

# COAL CITY VILLAGE BOARD MEETING

WEDNESDAY  
AUGUST 25, 2021  
7:00 P.M.

(Immediately to follow the Public Hearing)

COAL CITY VILLAGE HALL  
515 S. BROADWAY, COAL CITY, ILLINOIS

## AGENDA

1. Call meeting to order
2. Pledge of Allegiance
3. Approval of Minutes August 11, 2021  
August 25, 2021 – Public Hearing
4. Approval of Warrant List
5. Public Comment
6. Ordinance 21-25 Purchasing 95 E. Oak Street

7. Ordinance 21-26    Vacating Alley along north side of Division  
between 1<sup>st</sup> & 2<sup>nd</sup> Avenues
8. Appointment of Dave Greggain to the Police Pension Board
9. Petition of Annexation Acceptance – approximately 833 E. Division  
Pin#09-02-202-017
10. Report of the Mayor
11. Report of the Trustees:                                  S. Beach  
    T. Bradley  
    D. Spesia  
    D. Greggain  
    R. Bradley  
    D. Togliatti
12. Report of Village Clerk
13. Report of Village Attorney
14. Report of Village Engineer
15. Report of Chief of Police
16. Report of Village Administrator

**MEMO**

**TO:** Mayor Halliday and the Board of Trustees

**FROM:** Matthew T. Fritz  
Village Administrator

**MEETING**

**DATE:** August 25, 2021

**RE: 95 E. OAK STREET PURCHASE FROM GRUNDY COUNTY**

Back in 2018, the Village had contracted the demolition of the residence at 95 E. Oak Street, which had fallen into deep disrepair and was no longer inhabitable. The owner had no longer been able to maintain or pay for the property and a process by which Grundy County sells the taxes to tax purchasers began. After demolition had occurred, the Village placed a lien upon the property. After Grundy County receives annual taxes so many times consecutively from other tax payers, the property is made available for purchase.

Due to the Village possessing a lien for work that had taken place upon the property, the entity who had paid off the back taxes on the property can be paid back and the property conveyed to the Village of Coal City.

The attached ordinance allows Coal City to proceed with the purchase of back taxes on this property requiring, which would allow the property to belong to the Village. This allows the property to be resold and the initial investment to demolish the former structure can be repaid while allowing a developer to construct a new home on the land.

**Recommendation:**

Adopt Ordinance No. \_\_\_\_: Authorizing the Acquisition of 95 E. Oak Street.

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**THE VILLAGE OF COAL CITY**  
**GRUNDY & WILL COUNTIES, ILLINOIS**

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ORDINANCE  
NUMBER \_\_\_\_\_

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**AN ORDINANCE AUTHORIZING THE ACQUISITION OF 95 E. OAK STREET,  
COAL CITY, GRUNDY COUNTY, ILLINOIS, FOR PUBLIC PURPOSES BY THE  
VILLAGE OF COAL CITY**

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TERRY HALLIDAY, Village President  
PAMELA M. NOFFSINGER, Village Clerk

SARAH BEACH  
ROSS BRADLEY  
TIMOTHY BRADLEY  
DANIEL GREGGAIN  
DAVID SPESIA  
DAVID TOGLIATTI  
Village Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of  
Coal City

on \_\_\_\_\_, 2021

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF 95 E. OAK STREET,  
COAL CITY, GRUNDY COUNTY, ILLINOIS, FOR PUBLIC PURPOSES BY THE  
VILLAGE OF COAL CITY**

**WHEREAS**, the Village of Coal City (hereinafter, “the Village”) is an Illinois municipal corporation organized and operated under the laws of the State of Illinois;

**WHEREAS**, the Village is a non-home rule municipality and, as such, may exercise delegated statutory and Constitutional powers and such powers as are necessarily implied therefrom;

**WHEREAS**, the Village is authorized and empowered by the General Assembly pursuant to 65 ILCS 5/2-3-8 to acquire and hold property for public purposes;

**WHEREAS**, the Village is authorized to certain demolish open, vacant, dangerous and unsafe buildings posing an immediate and continuing hazard to the community pursuant to 65 ILCS 5/11-31-1(e);

**WHEREAS**, the Village determined that the single-family home and attached garage (cumulatively, the “House”) located at 95 E. Oak Street, Coal City, Grundy County, Illinois, 60416, bearing permanent index number (P.I.N.) 09-02-151-004 and legally described as follows:

THE EAST ½ OF LOTS 1, 4 AND 5, EXCEPTING THE SOUTH 5 FEET THEREOF, IN BLOCK 42 IN COAL CITY, ILLINOIS, AS SHOWN WITHOUT THE AFOREMENTIONED EXCEPTION, BY THE PLAT OF COAL CITY RECORDED IN THE RECORDER’S OFFICE OF GRUNDY COUNTY, ILLINOIS ON APRIL 8, 1875 IN BOOK “A” OF PLATS AT PAGE 98.

