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2007R24764

RECORDED ON
09/07/2007 09:34:27AM

CHAMPAIGN COUNTY

RECORDER 7 2007

BARBARA A. FRASCA

REC FEE: 28.00

RHSPS Fee: *helden*

CHAMPAIGN COUNTY CLERK

PAGES 7

PIAT ACT: 0

PIAT PAGE:

VILLAGE OF GIFFORD
ORDINANCE NO. *282*

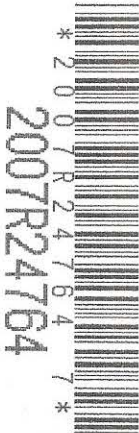
An Ordinance Annexing Certain Territory to the Village of Gifford, Champaign County, Illinois (702 North West Street – Franzen property – 5.007 acres)

Adopted by the
President and Board of Trustees
of the
Village of Gifford
This 2nd day of May, 2002
and signed
This 6th day of September, 2007

Published in pamphlet form by
Authority of the President and
Board of Trustees of the Village
Of Gifford, Champaign County,
Illinois, this 6th day of
September, 2007.

*Prepared by
Brian Schurter
425 E Champaign Ave
Rantoul, IL 61866*

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ORDINANCE NO. 282

An Ordinance Annexing Certain Territory to the Village of Gifford, Champaign County, Illinois (702 North West Street – Franzen property – 5.007 acres)

WHEREAS, a written petition, signed by the legal owner of record of all land within the territory hereinafter described, has been filed with the Village Clerk of the Village of Gifford, Champaign County, Illinois, requesting that said territory be annexed to the Village of Gifford; and

WHEREAS, there are no 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 Village of Gifford; and

WHEREAS, legal notices regarding the intention of the Village to annex said territory have been sent to all public bodies required to receive such notice by state statute; and

WHEREAS, copies of such notices required to be recorded, if any, have been recorded in the Office of the Recorder of Champaign County; and

WHEREAS, all petitions, documents, and other necessary legal requirements are in full compliance with the terms of the annexation agreement and with the statutes of the State of Illinois, specifically Section 7-1-8 of the Illinois Municipal Code; and

WHEREAS, it is in the best interests of the Village of Gifford that the territory be annexed thereto,

NOW THEREFORE, be it ordained by the President and Board of Trustees of the Village of Gifford, Champaign County, Illinois, as follows:

Section 1: THAT the following described territory

Tract 1: Part of the North East 1/4 of the South East 1/4 of Section 35, Township 22 North, Range 10 East of the Third Principal Meridian described as follows:

Beginning at the Northeast corner of the Northeast One Quarter of the Southeast One Quarter of said Section 35 proceed South 00 degrees 32'38" East 1326.43 feet along the East line of said Section 35 to the Southeast corner of the Northeast One Quarter of the Southeast One Quarter of said Section 35; thence South 89 degrees 03'01" West 30.00 feet to the East right-of-way line of Main Avenue, said point being the True Point of Beginning; thence continue along said South line of the Northeast one quarter South 89 degrees 03'01"

West 680.02 feet; thence North 00 degrees 32'38" West 320.44 feet; thence North 88 degrees 59'48" East 680.02 feet to said East right-of-way line of Main Avenue; thence South 00 degrees 32'38" East 321.07 feet along said East right-of-way lien to the True Point of Beginning, encompassing 5.007 acres, more or less, in Champaign County, Illinois;

Subject to an easement for ingress to and egress from real estate located immediately to the West of said Tract 1 over and across the following described property:

Beginning at the Southwest corner of said Tract 1; thence North 00 degrees 32'38" West 60 feet; thence North 88 degrees 59'48" East 17.4 feet to a point; thence South 00 degrees 32'38" East 60 feet to the South line of said Tract 1, which point is also the Northeast corner of West Street of North Pointe Subdivision; thence South 89 degrees 03'01" West to the point of beginning;

Tract 2: A non-exclusive easement appurtenant to Tract 1, for ingress to and egress from said Tract 1, over and across the following described property:

