

JUL 07 2008

ORDINANCE NO. 2666


City Clerk

AN ORDINANCE TO APPROVE MUNICIPAL STORM SEWER EASEMENT DEEDS FROM: MICHAEL K. AND PATRICIA M. LICAVOLI, UPCHURCH READY-MIX CONCRETE CO., GARY A. MAY REVOCABLE LIVING TRUST #1, BRIAN AND JENNIFER KREMMELE, DANNY C. AND SHARON K. MOERGEN, CHRISTOPHER L. AND ANGELA M. LOETHEN, DEBORAH L. WILLIAMSON, PAUL A. SCHLEMMER AND LAURIE A. COUSIN, MARK A. JUELFES, DANIEL J. ROW, JASON PUCKETT AND APRIL PUCKETT, AND LARRY G. & EVELYN M. LINDHORST, FOR THE CITY OF COLUMBIA OLD TOWN RENOVATION PROJECT AND TO AUTHORIZE THE MAYOR TO EXECUTE AND THE CITY ATTORNEY TO RECORD THE SAME FOR AND ON BEHALF OF THE CITY

WHEREAS, the City of Columbia, Illinois (the "City") has determined that it requires the stormwater drainage easements, storm sewer easements and right of way involved herein in order to construct the renovation and improvement involved in the City's Old Town Renovation Project in the City;

WHEREAS, it is necessary and appropriate that the City acquire the same from the owners of the properties involved herein for its subject Old Town Renovation Project;

WHEREAS, (1) Michael K. Licavoli and Patricia M. Licavoli of 112 East 4th Street, Waterloo, Illinois; (2) Upchurch Oil and Ready-Mix Co. of 564 Mildred Avenue, Cahokia, Illinois ; (3) Gary A. May, as Trustee of the Gary A. May Revocable Living Trust No. 1, of 341 East Cherry Street, Columbia, Illinois; (4) Brian Kremmel and Jennifer Kremmel of 301 South Riebeling Street, Columbia, Illinois; (5) Danny C. Moergen and Sharon K. Moergen of 237 Columbia Avenue, Columbia, Illinois ; (6) Christopher L. Loethen and Angela M. Loethen of 108 East Vogt Street, Columbia, Illinois; (7) Deborah L. Williamson of 234 South Ferkel Street, Columbia, Illinois; (8) Paul A. Schlemmer and Laurie A. Cousin of 225 South Ferkel Street, Columbia, Illinois; (9) Daniel J. Row of 821 Rueck Road, Columbia, Illinois; (10) Mark A. Juelfes of 233 South Ferkel Street, Columbia, Illinois; (11) Jason Puckett of 337 St. Paul Street, Columbia, Illinois and April Puckett of 518 South Ferkel Street, Columbia, Illinois; and, (12) Larry G. Lindhorst and Evelyn M. Lindhorst of 418 South Ferkel Street, Columbia, Illinois have all agreed to provide the required storm sewer easements to the City for the price and/or on the terms set forth in their Easement Deeds which are approved and authorized by this ordinance;

WHEREAS, it is necessary and appropriate that the City enact this ordinance to approve and authorize the City to acquire the easements on the terms set forth in the easement deeds and commit the City to do and perform its obligations under said deeds so that the City can acquire the subject easements required for the accomplishment of its Old Town Renovation Project and the construction and installation of the City storm sewers

involved therein.

NOW, THEREFORE, BE IT 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 this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. Attached hereto are the Storm Sewer Easement Deeds from the above-described property owners for the subject storm sewer easements. The City hereby approves the form of the Storm Sewer Easement Deeds, as signed by the property owners aforesaid, and does hereby authorize and direct the Mayor to sign the same (acknowledging the City's acceptance of the easements involved and the City's agreement to do and perform the City's obligations undertaken in the deeds) and does hereby authorize and direct the City Clerk to attest the same and affix thereto the corporate seal of the City.

Section 3. The City Council hereby authorizes and directs the City Attorney, Tom D. Adams, to record in the office of the Monroe County, Illinois Recorder the fully executed and attested Storm Sewer Easement Deeds aforesaid and thereafter to file them with the permanent real estate records of the City.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

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

YEAS: Aldermen Ebersohl, Niemietz, Unnerstall, Row, Hejna, Oberkfell and Mayor Hutchinson.

NAYS: None.

ABSENT: Aldermen Agne and Stumpf.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 7th day of July, 2008.



KEVIN B. HUTCHINSON, Mayor

ATTEST:


WESLEY J. HOEFFKEN, City Clerk

(SEAL)