

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
OCTOBER 11, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision - 511 Austin Street	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Motion <input type="checkbox"/> Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

Resolutions have been prepared for a Final Plat of Subdivision to consolidate two existing lots and vacated alleys into one lot and to abrogate a public easement for the property located at 511 Austin Street.

STRATEGIC PLAN ALIGNMENT

The Goals 2011-2018 identified *Exceptional Municipal Services*.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the October 11, 2011 consent agenda

BACKGROUND

The 9,600 square foot property, commonly known as 511 Austin Street is zoned R-4 Single Family Residential. The property consists of two 25-foot wide by 143-foot deep lots, a 14-foot wide vacated alley on the east and seven feet of a vacated alley to the south for a total width of 64 feet and a total depth of 150 feet. Both lots and the vacated alleys are owned by the petitioner. A single family house and a detached garage are currently located on the property. The petitioner is proposing to consolidate the two lots and vacated alleys into one 64-foot wide by 150-foot deep lot to facilitate the construction of a new single family home.

The petitioner is proposing to demolish the two existing structures and construct a new single family house that would stretch across the common property lines. The consolidation of the two lots and vacated alleys into a single lot will permit the property owner to construct the proposed new single family home.

All required infrastructure, including sidewalks, currently exist and no new public improvements are required. The proposed lot will include a five-foot wide utility easement along the west (side) property line and a seven-foot wide easement along the east (side) property line and a ten-foot wide utility easement along the rear property line which meet the requirements for public utility easements. The proposed lot will meet all minimum lot dimension requirements for the R-4 Single Family Residence district contained in Sections 28.1103(d) and 28.1104(d) of the Zoning Ordinance. The petitioner is not requesting any exceptions from Sections 20.101 and 20.301 of the Subdivision Control Ordinance. The dimensions for the new lot are outlined in the table below:

511 Austin Street	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	64 feet (no change)	140 feet	150 feet (no change)	7,500 sq. ft.	9,600 sq. ft. (no change)

The Plan Commission considered the petition at their September 12, 2011 meeting. Three members of the public spoke during the meeting; two supported the request while a third initially objected to the petition, but subsequently withdrew his objection. The objecting resident raised two concerns:

1. He believed an alley vacation was a part of this petitioner’s request and, as an owner of a condominium to the southeast, he did not receive proper notice about the alley being vacated.

However, no right of way vacation is proposed as part of this petition. The alley in question was vacated in 1970 (Ordinance 1553 – see attached plat). The entire 14-foot alley on the east side of the property was dedicated to the owner of 511 Austin in 1971. The north seven feet of the alley along the south side of the property was also vacated to the owner of 511 Austin at that time, the remaining seven feet were deeded to the owner of the condominium property.

2. He believed a certificate of correction that the Village recorded with the DuPage County Recorder on May 20, 2011 changed the lot depth dimension of all properties within Block 11 of Gostyn Subdivision, bordered by Austin Street on the north, Douglas Road on the east, Rogers Street on the south and Linden Place on the west, from 125 feet to 143 feet.

However, in 2009, Village staff became aware of a recording error for the block bounded by Austin Street on the north, Rogers Street on the south, Douglas Street on the east and Linden Place on the west. The original plat of subdivision was recorded in 1889. That plat indicated the lots on this block were 125 feet deep with a 14 foot east-west alley. Staff discovered the error when a resident petitioned to have a portion of the east-west alley vacated. The Village confirmed the lot depths were actually 143 feet with a 14 foot alley. As such, staff prepared a certificate of correction (attached).

The objecting resident subsequently withdrew his initial objections to the proposal. Hearing no additional concerns, the Commission found that the request met the standards of the Subdivision Ordinance. Based on their findings, the Plan Commission unanimously recommended approval of the Final Plat of Subdivision. Staff concurs.

