

**CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS**

ORDINANCE NO. 02-06-02-42

AN ORDINANCE AMENDING CHAPTER 6 WATER SERVICE, OF THE MUNICIPAL CODE OF THE CITY OF LE ROY, 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 AGRICULTURAL 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, MC LEAN COUNTY, ILLINOIS BEING IN THE CITY OF LE ROY

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
3rd DAY OF June, 2002**

PRESENTED: June 3, 2002

PASSED: June 3, 2002

APPROVED: June 3, 2002

RECORDED: June 3, 2002

PUBLISHED: June 3, 2002

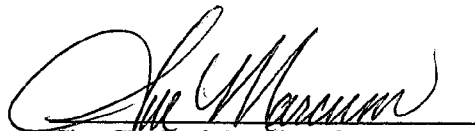
In Pamphlet Form

Voting "Aye" Five (5)

Voting "Nay" Zero (0)

The undersigned being the duly qualified and Acting City Clerk of City of Le Roy does hereby certify that this document constitutes the publication in pamphlet form, in connection with a pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded, and published as above stated.

(SEAL)



City Clerk of the City of Le Roy,
McLean County, Illinois

Dated: June 3, 2002.

ORDINANCE NO. 02-06-02-42

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 AGRICULTURAL 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 LE ROY

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 Le Roy has no nearby water main or other water service that could be tapped into;

WHEREAS, the City of Le Roy, 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 Le Roy, 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 system in the City of Le Roy,

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

Section 1. Chapter 6 WATER SERVICE, of the Municipal Code of the City of Le Roy, 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 an agent, employee, or contractor for any person or entity, or owning or leasing, or otherwise controlling real estate in the City of Le Roy, 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 Le

Roy, without consent, in the form of an ordinance giving such consent, of the City Council of the City of Le Roy.

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 the 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 exhibited to the City Water Department official before undertaking the drilling and construction of the water well. At such time as the City of Le Roy 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 distance 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 the 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 the City of Le Roy, Illinois, upon the motion by Dave McClelland, seconded by Dawn Thompson, by roll call vote on the 3rd day of June, 2002, as follows:

Council members elected 6

Council members present _____

VOTING AYE:

Dave McClelland, Grace Anderson, Jerry Henson, Gary Koerner, Dawn Thompson
(names)

VOTING NAY:

None

(names)

ABSENT, ABSTAIN, OTHER:

John Haney

(names)

and deposited and filed in the office of the City Clerk in said municipality on the 3rd day of June, 2002.



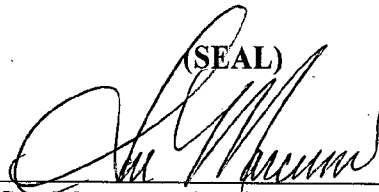
Sue Marcum, City Clerk
City of Le Roy, McLean County, IL

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 3rd day of June, 2002.



Bob Rice, Mayor of the City of
Le Roy, McLean County, IL

ATTEST:

(SEAL)


Sue Marcum, City Clerk
City of Le Roy, Illinois, McLean County, IL

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

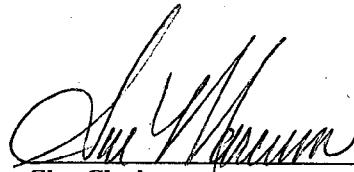
I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am keeper of the records and the files of the Mayor and the City Council of the said City.

I do further certify that the forgoing is true, correct and complete copy of an ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 6 WATER SERVICE, OF THE MUNICIPAL CODE OF THE CITY OF LE ROY, 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 AGRICULTURAL 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, MC LEAN COUNTY, ILLINOIS BEING IN THE CITY OF LE ROY

I do further certify said ordinance was adopted by the City Council of the City of Le Roy at a regular meeting on the 3rd day of June, 2002, and a faithful record of said ordinance has been made in the record books.

Dated this 3rd day of June, 2002



City Clerk

(SEAL)

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on June 3rd, 2002, the Corporate Authorities of such municipality passed and approved Ordinance No. 02-06-02-42, entitled:


AN ORDINANCE AMENDING CHAPTER 6 WATER SERVICE, OF THE MUNICIPAL CODE OF THE CITY OF LE ROY, 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 AGRICULTURAL PURPOSES AND FOR DOMESTIC CONSUMPTION PURPOSES ON REAL ESTATE LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, MC LEAN COUNTY, ILLINOIS BEING IN THE CITY OF LE ROY

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 02-06-02-42, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on June 3rd, 2002, and continuing for at least ten days thereafter. Copies of such Ordinances were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 3rd day of June, 2002.

(SEAL)


Municipal Clerk