

This Document Prepared By:

Edward & Beth Olehy  
5403 N Charter Oak Ln  
Peoria, Il 61615

CITY CLERK  
PEORIA, ILL.

2016 NOV 15 A 10: 54

*Beth Olehy*

Mail To:

City of Peoria  
Community Development Department  
419 Fulton Street, Room 300  
Peoria, Illinois 61602-1217

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## ANNEXATION AGREEMENT

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**THIS AGREEMENT** (hereinafter referred to as the "Annexation Agreement") is made this 2nd day of November, 2016, by and between THE CITY OF PEORIA, ILLINOIS, an Illinois municipal corporation, located in Peoria County, Illinois (hereinafter referred to as the "City") and Edward Olehy as to an undivided ½ interest, Beth Olehy as to undivided ½ interest (hereinafter referred to as the "Owner").

### RECITALS

**WHEREAS**, the owner is the sole owner of record of the following described property attached hereto as "Exhibit A" (hereinafter referred to as the "Property"):

**WHEREAS**, the Property is located within the County of Peoria, Illinois ("County") and is contiguous with the corporate boundaries of the City; and

**WHEREAS**, there are no electors residing within the Property; and

**WHEREAS**, this Annexation agreement was submitted to the corporate authorities for public hearing as required by law; and

**WHEREAS**, due notice as required by law has been sent to and received by all entities entitled to such notice as required by law; and

**FILED**

JAN 31 2017

STEVE SONNEMAKER  
PEORIA COUNTY CLERK

**WHEREAS**, all conditions precedent to entering into this Annexation Agreement have been undertaken and satisfied as required by law; and

**WHEREAS**, the corporation authorities of the City after due deliberation have, by resolution or ordinance, duly adopted and approved this Annexation Agreement as required by law.

**NOW, THEREFORE**, in consideration of the promises and the mutual covenants and agreements provided for herein, it is hereby agreed as follows:

1. **Annexation.** The City shall adopt such resolutions or ordinances as are required to annex the Property as provided for under the laws of the State of Illinois. No other request or petition for annexation shall be required as to this Property to complete the annexation.

2. **Zoning.** Upon the annexation of the Property to the City, the Property shall be classified in the following described zoning classification as set forth in the Zoning Ordinance of the City according to the terms of the Zoning Ordinance that exists on the date hereof.

A. The Property shall be classified as R3, Single Family Residential.

3. **General Provisions.**

A. The provisions of this Annexation Agreement shall control over the provisions of any Ordinances, Codes or Regulations which are in conflict herewith.

B. This Annexation Agreement shall be binding upon the successor owners of record of the Property, electors residing within the Property, and upon successor municipal and governmental authorities.

C. Non-agricultural development of the site will require connection to public water and public sewer, adherence to County and/or City erosion, sediment, and storm water regulations and other regulations affecting property within the City, i.e. building codes and subdivision requirements.

D. A right-of-way dedication in the amount of a 30-foot wide strip along Charter Oak Lane is required upon request by the City of Peoria.

E. This Annexation Agreement and the rights of the parties hereto shall be



interpreted, construed and enforced in accordance with the laws of the State of Illinois. Any litigation concerning this Annexation Agreement shall be commenced in Peoria County, Illinois.

- F. In the event that either party or their successor should find it necessary to retain an attorney for the enforcement of any provisions hereunder occasioned by the default of the other party, the party not in default shall be entitled to recover reasonable attorney's fees and court costs incurred whether the attorneys' fees are incurred for the purpose of negotiations, trial, appellate or other services.
- G. This Annexation Agreement may be enforced as provided by law and the parties may by civil action, mandamus, injunction or other proceedings, enforce and compel performance of this Annexation Agreement.
- H. The parties shall execute and deliver such additional documentation as may be necessary to implement this Agreement.
- I. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors, grantees and assigns.
- J. This agreement may be amended by mutual consent of the parties.
- K. This annexation agreement shall be in effect for a period of twenty (20) years from the date hereof.

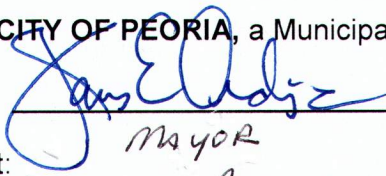
**IN WITNESS WHEREOF**, the parties have executed this Agreement on the date set forth above.

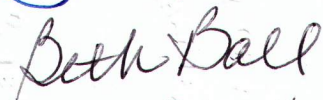
THE CITY OF PEORIA, a Municipal Corporation

By:

Attest:

By:

  
\_\_\_\_\_  
Mayor

  
City Clerk

A-3

**FILED**

JAN 31 2017

STEVE SONNEMAKER  
PEORIA COUNTY CLERK



Edward Olehy Jr., Owner of Record:  
Beth Olehy, Owner of Record:

By:

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF PEORIA         )

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Edward Olehy Jr./Beth Olehy personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 14th day of November, 2016.

Notary Public





PETITION FOR  
ANNEXATION -  
PEORIA COUNTY

PREPARED BY &  
RETURN TO:

CITY OF PEORIA  
Community Development Department  
419 Fulton Street, Room 300  
Peoria, IL 61602-1217

CITY CLERK  
PEORIA, ILL.

2016 DEC -2 P 3: 13

*Beth Ball*

### PETITION FOR ANNEXATION

This Petition, dated this 2nd day of November, 2016, is made by Edward & Beth Olehy, (hereinafter referred to as the "Owner"), to the City of Peoria, an Illinois municipal corporation (hereinafter referred to as the "City").

### RECITALS

WHEREAS, the Owner is the sole owner of certain property located in Peoria County, Illinois, which is legally described as follows and shall hereinafter be referred to as the "Property";

Part of the Northwest Quarter of the Northeast Quarter of Section 23, Township 9 North, Range 7 East of the Fourth Principal Meridian, more particularly described as follows:

Commencing at the Northwest corner of the said Northwest Quarter of the Northeast Quarter; thence South along the West line of the said Northwest Quarter of the Northeast Quarter, 252.73 feet to the point of beginning of the tract to be described; thence continuing South along the said West line of the said Northwest Quarter of the Northeast Quarter 261.94 feet; thence South 88 degrees 39 minutes East, 816.29 feet; thence North 8 degrees 44 minutes East along the center line of a 60 foot lane, 263.03 feet; thence North 88 degrees 59 minutes West, 847.14 feet to the point of beginning, situated in the County of Peoria and State of Illinois. PIN: 13-23-200-003

WHEREAS, the Property is a 4.99-acre parcel improved with a single family residential dwelling contiguous to the City; and

WHEREAS, the Property is not presently situated within the limits of any municipality; and

WHEREAS, there are no electors residing within the Property; and

WHEREAS, the Owner desires to annex the Property into the City.

### PETITION

NOW, THEREFORE, the owner hereby petitions the City as follows:

1. Subject to the approval by the City of the Annexation Agreement attached hereto as

Attachment A, the Owner hereby petitions the City to annex the Property into the City.

2. The Owner requests that the City undertake such actions as may be required to permit acceptance of this Petition and the attached Annexation Agreement, including, without limitation, conducting public hearings, providing notification to required individuals and governmental entities, etc.

DATED THIS 2nd DAY OF November, 2016.

By: Beth A O'Leary

Attest: Edward E O'Leary Jr

By: \_\_\_\_\_

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF PEORIA         )

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Beth O'Leary and Edward O'Leary, Jr, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 14th day of November, 2016.

Notary Public

