VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Seth Speiser
Charlie Mattern
Ray Matchett, Jr.
Steve Smith
Mike Blaies

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

October 17, 2011

NOTICE

MEETING OF THE PUBLIC PROPERTY COMMITTEE
(Streets/Municipal Center/Pool/Parks & Recreation)
(Matchett/Baker/Blaies)

A Public Property Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, on **Wednesday, October 19, 2011 at 6:30 p.m.**

PUBLIC PROPERTY COMMITTEE MEETING AGENDA

SWIMMING POOL:

A. Old Business
   1. Pool

B. New Business

****

A. Old Business

1. Approval of September 21, 2011 minutes
2. Safe Routes to School
3. 709 Saxony Lane request for culvert
4. Leaves/limb pickup
5. Welcome to Freeburg sign at north end of town
6. MFT
7. Sidewalk requests
8. Vacation of streets by high school
9. Procedure to Request Flags to be Displayed
10. Drainage Problem Areas
11. Repairs to Village Hall
12. Shady Lane dispute

B. New Business

C. General Concerns

D. Public Participation

E. Adjourn

At said Public Property Committee Meeting, the Village Trustees may vote on whether or not to hold an Executive Session to discuss potential litigation [5 ILCS, 120/2 - (c)(11)]; the selection of a person to fill a public office [5 ILCS, 120/2 – (c)(3)]; personnel [5 ILCS, 120/2 – (c) (1) a.]; or real estate transactions [5 ILCS, 120/2-(c)(5)].

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Public Property Committee Meeting
Streets/Municipal Center/Pool/Parks & Recreation
(Matchett/Baker/Blaies)
Wednesday, October 19, 2011 at 6:30 p.m.

VILLAGE ADMINISTRATOR
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Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

The meeting of the Public Property Committee was called to order at 6:30 p.m. on Wednesday, October 19, 2011, in the Municipal Center. Those in attendance were Chairman Ray Matchett, Trustee Mike Blaies, Trustee Rita Baker, Village Clerk Jerry Menard, Assistant Public Works Director John Tolan, Village Administrator Dennis Herzing and Office Manager Julie Polson.

POOL: A. OLD BUSINESS:

1. Pool: Dennis said the pre-bid meeting was held last week and no general contractors showed up. Bill Reichert has changed the bid date to November 1st and he is in the process of contacting contractors. The contract calls for a completion date of May 15, 2012. Bill changed some of the electrical work to reflect it being done by us. We hope to get the demolition work done prior to the really bad winter weather. To comply with the updated regulations on drains, we will be installing a dual drain instead of the existing single one.

As the committee knows, the park has agreed to grant some additional property to the Village for the needed pool expansion. To make the process as simple as possible, Gale Hake has staked the property, and suggested we deed our current pool property back to the Park District and then have the Park District deed the entire pool property, including the additional land needed for the renovation to the pool, back to the Village. Gale has already prepared a quit claim deed to deed the property back to the Park District. He is now working on a deed which will be all inclusive and deed the property back to the Village. Dennis still needs to talk to the park district about this. Dennis confirmed it will only include the work that is being done with this renovation.

B. NEW BUSINESS: None.

STREETS: A. OLD BUSINESS:

1. Approval of September 21, 2011 minutes: *Trustee Rita Baker motioned to approve the September 21, 2011 minutes and Trustee Mike Blaies seconded the motion.* All voting aye, the motion carried.

2. Safe Routes to School: Dennis emailed Marsha from TWM today and has not heard back from her.

3. 709 Saxony lane request for culvert: Nothing new.

4. Leaves/limb pickup: John said we started picking up leaves this week. The beds are ready at the old sewer plant for residents to drop off leaves and limbs if they don't want to wait. Julie updated the website and put an article in the paper.

5. Welcome to Freeburg sign: Dennis said if we put the sign on the right of way, it will need a breakaway design. Dennis said it might be possible to move the existing sign rather than build a new one.

6. MFT: John said we are doing some concrete work right now.

7. Sidewalk requests: John said we have been working on Alton St., Dogwood, Sugar Creek, Vine and re-did St. Paul's.

8. Vacation of streets by high school: The attorney prepared two ordinances that need to be recommended to the full board for approval. The first ordinance will vacate Monroe St. by the high school and the second ordinance vacates the alley. The next document is an easement which we will ask the high school grant to us in order to be able to maintain the electric service alongside the building

Trustee Rita Baker motioned to recommend to the full Board the Ordinance vacating Monroe St. from Apple to W. Emily by the high school and the Ordinance vacating the north/south alley from Apple Street to W. Emily for approval and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.

9. Procedure to Request Flags to be Displayed: Nothing new.

10. Drainage Problem Areas: Pat Netemeyer came out and looked over the Mill Street/Main Street area and also the Main Street area south of Route 15. His proposal is attached which includes needing GPS equipment to uncover storm sewers and inlets; identify clogged storm sewers regarding the Mill Street/Main Street area. The other area up Main Street closer to Rt. 15 needs to have an analysis of the drainage area and the slope of the ditches and culvert. Both of these areas should cost no more than $5,000.

Trustee Rita Baker motioned to approve Netemeyer Engineering's proposal for the work to be done on a time and materials basis not to exceed $5,000 and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.

11. Repairs to Village Hall: Seth will have the windows repaired soon and John will take care of the downspouts.

12. Shady Lane Dispute: Dennis said he and Gale Hake met with the people involved. It is very likely Lueckett built a shed on the cemetery property. Dennis said we own Foulks Cemetery and have a 30' right-of-way road from the cemetery to Old Fayetteville Road. The lane is used for access and not dedicated as a public street. Dennis asked Gale to establish the north line of the cemetery which will show if that shed is on cemetery property. That will be our only involvement in the dispute.

B. **NEW BUSINESS:** John said they have $10,000 in the budget for salt spreaders. He would like to buy a spreader for the International and another one that would be put on one of the pickup trucks. The pickup will be able to get back into smaller places easier than a dump truck.

Trustee Rita Baker motioned to approve the purchase of two salt spreaders at the budgeted price of $10,000 and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.

C. **GENERAL CONCERNS:** None.

D. **PUBLIC PARTICIPATION:** None.

E. **ADJOURN:** *Trustee Rita Baker motioned to adjourn the meeting at 6:59 p.m. and Trustee Mike Blaies seconded the motion.* All voting aye, the motion carried.

Julie Polson
Office Manager

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

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Public Property Committee Meeting
Streets/Municipal Center/Pool/Parks & Recreation
(Matchett/Baker/Blaies)
Wednesday, September 21, 2011 at 6:30 p.m.

VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
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PUBLIC WORKS DIRECTOR
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The meeting of the Public Property Committee was called to order at 6:30 p.m. on Wednesday, September 21, 2011, in the Municipal Center. Those in attendance were Chairman Ray Matchett, Trustee Mike Blaies, Trustee Rita Baker, Village Clerk Jerry Menard, Assistant Public Works Director John Tolan and Village Administrator Dennis Herzing.

POOL: A. OLD BUSINESS:

1. Pool: Dennis sent Bill Reichert an email who advised the engineers who are doing the detailed design are holding him up. We will definitely have to ask the grant people for an extension and Dennis thinks they will since we passed the bond issue. Dennis does not think we will open on time. Rita asked if Bill had plenty of time to do this and Dennis called him the day after the bond issue passed. We are not holding him up in any manner. Dennis said we have a St. Clair County Parks Grant application due October 3rd and it has a maximum grant amount of $16,000. Dennis contacted Bill about that because it is specifically aimed at safety and security equipment and wants the fencing around the pool to go towards that. Bill sent Dennis information showing the fence will cost approximately $48,000. John said the pool has been winterized.

B. NEW BUSINESS: None.

STREETS: A. OLD BUSINESS:

1. Approval of August 17, 2011 minutes: *Trustee Rita Baker motioned to approve the August 17, 2011 minutes and Trustee Mike Blaies seconded the motion.* All voting aye, the motion carried.

2. Safe Routes to School: Dennis hasn't heard anything new from TWM for quite a while. He will obtain a status report from them.

3. 709 Saxony lane request for culvert: We'll discuss next year.

4. Leaves/limb pickup: John said leaf pickup is right around the corner. Last year we used the part-time employees to do most of this work which helped keep the overtime down. We have about $7,000 left in the budget. We will need to advertise the first to second week of October and the position would go to the end of the year.

5. Welcome to Freeburg sign: Nothing new.

6. MFT: John said the street oiling has been completed and we'll sweep the streets one day next week. We are doing some concrete work right now.

7. Sidewalk requests: John said we are going to Alton Street and a few other areas in town where sidewalks have been requested.

VILLAGE BOARD OF TRUSTEES MEETINGS ARE HELD ON THE FIRST AND THIRD MONDAY OF EVERY MONTH

8. Vacation of streets by high school: Dennis met with the attorney and Gale Hake. The attorney is working on an ordinance to vacate the streets. He will follow up with him.

9. Procedure to Request Flags to be Displayed: We have not had a chance to work on this. John said we need to come up with something and we'll need to have the American Legion approve the request.

10. Drainage Problem Areas: Dennis has set up a meeting with Pat Netemeyer on October 3rd where Dennis and John will show him the problem areas. Dennis will follow up with TWM to get the flow calculations on Main Street.

11. Repairs to Village Hall: Dennis said we'll look at options on repairing the drains.

B. NEW BUSINESS: Trustee Matchett had a resident request a no parking sign be installed on her property on the first block of W. Washington Street. John said that first block does not have any signs on it. Dennis asked if this area was included in the ordinance and John said it only went to Alton. We'll take it to Police Committee for Mel's review.

Mike asked about the digger truck putting the poles up at the park and John said it went very well. Dennis said that a new digger truck costs about $180,000.

Dennis said there has been an ongoing neighbor dispute on Shady Lane. This road takes you back to Foulks Cemetery which is owned by the Village. The residents are in a battle with each other over the lane and are trying to drag us into it on the pretext the lane is a public right of way. Dennis researched all the files and thinks the Village owns the lane, a 30-foot wide strip for the road going to the cemetery but that doesn't mean it's a public thoroughfare. Both the Sidwell map and the County show it as a private road. He doesn't think we have ever completely maintained it. We may provide rock sometimes and trim trees because we use that road to get back to the cemetery. He thinks we should take the position we own the strip but it doesn't mean it's a public right-of-way. They want us drag us into neighbor battles over a neighbor having something over another neighbor's line and they want us to tell the neighbor to move it. Dennis feels if there isn't anything put on that 30-foot strip that prevents us from using the lane to access the cemetery, he doesn't think we should worry about it. John said they are our water customers but not electric. That 30-foot strip was deeded to the Village in 1875. Bob Kell addressed this issue in 1993-94 when the residents were having security problems and told them the Village didn't have a problem with them installing a gate to control access as long as it was open during the daytime hours to allow cemetery access and also as long as the residents maintained the road. Dennis said he will take a ride out there to see what's going on.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 6:26 p.m. and Trustee Mike Blaies seconded the motion.* All voting aye, the motion carried.

Julie Polson

Transcribed from tape by
Julie Polson
Office Manager

Dennis Herzing

From: Doug Buesking [dbuesking@ewrassociates.com]
Sent: Wednesday, October 19, 2011 11:22 AM
To: Bill Reichert; Dennis Herzing
Cc: Linda Muich
Subject: RE: Freeburg Pool Bid
Attachments: 211123-bidders list.doc; #211123-Addendum No 1.pdf

Dennis,

Attached is addendum #1 to the bid documents we have issued today. The addendum changes the bid date to 11-1-2011. As we discussed at the pre-bid the additional bid time will allow for more contractors to possibly bid the project.

Also attached is the latest plan holders list. The list is those that have acquired plans from our office. This does not reflect all of those contractors reviewing the plans through the plan rooms.

I have made some calls to drum up some interest. Korte-Luitjohan was the latest GC to pick-up plan. We may also find that a few pool contractors may bid as General Contractors.

Regards,
Doug @ EWR

-----Original Message-----
From: Dennis Herzing [mailto:herzing@freeburg.com]
Sent: Wednesday, October 19, 2011 10:59 AM
To: Bill Reichert
Cc: Doug Buesking [EWR Associates, Inc.]
Subject:

Bill & Doug,

There is a Pool Committee meeting this evening. Please bring me up to speed so I can report to them. Is bid date still 10/25? Have you issued an addendum? Do we have any Generals interested yet?

Thanks,

Dennis Herzing

Freeburg Pool Renovation

Bid Date: 11-01-2011 at 4:00 p.m.
Voluntary Pre-Bid Meeting held 10-14-11 at 10:00 a.m. at the site.

