CITY OF LEROY COUNTY OF MC LEAN STATE OF ILLINOIS

ORDINANCE NO. 834

AN ORDINANCE AMENDING CHAPTER 6 WATER SERVICE, OF THE MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED), BY ADDITION OF NEW SECTION 6.01.5 AND PERMITTING THE DRILLING OF A WELL FOR PURPOSES OF PROVIDING WATER FOR AGRICUTURAL PURPOSES AND FOR DOMESTIC CONSUMPTION PURPOSES ON REAL ESTATE LOCATED IN THE NORTHWEST ONE QUARTER OF SECTION 32, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, BEING IN THE CITY OF LEROY.

QUARTER OF SECTION	ON 32, TOWNSH	ESTATE LOCATED IN THE NORTHWEST ONE HIP 22 NORTH, RANGE 4 EAST OF THE THIRD NTY, ILLINOIS, BEING IN THE CITY OF LEROY
ADOPTED BY T	HE CITY COUN	CIL OF THE CITY OF LE ROY THIS 15th
PRI	ESENTED:	<u>March 15</u> , 1999
PAS	SSED:	<u>March 15</u> , 1999
API	PROVED:	March 15 , 1999
REC	CORDED:	March 15 , 1999
PUI	BLISHED:	March 15_, 1999
In	Pamphlet Form	
	Voting "Aye"	<u> </u>
	Voting "Nay"	0
certify that this document pursuant to Section 1-2-4 c	constitutes the p f the Illinois Mun	d acting City Clerk of the City of LeRoy does hereby publication in pamphlet form, in connection with and nicipal Code, of the above-captioned ordinance and that oved, recorded and published as above stated.
(SEAL)		X Mul (arcum) City Clerk of the City of LeRoy, McJ ean County Illinois

Dated: March 15

ORDINANCE NO. 834

AN ORDINANCE AMENDING CHAPTER 6 WATER SERVICE, OF THE MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED), BY ADDITION OF NEW SECTION 6.01.5 AND PERMITTING THE DRILLING OF A WELL FOR PURPOSES OF PROVIDING WATER FOR AGRICUTURAL PURPOSES AND FOR DOMESTIC CONSUMPTION PURPOSES ON REAL ESTATE LOCATED IN THE NORTHWEST ONE QUARTER OF SECTION 32, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, BEING IN THE CITY OF LEROY

WHEREAS, Todd Clarke and Angela Clarke are currently the owners of real estate as described in Exhibit A; and

WHEREAS, the aforesaid owners of said real estate wish to obtain water at the premises for agricultural purposes and domestic and household purposes in the near future; and

WHEREAS, the City of LeRoy has no nearby water main or other water service that could be tapped into;

WHEREAS, the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, does not permit the construction of wells within the City boundaries without permission from the City, and

WHEREAS, the Mayor and City Council find that it is in the best interests of the residents of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, that the drilling and establishment of new wells within the municipal limits of the City from time to time be regulated so as to make certain that no such well is connected to the City water supply, nor that any such well will affect the wells now owned and maintained by the City, which wells are utilized for the purpose of providing water for the public water supply system in the City of LeRoy,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of LeRoy, Illinois, in lawful meeting assembled, as follows:

SECTION 1. Chapter 6 WATER SERVICE, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), is hereby amended by addition of new Section 6.01.5, in words and figures as follows:

6.01.5 DRILLING OF WELLS WITHIN THE CITY LIMITS. It shall be unlawful for any person or entity or acting as the agent, employee, or contractor for any person or entity, or owning or leasing, or otherwise controlling real estate in the City of LeRoy, to drill any well, whether for purposes of providing water, or exploring for or extraction of petroleum products, or other substances, within the municipal limits of the City of LeRoy, without consent, in the form of an ordinance giving such consent, of the City Council of the City of LeRoy.

SECTION 2. Permission is hereby given for the drilling of a water well on the premises described in Exhibit A, attached hereto and incorporated herein by reference, said water well to be drilled within a period of two years from the date this ordinance is passed. Further, the owners of that real estate described in Exhibit A, attached hereto and incorporated herein by reference, shall notify the City Clerk at such time as they or any person or entity on their behalf are ready to drill the well in order that the City Water Superintendent or other City Water Department official shall be able to monitor the drilling of the well. Further, all necessary State of Illinois and McLean County, including McLean County Health Department, permits shall first be obtained for the drilling of the

well and exibited to the City Water Department official before undertaking the drilling and construction of the water well. At such time as the City of Leroy shall provide water service within seventy-five feet of any property boundary line of that real estate described in Exhibit A, attached hereto and incorporated herein by reference, the then owners of that real estate described as the aforesaid Exhibit A shall be required, within six months of the time that the City water service is made available within the aforesaid disctance from the property, to connect any residential building located on the property or any portion of the property, that may have been subdivided from the original described real estate after the date of this ordinance, to the City water system. Further, to the extent that any residential water supply to any such building is connected to a water well, located on the aforesaid premises, it shall be necessary to comply with all requirements of any City ordinance applicable to a cross connection of water systems and intended to prevent the backflow of a private water supply into the City water distribution system and public water supply.

