

Ordinance #O.20.21

An Ordinance **TO ACCEPT OWNERSHIP BY DEDICATION OF SANITARY SEWER SYSTEM IN THE GATEWAY PARK SUBDIVISION IN THE CITY OF GALENA.**

Adopted by the City Council of the City of Galena this 26th Day of October 2020.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 26th Day of October 2020.

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 26th Day of October 2020, the Corporate Authorities of said municipality passed and approved Ordinance No. O.20.21 entitled **AN ORDINANCE TO ACCEPT OWNERSHIP OF DEDICATION OF SANITARY SEWER SYSTEM IN THE GATEWAY PARK SUBDIVISION IN THE CITY OF GALENA**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.20.21 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 26th Day of October 2020 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 27th October 2020.


Mary Beth Hyde, City Clerk

(Seal)

Ordinance #O.20.21

**AN ORDINANCE TO ACCEPT OWNERSHIP BY DEDICATION OF SANITARY SEWER
SYSTEM IN THE GATEWAY PARK SUBDIVISION IN THE CITY OF GALENA**

WHEREAS, James Sullivan and Alex Phillips, (the "Developer") are the owner in fee simple of the property comprising the Gateway Park Subdivision, which tract is more particularly described in the final subdivision plat for said subdivision dated September 26, 2016 which was recorded in the Jo Daviess County Recorder's Office in Plan Hold 10 #222, as document No. 391766, on October 26, 2016 and the Plat of Dedication, dated January 10, 2019; and

WHEREAS, the Developer completed and the City accepted in January 2019 the dedication and ownership of the roadway platted as Wild Indigo Lane, including concrete curb and gutter and asphalt road surface, the public street lighting on Wild Indigo Lane, the potable water system, and the storm water collection, drainage and detention system in the Gateway Park Subdivision; and

WHEREAS, the Developer has completed the construction and installation of sanitary sewer system in the Gateway Park Subdivision; and

WHEREAS, the sanitary sewer system has been tested and inspected by City staff and is deemed acceptable for ownership and operation by the City; and

WHEREAS, the Developer seeks to dedicate the sanitary sewer system to the City of Galena; and

WHEREAS, the Developer has made and delivered to the City the required Bill of Sale for the sanitary sewer system (attached hereto and made part hereof as "Exhibit A") and plat of sanitary as-built survey (attached hereto and made part hereof as "Exhibit B"); and

WHEREAS, it is necessary and appropriate that the City Council accept by dedication the ownership of the sanitary sewer system for the Gateway Park Subdivision.

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

SECTION I: The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same if set forth in the Section of this Ordinance verbatim, as findings of the City Council of the City of Galena,

Illinois.

SECTION II: The City hereby accepts the ownership by dedication and the maintenance responsibility for the sanitary sewerage system constructed and installed in the Gateway Park Subdivision and, outside the Gateway Park Subdivision in an easement benefiting the City, for the collection, transport and treatment of sewerage, which sewerage system was installed and constructed at the direction of the City by the Developer and in accordance with the codes and ordinances of the City pertaining thereto. Said acceptance does not include any private pump stations or lateral service pipes, and any associated valves or other appurtenances, which transport the sewerage of a building into a common sewerage main, commonly known as and referred to as a "building sewer service".

SECTION III: All ordinances or resolutions, or parts of ordinances or resolutions, in conflict herewith, to the extent of such conflict, are hereby repealed.

SECTION IV: This ordinance shall be in full force and effect immediately upon its passage and approval, as provided by law.

SECTION V: Passed on this 26th day of October, A.D., 2020, in open Council.

AYES: Kieffer, McCoy, Westemeier, Allendorf, Bernstein, Renner

NAYS: None

ABSTAIN: Hahn


TERRY RENNER, MAYOR

ATTEST:


MARY BETH HYDE, CITY CLERK

"EXHIBIT A"

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that James Sullivan and Alex Phillips (hereafter referred to as "Owner"), in consideration of One Dollar and other valuable consideration, does hereby grant, sell, transfer, and deliver unto the City of Galena, a Municipal Corporation in Jo Daviess County, Illinois (Hereafter referred to as "City"), the following goods, chattels, and other items of personal property, namely:

ONE: Each and every part of the sanitary sewerage system constructed and installed in the Gateway Park Subdivision and, outside the Gateway Park Subdivision in an easement benefiting the City, for the collection, transport and treatment of sewerage, which sewerage system was installed and constructed at the direction of the City by the Developer and in accordance with the codes and ordinances of the City pertaining thereto. Said acceptance does not include any private pump stations or lateral service pipes, and any associated valves or other appurtenances, which transport the sewerage of a building into a common sewerage main, commonly known as and referred to as a "building sewer service".

The object of this bill of sale is to grant, sell, transfer, and deliver to the City, with the exceptions noted, the ownership in all items of personalty that comprise the sanitary sewer system for the Gateway Park Subdivision.