SIBA *Plan Room*
1468 Green Mount Road
O'Fallon, IL 62269
Ph. 618-624-9055 Fx. 618-624-9065

McGraw Hill Dodge/AGC *Plan Room*
6330 Knox Industrial Drive, 1st Floor
St. Louis, MO 63139
Ph. 314-781-2504 Fx. 314-645-2643

Reed Construction *Plan Room*
30 Technology Parkway S, Ste. 500
Norcross, GA 33392
www.docprocessing@reedbusiness.com
Ph. 630-788-7904 fx. 800-303-8629

Glaenzer Electric
10 Empire Drive
Belleville, IL 62220
Ph. 618-277-2500 Fx. 618-277-2711

Calhoun Construction, Inc.
6600 Rear W. Main Street
Belleville, IL 62223
Ph. 618-398-0633 Fx. 618-398-0896

Bel-O Sales & Service
5909 Cool Sports Road
Belleville, IL 62231
Ph. 618-222-9084 Fx. 618-222-9376

Dale Hendricks Plumbing
306 Goethe Avenue
Collinsville, IL 62234
Ph. 618-344-2198

Aquatic Renovation Systems, Inc.
d/b/a RenoSys Corporation
2825 East 55th Place
Indianapolis, IN 46220
Ph. 800-783-7005 Fx. 317-251-0360

Korte & Luitjohan Contractors, Inc.
12052 Highland Road
Highland, IL 62249
Ph. 618-654-9877 Fx. 618-654-9881

NETEMEYER ENGINEERING ASSOCIATES, INC.
REGISTERED STRUCTURAL & PROFESSIONAL ENGINEERING & LAND SURVEYING
3300 Highline Road
Aviston, Illinois 62216-1018
Telephone: (618) 228-7816 Fax: (618) 228-7900

October 19, 2011

Dennis Herzing
Freeburg, Village of
14 Southgate Center
Freeburg, Illinois 62243

RE: Drainage issues in the Mill Street/Main Street and Main St., approximately 300 feet South of Route 15

Dennis:

With this letter, I would like to summarize our discussion and the preliminary site information you, John Tolan and I obtained in our meeting on October 12, 2011:

Our meeting began at the intersection of Mill Street & Main Street and the three of us made attempts to determine, on a preliminary basis, the general drainage pattern and storm sewer layout from Walnut St., West of the railroad track, to Monroe Street, South of W. Temple St. and N. Of Philip St. Some existing drainage problems were evident (collapsed storm sewer, clogged pipes) but I believe we agreed that to accurately evaluate this drainage basin, we would need a backhoe and some GPS equipment to uncover storm sewers and inlets and, after they are uncovered, determine their grade and location. We decided it was best to wait till the leaves were off the trees to do this work because the GPS equipment would be more accurate without tree canopy interference.

After we collect this GPS data and check for existing clogged storm sewers, we can prepare a map for city records and determine the capacity of the existing storm sewers and ditches in this drainage basin. With this information, we will be able to make recommendations for any drainage improvements for this area.

Next, we went to the concrete box culvert that passes under Main Street at a point that is approximately 300 feet South of Route 15. A flooding problem upstream of this culvert has been reported. You and John mentioned that IDOT is believed to have increased the drainage area to this culvert when they constructed the improvements to Route 15. The ditch, immediately downstream of this culvert, has been cleaned out by Freeburg to improve its drainage capacity but the ditch still floods. What we proposed on this culvert, and the upstream and downstream ditches, is to determine their existing capacity as they relate to the present drainage area as modified by IDOT. John stated that he had a copy of the IDOT drainage plans which we can copy to use to help determine the drainage area to this existing culvert. In addition to this data, we will need to gather some rudimentary topographic work to determine the extent of the drainage area and the slope of the ditches and culvert. After we complete this work, we should be able to recommend improvements for alleviating existing drainage problems in this area.

Netemeyer Engineering could complete our portion of this work for both these projects at a not to exceed price of $5000. We would invoice Freeburg based on the number of hours spent@ $90 per hour for my work, $65 per hour for hydraulic engineering and mapping and $80 per hour for topographic surveying (GPS).

I hope the above satisfactorily outlines our meeting. Let me know if the above proposal to do this work meets your expectations. Thank you for the opportunity to be of service. If you need anything additional before you make a decision, please call.

Sincerely,

Patrick R. Netemeyer,
Illinois Registered Professional Engineer No. 37441

ORDINANCE NO. _____

AN ORDINANCE VACATING AN ALLEY RUNNING NORTH AND SOUTH FROM APPLE STREET TO WEST EMILY STREET BETWEEN LOTS 1 THROUGH 6 ON THE WEST AND LOTS 7 THROUGH 12 ON THE EAST ALL IN "HEILIGENSTEIN'S ADDITION" TO THE VILLAGE OF FREEBURG, REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS IN BOOK OF DEEDS 542 ON PAGE 5, IN THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS

WHEREAS, Section 5/7-101 of the Roads and Bridges Act of the Illinois Highway Code provides and requires that Illinois Municipalities shall have the powers granted and duties imposed by said Act in addition to the powers granted by the Illinois Municipal Code; and, further, provides that Illinois Municipalities shall have the power to vacate streets and alleys which are or will become part of the municipal street system provided they are vacated in the manner provided by the Illinois Municipal code (605 ILCS 5/7-101);

WHEREAS, pursuant to 65 ILCS 5/11-91-1 et seq., the Village of Freeburg, Illinois has the power to vacate streets and alleys, or portions thereof, within the corporate limits by ordinance and have the title of the land thus vacated revert to the abutting land owners of said streets and alleys; and

WHEREAS, the Act further provides that a notice of public hearing and the conduct of a public hearing is required before a street or alley vacation ordinance can be enacted if the street or alley under the municipalities jurisdiction is located in an unincorporated area, but no such notice and hearing is required if the street or alley is located in an incorporated area of the Village; and the portions of the subject street and alley that are the subject of vacation in this ordinance are located in an incorporated area of the Village (65 ILCS 5/11-91-1);

WHEREAS, the Act further provides that if there are any public services facilities located in such street, or part of a street, or alley, or part of an alley, to be vacated, the vacation ordinance shall also reserve to the municipality or to the public utility that owns the public service facilities, such property, right of way and easements as, in the judgment of the corporate authorities, are necessary or desirable for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction thereof (65 ILCS 5/11-91-1);

WHEREAS, the President and Board of Trustees of the Village of Freeburg, after due investigation and consideration, have determined that the alleyway hereinafter described are adjoined on all sides by private uses in common ownership by Freeburg Community School District No. 77; and

WHEREAS, the alleyway is bordered on the East and West by property owned by Freeburg Community School District No. 77 and Freeburg Community School District No. 77 wishes to construct a parking lot on that portion of its property adjoining the aforementioned alleyway, and Freeburg Community School District No. 77 has, accordingly, requested that the President and Board of Trustees of the Village of Freeburg, Illinois vacate that portion of alleyway between Apple Street and West Emily street; and

WHEREAS, that after further investigation and consideration, the President and Board of Trustees of the Village of Freeburg have determined that the portion of alleyway running north and south between Apple Street and West Emily Street Between Lots 1 through 6 on the West and Lots 7 through 12 on the East, all in the above referenced "Heiligenstein's Addition" to the Village of Freeburg, Illinois is no longer required for public use, and that the public interest will be subserved by vacating that portion of alleyway; and

WHEREAS, in the opinion of the President and Board of Trustees of the Village of Freeburg, the benefit to the Village of the improvements proposed by Freeburg Community School District No. 77 and the relief to the public from the further burden of responsibility and liability for said alleyway would be adequate compensation for the vacation thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS, THAT:

Section 1. That the portion of alleyway running north and south between Apple Street and West Emily Street Between Lots 1 through 6 on the West and Lots 7 through 12 on the East, all in "Heiligenstein's Addition" to the Village of Freeburg, Illinois is no longer required for public use and that the public interest will be subserved by vacating the aforementioned alleyway.

