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Recorded: 03/08/2021 at 03:55:00 PM  
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Fees: \$65.00  
Jasper County  
Amy Tarr Clerk Recorder  
File# 6738

BK **253** PG **537-546**

CITY OF NEWTON, ILLINOIS

ORDINANCE NO. 21-01

AN ORDINANCE APPROVING ANNEXATION AGREEMENT  
WITH TONY ~~HOENE~~ *Haney York*  
TO THE CITY OF NEWTON, JASPER COUNTY, ILLINOIS

ADOPTED BY THE CITY COUNCIL  
OF THE CITY OF NEWTON, ILLINOIS  
THIS 2<sup>ND</sup> DAY OF MARCH, 2021

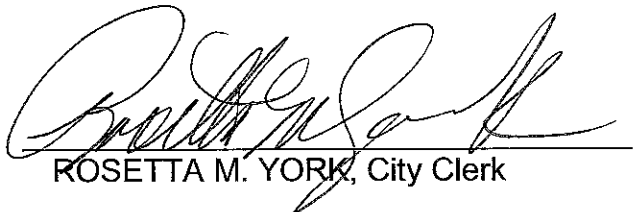
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF  
THE CITY COUNCIL OF THE CITY OF NEWTON,  
JASPER COUNTY, ILLINOIS  
THIS 2<sup>ND</sup> DAY OF MARCH, 2021



ROSETTA M. YORK, CITY CLERK

**CERTIFICATE OF PUBLICATION**

I, ROSETTA M. YORK, the duty qualified City Clerk of the City of Newton, Illinois, and the official custodian of records of said City do hereby certify that this Ordinance was published in pamphlet form by authority of the City Council on the 2<sup>nd</sup> day of March, 2021.



ROSETTA M. YORK, City Clerk

ORDINANCE NO. 21-01

AN ORDINANCE APPROVING ANNEXATION AGREEMENT  
WITH TONY W. HANEY  
TO THE CITY OF NEWTON, JASPER COUNTY, ILLINOIS

WHEREAS, TONY W. HANEY desires to secure water service from the City of Newton, Illinois to the real estate that he owns described on Exhibit A, and

WHEREAS, TONY W. HANEY is willing to agree to annex said real estate to the City of Newton upon it becoming contiguous to the City; and,

WHEREAS, the City and TONY W. HANEY have entered into an Annexation Agreement, a true copy of which is attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Newton, Jasper County, Illinois, as follows:

1. Annexation Agreement between the City of Newton, Illinois and TONY W. HANEY, as set forth in form of same attached hereto as Exhibit B is hereby approved.
2. The Mayor and City Clerk are hereby authorized and directed to enter into said Annexation Agreement and to cause it to be recorded in the office of the Recorder of Jasper County, Illinois after it has been duly executed by TONY W. HANEY. 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.

Upon roll call vote the following Alderpersons voted yea: **Eric Blake, Marlene Harris, Gayle Glumac, David Brown, Robert Reisner**

Upon roll call vote the following Alderperson voted nay: **None**

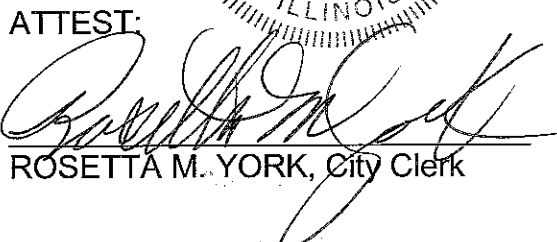
Upon roll call vote the following Alderperson were absent: **Larry Brooks**

Passed, approved and published in pamphlet form this this 2<sup>nd</sup> day of March, 2021.



  
MARK BOLANDER, Mayor

ATTEST:

  
ROSETTA M. YORK, City Clerk

## EXHIBIT "A"

A part of the Northeast Quarter of the Northwest Quarter of Section 32, Township 7 North, Range 10 East of the Third P.M., more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 32, thence S 00 degrees 10 minutes 43 seconds E 795.00 feet along the West line of said Northeast Quarter of the Northwest Quarter to the Point of Beginning; thence N 89 degrees 54 minutes 16 seconds E 260.00 feet; thence N 00 degrees 10 minutes 43 seconds W 234.00 feet; thence N 89 degrees 54 minutes 16 seconds E 653.60 feet; thence N 00 degrees 10 minutes 43 seconds W 561.05 feet; thence N 89 degrees 54 minutes 06 seconds E 400.00 feet along the North line of said Section 32 to the Northeast corner of the Northwest Quarter of said Section 32; thence S 00 degrees 59 minutes 40 seconds E 1019.42 feet along the East line of the Northeast Quarter of the Northwest Quarter of said Section 32; thence N 89 degrees 24 minutes 51 seconds W 1328.21 feet along the North line of the South 20 rods of the Northeast Quarter of the Northwest Quarter of said Section 32; thence N 00 degrees 10 minutes 43 seconds W 208.44 feet along the West line of the Northeast Quarter of the Northwest Quarter of said Section 32 to the Point of Beginning; situated in the County of Jasper and State of Illinois.