ATTACHMENTS

- Aerial Map
- Resolution
- Staff Report with attachments dated September 12, 2011
- Minutes of the Plan Commission Hearing dated September 12, 2011
- 1971 Plat of Vacation
- 2011 Certificate of Correction

RESOLUTION NO. _____

**A RESOLUTION ABROGATING A CERTAIN
PORTION OF A PUBLIC UTILITY EASEMENT IN
THE VILLAGE OF DOWNERS GROVE - 511 AUSTIN STREET**

WHEREAS, it has been determined by the Council of the Village of Downers Grove in DuPage County, Illinois, that it is in the public interest to abrogate a certain portion of a public utility easement in said Village hereinafter more particularly described; and

WHEREAS, the Village Council, after due investigation and consideration, has determined that there is no evidence of significant Village use of this portion of the public utility easement;

WHEREAS, the Village Council, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be served is such as to warrant the abrogation of said public utility easement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows:

SECTION 1. That part of a 10 foot wide public utility easement Recorded March 12, 1971 per Document Number R71-9168 in Block 11 in Gostyn, being a subdivision of part of the Northeast Quarter of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof Recorded June 8, 1889 as Document 41158, in DuPage County, Illinois as depicted on the Final Plat of Subdivision for the 511 Austin Subdivision, dated September 29, 2011 (attached hereto), and legally described as follows:

BEGINNING AT THE MOST NORTHERLY NORTHWEST CORNER OF SAID 10 FOOT WIDE PUBLIC UTILITY EASEMENT; THENCE SOUTH 00 DEGREES 16 MINUTES 19 SECONDS EAST ALONG THE WEST LINE OF SAID 10 FOOT WIDE PUBLIC UTILITY EASEMENT, 147.00 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 15 SECONDS EAST, 3.00 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 19 SECONDS WEST PARALLEL WITH SAID WEST LINE, 147.00 FEET TO THE SOUTH LINE OF AUSTIN STREET PER SAID DOCUMENT 41158; THENCE NORTH 89 DEGREES 53 MINUTES 15 SECONDS WEST ALONG SAID SOUTH LINE, 3.00 FEET TO THE POINT OF BEGINNING.

Commonly known as (a portion of) 511 Austin Street; PIN 09-08-217-034

(hereinafter referred to as the "Abrogated Public Easement"), are hereby abrogated and closed, and that it is hereby declared that the same is no longer required for public use and that the public interest will be served by such abrogation.

SECTION 2. That the Mayor and Clerk of the Village of Downers Grove are hereby authorized to sign the plat of abrogation of the abrogated easement described herein.

SECTION 3. That a certified copy of this resolution and an accurate map of the abrogated easement shall be filed for record by the Clerk of the Village of Downers Grove in the Office of the Recorder of Deeds, DuPage County, Illinois at the expense of the Owner of Record.

SECTION 4. That all resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

SECTION 5. That this resolution shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk

511 AUSTIN SUBDIVISION

BEING A SUBDIVISION OF PART OF LOTS 11 AND 12 IN BLOCK 11 IN GOSTYN, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1889 AS DOCUMENT 41158, IN DU PAGE COUNTY, ILLINOIS.

DECLARATION OF RESTRICTIVE COVENANTS

THE UNDERSIGNED OWNER HEREBY DECLARES THAT THE REAL PROPERTY DESCRIBED IN AND DEPICTED ON THIS PLAT OF SUBDIVISION SHALL BE HELD, TRANSFERRED, SOLD, CONVEYED AND OCCUPIED SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS:

(A) ALL PUBLIC UTILITY STRUCTURES AND FACILITIES, WHETHER LOCATED ON PUBLIC OR PRIVATE PROPERTY, SHALL BE CONSTRUCTED WHOLLY UNDERGROUND, EXCEPT FOR TRANSFORMERS, TRANSFORMER PADS, LIGHT POLES, REGULATORS, VALVES, MARKERS AND SIMILAR STRUCTURES APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF DOWNERS GROVE PRIOR TO RECORDING OF THIS PLAT OF SUBDIVISION.

WHEREAS, SAID LOTS WILL BE CONVEYED TO PURCHASERS SUBJECT TO THIS DECLARATION TO THE END THAT THE RESTRICTIONS IMPOSED SHALL INURE TO THE BENEFIT OF EACH AND ALL OF THE PURCHASERS OF SUCH LOTS WHETHER THEY SHALL HAVE BECOME SUCH BEFORE OR AFTER THE DATE THEREOF, AND THEIR RESPECTIVE HEIRS AND ASSIGNS, AND

WHEREAS, THE AFORESAID PROPERTY DESCRIBED ON THE ATTACHED PLAT IS LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND

WHEREAS, ALL OF THE PROVISIONS, RESTRICTIONS, CONDITIONS, COVENANTS, AGREEMENTS, AND CHARGES HEREIN CONTAINED SHALL RUN WITH AND BIND ALL OF SAID LOTS AND LAND AND SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND THE OWNERS OR OWNER OF ANY OF THE LOTS OF LAND COMPRISED WITHIN SAID PLAT, AND THEIR RESPECTIVE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.

