

Ordinance #O.17.12

An Ordinance **ANNEXING 0.57 ACRES OF TERRITORY IN EAST GALENA TOWNSHIP.**

Adopted by the City Council of the City of Galena this 25<sup>th</sup> Day of September 2017.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 25<sup>th</sup> Day of September 2017.

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, Jo Daviess County, Illinois.

I further certify that on the 25<sup>th</sup> Day of September 2017, the Corporate Authorities of said municipality passed and approved Ordinance No. O.17.12 entitled **AN ORDINANCE ANNEXING 0.57 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.17.12 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 25<sup>th</sup> Day of September 2017 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 26<sup>th</sup> Day September 2017.

  
\_\_\_\_\_  
Mary Beth Hyde  
City Clerk

(Seal)

**ORDINANCE NO. O.17.12**

**ORDINANCE ANNEXING 0.57 ACRES OF TERRITORY IN EAST GALENA TOWNSHIP**

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**WHEREAS**, a written Petition (marked as Exhibit A.1 and made a part of this Ordinance), signed by Kevin and Betty Sudbury, the Owner of territory hereinafter described, was filed on September 12, 2017 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**, said territory, known as 9538 US Hwy 20 W, is located in East Galena Township, consists of 0.57 acres, and is legally described in Exhibit A; 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 territory described in Exhibit A 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 25th day of September, A.D., 2017.

**AYES:**

Hahn, Kieffer, Lincoln, Westemeier,  
Bernstein, Fach, Renner

**NAYS:**

None

  
\_\_\_\_\_  
Mayor, Terry Renner

**ATTEST:**

  
\_\_\_\_\_  
City Clerk, Mary Beth Hyde

*Prepared by:*  
Joe Nack, City Attorney  
101 Green Street  
Galena, IL 61036

*Return to:*  
Mark Moran  
City Administrator  
101 Green Street  
Galena, IL 61036

PETITION FOR ANNEXATION

TO: Mayor and City council of the City of Galena, Jo Daviess County, Illinois

The Petitioners, Kevin & Betty Sudbury, state as follows:

1. That the petitioner(s) is/are the sole owner(s) of record of the real estate described in Exhibit "a" attached hereto.

2. The tract is not situated within the limits of any municipality and is contiguous with the existing boundary of the City of Galena.

3. There are no electors residing in or on said parcel of real estate.

PETITIONER'S REQUESTS:

A. That the above described tract be annexed to the City of Galena, Illinois, by ordinance of the Mayor and City Council of the City of Galena, Illinois, pursuant to the provisions of Chapter 65 ILCS 5/7-1-8.

B. To take other appropriate action as described more fully in the Annexation Agreement entered into between Petitioner and the City of Galena, Illinois.

DATED this 12<sup>th</sup> day of September, 2017.

Kevin M. Sudbury  
Betty J. Sudbury

Petitioner Name

ATTEST:

Mary Beth Hyde  
Notary Public

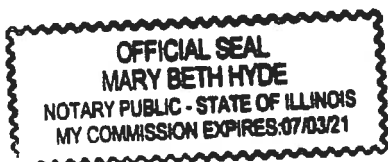


EXHIBIT "A"