PIN: 90-08-32-100-013

Prepared by: WILLIAM G. HEAP  
WEBER, HEAP, AYRES &  
GREENE, P.C.  
122 South Van Buren Street  
P.O. Box 7  
Newton, IL 62448  
(618) 783-8471

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BK 253 PG 530-536

RECORDER'S DATA ONLY

### ANNEXATION AGREEMENT

This Agreement is made this date by and between the CITY of Newton, Jasper County, Illinois, hereinafter referred to as CITY, and TONY W. HANEY, owner of the real estate set forth on Exhibit A attached hereto and incorporated herein by this reference, hereinafter referred to as OWNERS:

#### WITNESSETH:

WHEREAS, OWNERS and CITY are desirous that the real estate of OWNERS be annexed to the CITY; and

WHEREAS, the CITY is willing to install, maintain and operate at its costs a water line to be extended from the CITY main to a spot located on the real estate described on Exhibit A as determined by the CITY to serve said real estate; and

WHEREAS, the water meter shall be owned by the CITY and the cost of same is included in the tap on fee to be paid by OWNERS, and

WHEREAS, OWNERS are willing to pay certain necessary cost attendant to the connection of the water meter on the real estate set forth on Exhibit A to the water line; and

WHEREAS, both the CITY and OWNER are desirous of formalizing an agreement relative to the CITY'S installation of the water line to the water meter to be owned by the CITY on the OWNER'S described property.

NOW, THEREFORE, in consideration of the mutual covenants and undertakings of the parties hereto, it is agreed as follows:

1. When OWNER'S real estate described on Exhibit A becomes contiguous to the CITY of Newton, Illinois, OWNER agrees to petition to the CITY to annex to the CITY said real estate and the CITY shall annex said real estate once all legal requirements for such annexation have been met.

2. The CITY shall within a reasonable time cause a water line to be installed from one of its water mains to the CITY'S water meter, to serve said described real estate in conformity with CITY regulations and all applicable State and Federal rules, Regulations and Laws. CITY will thereafter own and maintain said water line to the OWNER'S water meter.

3. OWNER, shall at their sole expense, pay the cost of boring under the roadway to facilitate the installation of said water line and meter. OWNER shall also pay the standard tap-on fee of \$750.00 per tap when connected plus the utility deposit of \$350.00. OWNER shall pay the cost of the water line and connections from the meter to the structure on said property and thereafter shall own and maintain those portions of the water lines and connections which run from the meter to their structures.

4. The CITY and the OWNER agree that the water rate to be charged to the OWNER'S prior to annexation shall be the water usage rate in effect from time to time

for water service outside the city limits of the CITY of Newton, Illinois. After the Annexation has occurred, the OWNER will be charged inside city limit rates.

5. OWNER does hereby grant unto the CITY a blanket easement over, under and upon the real estate described in Exhibit A for the CITY'S operation, maintenance, repair, replacement and customary servicing of its water line and meter.

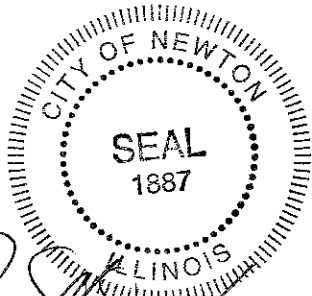
6. This Annexation Agreement shall be binding upon and shall inure the benefit of the parties hereto and their perspective successors and assigns. It shall be recorded in the office of the Recorder of Jasper County, Illinois.

Executed this 2<sup>nd</sup> day of March , 2021.

CITY OF NEWTON, ILLINOIS, a  
Municipal Corporation

By:

  
MARK BOLANDER, Mayor



ATTEST:

  
ROSETTA M. YORK, CITY Clerk

  
TONY W. HANEY, OWNER

## EXHIBIT "A"

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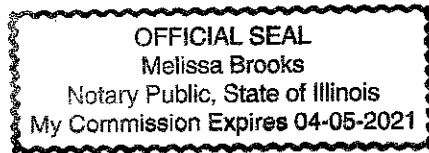
PIN: 90-08-32-100-013

STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF JASPER )

Subscribed and sworn to before me by MARK BOLANDER, Mayor this 2<sup>nd</sup> day of March, 2021.

Melissa Brooks  
Notary Public

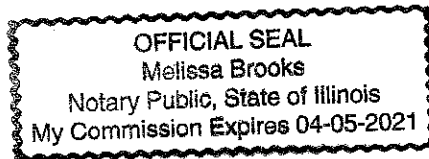
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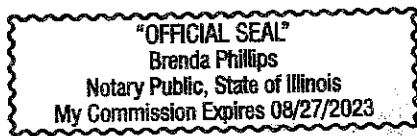
Subscribed and sworn to before me by ROSETTA M. YORK, CITY Clerk this 2<sup>nd</sup> day of March, 2021.

Melissa Brooks  
Notary Public

STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF JASPER )



Subscribed and sworn to before me by TONY W. HANEY this 1 day of March, 2021.



Brenda Phillips  
Notary Public



TO: CITY COUNCIL OF THE CITY OF NEWTON, ILLINOIS

**PETITION TO ANNEX**

The undersigned, being of legal age and under no legal disability and after being duly sworn under oath state that they are the owners of the land which is contiguous to the City of Newton, Illinois and which land is described on Exhibit "A" attached hereto and incorporated herein by this reference.

The undersigned do hereby further request that all of said real estate be annexed to the City of Newton, Illinois.

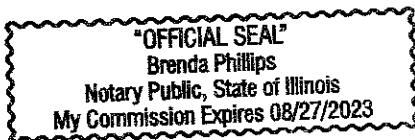
The lands described on Exhibit "A" attached are commonly known as 10848 North 1325<sup>th</sup> Street, Newton, Illinois 62448.


The undersigned further state that not less than 51% of the Electors residing on the described real estate have signed this Petitioner to Annex.

Dated this 15<sup>th</sup> day of March, 2021.

  
\_\_\_\_\_  
TONY W. HANEY, OWNER

Subscribed and sworn to before me by TONY W. HANEY this 1 day of March, 2021.



  
\_\_\_\_\_  
Notary Public

## EXHIBIT "A"

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