NOW, THEREFORE, ALL PERSONS, FIRMS OR CORPORATIONS NOW OWNING THE AFORESAID PROPERTY DO COVENANT AND AGREE THAT THEY OR ANY PERSON, FIRM OR CORPORATION HEREAFTER ACQUIRING ANY PROPERTY OR LOTS SHOWN UPON THE ATTACHED PLAT OF SUBDIVISION ARE HEREBY SUBJECT TO THE FOLLOWING RESTRICTIONS RUNNING WITH SAID PROPERTY TO WHOMSOEVER OWNED, TO WIT:

- 1. NO IMPROVEMENTS SHALL BE MADE IN OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, AS DESCRIBED IN THE PLAT OF SUBDIVISION, EXCEPT FOR LANDSCAPE INSTALLATION OF TREES, SHRUBS, BUSHES AND GRASS AND THE INSTALLATION OF UNDERGROUND UTILITY LINES AND DRIVEWAYS.
2. EACH OWNER OR PURCHASER SHALL BE RESPONSIBLE FOR MAINTAINING THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, APPLICABLE TO HIS LOT IN SUCH MANNER AS TO INSURE THE FREE AND UNINTERRUPTED FLOW OF STORM WATER THROUGH THE DRAINAGE SYSTEM OF THE SUBDIVISION, AND SHALL NOT DESTROY OR MODIFY GRADES OR SLOPES WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
3. IN THE EVENT ANY OWNER OR PURCHASER FAILS TO PROPERLY MAINTAIN THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, THE VILLAGE OF DOWNERS GROVE, ILLINOIS, SHALL UPON TEN DAYS PRIOR WRITTEN NOTICE, RESERVE THE RIGHT TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, AS DESCRIBED IN THE PLAT OF SUBDIVISION, NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE AND FREE FLOW OF STORMWATER THROUGH THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS.
4. IN THE EVENT THE VILLAGE OF DOWNERS GROVE, ILLINOIS, SHALL BE REQUIRED TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, THE COST TOGETHER WITH THE ADDITIONAL SUM OF TEN PERCENT SHALL, UPON RECORDEATION OF A NOTICE OF LIEN WITHIN SIXTY DAYS OF COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS LOT WHICH MAY BE FORECLOSED BY AN ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
5. THE AFORESAID RESTRICTIONS AND COVENANTS, AND EACH AND EVERY ONE OF THEM, ARE HEREBY EXPRESSLY MADE AN ESSENTIAL PART OF THIS INSTRUMENT, AND SHALL BE AND REMAIN OF PERPETUAL EFFICACY AND OBLIGATION IN RESPECT TO THE SAID PREMISES AND THE PARTIES HEREIN DESIGNATED, THEIR AND EACH OF THEIR SUCCESSORS, HEIRS, AND ASSIGNS, IN WITNESS WHEREOF, THE OWNERS HAVE SET THEIR HANDS UPON THE ATTACHED PLAT THE DAY AND DATE FIRST WRITTEN THERON.

DATED AT _____, ILLINOIS THIS _____ DAY OF _____, A.D. 20____
BY: _____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ WHO IS 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 THEY SIGNED AND DELIVERED SAID INSTRUMENT AS HOLDER OF RECORD TITLE AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, A.D. 20____

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

EASEMENT PROVISIONS
AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND TELECOMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO

COMMONWEALTH EDISON COMPANY

AND
AT&T A.K.A. SBC, AMERITECH, ILLINOIS BELL TELEPHONE COMPANY, GRANTEEES,

THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES, GUYS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) ON THE PLAT AND MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U.E." (OR SIMILAR DESIGNATION), THE PROPERTY DESIGNATION OF CONDOMINIUM AND/OR ON THIS PLAT AS "COMMON ELEMENTS", AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHTS TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES, ROOTS AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEEES FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U.E." (OR SIMILAR DESIGNATION) WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT", CHAPTER 765 ILCS 695/2(C), AS AMENDED FROM TIME TO TIME.

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR AS AN APPORTIONMENT TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS "OUTLOTS", "COMMON ELEMENTS", "OPEN SPACE", "OPEN AREA", "COMMON GROUND", "PARKING" AND "COMMON AREA", THE TERM "COMMON AREA OR AREAS", AND "COMMON ELEMENTS" INCLUDE REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUSINESS, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF THE GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.