A Tract of land in the Northeast One-Quarter of Southwest One-Quarter, Section 21, Township 28 North, Range 1 East of the Fourth Principal Meridian, being in East Galena Township, Jo Daviess County, Illinois, and is described as follows: Commencing at the Southeast corner of the Northeast One-Quarter of Southwest One-Quarter Section 21, Township 28 North, Range 1 East of the Fourth Principal Meridian; thence North 340.03 feet along the North-South One-Quarter Section line to the tangent line of the 3°00' Highway curve; thence North 81°37' West, 381.39 feet along said tangent line to the point of tangent of the said 3°00' curve; thence continuing North 81°37' West, 221.73 feet on the same straight line (being the centerline of the 18.00 feet wide concrete and asphalt pavement on U.S. Highway No. 20) to the point of beginning of the tract of land to be described; thence North 8°23' East, 285.00 feet; thence North 81°37' West, 100.00 feet; thence South 8°23' West, 285.00 feet to the centerline of the said pavement on said U.S. Highway No. 20; thence South 81°37' East, 100.00 feet along said centerline of said pavement to the point of beginning; and is subject to the use by the public of the public road right-of-way of the State of Illinois, and contains a total of 0.654 acres, more or less, of which 0.076 acres is the public road right-of-way. Excepting therefrom the following: A parcel of land in the Northeast Quarter of the Southwest Quarter of Section 21, Township 28 North, Range 1 East of the Fourth Principal Meridian, Jo Daviess County, Illinois, described as follows: Commencing at the Southeast corner of the Southwest Quarter of said Section 21; thence Northerly on the East line of the West Half of said Section 21, said line having a bearing of North 1°10'08" West, a distance of 1733.57 feet to a point in the center line of a public highway designated F.A. Route 301 (U.S. Route 20); thence Westerly on said center line, a distance of 379.23 feet on a curve concave to the North, having a radius of 1910.09 feet, a central angle of 11°22'32" and the long chord of said curve bears North 88°24'34" West, a chord distance of 378.61 feet to a point of tangency; thence Westerly on said centerline, said line having a bearing of North 82°43'18" West, a distance of 222.23 feet to a point in the East line of premises conveyed to George B. Swallow and Betty L. Swallow from Archie L. Jackson and Alice K. Jackson by Warranty Deed recorded as Document Number 182-305 in the Recorder's Office of Jo Daviess County, said point being the point of beginning of the hereinafter described parcel of land; thence continuing Westerly on the center line of said U.S. Route 20 on the last described course, a distance of 100.00 feet to a point in the East line of a premises conveyed to Ralph C. Virtue and Elsie E. Virtue from Clarence J. Scharpf Sr. and Charlotte M. Scharpf by Warranty Deed recorded as Document Number 200-571 in said Recorder's Office; thence Northerly on the East line of said premises so conveyed, said line having a bearing of North 7°16'42" East, a distance of 40.39 feet to a point; thence Southeasterly on a line having a bearing of South 78°29'43" East, a distance of 100.27 feet to a point in the Northerly right-of-way line of said U.S. Route 20; thence Southerly on the East line of said premises conveyed to George B. Swallow and Betty L. Swallow, said line having a bearing of South 7°16'42" West, a distance of 33.00 feet to the point of beginning. The above described parcel of land is designated parcel 015/9 on the plat attached to Trustee Deed recorded in the Recorder's Office of Jo Daviess County, Illinois, as Document Number 232522, said parcel of land contains 3670 square feet (0.084 acre), more or less, of which 3362 square feet (0.077 acre), more or less, have been previously set aside for public highway purposes. For the purpose this description, said East line of the West Half of Section 21 has been assigned the bearing of North 1°10'08" West; situated in the County of Jo Daviess and the State of Illinois.

34-A  
plot book  
11

EXHIBIT "B"  
PLAT OF ANNEXATION

D:\72828 NO 188M A82P600P

STATE OF ILLINOIS } 55 Incentment Number 1127718  
 JO DAVISS COUNTY }  
 Filed for Record on the 15<sup>th</sup> day of May  
 18 62 at 2:30 o'clock P M  
 Recorded in Deeds, Book 2, Page 100  
 By Charles B. Fry Deputy Recorder

