

CITY OF MARSHALL

ORDINANCE NO. 2016-0- *02*

AN ORDINANCE ANNEXING
PARCEL NUMBER 08-08-24-08-201-003
CURRENTLY OWNED BY PETITIONER TERRY STEPHEN

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this
*15*th day of March, 2016

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ORDINANCE NO. 2016-0- 02

AN ORDINANCE ANNEXING
PARCEL NUMBER 08-08-24-08-201-003
CURRENTLY OWNED BY PETITIONER TERRY STEPHEN

WHEREAS, Terry Stephen is the current owner of the certain tract of land described as:

ALL THAT PART OF THE NORTH TWENTY-THREE AND ONE HALF (23 1/2) ACRES OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION TWENTY-FOUR (24), TOWNSHIP ELEVEN (11) NORTH, RANGE TWELVE (12) WEST, LYING WEST OF THE RIGHT OF WAY OF THE C.C.C. AND ST. L. RAILWAY, EXCEPTING THE SOUTH EIGHT AND SIXTY-NINE HUNDREDTHS (8.69) RODS THEREOF, CONTAINING FOURTEEN AND ONE-THIRD (14 1/3) ACRES, MORE OR LESS, EXCEPTING THEREFROM A STRIP OF LAND TWELVE (12) RODS WIDE PARALLEL WITH THE C.C.C. AND ST. L. RAILWAY ON THE EAST SIDE THEREOF ; AND ALSO EXCEPTING A TRACT OF LAND 166 FEET BY 150 FEET IN THE SOUTHWEST CORNER OF SAID LAND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTH LINE THEREOF AT A POINT WHERE IT INTERSECTS WITH 11TH STREET, THENCE NORTH A DISTANCE OF 166 FEET; THENCE EAST 150 FEET; THENCE SOUTH 166 FEET TO THE SOUTH LINE OF THE ABOVE DESCRIBED TRACT; THENCE WEST 150 FEET TO THE PLACE OF BEGINNING, ALL SITUATED IN THE COUNTY OF CLARK AND STATE OF ILLINOIS.

EXCEPT:

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 11 NORTH RANGE 12 WEST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER THEREOF; THENCE SOUTH ALONG THE WEST LINE THEREOF 96 FEET 8 INCHES; THENCE EAST PARALLEL WITH THE NORTH LINE THEREOF 194 FEET 10 INCHES; THENCE NORTH PARALLEL WITH THE WEST LINE THEREOF 96 FEET 8 INCHES; THENCE WEST 194 FEET 10 INCHES TO THE PLACE OF BEGINNING. THE ABOVE DESCRIBED PROPERTY IS ALL SITUATED IN MARSHALL TOWNSHIP, CLARK COUNTY, ILLINOIS AND AFTER SAID EXCEPTIONS CONTAINS 10.42 ACRES MORE OR LESS.

PIN #: 08-08-24-08-201-003

and

WHEREAS, Terry Stephen has voluntarily filed a petition with the City of Marshall requesting that the subject property be annexed to the City of Marshall; and

WHEREAS, the petition was signed by Terry Stephen, the sole owner of record of the above described real estate; and

WHEREAS, no electors reside thereon; and

WHEREAS, said real estate is not now a part of any municipality; and

WHEREAS, said real estate constitutes an area in Clark County, Illinois, contiguous to the municipality of Marshall, Clark County, Illinois; and

WHEREAS, said Petition contains an accurate description of the area sought to be attached and a statement that the signer thereof desires the property to be attached and annexed to the City of Marshall, Clark County, Illinois; and

WHEREAS, this Council has examined said Petition and found the same in due form and in compliance with the law; and

WHEREAS, said real estate is part of the Marshal Fire Protection District but that the City of Marshall does not provide fire protection service so that notice pursuant to Section 7-1-1 of the Illinois Municipal Code (65 ILCS 5/7-1-1) is not required; and

WHEREAS, said real estate is part of the Marshall Area Public Library District and that notice to the Trustees of said Public Library District has been provided in writing by certified or registered mail at least ten days prior hereto pursuant to Section 7-1-1 of the Illinois Municipal Code (65 ILCS 5/7-1-1); and

WHEREAS, it is proper that such proposed area be attached to and annexed to the City of Marshall; and

WHEREAS, the corporate authorities of the City of Marshall find it to be in the best interest of the City of Marshall to annex said real estate.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, CLARK COUNTY, ILLINOIS, AS FOLLOWS:

I. That the real estate herein before described, together with all highways adjacent thereto or contained therein, be and the same is hereby annexed for attachment and annexation to the City of Marshall, Clark County, Illinois, and the same is hereby attached and annexed.

H. That the clerk cause the original Petition for Annexation to the City of Marshall, Illinois, heretofore filed with this Council and a certified copy of this Ordinance with an attached Plat to be recorded with the County Clerk of Clark County, Illinois.

III. That notice of annexation to the county election authority be given by the recording of the certified copy of this Ordinance with the County Clerk, Clark County, Illinois.

IV. That this ordinance shall be published in pamphlet form and shall take effect ten (10) days after its passage, approval and publication in pamphlet form as provided by law.

V. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

VI. That this Ordinance shall be published in pamphlet form and shall take effect ten (10) days after its passage, approval and publication in pamphlet form as provided by law.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>		
Michael Smitley	✓			
Cathy Macke		✓		
Warren LeFever		✓		
James McKittrick		✓		
Cheryl Raisner		✓		
Tim J. Sanders	✓			
Mark Straight	✓			
Vickie Wallace	✓			
Camie Sanders	✓			

PASSED this 14 day of March, 2016
 APPROVED this 14 day of March, 2016.

 MAYOR

ATTESTED, filed in my office
 and published in pamphlet form
 this ¹⁴15th day of March, 2016.

Nancy Smitley
 Deputy CITY CLERK

(SEAL)

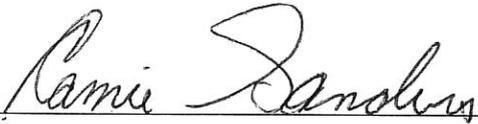
VETO NOTICE TO THE COUNCIL OF CITY OF MARSHALL, ILLINOIS

RE: ORDINANCE 2016-O-02, ACCEPTING TERRY STEPHEN'S PETITION FOR ANNEXATION TO THE CITY OF MARSHALL, ILLINOIS

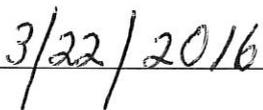
Please consider this to be my notice to the Council as provided by statute that I am vetoing Ordinance No. 2016-O-02, the ordinance annexing certain properties owned by Terry Stephen, said ordinance being passed on March 14, 2016.

The purpose of this veto is that all parties concerned, being Terry Stephen and the Council, were well aware of the fact that this ordinance was passed as a necessity for the approval of the rezoning of property for the apartment complex Terry Stephen was attempting to have built in the city. This annexation petition would have not been filed, but for that reason, and there should not be an attempt on the part of the City to take advantage of that situation.

NOW, THEREFORE, I HEREBY VETO SAID ORDINANCE IN ACCORDANCE WITH THE POWERS GRANTED TO ME.



Mayor, City of Marshall, Illinois



Date