(the “Property”);

**WHEREAS**, the Property was open, vacant, dangerous and unsafe buildings posing an immediate and continuing hazard to the community within the meaning of Section 11-31-1(e) of the Illinois Municipal Code, 65 ILCS 5/11-31-1(e);

**WHEREAS**, the Village demolished the House on the Property July 17, 2018 pursuant to and in accordance with statutory fast-track demolition procedures and authority and recorded a demolition lien in the amount of \$12,013.82 at the Grundy County Recorder of Deeds (the "Demolition Lien"), representing the Village's demolition-related costs;

**WHEREAS**, State law authorizes the Village to foreclose on its Demolition Lien in order to take title to the Property and subsequently sell the Property to a third party in order to recover a portion of its demolition expenses;

**WHEREAS**, the Village's ability to recoup a portion of the public monies expended in demolishing the hazardous structure is dependent upon acquiring title;

**WHEREAS**, unpaid property taxes on the Property went unsold and were acquired by Grundy County, as Trustee for all taxing bodies ("Grundy County");

**WHEREAS**, in the interest of conserving public resources and in recognition of the efficiency associated with Grundy County's ability to acquire the Property more quickly and economically through the tax deed process than the Village could through the foreclosure process, the Village worked with Grundy County to allow Grundy County to acquire clean title to the Property and subsequently convey the Property to the Village in return for its costs associated with the tax deed proceeding;

**WHEREAS**, Grundy County acquired a tax deed to the Property in Case No. 2018 TX 30 and now holds fee simple title to the Property, extinguishing the Demolition Lien;

**WHEREAS**, the Village is desirous of acquiring the Property from Grundy County in lieu of foreclosure on the Demolition Lien and using the Property for the public and corporate

purpose of recouping a portion of demolition expenses, encouraging economic development through residential in-fill and increasing the property tax base;

**WHEREAS**, the Property is useful, necessary and advantageous for the Village to acquire for the purposes aforesaid; and

**WHEREAS**, the Corporate Authorities of the Village hereby find and determine that it is in the public interest to enter into a purchase and sale agreement for the Property attached hereto as **Exhibit A**, providing for the acquisition of the real property described herein via a quitclaim deed.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Coal City, Counties of Will and Grundy, Illinois, as follows:

**SECTION 1. Recitals.** The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**SECTION 2. Enactment**

**A.** The Village President is hereby authorized and directed to execute, and the Village Clerk is hereby authorized and directed to attest that certain real estate purchase and sale agreement known as the *Purchase Contract* (hereinafter, the “Agreement”) and appended hereto as **Exhibit A** and incorporated as though fully set forth herein.

**B.** The Village Treasurer or her designee is authorized and directed to draw upon Village funds and write a check in the amount of EIGHT HUNDRED THIRTY NINE AND NO/100 DOLLARS (\$839.00), payable to the “Grundy County Trustee Payment Account” (the “Purchase Funds”) in order to effectuate the purchase and recordation of the quitclaim deed to the Property.

**C.** The Village Clerk, Administrator, and attorney are each authorized and directed to transmit the executed Agreement and Purchase Funds to the seller in accordance with seller’s instructions

and to execute such documents and take such additional steps as may be necessary or convenient to effectuate the purposes of this Ordinance.

**SECTION 3. Repealer.** All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4. Saving Clause.** If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

**SECTION 5. Effectiveness.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2021, at Coal City, Grundy and Will Counties, Illinois.