Section 2. That the alleyway shown on the attached Exhibit "A" in the Village of Freeburg, Illinois, heretofore dedicated and legally described as: alley sixteen feet (16') in width running North and South between Apple Street and West Emily Street and bordered by Lots 1 through 6 on the West and Lots 7 through 12 on the East, all in "Heiligenstein's Addition" to the Village of Freeburg, reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois, in Book of Deeds 542 on page 5, all in "Heiligenstein's Addition" to the Village of Freeburg, St. Clair County, Illinois, BE AND THE SAME IS HEREBY VACATED AND CLOSED.

Section 3. Freeburg Community School District No. 77 shall acquire title to the portion of the alley running North and South between Apple Street and West Emily Street and bordered by Lots 1 through 6 on the West and Lots 7 through 12 on the East, all in the above referenced "Heiligenstein's Addition" to the Village of Freeburg.

Section 4. That a certified copy of this Ordinance shall be filed by the Village Clerk of the Village of Freeburg, St. Clair County, Illinois for recording in the office of the Recorder of Deeds, St. Clair County, Illinois, within sixty (60) days after passage of this ordinance.

Section 5. That this Ordinance shall be in full force and effect from and after its passage and approval as required by law.

Section 6. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith, to the extent of such conflict, are hereby repealed.

PASSED by the affirmative vote of at least three-fourths (3/4) of the Board of Trustees of the Village of Freeburg, Illinois, then holding office, on the 17th day of October, A.D., 2011 and deposited and filed in the office of the Village Clerk of said Village on that date.

TRUSTEES:

_____

_____

_____

_____

_____

_____

_____
Village Clerk

APPROVED by the President of the Board of Trustees of the Village of Freeburg, Illinois, this _____ day of _____, 2011.

_____
Village President
Village of Freeburg, Illinois

ATTEST:

_____
Village Clerk

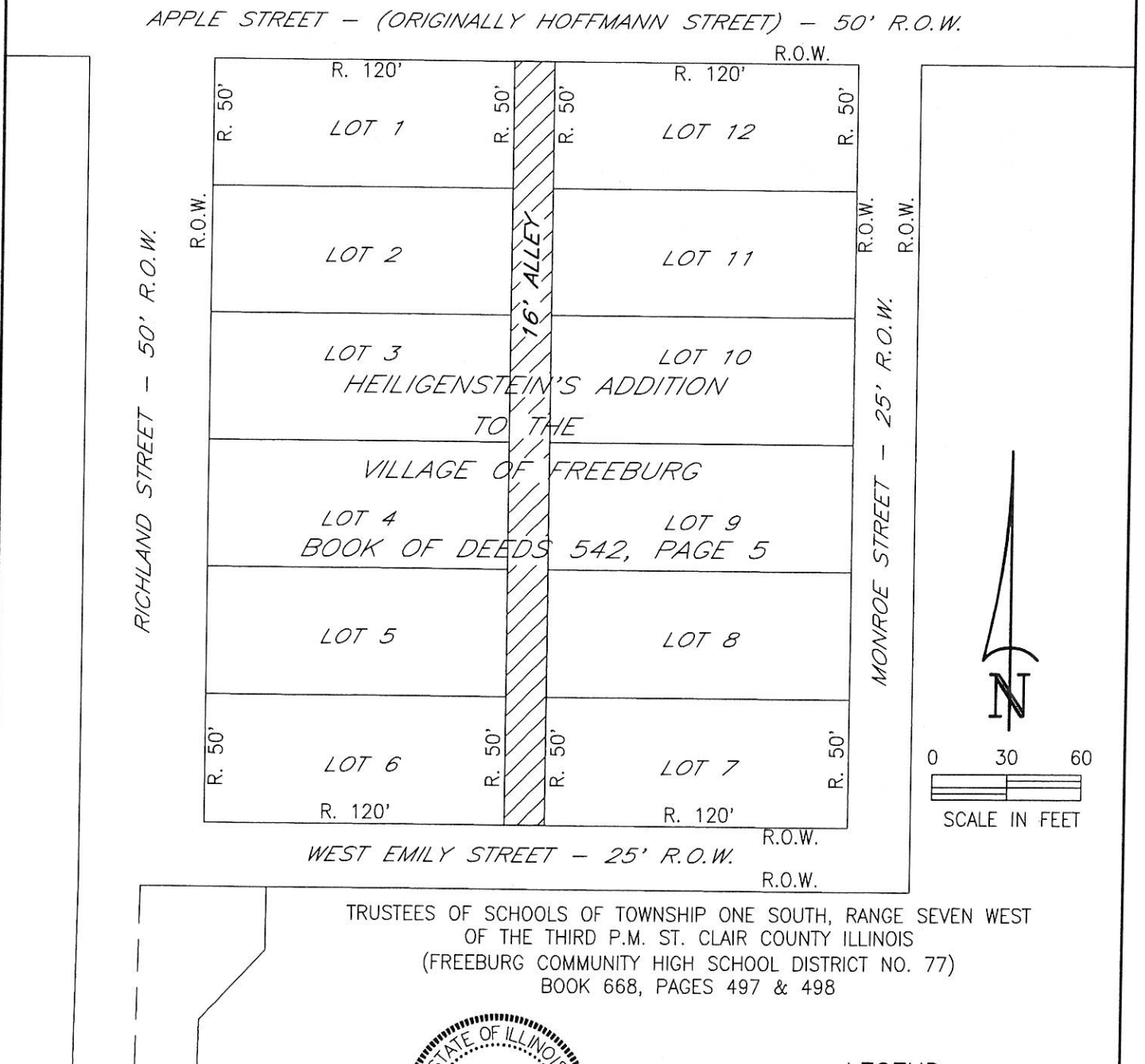
EXHIBIT "A"

PLAT OF VACATION

ORDINANCE NO._____

VILLAGE OF FREEBURG, ILLINOIS

AN ORDINANCE VACATING AN ALLEY RUNNING NORTH AND SOUTH FROM APPLE STREET TO WEST EMILY STREET BETWEEN LOTS 1 THROUGH 6 ON THE WEST AND LOTS 7 THROUGH 12 ON THE EAST, ALL IN "HEILIGENSTEIN'S ADDITION" TO THE VILLAGE OF FREEBURG, REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS IN BOOK OF DEEDS 542 ON PAGE 5,
IN THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS



TRUSTEES OF SCHOOLS OF TOWNSHIP ONE SOUTH, RANGE SEVEN WEST OF THE THIRD P.M. ST. CLAIR COUNTY ILLINOIS
(FREEBURG COMMUNITY HIGH SCHOOL DISTRICT NO. 77)
BOOK 668, PAGES 497 & 498

I DO HEREBY CERTIFY THAT THIS PLAT OF VACATION HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION

Gale E Hake 10/17/11

GALE E. HAKE, I.P.L.S. NO. 2579 DATE
LICENSE EXPIRATION DATE: 11/30/2012

STATE OF ILLINOIS
GALE E. HAKE
35-2579
FREEBURG
ILLINOIS
PROFESSIONAL LAND SURVEYOR

LEGEND

PORTION OF PUBLIC RIGHT-OF-WAY BEING VACATED

RHUTASEL and ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND SURVEYORS
FREEBURG, ILLINOIS (618) 539-3178
CENTRALIA, ILLINOIS (618) 532-1992
IL. LICENSE NO. 184-000287

F:\30211_Freeburg_2011_Surveys\High School Street Vacation\alley-vacation.dwg, 10/17/2011 10:40:37 AM, Plotted by GJH

ORDINANCE NO. _____

AN ORDINANCE VACATING MONROE STREET FROM APPLE STREET TO WEST EMILY STREET AND VACATING WEST EMILY STREET FROM MONROE STREET TO A POINT LYING TWENTY-FIVE FEET (25') EAST OF THE EAST RIGHT-OF-WAY OF RICHLAND STREET, THE STREETS BEING VACATED BORDERED ON THE EAST AND SOUTH BY PARCEL NUMBER 14-30.0-205-011, A PARCEL OF LAND ACQUIRED FOR THE USE OF FREEBURG COMMUNITY HIGH SCHOOL DISTRICT NO. 77 BY WARRANTY DEED DATED MAY 16, 1927 AND RECORDED IN THE RECORDER'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, IN BOOK 668 ON PAGES 497 AND 498, AND BORDERED ON THE WEST AND NORTH BY LOTS 6 THROUGH 12 OF "HEILIGENSTEIN'S ADDITION" TO THE VILLAGE OF FREEBURG, REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS IN BOOK OF DEEDS 542 ON PAGE 5 IN THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS

WHEREAS, Section 5/7-101 of the Roads and Bridges Act of the Illinois Highway Code provides and requires that Illinois Municipalities shall have the powers granted and duties imposed by said Act in addition to the powers granted by the Illinois Municipal Code; and, further, provides that Illinois Municipalities shall have the power to vacate streets and alleys which are or will become part of the municipal street system provided they are vacated in the manner provided by the Illinois Municipal code (605 ILCS 5/7-101);

WHEREAS, pursuant to 65 ILCS 5/11-91-1 et seq., the Village of Freeburg, Illinois has the power to vacate streets and alleys, or portions thereof, within the corporate limits by ordinance and have the title of the land thus vacated revert to the abutting land owners of said streets and alleys; and

WHEREAS, the Act further provides that a notice of public hearing and the conduct of a public hearing is required before a street or alley vacation ordinance can be enacted if the street or alley under the municipalities jurisdiction is located in an unincorporated area, but no such notice and hearing is required if the street or alley is located in an incorporated area of the Village; and the portions of the subject street and alley that are the subject of vacation in this ordinance are located in an incorporated area of the Village (65 ILCS 5/11-91-1);

WHEREAS, the Act further provides that if there are any public services facilities located in such street, or part of a street, or alley, or part of an alley, to be vacated, the vacation ordinance shall also reserve to the municipality or to the public utility that owns the public service facilities, such property, right of way and easements as, in the judgment of the corporate authorities, are necessary or desirable for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction thereof (65 ILCS 5/11-91-1);

WHEREAS, the President and Board of Trustees of the Village of Freeburg, after due investigation and consideration, have determined that the street hereinafter described are adjoined on all sides by private uses in common ownership by Freeburg Community School District No. 77; and

WHEREAS, the subject portion of Monroe Street from Apple Street to West Emily Street and the portion of West Emily Street from Monroe Street to a point lying twenty-five feet (25') east of the East right-of-way line of Richland Street, in the Village of Freeburg, St. Clair County, Illinois are bordered on all sides by property owned by Freeburg Community School District No. 77 and Freeburg Community School District No. 77 wishes to expand its High School by the construction of structural improvements and improved parking on its property adjoining Monroe Street and West Emily Street, and Freeburg Community School District No. 77 has, accordingly, requested that the President and Board of Trustee's of the Village of Freeburg, Illinois vacate the above described portions of Monroe Street and West Emily street; and

WHEREAS, that after further investigation and consideration, the President and Board of Trustees of the Village of Freeburg have determined that the above described subject portions of Monroe Street and West Emily Street, in the Village of Freeburg, St. Clair County, Illinois are no longer required for public use, and that the public interest will be subserved by vacating those portions of Monroe Street and West Emily Street between Apple and Richland streets; and

WHEREAS, in the opinion of the President and Board of Trustees of the Village of Freeburg, the benefit to the Village of the improvements proposed by Freeburg Community School District No. 77 and the relief to the public from the further burden of responsibility and liability for said street would be adequate compensation for the vacation thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS, THAT:

Section 1. That the portion of Monroe Street from Apple Street to West Emily Street and the portion of West Emily Street from Monroe Street to a point lying twenty-five feet (25') east of the East right-of-way line of Richland Street in the Village of Freeburg, St. Clair County, Illinois are no longer required for public use and that the public interest will be subserved by vacating the aforementioned described portions of Monroe Street and West Emily Streets.

Section 2. That the portions of Monroe Street and West Emily Street shown on the attached Exhibit "A" in the Village of Freeburg, Illinois, heretofore dedicated and legally described as: streets twenty-five feet (25') in width, Monroe Street from Apple Street to West Emily Street and West Emily Street from Monroe Street to a point twenty-five feet (25') east of the east right-of-way line of Richland Street and bordered on the East and South by Parcel Number 14-30.0-205-011, a parcel of land acquired for the

use of Freeburg Community High School District No. 77 by Warranty Deed dated May 16, 1927 and recorded in the Recorder's Office of St. Clair County, Illinois, in Book 668 on pages 497 and 498 and bordered on the West and North by Lots 6 through 12 of "Heiligenstein's Addition" to the Village of Freeburg, reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois in Book of Deeds 542 on page 5, all in Heiligenstein's Addition to the Village of Freeburg, St. Clair County, Illinois, BE AND THE SAME IS HEREBY VACATED AND CLOSED.

Section 3. Freeburg Community School District No. 77 shall acquire title to the portions of Monroe Street and West Emily Street as described in the above Section 2.