SECTION 3. The City Clerk is hereby directed to cause a copy of this ordinance to be recorded in the Office of the Recorder of Deeds of McLean County, Illinois, in order that this ordinance shall serve as notice to any current or future owner of the aforesaid premises, as described in Exhibit A.

PASSED by	the City Council of th	e City of LeRoy, Illi	inois, upon the me	otion by	
	land	•	•	•	
	_, by roll call vote on	the 15th day of _	March	, 1999, as	
follows:					
Aldermen ele	ected 6	Aldermen presen	t <u>5</u>		
VOTINGAYE: Ryan Miles,	Dawn Thompson, Day (full names)	ave McClelland, N	N. H. Weber, D	<u>ick Oli</u> ver	
VOTING NAY:					
	(full names)				
ABSENT: Ron Litherl	and				
	(full names)				
ABSTAIN: none					
OTHER:	(full names)				
none					
	(full names)				

and deposited and filed in the office of the	acting City Clerk in said municipality on the 15th day of
<u>March</u> , 1999.	Sue Marcum, City Clerk of the City of LeRoy, McLean County, Illinois
APPROVED BY the Mayor of the	City of LeRoy, Illinois, this <u>15th</u> day of
, 199	9.
	X Robert Rice, Mayor of the City of LeRoy, McLean County, Illinois
ATTEST: (SEAL)	
Sue Marcum, City Clerk, City of LeRoy McLean County, Illinois	<u>-</u>

The East 66 feet of the South 266 feet of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 32, a part of the East 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 32, a part of the Northeast 1/4 of the Northwest 1/4 of Section 32, and a part of the Northwest 1/4 of the Northeast 1/4 of Section 32, also being part of Lots 7, 8 and 9 in the Subdivision of Section 32 recorded in Plat Book 2, Page 221 in the McLean County Recorder of Deeds Office, all in Township 22 North, Range 4 East of the Third Principal Meridian, City of LeRoy, McLean County, Illinois more particularly described as follows: Beginning at the Southeast corner of the Northeast 1/4 of the Northwest 1/4 of said Section 32; thence South 89 degrees 56 minutes 12 seconds West 1326.33 feet to the Southeast corner of the Northwest 1/4 of the Northwest 1/4 of said Section 32; thence South 89 degrees 53 minutes 36 seconds West 662.64 feet on the South line of the East 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 32; thence South 89 degrees 58 minutes 48 seconds West 66.00 feet on the South line of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 32; thence North 00 degrees 12 minutes 16 seconds West 266.00 feet parallel with the East line of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 32; thence North 89 degrees 58 minutes 48 seconds East 66.00 feet parallel with the South line of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 32 to the East line of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 32; thence South 00 degrees 12 minutes 16 seconds East 34.00 feet on the East line of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 32; thence North 89 degrees 58 minutes 28 seconds East 662.54 feet to the East line of the East 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 32; thence North 00 degrees 13 minutes 44 seconds West 429.38 feet on the East line of the East 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 32; thence North 32 degrees 28 minutes 38 seconds East 93.12 feet; thence North 48 degrees 40 minutes 02 seconds East 181.01 feet; thence North 36 degrees 07 minutes 20 seconds East 110.18 feet; thence North 89 degrees 50 minutes 40 seconds East 1072.76 feet parallel with the North line of the Northwest 1/4 of said Section 32 to the East line of the Northeast 1/4 of the Northwest 1/4 of said Section 32; thence South 00 degrees 19 minutes 21 seconds East 276.90 feet on the East line of the Northeast 1/4 of the Northwest 1/4 of said Section 32; thence South 89 degrees 58 minutes 09 seconds East 1267.62 feet parallel with the North line of the Northwest 1/4 of the Northeast 1/4 of said Section 32; thence South 00 degrees 23 minutes 35 seconds East 201.11 feet parallel with the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 32 to the centerline of the West Fork of Salt Creek; thence North 81 degrees 08 minutes 08 seconds West 36.76 feet on said creek centerline; thence South 61 degrees 31 minutes 06 seconds West 42.99 feet on said creek centerline; thence South 69 degrees 56 minutes 37 seconds West 173.13 feet on said creek centerline; thence South 80 degrees 33 minutes 08 seconds West 101.42 feet on said creek centerline; thence South 10 degrees 14 minutes 56 seconds East 80.45 feet on said creek centerline; thence South 12 degrees 33 minutes 24 seconds West 42.89 feet on said creek centerline; thence South 65 degrees 42 minutes 58 seconds West 283.33 feet on said creek centerline; thence South 78 degrees 26 minutes 25 seconds West 75.71 feet on said creek centerline: thence South 66 degrees 27 minutes 58 seconds West 46.02 feet on said creek centerline; thence North 76 degrees 26 minutes 05 seconds West 196.91 feet on said creek centerline; thence South 88 degrees 14 minutes 45 seconds West 71.62 feet on said creek centerline; thence South 71 degrees 31 minutes 48 seconds West 174.37 feet on said creek centerline; thence North 54 degrees 28 minutes 36 seconds West 161.54 feet on said creek centerline to the East line of the Northeast 1/4 of the Northwest 1/4 of said Section 32; thence South 00 degrees 19 minutes 21 seconds East 190.96 feet on the East line of the Northeast 1/4 of the Northwest 1/4 of said Section 32 to the Point of Beginning, with assumed bearings given for description purposes only, as shown on the Survey dated January 30, 1998, recorded February 27, 1998 as Document No. 98-5739 made by David P. Brown, Illinois Professional Land Surveyor No. 2725, in McLEAN COUNTY, ILLINOIS. underlying lands (Bk.15)30-32-100-015