AYES:

ABSENT:

NAYS:

ABSTAIN:

**VILLAGE OF COAL CITY**

\_\_\_\_\_  
Terry Halliday, President

Attest:

\_\_\_\_\_  
Pamela M. Noffsinger, Clerk



**EXHIBIT A**

**Purchase Contract**

ATTACHED ON THE FOLLOWING PAGE

# GRUNDY COUNTY TAX AGENT

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TELEPHONE (618) 656-5744  
TOLL FREE (800) 248-2850  
FACSIMILE (618) 656-5094

141 ST. ANDREWS AVENUE  
P.O. BOX 96  
EDWARDSVILLE, ILLINOIS 62025

July 30, 2021

Village of Coal City  
515 S Broadway  
Coal City, IL 60416

Transaction Number: 0721921  
Parcel Number: 09-02-151-004

Dear Village of Coal City,

Enclosed is a purchase contract to enable the Village of Coal City to acquire the requested parcel. The purchase price is based upon the minimum cost of acquisition and conveyance thru the county's Tax Liquidation Program.

Please return **the signed contract** along with a check in the amount of \$839.00 payable to the Grundy County Trustee Payment Account to the address shown above. This amount is made up of \$750.00 for purchase plus \$89.00 for recording.

Upon approval by the County Board Chairman, we will return an acknowledged copy of the purchase contract and process the conveyance. If this property is being purchased for demolition, please notify the Assessor in your county and apply for an exemption when the demolition is complete. If you have any questions, please contact me.

Sincerely yours,

  
\_\_\_\_\_

Kim Wildhaber



# PURCHASE CONTRACT

**SELLER:** Grundy County, As Trustee

**PURCHASER:** Village of Coal City

**SUBJECT PROPERTY:** 09-02-151-004

**TOTAL CONSIDERATION (Purchase Price + Recording Fee):** \$839.00

SELLER agrees to sell and PURCHASER agrees to purchase, the SUBJECT PROPERTY for the TOTAL CONSIDERATION payable on execution hereof.

SELLER will convey and quitclaim the SUBJECT PROPERTY to PURCHASER within 90 days after the date hereof. The deed will be returned to PURCHASER directly from the Office of the Recorder of Deeds after recording .

SELLER makes no warranty or representation, of any kind or nature, as to the condition of title to the SUBJECT PROPERTY or as to the physical condition of any improvement thereon, each of which PURCHASER accepts "as is" and with all faults.

SELLER hereby grants to PURCHASER all of SELLER'S right of possession of the SUBJECT PROPERTY and any improvement thereon, and PURCHASER assumes such right of possession and the risk of loss or damage to any such improvement, and agrees to hold SELLER harmless and indemnified from any claim arising out of the condition thereof, as of this date. No personal property is sold or purchased hereunder.

PURCHASER hereby assumes all taxes and assessments upon the SUBJECT PREMISES beginning January 1 of the year 2022.

PURCHASER may, at its expense and option, obtain such title reports and surveys as to the SUBJECT PREMISES as PURCHASER may desire. PURCHASER shall advise SELLER in writing within 30 days after date hereof concerning any defect in the condition of title disclosed by such reports or surveys and rendering the title unmarketable. In the event of such notice, the conveyance to PURCHASER shall be delayed pending SELLER'S efforts to resolve the same. In event SELLER is unable or unwilling to cure such defects within a reasonable time after notice thereof, PURCHASER may elect to cancel and terminate this agreement and the rights and obligations of the parties hereunder; and in such event, SELLER shall refund to PURCHASER all sums paid hereunder if PURCHASER shall so elect. Failure to notify SELLER of any objectionable title defect as above said shall constitute a waiver thereof.

Neither of the parties hereto may assign or delegate the rights or obligations of such party hereunder without the prior express written consent of the other. All notices to the parties concerning the subject hereof shall be transmitted to the addresses set forth below their respective signatures.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**SELLER:**

**PURCHASER:**

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

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

**SELLER ADDRESS:**  
c/o Delinquent Tax Agent  
P. O. Box 96  
Edwardsville, IL 62025-0096

**PURCHASER ADDRESS:**  
Village of Coal City  
515 S Broadway  
Coal City, IL 60416

**MEMO**

**TO:** Mayor Halliday and the Board of Trustees

**FROM:** Matthew T. Fritz  
Village Administrator

**MEETING**

**DATE:** August 25, 2021

**RE: 750 E DIVISION ALLEY VACATION REQUIREMENT**

The Village Board adopted Ordinance 21-18, which provided a redevelopment agreement in order to allow the new purchaser of that property to rehabilitate the structure to create three new retail units along the north side of Division near the railroad tracks. Having provided certain incentives for the redevelopment of the property, the Board allowed for the alley to be vacated upon the closing of the property.