Section 4. That a certified copy of this Ordinance shall be filed by the Village Clerk of the Village of Freeburg, St. Clair County, Illinois for recording in the office of the Recorder of Deeds, St. Clair County, Illinois, within sixty (60) days after passage of this ordinance.

Section 5. That this Ordinance shall be in full force and effect from and after its passage and approval as required by law.

Section 6. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith, to the extent of such conflict, are hereby repealed.

PASSED by the affirmative vote of at least three-fourths (3/4) of the Board of Trustees of the Village of Freeburg, Illinois, then holding office, on the 17th day of October, A.D., 2011 and deposited and filed in the office of the Village Clerk of said Village on that date.

TRUSTEES:

_____

_____

_____

_____

_____

_____

_____

Village Clerk

APPROVED by the President of the Board of Trustees of the Village of Freeburg, Illinois, this _____ day of _____, 2011.

_____

Village President
Village of Freeburg, Illinois

ATTEST:

_____

Village Clerk

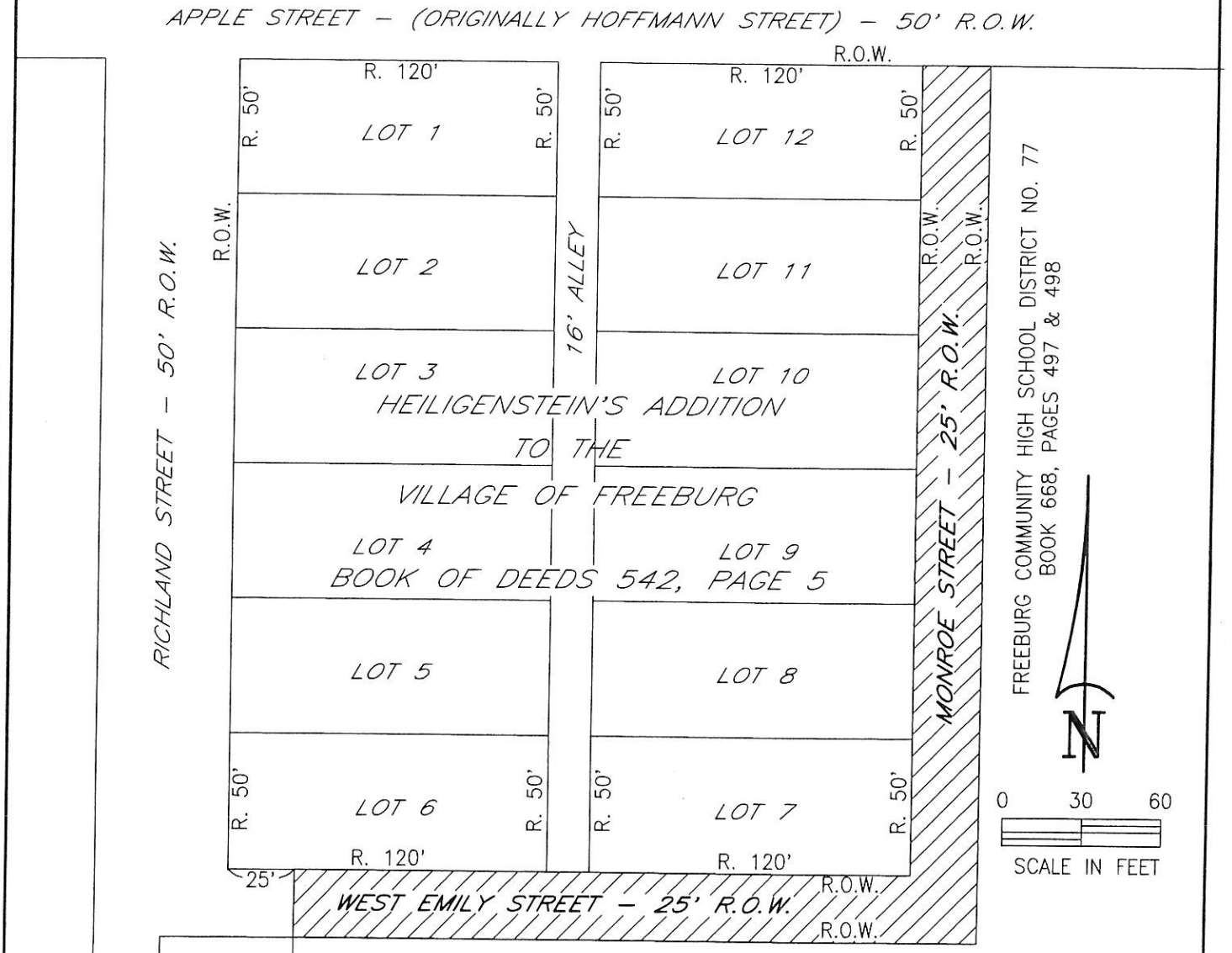
EXHIBIT "A"

PLAT OF VACATION

ORDINANCE NO._____

VILLAGE OF FREEBURG, ILLINOIS

THAT PART OF MONROE STREET FROM APPLE STREET TO WEST EMILY STREET AND THAT PART OF WEST EMILY STREET FROM MONROE STREET TO A POINT LYING 25 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF RICHLAND STREET, THE STREETS BEING VACATED BORDERED ON THE EAST AND SOUTH BY A PARCEL OF LAND ACQUIRED FOR THE USE OF FREEBURG COMMUNITY HIGH SCHOOL DISTRICT NO. 77 BY WARRANTY DEED DATED MAY 16, 1927 AND RECORDED IN THE RECORDER'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, IN BOOK 668 ON PAGES 497 AND 498, AND BORDERED ON THE WEST AND NORTH BY LOTS 6 THROUGH 12 OF "HEILIGENSTEIN'S ADDITION" TO THE VILLAGE OF FREEBURG, REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS IN BOOK OF DEEDS 542 ON PAGE 5



TRUSTEES OF SCHOOLS OF TOWNSHIP ONE SOUTH, RANGE SEVEN WEST OF THE THIRD P.M. ST. CLAIR COUNTY ILLINOIS
(FREEBURG COMMUNITY HIGH SCHOOL DISTRICT NO. 77)
BOOK 668, PAGES 497 & 498

LEGEND

PORTION OF PUBLIC RIGHT-OF-WAY BEING VACATED

I DO HEREBY CERTIFY THAT THIS PLAT OF VACATION HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION

Gale E Hake 10/17/11

GALE E. HAKE, I.P.L.S. NO. 2579 DATE

LICENSE EXPIRATION DATE: 11/30/2012

STATE OF ILLINOIS
GALE E. HAKE
35-2579
FREEBURG
ILLINOIS
PROFESSIONAL LAND SURVEYOR

RHUTASEL and ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND SURVEYORS
FREEBURG, ILLINOIS (618) 539-3178
CENTRALIA, ILLINOIS (618) 532-1992
IL. LICENSE NO. 184-000287