PREPARED BY:

HAEGER ENGINEERING, LLC
CONSULTING ENGINEERS AND LAND SURVEYORS
1300 N. PLUM GROVE ROAD
SCHAUMBURG, IL 60173
TEL: (847)394-6600
FAX: (847)394-6608
PROJECT NO. 11-107F

PREPARED FOR:

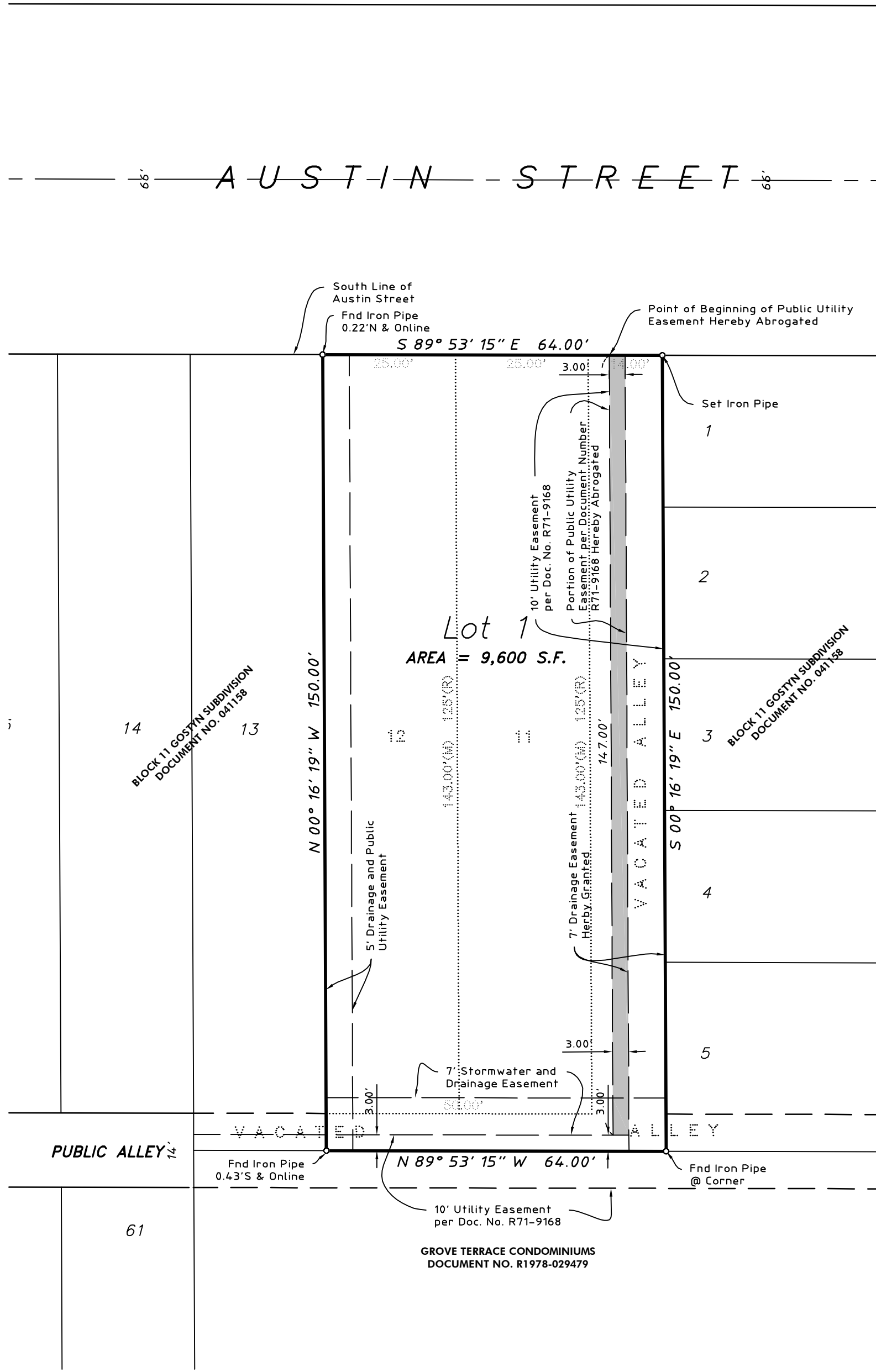
GREENSCAPE HOMES LLC
4355 WEAVER PARKWAY, STE. 350
WARRENVILLE, IL 60555

SEND NEW TAX BILLS TO:

Surveyor's Notes:

- 1. Field work was completed on July 20, 2011.
2. The Horizontal accuracy of bearings shown hereon are assumed.
3. A title commitment policy was not provided for this survey. This property may be subject to easements and/or restrictions not provided to the surveyor prior to the completion of this survey.
4. Utility information shown hereon is based upon field measurements, available records, information from field data is limited to that which is visible and can be measured. The survey does not exclude the possibility of the existence of other underground utilities and/or structures. Record information is based upon data collected from both public and private sources. The completeness and/or accuracy of these records cannot be guaranteed, except for those items that can be verified by field measurement. Prior to any excavation contact J.U.L.I.E. (1-800-892-0123).

THIS PLAT SUBMITTED
FOR RECORDING BY: _____



LEGAL DESCRIPTION OF PUBLIC UTILITY EASEMENT HEREBY ABROGATED

THAT PART OF A 10 FOOT WIDE PUBLIC UTILITY EASEMENT RECORDED MARCH 12, 1971 PER DOCUMENT NUMBER R71-9168 IN BLOCK 11 IN GOSTYN, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1889 AS DOCUMENT 41158, IN DU PAGE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY NORTHWEST CORNER OF SAID 10 FOOT WIDE PUBLIC UTILITY EASEMENT; THENCE SOUTH 00 DEGREES 16 MINUTES 19 SECONDS EAST ALONG THE WEST LINE OF SAID 10 FOOT WIDE PUBLIC UTILITY EASEMENT, 147.00 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 16 SECONDS EAST, 3.00 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 19 SECONDS WEST PARALLEL WITH SAID WEST LINE, 147.00 FEET TO THE SOUTH LINE OF AUSTIN STREET PER SAID DOCUMENT 41158; THENCE NORTH 89 DEGREES 53 MINUTES 15 SECONDS WEST ALONG SAID SOUTH LINE, 3.00 FEET TO THE POINT OF BEGINNING.

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)
APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE.

BY: _____ MAYOR

ATTEST: _____ VILLAGE CLERK

DUPAGE COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

I, _____, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT, GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____, A.D. 20____.

COUNTY CLERK

DUPAGE COUNTY, ILLINOIS (SEAL)

RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS ON THE _____ DAY OF _____, A.D. 20____, AT _____ O'CLOCK _____ M. AS DOCUMENT NUMBER _____.

RECORDER OF DEEDS

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

I, _____, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS AND PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION. FURTHER, AS ENGINEER, I HEREBY CERTIFY THAT THE PROPERTY WHICH IS THE SUBJECT OF THIS SUBDIVISION OR ANY PART THEREOF IS (IS NOT) LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

BY: _____ DATED _____ OWNER/ATTORNEY

BY: _____ DATED _____ ILLINOIS PROFESSIONAL ENGINEER NO. _____

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

THE UNDERSIGNED DO HEREBY CERTIFY THAT, AS OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND KNOWN AS _____ TO THE BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE _____ HIGH SCHOOL DISTRICT, AND _____ ELEMENTARY SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

DATED AT _____, ILLINOIS THIS _____ DAY OF _____, A.D. 20____

BY: _____

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, JEFFREY W. GLUNT, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOTS 11 AND 12 IN BLOCK 11 IN GOSTYN, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1889 AS DOCUMENT 41158, IN DU PAGE COUNTY, ILLINOIS.

ALSO

ALL OF THE VACATED ALLEY LYING WEST OF AND ADJOINING LOT 1 TO 5 AND LYING EAST OF AND ADJOINING LOT 11 IN BLOCK 11 AND THE NORTH HALF OF THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOTS 11 AND 12 IN BLOCK 11 IN GOSTYN, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1889 AS DOCUMENT 41158, IN DU PAGE COUNTY, ILLINOIS.

DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

I DO HEREBY FURTHER CERTIFY THAT UPON COMPLETION OF CONSTRUCTION, IRON PIPES AT ALL INTERIOR LOT CORNERS AND POINTS OF CHANGE IN ALIGNMENT WILL BE SET, AS REQUIRED BY THE PLAT ACT (765 ILCS 205/0.1 ET SEQ.). I FURTHER CERTIFY THAT ALL EXTERIOR CORNERS OF THE SUBDIVISION HAVE BEEN MONUMENTED PRIOR TO RECORDATION OF THE SUBDIVISION PLAT AND THAT CONCRETE MONUMENTS HAVE BEEN SET AS REQUIRED. THIS IS TO FURTHER CERTIFY THAT THE LAND INCLUDED IN THE ANNEXED PLAT IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, WHICH HAS AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 65 ILCS 5/11-12-6 AS HERETOFORE AND HEREAFTER AMENDED.

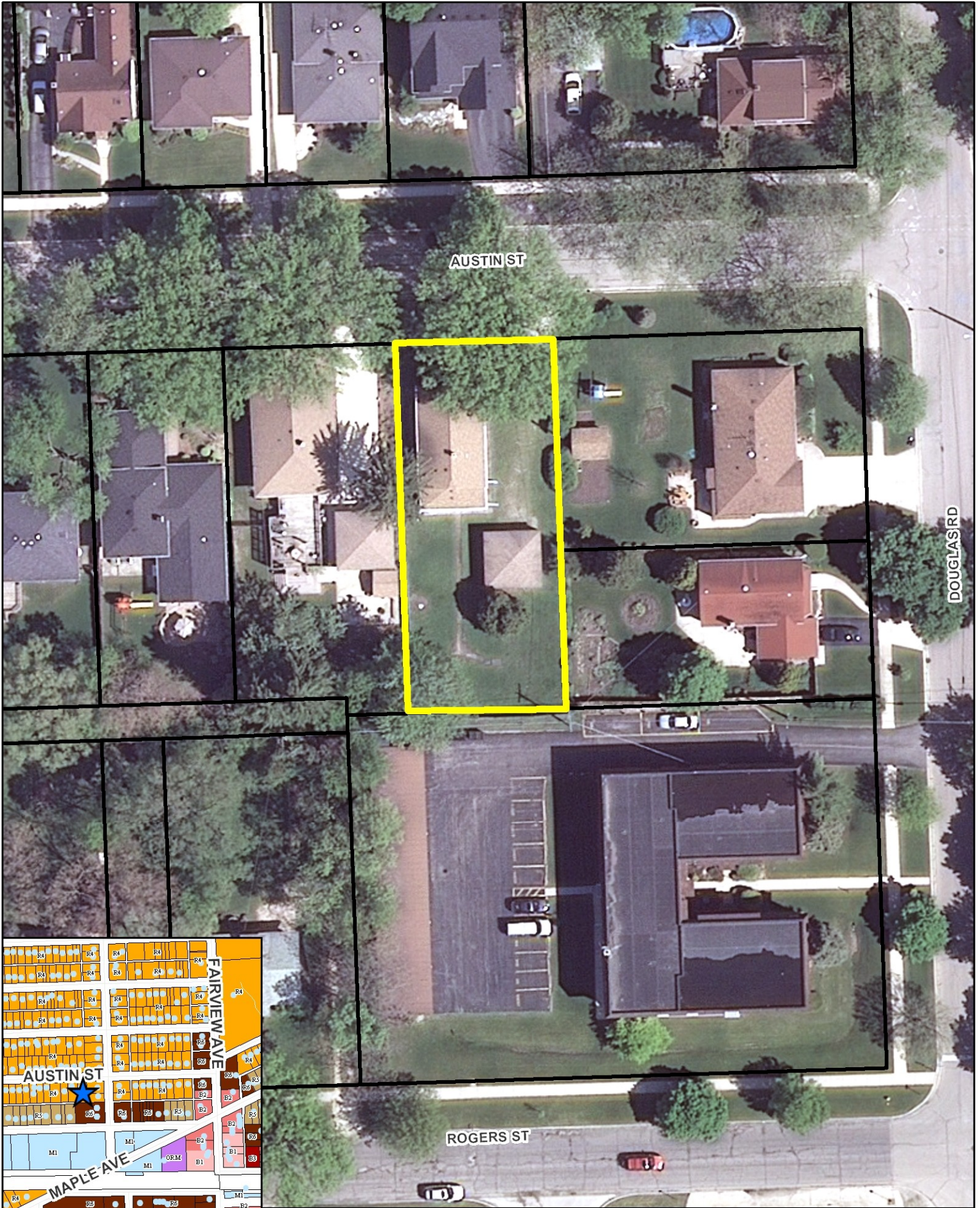
I FURTHER CERTIFY THAT THE DESCRIBED PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF VILLAGE OF DOWNERS GROVE, ILLINOIS THAT HAS A COMPREHENSIVE PLAN AND THAT BASED ON INFORMATION PROVIDED ON THE FLOOD INSURANCE RATE MAP COMMUNITY - PANEL NO. 170420904H DATED DECEMBER 16, 2004 PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR DUPAGE COUNTY, ILLINOIS AND INCORPORATED AREAS, THE PROPERTY SHOWN AND DESCRIBED HEREON IS LOCATED WITHIN ZONE X, WHICH IS DEFINED BY FEMA AS "AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS.