This has occurred and the Building Department has met with the new owners to walk through the demolition and redevelopment requirements for the property. The property includes commercial property on two sides of the alley the runs northward from Division along the east side of the building between First & Second Avenues. There are no utilities located within this alleyway. The attached ordinance vacates half of the alley to each side, which is owned by the same owner in this case.

**Recommendation:**

Adopt Ordinance No. \_\_\_\_: Vacating the Alley that runs along the building at 750 E Division Street.

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**THE VILLAGE OF COAL CITY**  
**GRUNDY & WILL COUNTIES, ILLINOIS**

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ORDINANCE  
NUMBER \_\_\_\_\_

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**AN ORDINANCE VACATING AND CONVEYING TITLE TO PORTIONS OF AN  
UNIMPROVED PUBLIC ALLEY TO ABUTTING PROPERTY OWNERS**

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TERRY HALLIDAY, Village President  
PAMELA M. NOFFSINGER, Village Clerk

SARAH BEACH  
ROSS BRADLEY  
TIMOTHY BRADLEY  
DANIEL GREGGAIN  
DAVID SPESIA  
DAVID TOGLIATTI  
Village Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of  
Coal City

on \_\_\_\_\_, 2021

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE VACATING AND CONVEYING TITLE TO PORTIONS OF AN UNIMPROVED PUBLIC ALLEY TO ABUTTING PROPERTY OWNERS

WHEREAS, the Village of Coal City (hereinafter, the “*Village*”) is an Illinois municipal corporation organized and operated under the laws of the State of Illinois; and

WHEREAS, the Village is a non-home rule municipality and, as such, may exercise delegated statutory and Constitutional powers and such powers as are necessarily implied therefrom; and

WHEREAS, the Village has entered into an Economic Incentive and Tax Increment Allocation Financing Redevelopment Agreement (the “*RDA*”) with Mobile Generation LLC, a Delaware limited liability company with its principal office located at 1654 W. Roscoe, Chicago, IL 60657 (“*Owner*”), providing for the Owner’s acquisition and redevelopment of certain real property within the Village in order to rehabilitate an existing mixed-use building, including a façade renovation, demolition of a residence at the rear of the property, and the resurfacing of an off-street surface parking lot, followed by the relocation of a Verizon Wireless authorized retailer and the leasing of the other commercial storefronts within the building, all as more particularly described in the RDA and exhibits appended thereto (the “*Project*”); and

WHEREAS, the Owner has acquired and now owns in fee simple certain real property commonly known as 750 E. Division Street, Coal City, Grundy County, IL 60416, bearing parcel identification number 06-35-459-005 and legally described in **Exhibit A** (the “*Abutting Property*”), which is bisected by an unimproved north-south public alley running through the Abutting Property; and

WHEREAS, the Owner is desirous of consolidating its property holding in order to develop the Project; and

**WHEREAS**, the RDA provides for the Village to vacate to Owner that certain portion of alley hereinafter described upon the Owner’s acquisition of the Abutting Property; and

**WHEREAS**, Owner has acquired the Abutting Property; and

**WHEREAS**, the Village is granted the authority and power to vacate streets and alleys or portions thereof pursuant to Section 11-91-1 of the Illinois Municipal Code, 65 ILCS 5/11-91-1, upon a finding that the public interest will be served by such vacation; and

**WHEREAS**, the Village President and Board of Trustees (the “*Corporate Authorities*”) find that there is no current or future public use for the portion of unimproved public alley depicted on the plat of vacation, attached as **Exhibit B** (the “*Vacation Plat*”) and, by this reference, made a part of this Ordinance and legally described as:

[INSERT LEGAL DESCRIPTION OF VACATED ALLEY]

(“*Vacated Alley*”) and further find it to be in the public interest to vacate the Vacated Alley and convey title thereto to Owner as the owner of the Abutting Property; and

**WHEREAS**, the Corporate Authorities desire to be relieved from the burden and responsibility of maintaining the Vacated Alley and, after due investigation and consideration, the Corporate Authorities find and determine that the relief to the public from eliminating the burden and responsibility of maintaining the Vacated Alley is a public interest supporting its vacation; and

