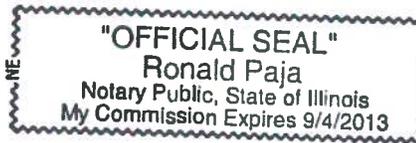


STATE OF ILLINOIS)
) SS
Jo Ann)
ADAMS COUNTY)

I, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ALEXANDER K. PHILLIPS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the purposes therein set forth.

Given under my hand and notarial seal as of 12/06, 2012

Ronald Paja
Notary Public



STATE OF IOWA)
) SS
DUBUQUE)
COUNTY)

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that JAMES W. RICHARDS, as Trustee under the provisions of a Trust Agreement known as Richards Revocable Trust dated August 21, 2002, and JOANN RICHARDS, his wife, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the purposes therein set forth.

Given under my hand and notarial seal as of February 28, 2013.

[Signature]
Notary Public

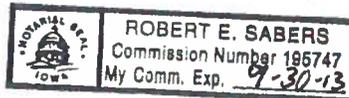


EXHIBIT "A"

Legal Description

A TRACT OF LAND LOCATED IN PARTS OF THE NORTHEAST, NORTHWEST AND SOUTHEAST QUARTERS OF SECTION 21, TOWNSHIP 28 NORTH, RANGE 1 EAST OF THE FOURTH PRINCIPAL MERIDIAN, EAST GALENA TOWNSHIP, JO DAVIESS COUNTY, IL, THE BOUNDARY OF SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 28 NORTH, RANGE 1 EAST OF THE FOURTH PRINCIPAL MERIDIAN; THENCE SOUTH 01 DEGREES 22 MINUTES 34 SECONDS EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 21, A DISTANCE OF 288.69 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 16 SECONDS WEST, 819.75 FEET; THENCE SOUTH 88 DEGREES 41 MINUTES 58 SECONDS WEST, 1,720.35 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE ILLINOIS CENTRAL RAILROAD; THENCE CONTINUING SOUTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, ALONG A CIRCULAR CURVE CONCAVE TO THE WEST, AN ARC DISTANCE OF 694.05 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND AS SHOWN ON THE PLAT OF SURVEY RECORDED IN PLAN HOLD "C" OF PLATS, PAGE 145, IN THE OFFICE OF THE JO DAVIESS COUNTY RECORDER; SAID CURVE HAVING A RADIUS OF 1,066.00 FEET, A CENTRAL ANGLE OF 37 DEGREES 18 MINUTES 14 SECONDS, AND WHOSE LONG CHORD BEARS SOUTH 38 DEGREES 44 MINUTES 26 SECONDS WEST, 681.85 FEET FROM THE LAST DESCRIBED COURSE; THENCE SOUTH 16 DEGREES 13 MINUTES 42 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID PARCEL, A DISTANCE OF 419.15 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87 DEGREES 00 MINUTES 06 SECONDS EAST, 1,063.83 FEET; THENCE SOUTH 02 DEGREES 59 MINUTES 54 SECONDS WEST, 1,058.65 FEET; THENCE SOUTH 84 DEGREES 56 MINUTES 14 SECONDS EAST, 160.29 FEET; THENCE SOUTH 43 DEGREES 03 MINUTES 03 SECONDS EAST, 287.43 FEET; THENCE NORTH 85 DEGREES 12 MINUTES 12 SECONDS EAST, 348.33 FEET; THENCE SOUTH 49 DEGREES 47 MINUTES 07 SECONDS EAST, 344.25 FEET TO A FOUND IRON ROD ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE PROPERTY CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION, BY WARRANTY DEED RECORDED AS DOCUMENT NO. 235020, IN THE OFFICE OF THE JO DAVIESS COUNTY RECORDER; THENCE SOUTH 55 DEGREES 13 MINUTES 51 SECONDS WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 52.19 FEET TO A FOUND IRON ROD; THENCE SOUTH 60 DEGREES 44 MINUTES 58 SECONDS WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 200.93 FEET TO A FOUND IRON ROD; THENCE CONTINUING SOUTHWESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ALONG A CIRCULAR CURVE CONCAVE TO THE SOUTH, AN ARC DISTANCE OF 333.99 FEET; SAID CURVE HAVING A RADIUS OF 11,521.96 FEET, A CENTRAL ANGLE OF 01 DEGREES 39 MINUTES 39 SECONDS, AND WHOSE LONG CHORD BEARS SOUTH 61 DEGREES 34 MINUTES 48 SECONDS WEST, 333.98 FEET FROM THE LAST DESCRIBED COURSE; THENCE SOUTH 61 DEGREES 34 MINUTES 48 SECONDS WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 26.11 FEET TO A POINT IN THE CENTERLINE OF POWDER HOUSE HILL ROAD; THENCE NORTH 52 DEGREES 42 MINUTES 01 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF 380.33 FEET TO A POINT OF CURVE; THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE, ALONG A CIRCULAR CURVE CONCAVE TO THE SOUTH, AN ARC DISTANCE OF 225.74 FEET TO A POINT OF TANGENT; SAID CURVE HAVING A RADIUS OF 885.00 FEET, A CENTRAL ANGLE OF 14 DEGREES 36 MINUTES 52 SECONDS, AND WHOSE LONG CHORD BEARS NORTH 60 DEGREES 00 MINUTES 27