Parcel #: 43-06-000-147-06  
 Address: 9538 US HWY 20 W  
 Acres: 0.57

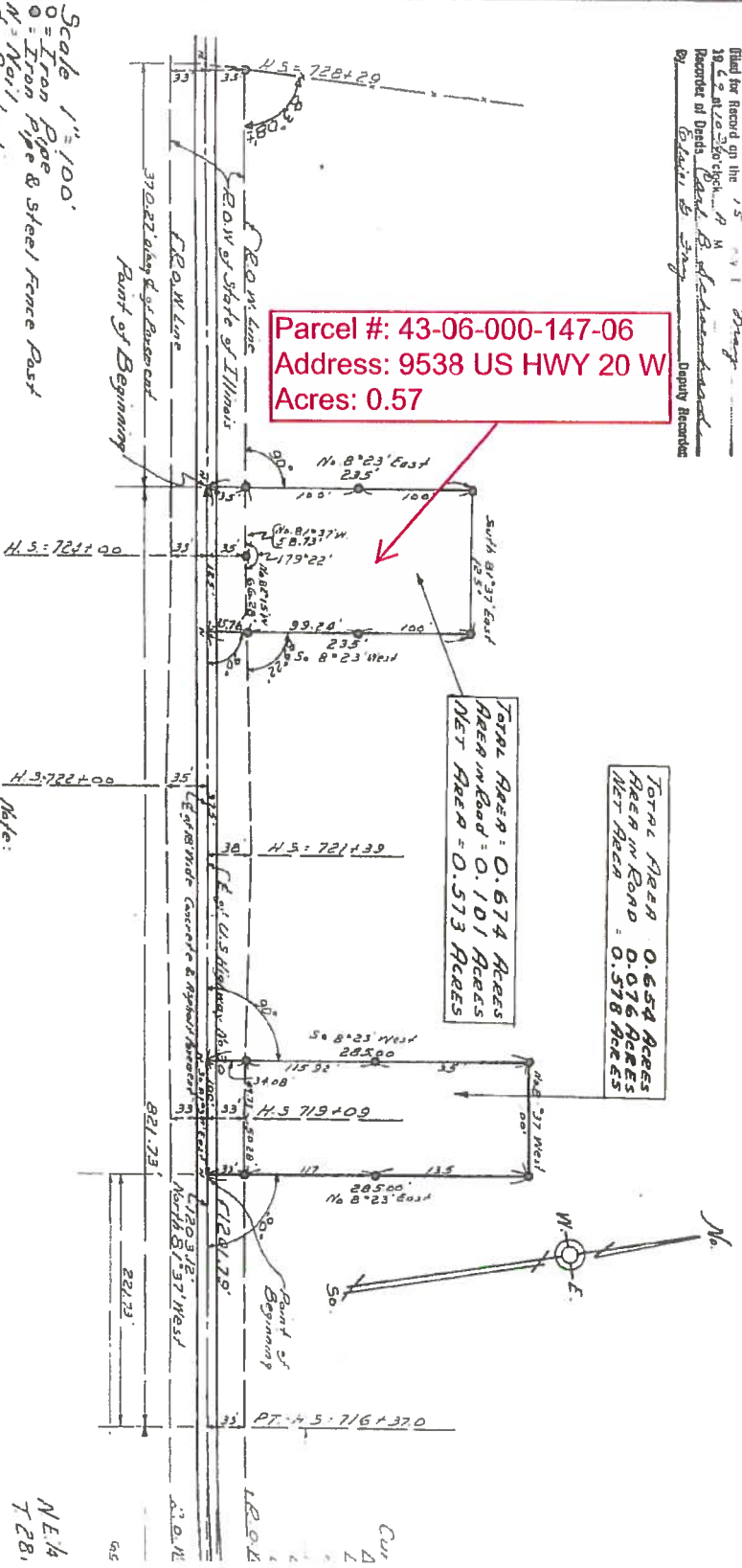
TOTAL AREA 0.654 ACRES  
 AREA IN ROAD 0.076 ACRES  
 NET AREA 0.578 ACRES

TOTAL AREA: 0.674 ACRES  
 AREA IN ROAD: 0.101 ACRES  
 NET AREA = 0.573 ACRES

Scale 1" = 100'  
 O = Iron Pipe & Steel Fence Post  
 N = Nail  
 C.O.W. = Centerline of Way  
 H.S. = Highway Station  
 P.T. = Point of Tangent  
 Existing Fence

Note:  
 The North-South line between the N.W. 1/4 of S.E. 1/4, Sec 21 and the N.E. 1/4 of S.W. 1/4, Sec 21 is hereby assumed to bear due north and south.

Note:  
 No part of the property covered by the plat or Subdivision shown hereon is situated within 500 feet of any surface drain or water-course serving a tributary area of 640 acres or more.



NE 1/4  
T 28,  
R 28,