**WHEREAS**, the Corporate Authorities further determine that the value of the future maintenance of the Vacated Alley is equal to the fair market value of each part of the Vacated Alley to be acquired by the abutting owners, as provided in this Ordinance. The Corporate Authorities hereby accept Owner’s future maintenance as compensation for the Vacated Alley; and

**WHEREAS**, Village staff has advised that there are no existing public utilities located within the Vacated Alley; and

**WHEREAS**, the Village shall cause a certified copy of this Ordinance and the Vacation Plat to be recorded with the Grundy County Recorder of Deeds, and the Village shall cause any associated quitclaim deeds to be executed, sealed, recorded and delivered as may be necessary to effectuate the vacation and conveyance of the Vacated Alley to the Owner identified hereinabove, subject to the reservation of easements noted herein and provided that the Owner reimburses the Village for its recording expenses.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Coal City, Counties of Will and Grundy, Illinois, as follows:

**SECTION 1. RECITALS.** That the foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**SECTION 2. VACATION.**

**A.** In exchange for the compensation identified in the Recitals, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Village hereby approves the Vacation Plat attached hereto as Exhibit B and, by this reference, made a part of this Ordinance, and the vacation of that certain portion of public alley located within the corporate limits of the Village and described herein as the Vacated Alley, as depicted and legally described on the Vacation Plat. The Vacated Alley is no longer required for public use and that the public interest will be served by such vacation. The Village President and Clerk are hereby, authorized and directed to execute and seal the Plat of Vacation.



**B.** This vacation is subject to all existing easement rights of others whether apparent or not apparent, of record or not of record, aerial, surface, underground, or otherwise.

**C.** The Village Clerk shall file a certified copy of this Ordinance and the Plat of Vacation in the Office of the Recorder of Deeds, Grundy County, Illinois.

**D.** Village officials are hereby authorized to undertake such other and further tasks as may be necessary to effectuate the purposes of this Ordinance.

**SECTION 3. CONVEYANCE OF TITLE.** In exchange for the compensation identified in the Recitals, and other good and valuable consideration, the receipt of which is hereby acknowledged, title to the Vacated Alley shall pass to Owner. If necessary or convenient to effectuate the purposes of this Ordinance and without need of further authorization, the Village Attorney is directed to prepare and the Village Clerk and Village President are hereby authorized and directed to execute and seal quit claim deeds conveying title to the the Vacated Alley as set forth herein.

**SECTION 4. DISCLAIMER.** The Village of Coal City makes no warranties or any other representations concerning the Vacated Alley including, but not limited to, matters of title, habitability, suitability, environmental hazard, zoning or market value.

**SECTION 5. REPEALER.** All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 6. SAVING CLAUSE.** If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

**SECTION 7. EFFECTIVENESS.**

This Ordinance shall be effective upon the occurrence of the following events:

- (1) passage by at least a three-fourths supermajority vote of the Trustees then holding office, as required by law; and
- (2) publication in pamphlet form in the manner required by law; and
- (3) the recordation of a certified copy of this Ordinance together with the Plat of Vacation in the Office of the Grundy County Recorder.

SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2021, at Coal City, Grundy and Will Counties, Illinois.

AYES:

ABSENT:

NAYS:

ABSTAIN:

**VILLAGE OF COAL CITY**

\_\_\_\_\_  
Terry Halliday, President

Attest:

\_\_\_\_\_  
Pamela M. Noffsinger, Clerk

**MEMO**

**TO:** Mayor Halliday and the Board of Trustees

**FROM:** Matthew T. Fritz  
Village Administrator

**MEETING**

**DATE:** August 25, 2021

**RE: ACCEPTANCE OF ANNEXATION PETITION FOR PIN# 09-02-202-017**

Recently, the Planning & Zoning Board received a map amendment petition for properties surrounding McCoy Marina Boat Sales. There is great parcel fragmentation surrounding this area due to properties having traded hands throughout the last few decades. Through this process, some of the areas actually fall outside the unincorporated boundaries of the Village. One of these – parcel number 09-02-202-017, is adjacent to the residence that is amidst remodeling at 835 E. Division.