CERTIFICATE

1, <u>Sue Marcum</u> , certify that I am the duly appointed and acting municipal clerk of the <u>City</u>					
of LeRoy, of McLean County, Illinois.					
I further certify that on	March 15	_, 1999, the Corporate			
Authorities of such municipality passed and appr	roved Ordinance No	83.4 , entitled:			
AN ORDINANCE AMENDING CHAPTER CODE OF THE CITY OF LEROY, ILLINOIS, SECTION 6.01.5 AND PERMITTING THE PROVIDING WATER FOR AGRICUTU CONSUMPTION PURPOSES ON REAL EST QUARTER OF SECTION 32, TOWNSHIP 2 PRINCIPAL MERIDIAN, MCLEAN COUNTY which provided by its terms that it should be publicated as a second control of the provided by its terms that it should be publicated.	1975 (AS AMENDED), DRILLING OF A WEL JRAL PURPOSES AND TATE LOCATED IN TH 22 NORTH, RANGE 4 F 7, ILLINOIS, BEING IN	BY ADDITION OF NEW L FOR PURPOSES OF FOR DOMESTIC IE NORTHWEST ONE EAST OF THE THIRD THE CITY OF LEROY,			
The pamphlet form of Ordinance No. <u>834</u> , including the Ordinance and a cover					
sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building,					
commencing onMarch 15	, 1999, and	continuing for at least ten			
days thereafter. Copies of such Ordinance were also available for public inspection upon request					
in the office of the municipal clerk.					
Dated at LeRoy, Illinois, this 15th	_day ofMarch	, 1999			
•					
(SEAL)	Municipal Clerk)			

STATE OF ILLINOIS)
COUNTY OF McLEAN) SS:
I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the
City of LeRoy, McLean County, Illinois, and as such acting City Clerk that I am the keeper of the
records and files of the Mayor and the City Council of said City.
I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:
enuled:
AN ORDINANCE AMENDING CHAPTER 6 WATER SERVICE, OF THE MUNICIPAL
CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED), BY ADDITION OF NEW SECTION 6.01.5 AND PERMITTING THE DRILLING OF A WELL FOR PURPOSES OF
PROVIDING WATER FOR AGRICUTURAL PURPOSES AND FOR DOMESTIC
CONSUMPTION PURPOSES ON REAL ESTATE LOCATED IN THE NORTHWEST ONE QUARTER OF SECTION 32, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE THIRD
PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, BEING IN THE CITY OF LEROY.
I do further certify said ordinance was adopted by the City Council of the City of LeRoy at
a regular meeting on the 15th day of March, 1999, and prior to the
making of this certificate the said ordinance was spread at length upon the permanent records of
said City where it now appears and remains as a faithful record of said ordinance in the record books.
DOOKS.
Dated this 15th day of March, 1999.
X Ju Mareum City Clerk
(SEAL)