

**CITY OF O'FALLON, ILLINOIS
ORDINANCE NO. _____**

**AN ORDINANCE OF THE
CITY OF O'FALLON, ILLINOIS,
TO TRANSFER REAL ESTATE
REGARDING JOHN AND SHERRY
Yoch FOR RIGHT OF WAY FOR
SEVEN HILLS ROAD**

WHEREAS, the City of O'Fallon purchased from John Yoch and Sherry Yoch a certain parcel of real estate on June 11, 1996; and

WHEREAS, the purpose of the purchase of real estate was to acquire right of way for Seven Hills Road; and

WHEREAS, at the time of acquisition of real estate from John Yoch and Sherry Yoch through mutual mistake of the parties John Yoch and Sherry Yoch conveyed to the City of O'Fallon more than the parcel being purchased; and

WHEREAS, the mutual mistake was not recognized until May 2005; and

WHEREAS, John Yoch and Sherry Yoch have requested the City to reconvey to them the excess real estate conveyed to the City of O'Fallon; and

WHEREAS, the City of O'Fallon does not have need for the excess real estate conveyed to the City and did not pay any consideration for the excess real estate; and

WHEREAS, John Yoch and Sherry Yoch will pay all costs associated with the conveyance of the real estate.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF O'FALLON, ILLINOIS, AS FOLLOWS:**

Section 1: The foregoing recitals are incorporated herein as findings of the City Council.

Section 2: The appropriate representatives of the City are authorized to execute all documents necessary to reconvey to John Yoch and Sherry Yoch the real estate legally described in Exhibit A attached hereto and made part hereof mistakenly conveyed to the City of O'Fallon on June 11, 1996.

This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

Passed by the City Council this _____ day of _____ 2005.

ATTEST: Approved by the Mayor this _____ day of _____ 2005.

(seal)

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

ROLL CALL:	Albrecht	Bennett	Bequette	Drolet	Grogan	Henry	Schmidt	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Medford	Boone	Mouser	Reckamp	Renner	True	West	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									