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**A02577682**

MICHAEL T. COSTELLO

RECORDER OF DEEDS

ST. CLAIR COUNTY

BELLEVILLE, IL

05/30/2018 10:33:20AM

TOTAL FEE: \$36.25

PAGES: 6

## **ORDINANCE NO. 3404**

### **AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT BETWEEN THE CITY OF COLUMBIA, ILLINOIS AND GREG CUETO AND CHASITY CUETO FOR A TRACT OF PROPERTY COMPRISING OF APPROXIMATELY 5.6 ACRES**

**WHEREAS**, the City of Columbia (“City”), Monroe and St. Clair Counties, Illinois, is a duly created, organized and validly existing municipality of the State of Illinois including particularly the Illinois Municipal code, and all laws amendatory thereof and supplementary thereto; and

**WHEREAS**, the City has determined and hereby declares that is in the best interest of the City to enter into an annexation agreement with Greg Cueto and Chasity Cueto, owners of a tract of land approximately 5.6 acres in size (“Property”) and adjacent to the City; and

**WHEREAS**, the said written Annexation Agreement (“Agreement”) has been prepared and a copy of the same is attached hereto and incorporated herewith; and

**WHEREAS**, all requirements set forth in 65 ILCS 5/11 pertaining to Annexation Agreements have been met; and

**WHEREAS**, it is necessary and appropriate that the City enact this Ordinance to authorize and approve the Annexation Agreement incorporated herewith as Exhibit A and authorize the Mayor to enter into said agreement on behalf of the City.

**NOW, THEREFORE, IT BE ORDAINED**, by the City Council of the City of Columbia, Illinois as follows:

**Section 1.** The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of the Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

**Section 2.** The Mayor is hereby authorized and directed to execute and deliver the Annexation Agreement for and on behalf of the City and the City Clerk is hereby authorized and directed to attest the same and affix thereto the Corporate Seal of the City.

**Section 3.** This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

**Section 4.** The City Clerk or his designee is authorized and directed to record in the office of the Recorder of Deeds in and for Monroe County, Illinois, a copy of the fully executed Annexation Agreement, with a certified true copy of this Ordinance attached thereto.

Alderman Ebersohl moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Agne and the roll call vote was as follows:

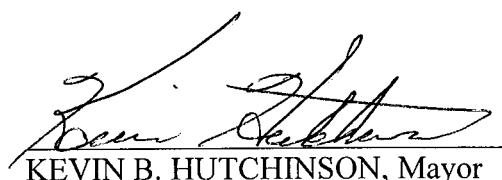
YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Reis, Holtkamp, and Martens.

NAYS: None.

ABSTENTIONS: None.

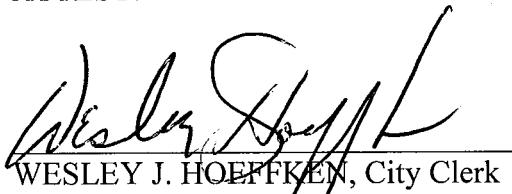
ABSENT: Alderman Hutch.

PASSED by the City Council and APPROVED by the Mayor this 7<sup>th</sup> day of May, 2018.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY J. HOEFFKEN, City Clerk

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF MONROE )

**CERTIFICATE OF TRUE COPY**

I, Wesley J. Hoeffken, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois, and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 3404, entitled:

**“AN ORDINANCE AUTHORIZING THE EXECUTION OF AN  
ANNEXATION AGREEMENT BETWEEN THE CITY OF COLUMBIA, ILLINOIS  
AND GREG CUETO AND CHASITY CUETO FOR A TRACT OF PROPERTY  
COMPRISING OF APPROXIMATELY 5.6 ACRES”**

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois, City Council held on the 7th day of May, 2017.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 17<sup>th</sup> day of May, 2018. /

day of May, 2018.



WESLEY J. HOEFFKEN City Clerk

(SEAL)

**Pre-Annexation Agreement by and between the City of Columbia and Gregory and Chasity Cueto**

**This Pre-Annexation Agreement** is made and entered into this 7<sup>th</sup> day of May, 2018 by and between the City of Columbia ("City"), Monroe and St. Clair Counties, Illinois, a duly created, organized and validly existing municipality of the State of Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, and Gregory and Chasity Cueto ("Owners"), record owners of the property described within this agreement.

**Whereas**, the City desires to annex the property legally described in Exhibit A ("Property"), shown in map form in Exhibit B; and

**Whereas**, the Owner of the Property desires to annex said Property to the City of Columbia; and

**Whereas**, the Property is not located within the corporate limit of any municipality; and

**Whereas**, the Property is not yet contiguous to the City of Columbia's corporate boundary; and

**Whereas**, this agreement shall remain in full force and effect for a period of twenty (20) years from the date of its approval; and

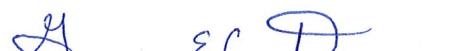
**Now, therefore**, in consideration of the premises and the mutual covenants and agreement contained herein, it is mutually agreed by and between the parties hereto, that:

1. As soon as the Property becomes contiguous to the City, the Owners shall petition to annex the property to the City.
2. Upon approval of this agreement, the City agrees to allow the Owners to tap into the City's water lines, provided all fees and costs associated with said tap in are borne by the Owners.
3. The Owners shall be charged the "Outside Corporate Limits" rate for water service until the Property becomes incorporated, at which point the Owners shall be charged the "Within Corporate Limits" rate.
4. After the property is annexed to the City, the Owners agree that they will not attempt to disconnect the Property from the City.
5. The City Clerk of the City of Columbia will record this agreement with the County Clerk.

**In witness thereof**, the parties hereto have made and entered into this agreement on the date first above written.



KEVIN B. HUTCHINSON  
Mayor, City of Columbia



Gregory Cueto  
Property Owner



Chasity Cueto  
Property Owner

ATTEST:



WESLEY J. HOEFFKEN  
City Clerk, City of Columbia

**Exhibit A**

Commencing at a post at the Southwest corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section No. 14 in Township 1 South, Range 10 West of the 3<sup>rd</sup> P.M., St. Clair County, Illinois; thence East 92.5 feet along the Southerly line of the said Northeast Quarter (1/4) of the Southeast Quarter (1/4) to a post on the Easterly right of way of a County Road for a beginning point; thence East 791 feet along the Southerly line of the said Northeast Quarter (1/4) of the Southeast Quarter (1/4) to a post; thence North 2 degrees 30 minutes West 313 feet to a post; thence South 88 degrees 10 minutes West 851 feet to a post on the Easterly right of way line of said County Road; thence Southeasterly 263 feet along the Easterly right of way line of the said County Road to the place of beginning and being part of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section No. 14 in Township 1 South, Range 10 West of the 3<sup>rd</sup> P.M., St. Clair County, Illinois.

Excepting coal, oil gas and other minerals excepted or reserved in prior conveyances, if any.

Situated in the County of St. Clair and the State of Illinois.

Exhibit B - 1995 Columbia Quarry Rd.



4/3/2018, 3:29:37 PM

- Parcels
- Roads

1:4,514  
0 0.035 0.07 0.14 mi  
0 0.0425 0.085 0.17 km

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St. Clair County GIS  
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