Beginning at the Southwest corner of Tract 1, which point lies on the North line of West Street of North Pointe Subdivision; thence South 89 degrees 03'01" West along the North line of West Street to the West line of West Street; thence North 00 degrees 32'38" West 60 feet to a point; thence North 88 degrees 59'48" East 42.6 feet, more or less to the West line of Tract 1; thence South 00 degrees 32'38" East 60 feet to the point of beginning;

The maintenance of the access easement to be reserved and granted shall be shared equally by the owner of Tract 1 and the owner of the real estate immediately to the West thereof.

being indicated on an accurate map of the annexed territory (which is appended to and made a part of this Ordinance), is hereby annexed to the Village of Gifford, Champaign County, Illinois.

Section 2: THAT the Village Clerk is hereby directed to record with the Recorder and to file with the County Clerk a certified copy of this Ordinance, together with the accurate map of the territory annexed appended to the Ordinance.

Section 3: THAT this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

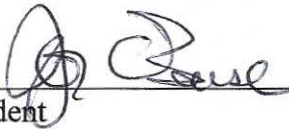
YEAS: 6

NAYS: 0

ABSENT: 0


PASSED and APPROVED on this 2nd day of May, 2002.

SIGNED on this 6th day of September, 2007.



President

ATTEST:


Cynthia Duden
Village Clerk

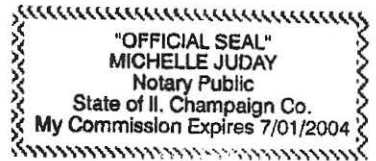
Return to:
Village of Gifford
Attn: Cindy Duden
P.O. Box 37
Gifford, IL 61847

037786

I, the undersigned, a Notary Public in and for said County and State aforesaid, **DO HEREBY CERTIFY**, that **ELDON HESTERBERG, a married person, and RANDY HENDRICKS, a married person**, 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 uses and purposes therein set forth, including the waiver of the right of homestead.

Given under my hand and Notarial Seal, this 18th day of December 2001.

Michelle Juday
Notary Public



DEED PREPARED BY: RETURN TO:
WILLIAM R. SCOTT
ALLEN & KORKOWSKI & ASSOCIATES
123 N. Garrard Street, Box 200
Rantoul, IL 61866
(217) 893-1401

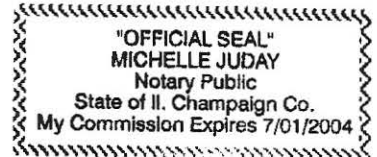
SEND TAX BILL TO:
Thomas + Teresa Franzen
2536 Co. Rd. 2600E
Penfield, IL 61862

037786

I, the undersigned, a Notary Public in and for said County and State aforesaid, **DO HEREBY CERTIFY**, that **ELDON HESTERBERG, a married person, and RANDY HENDRICKS, a married person**, 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 uses and purposes therein set forth, including the waiver of the right of homestead.

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Michelle Juday
Notary Public



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Exhibit A

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TUMMELSON
BRYAN
& KNOX
LLP

ATTORNEYS AT LAW

George G. Bryan
E. Phillips Knox
Allen Verchota III
Helen F. Grandone
Brian T. Schurter

Of Counsel:
Hurshal C. Tummelson

September 12, 2007

Cynthia Duden
Village Clerk of Gifford
P.O. Box 37
Gifford, IL 61847

Re: Gifford Fire Protection District annexation

Dear Cindy:

Enclosed please find two copies of an Ordinance approving the annexation of the new fire station into the village. Please sign both copies where indicated and return one to my office. I will then record the ordinance with the Champaign County Recorder's Office and forward a recorded copy to you.

Additionally, the county informs me that once the property is annexed into the village, the address will change for the fire station and they will issue it then.

If you have any questions, please do not hesitate to contact me. Otherwise, I thank you for your consideration.

Very truly yours,


Brian T. Schurter

BTS/sl

Enclosures

115 North Broadway Avenue
P.O. Box 99
Urbana, Illinois 61803-0099
www.tbklaw.com
Fax 217.367.2555
Phone 217.367.2500