F:\30211_Freeburg_2011_Surveys\High School Street Vacation\monroe-emily-vacation.dwg, 10/17/2011 10:42:35 AM, Plotted by GJH

PERMANENT UTILITY EASEMENT

GRANTORS, FREEBURG COMMUNITY HIGH SCHOOL DISTRICT NO. 77

County of St. Clair, State of Illinois, in consideration of the vacation of a portion of Monroe Street from Apple Street to West Emily Street, does hereby convey, grant and quit claim to the **GRANTEE, VILLAGE OF FREEBURG,** a municipality, and its successors and assigns, a permanent utility easement twenty (20) feet in width for the purposes of constructing, installing and maintaining utilities owned and operated or hereinafter acquired by GRANTEE, under and across the following land owned by the GRANTOR in St. Clair County, Illinois. The easement is granted over the following described real estate, to-wit:

SEE LEGAL DESCRIPTION ATTACHED AND MADE PART HEREOF

The Grantee and Grantors agree to the following conditions and provisions.

1. **GRANTEE** will install all utilities so as not to interfere with **GRANTORS'** normal use of the property and shall return the property to its original condition after installation or maintenance activities are completed and shall be responsible for actual direct damages occurring on the property as a result of the construction, operation, maintenance or repair of the utility. **GRANTORS** will continue to have access to this easement for normal use in a manner so as to not inflict any damages to utilities installed on the easement by the **GRANTEE**.

Dated this___ day of _____, 2011.

_____(SEAL)
Nolan Shook, President
Board of Education

State of _ _____)
) ss.
County of _____)

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Nolan Shook 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 is the President, Board of Education of Freeburg Community High School, District No. 77, a school district organized under the laws of the State of Illinois and that said instrument was signed in behalf of said District, by authority of its Board, as the free and voluntary act of said District for the uses and purposes therein set forth.

Given under my hand and notarial seal, this _____ day of _____ 2011.

_____
Notary Public

ACCEPTED this ____ day of _____, 2011.

_____
Raymond Danford – Village President

RETURN TO:
VILLAGE OF FREEBURG
14 SOUTHGATE CENTER
FREEBURG, ILLINOIS 62243
(618) 539-5545

RHUTASEL and ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND SURVEYORS

VILLAGE OF FREEBURG
Proposed Utility Easement to be Acquired from
FREEBURG COMMUNITY HIGH SCHOOL DISTRICT NO. 77
Parcel No. 14-30.0-205-011
October 17, 2011

A permanent utility easement twenty (20.0) feet in width across part of the northeast quarter of Section 30, Township 1 South, Range 7 West of the Third Principal Meridian, St. Clair County, Illinois, more particularly described as follows:

Commencing at an iron pipe at the northwest corner of Lot 1 of "HEILIGENSTEIN'S ADDITION" to the Village of Freeburg, reference being had to the plat thereof recorded in the Recorder's Office of said St. Clair County in Book of Deeds 542 on page 5; thence East on the south right-of-way line of Apple Street (originally known as Hoffmann Street), a distance of 289.0 feet to the point of beginning of the easement herein described; thence South, parallel with the west line of Lots 1 through 6 of said "HEILIGENSTEIN'S ADDITION" , a distance of 200.0 feet to a point; thence East, parallel with the south right-of-way line of Apple Street, a distance of 20.0 feet to a point; thence North, parallel with the west line of said Lots 1 through 6, a distance of 200.0 feet to a point on the south right-of-way line of Apple Street; thence West on said south right-of-way line, a distance of 20.0 feet to the point of beginning.

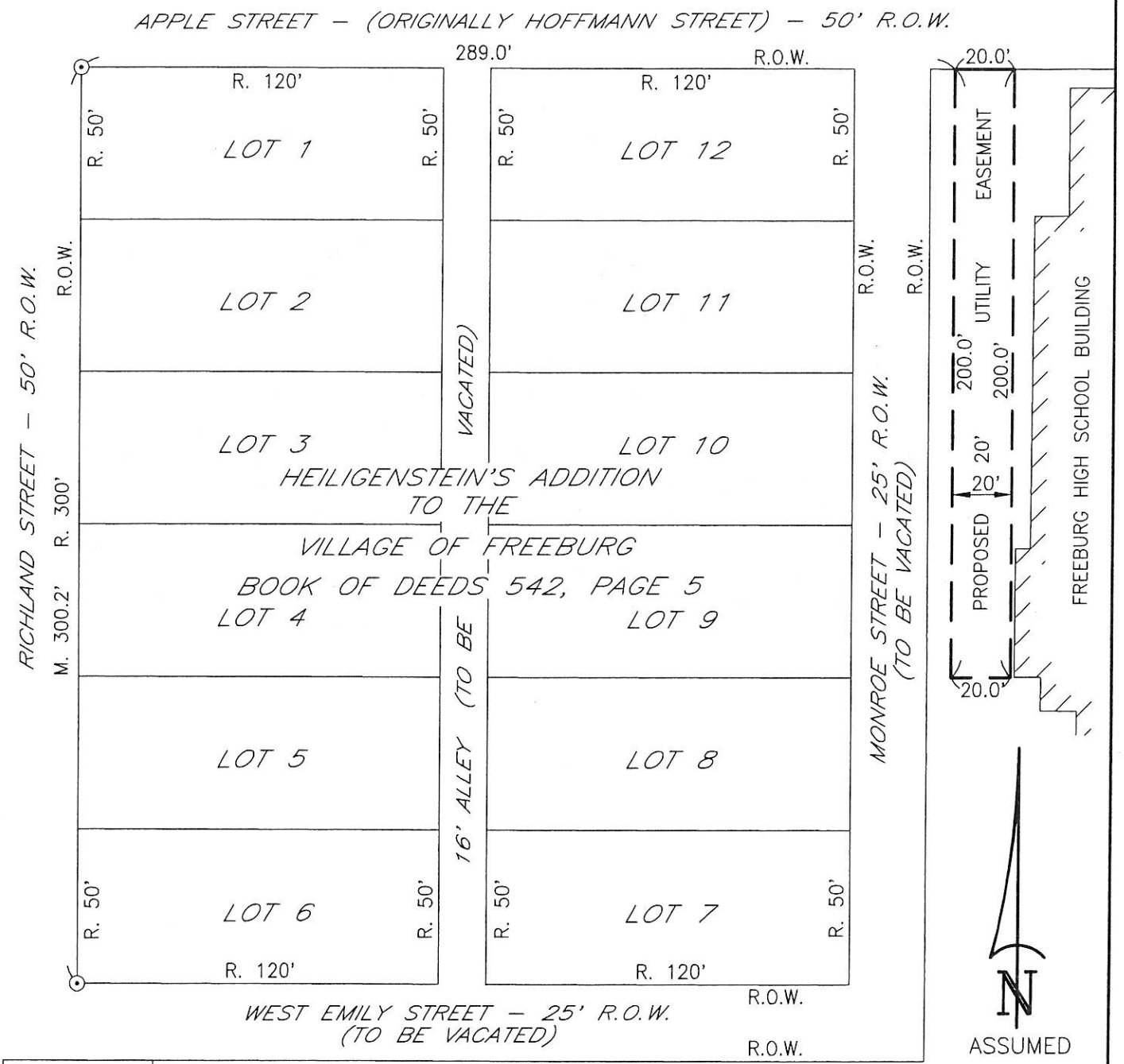
Reply To:
4 Industrial Drive, P.O. Box 97
Freeburg, Illinois 62243-0097
Phone: (618) 539-3178
Fax: (618) 539-3174