SECONDS WEST, 225.13 FEET FROM THE LAST DESCRIBED COURSE; THENCE NORTH 67 DEGREES 18 MINUTES 53 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF 370.80 FEET TO A POINT OF CURVE; THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE, ALONG A CIRCULAR CURVE CONCAVE TO THE NORTH, AN ARC DISTANCE OF 146.97 FEET TO A POINT OF TANGENT; SAID CURVE HAVING A RADIUS OF 203.00 FEET, A CENTRAL ANGLE OF 41 DEGREES 28 MINUTES 56 SECONDS, AND WHOSE LONG CHORD BEARS NORTH 46 DEGREES 34 MINUTES 25 SECONDS WEST, 143.78 FEET FROM THE LAST DESCRIBED COURSE; THENCE NORTH 25 DEGREES 49 MINUTES 57 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF 316.90 FEET TO A POINT OF CURVE; THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE, ALONG A CIRCULAR CURVE CONCAVE TO THE SOUTH, AN ARC DISTANCE OF 116.95 FEET TO A POINT OF TANGENT; SAID CURVE HAVING A RADIUS OF 440.00 FEET, A CENTRAL ANGLE OF 15 DEGREES 13 MINUTES 42 SECONDS, AND WHOSE LONG CHORD BEARS NORTH 33 DEGREES 26 MINUTES 48 SECONDS WEST, 116.60 FEET FROM THE LAST DESCRIBED COURSE; THENCE NORTH 41 DEGREES 03 MINUTES 39 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF 81.15 FEET TO A POINT OF CURVE; THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE, ALONG A CIRCULAR CURVE CONCAVE TO THE NORTH, AN ARC DISTANCE OF 160.76 FEET TO A POINT OF TANGENT; SAID CURVE HAVING A RADIUS OF 540.00 FEET, A CENTRAL ANGLE OF 17 DEGREES 03 MINUTES 26 SECONDS, AND WHOSE LONG CHORD BEARS NORTH 32 DEGREES 31 MINUTES 56 SECONDS WEST, 160.17 FEET FROM THE LAST DESCRIBED COURSE; THENCE NORTH 24 DEGREES 00 MINUTES 11 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF 167.95 FEET TO A POINT OF CURVE; THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE, ALONG A CIRCULAR CURVE CONCAVE TO THE SOUTH, AN ARC DISTANCE OF 39.44 FEET TO A POINT WHICH IS THE SOUTHERLY EXTENSION OF THE EAST LINE OF A PARCEL OF LAND AS RECORDED IN PLAN HOLD "C" OF PLATS, PAGE 145, IN THE OFFICE OF THE JO DAVIESS COUNTY RECORDER; SAID CURVE HAVING A RADIUS OF 180.00 FEET, A CENTRAL ANGLE OF 12 DEGREES 33 MINUTES 14 SECONDS, AND WHOSE LONG CHORD BEARS NORTH 30 DEGREES 16 MINUTES 51 SECONDS WEST, 39.36 FEET FROM THE LAST DESCRIBED COURSE; THENCE NORTH 04 DEGREES 12 MINUTES 04 SECONDS WEST, ALONG SAID EXTENDED LINE AND THE EAST LINE OF SAID PARCEL, A DISTANCE OF 347.01 FEET TO A FOUND IRON ROD; THENCE NORTH 16 DEGREES 13 MINUTES 42 SECONDS WEST, ALONG THE EAST LINE OF SAID PARCEL, A DISTANCE OF 137.82 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 33.71 ACRES, MORE OR LESS, AS MORE PARTICULARLY SHOWN ON A SURVEY DATED SEPTEMBER 6, 2010 AND REVISED OCTOBER 5, 2010 AND PREPARED BY PAUL C. BRASHAW, AN IL PROFESSIONAL LAND SURVEYOR