The Owner does hereby covenant it is the lawful owner of the goods, chattels, and personalty described above; that such items are free from all encumbrances; that the Owner has the right to sell the same as aforesaid; and that the Owner warrants and will defend the same against the lawful claims and demands of all persons; and that the execution of this bill of sale is an authorized act of said corporation, individual, or partnership.

Dated this 8 day of October, 2020.

Jim Sullivan

Terry Renner
Terry Renner, Mayor
City of Galena

ATTEST:

Alexander K Phillips MD
Alex Phillips

Mary Beth Hyde
ATTEST:

Emily Lindner M.D.
ATTEST:

"EXHIBIT A"

BILL OF SALE

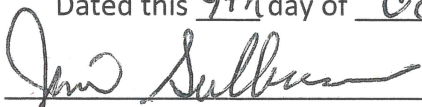
KNOW ALL MEN BY THESE PRESENTS, that James Sullivan and Alex Phillips (hereafter referred to as "Owner"), in consideration of One Dollar and other valuable consideration, does hereby grant, sell, transfer, and deliver unto the City of Galena, a Municipal Corporation in Jo Daviess County, Illinois (Hereafter referred to as "City"), the following goods, chattels, and other items of personal property, namely:

ONE: Each and every part of the sanitary sewerage system constructed and installed in the Gateway Park Subdivision and, outside the Gateway Park Subdivision in an easement benefiting the City, for the collection, transport and treatment of sewerage, which sewerage system was installed and constructed at the direction of the City by the Developer and in accordance with the codes and ordinances of the City pertaining thereto. Said acceptance does not include any private pump stations or lateral service pipes, and any associated valves or other appurtenances, which transport the sewerage of a building into a common sewerage main, commonly known as and referred to as a "building sewer service".


The object of this bill of sale is to grant, sell, transfer, and deliver to the City, with the exceptions noted, the ownership in all items of personalty that comprise the sanitary sewer system for the Gateway Park Subdivision.

The Owner does hereby covenant it is the lawful owner of the goods, chattels, and personalty described above; that such items are free from all encumbrances; that the Owner has the right to sell the same as aforesaid; and that the Owner warrants and will defend the same against the lawful claims and demands of all persons; and that the execution of this bill of sale is an authorized act of said corporation, individual, or partnership.


Dated this 9th day of Oct, 2020.




Jim Sullivan



Terry Renner, Mayor
City of Galena



ATTEST:



ATTEST:

Alex Phillips

ATTEST:

EASEMENT NO. 1

[illegible]

EASEMENT NO. 2

In an Excerpt for the Foundation and maintenance of "San Jose Subdivision" of part of the East Half (E 1/2) of Township 28 North Range 1 East (R1E) of the Fourth Principal Meridian (4th PM), City of Oakland, Jo Daviess County, Illinois, according to a plat thereof recorded in Plan Book 2 at page 534 in the Office of the Jo Daviess County Clerk, containing being a 20 foot wide strip of land lying to each end of said side of the following described

EASEMENT NO. 3

The Esplanade for the installation and maintenance of auxiliary power facilities, over, under, across and through part of Lot 3 and Lot 6 of Township Section 21 in Township 28 North Range 1 East (R1E) of the Fourth Principal Meridian (4th PM), City of Gatineau, Job Divides South (729W). The parcel recorded in Plan H-01 at page 222 in the Office of the Registrar General of Ontario was sold pursuant to a court order dated May 11, 1994.

Don C. Campbell, Recorder, said pursuant to a 30 foot wide strip of land having hereby of and

SURVEYOR'S REPORT

This plot represents an original easement survey of the property described hereon and conforms to the standards set forth in the Minimum Standards for a Easement Survey, Illinois. This Survey was done, by me or under my direct supervision, at the request of Tom Golden, P.C. of Golden, Illinois.

This Survey includes no investigation or independent search for assessments of record, encumbrances, deed restrictions, restrictive covenants, easements, title evidence, or any other facts which an accurate and current title search may disclose.

2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 7500 8000 8500 9000 9500 10000

17

William E. Holt
Illinois Professional Land Surveyor
No. 35-2594

Licensee Nehruwa November 30, 2020 C.E.

LEGEND

• BOUNDARY OF SURVEY
 • MONUMENT FOUND
 • STONE FOUND
 • SET 5/8" PIN W/CAP
 • CHASED "X"
 • SECTION LINE
 • RIGHT OF WAY LINE
 • FENCE LINE
 • BUILDING SETBACK
 • UTILITY EASEMENT

() USED/PLAY DUREE

NOTE: BEARINGS ARE ASSUMED

NORWEST SURVEYING SERVICES, INC.
PROFESSIONAL LAND SURVEYORS & LAND PLANNERS

[illegible]

AS-BUILT SURVEY

GATEWAY PARK SANITARY SEWER