201 South Locust Street
Centralia, Illinois 62801-3508
Phone: (618) 532-1992
Fax: (618) 532-1993

EASEMENT SKETCH

PART OF THE N.E. 1/4 OF SECTION 30
T. 1 S., R. 7 W OF THE 3RD P.M.

ST. CLAIR COUNTY, ILLINOIS
VILLAGE OF FREEBURG



TRUSTEES OF SCHOOLS OF TOWNSHIP ONE SOUTH, RANGE SEVEN WEST
OF THE THIRD P.M. ST. CLAIR COUNTY ILLINOIS
(FREEBURG COMMUNITY HIGH SCHOOL DISTRICT 77)
BOOK 668, PAGES 497 & 498

LEGEND

⊙	IRON PIPE FOUND
M.	MEASURED DIMENSION
R.	RECORDED DIMENSION
— —	PROPOSED UTILITY EASEMENT

0 25 50
SCALE IN FEET

RHUTASEL and ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND SURVEYORS
FREEBURG, ILLINOIS (618) 539-3178
CENTRALIA, ILLINOIS (618) 532-1992
IL. LICENSE NO. 184-000287

OCTOBER 17, 2011

C:\30211_Freeburg_2011_Surveys\High School Street Vacation\monroe-street-easement.dwg, 10/17/2011 10:54:31 AM, Plotted by GJH

QUIT CLAIM DEED

THE GRANTORS, VILLAGE OF FREEBURG, an Illinois Municipal Corporation, County of St. Clair, State of Illinois, for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, CONVEYS and QUIT CLAIMS to: FREEBURG PARK DISTRICT, a not for profit corporation, of the Village of Freeburg, County of St. Clair, State of Illinois, all interest in the following described property, to-wit:

Part of the Northeast Quarter of the Northwest Quarter of Section 29, T. 1 S., R. 7 W. of the 3rd P.M., St. Clair County, Illinois more particularly described as follows, to wit:

Commencing at the Southeast corner stone of the Northeast Quarter of the Northwest Quarter, Section 29, T. 1 S., R. 7 W. of the 3rd P.M., thence West (assumed direction) along the South line of said NE ¼ of the NW ¼ of Section 29 a distance of 518.18 feet to the point of beginning of the tract herein described; thence continuing West along said South line of the NE ¼, NW ¼, Section 29, a distance of 200.00 feet to a point, thence North at right angles with the last described course a distance of 300.00 feet to a point, thence East at right angles with the last described course a distance of 200.00 feet to a point, thence South at right angles with the last described course a distance of 300.00 feet to the point of beginning of the tract herein described containing 1.38 acres more or less;

Also, part of the Northeast ¼ of the Northwest ¼ of Section 29, T. 1 S., R. 7 W. of the 3rd P.M., St. Clair County, Illinois, being more particularly described as follows, to wit:

Commencing at the Southeast corner stone of the Northeast ¼ of the Northwest ¼, Section 29, T. 1 S., R. 7 W. of the 3rd P.M. thence West (assumed direction) along the South line of said NE ¼ of the NW ¼ of Section 29 a distance of 718.18 feet to a point, thence North at right angles with the last described course a distance of 300.00 feet to a point of beginning of the tract herein described, thence North 68° 57' West a distance of 273.53 feet to a point, thence North 42° 45' West a distance of 210.00 feet to a point, thence South 69° 15' West a distance of 225.00 feet to a point on the West line of said Northeast ¼ of the Northwest ¼ of Section 29, thence South 0° 45' East along said West line a distance of 53.21 feet to a point, thence North 69° 15' East a distance of 209.48 feet to a point, thence South 42° 45' East a distance of 187.82 feet to a point, thence South 68° 57' East a distance of 304.41 feet to a point, thence North 0° 00' a distance of 53.58 feet to the point of beginning at the tract herein described containing 0.81 acres more of less;

Also, part of the Northeast ¼ of the Northwest ¼ of Section 29, T. 1 S., R. 7 W. of the 3rd P.M., St. Clair County, Illinois more particularly described as follows, to wit:

Commencing at the Southeast corner stone of the Northeast Quarter of the Northwest Quarter, Section 29, T. 1 S., R. 7 W. of the 3rd P.M., thence West (assuming direction) along the South line of said NE ¼ of the NW ¼ of Section 29 a distance of 668.18 feet to the point of beginning of the tract herein described, thence continuing West along said South line of the NE ¼, NW ¼, Section 29 a distance of 50.00 feet to a point, thence South at right angles with the last described course a distance of 213.00 feet to a point on the North right-of-way line of Old Fayetteville Road, thence South 67° 13' East along said right-of-way of Old Fayetteville Road a distance of 54.23 feet to a point, thence North 0° 00' a distance of 234.00 feet to a point on the South line of said NE ¼ of the NW ¼ of Section 29, said point being the point of beginning of the tract herein described containing 0.27 acres more or less.

Permanent Parcel Number 14-29-0-106-021

Situated in the County of St. Clair, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of this State.

The Grantors hereby declare this transaction to be exempt under the provisions of Section 31-45, paragraph (e) of the Real Estate Transfer Tax Law.

Dated this _____ day of _____ 2011.

_____

Village President
Village of Freeburg, Illinois

STATE OF ILLINOIS)
)
COUNTY OF ST. CLAIR)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT _____, personally known to me to be the President of the Village of Freeburg, Illinois and the same person whose name is subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledge that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth, including the release and waiver of all rights as described herein.

Given under my hand and Notarial Seal this _____ day of _____ 2011.

_____
Notary Public

MAIL SUBSEQUENT TAX BILLS TO:

Freeburg Park District
Freeburg, Illinois

This Instrument was prepared by:
Whose Address is:

Van-Lear P. Eckert, Attorney at Law
10 South Jackson Street
Suite 300
Belleville, IL 62220
618-233-8800