Both the residence and this orphan parcel fall under the same ownership, but with one of the parcels being unincorporated it disallows consolidation of the parcels into one residential property. The annexation petition from the owners' representative this evening begins the process of adding this orphan piece of land within the incorporated village. In addition to an ordinance to be prepared for this parcel's incorporation, this piece of land will travel through Planning & Zoning Board consideration to ensure it can be zoned upon incorporation as RS-2 to match its neighboring residential neighbors to the east rather than the C-5 zoning half of the property currently possesses.

**Recommendation:**

Accept the petition of annexation from Avery/Powell Properties, LLC to annex the orphan parcel identified as PIN# 09-02-202-017.

**VILLAGE OF COAL CITY  
PETITION FOR ANNEXATION**

STATE OF ILLINOIS        )  
  )  
COUNTY OF GRUNDY        )        SS.

**BEFORE THE CORPORATE AUTHORITIES OF THE VILLAGE OF COAL CITY,  
GRUNDY AND WILL COUNTIES, ILLINOIS**

Pursuant to and in accordance with Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8, the undersigned Petitioner AVERY POWELL PROPERTIES, LLC, an Illinois limited liability company with its principal office at 700 S. Mazon Street, Coal City, Illinois (hereinafter, "*Petitioner*") respectfully state the following under oath:

1. Petitioner is the sole owner of record title to that certain territory, consisting of approximately 0.39<sup>+</sup>/<sub>100</sub> acres, bounded on all sides by the incorporated Village of Coal City, and lying immediately south of 835 E. Division Street (P.I.N. 09-02-202-003, hereinafter, the "*Adjoining Parcel*"), located in unincorporated Grundy County, Illinois, which territory is legally described in **Exhibit A** attached hereto and made a part hereof, being identified by PIN 09-02-202-017 ("*Annexation Territory*").
2. The Petitioners signing this Petition constitute all of the owners of record of the Annexation Territory.
3. The Annexation Territory is not situated within the corporate limits of any municipality and is wholly unincorporated.
4. The Annexation Territory is contiguous to the corporate limits of the Village of Coal City.
5. There are no electors residing in the Annexation Territory.
6. The Village of Coal City does not provide fire protection or public library services within the boundaries of the Annexation Territory.
7. All statutory notices required to annex the Annexation Territory shall be provided prior to the Village of Coal City's enactment of an ordinance annexing the Annexation Territory.
8. The Petition conforms in form and substance to the requirements of Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8.
9. The foregoing statements of fact are true to the best of Petitioners' knowledge and information.

WHEREFORE, PETITIONERS RESPECTFULLY REQUEST:

- A. That this Petition and annexation be conditioned upon Petitioners and the Village of Coal City entry into an annexation agreement ("*Annexation Agreement*") providing for, *inter*

*alia*, the Village re-zoning the Annexation Territory to a RS-2 classification and Petitioner's consolidation of the Annexation Territory with the Adjoining Parcel to form a single zoning lot within the Village, following a duly noticed public hearing concerning the same.

- B. That the Annexation Territory be annexed to the Village of Coal City by ordinance of the President and Board of Trustees of the Village of Coal City pursuant to Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8, as amended.
- C. That said Annexation Territory be annexed in accordance with the terms of the Annexation Agreement.

Dated this \_\_\_\_\_ day of August 2021.

The undersigned certifies that to the Village (i) that it is the record and beneficial owner of fee simple title to the Annexation Territory, (ii) that no other person or entity has any legal, beneficial, contractual, or security interest in the Annexation Territory, (iii) that all legal actions needed to authorize the execution and delivery of this Petition have been taken, (iv) that he/she is has read the foregoing Petition for Annexation, (v) that he/she has knowledge of the allegations contained therein, (vi) that the allegations are true and correct to the best of his/her knowledge and (vii) that he/she is authorized to execute this Petition for Annexation on behalf of Petitioner.

AVERY POWELL PROPERTIES, LLC,  
an Illinois limited liability company

By: \_\_\_\_\_  
Eric T. Powell, Manager

Date: \_\_\_\_\_

SUBSCRIBED AND SWORN TO  
before me this \_\_\_\_\_ day of  
August 2021

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

**EXHIBIT A**

**ANNEXATION TERRITORY LEGAL DESCRIPTION**

# Pin #09-02-202-017 Annexation