SCHAUMBURG, ILLINOIS _____ AUGUST 11, 2011

BY: _____ ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3695

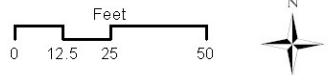
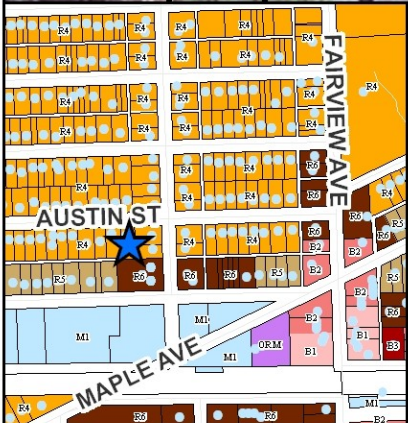
HAEGER ENGINEERING LLC
ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-003152
CONSULTING ENGINEERS AND LAND SURVEYORS
1300 N. PLUM GROVE ROAD, SCHAUMBURG, ILLINOIS 60173
TEL: (847) 394-6600 FAX: (847) 394-6608



AUSTIN ST

DOUGLAS RD

ROGERS ST



511 Austin Street Location Map



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
SEPTEMBER 12, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-31-11 511 Austin Street	Final Plat of Subdivision	Stan Popovich, AICP Planner

REQUEST

The petitioner is requesting approval of a final plat of subdivision to consolidate two lots and vacated alleys into one lot of record.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

OWNER/APPLICANT: Greenscape Homes
4355 Weaver Parkway
Warrenville, IL 60555

PROPERTY INFORMATION

EXISTING ZONING: R-4 Single Family Residential District
EXISTING LAND USE: Residential
PROPERTY SIZE: 9,600 square feet (0.22 acres)
PINS: 09-08-217-034

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-4 Single Family Residence District	Residential 0-6 DU/Acre
SOUTH:	R-6 Multiple Family Residence District	Residential 6-11 DU/Acre
EAST:	R-4 Single Family Residence District	Residential 6-11DU/Acre
WEST:	R-4 Single Family Residence District	Residential 0-6 DU/Acre

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Project Narrative
3. Plat of Survey
4. Plat of Subdivision

PROJECT DESCRIPTION

The petitioners are requesting approval of a final plat of subdivision to consolidate two existing lots into a single lot. The property, commonly known as 511 Austin Street, is zoned R-4 Single Family Residential and is 64 feet wide by 150 feet deep. The property is made up of two 25-foot wide by 143 feet deep lots. The property also includes a 14-foot wide vacated alley on the east and seven feet of a vacated alley to the south.

The petitioners are proposing to construct a new single family house on the property. The proposed house would be located over the existing common lot lines. Without the consolidation of the two lots and alleys into one, the petitioner would not be permitted to construct the new single family house.

COMPLIANCE WITH FUTURE LAND USE PLAN

According to the Future Land Use Plan, the subject property is designated for residential use. By consolidating the two lots and vacated alleys into one, the petitioner will be able to construct the new single family house. Staff believes the proposed final plat of subdivision is consistent with the Future Land Use Plan and Village planning documents.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned R-4 Single Family Residence District. The existing residential use is a permitted use in the district. If the subdivision is approved, the petitioners will be able to construct a new single family house. The proposed addition will meet all Zoning Ordinance bulk and setback requirements.

COMPLIANCE WITH THE SUBDIVISION ORDINANCE

The proposed lot will meet all minimum lot dimension requirements for residential lots in the R-4 single family zoning district. The petitioner has not requested any exceptions from the Subdivision Ordinance.

The lot dimensions are specified in the table below:

511 Austin Street	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	64 feet (no change)	140 feet	150 feet (No change)	7,500 sq. ft.	9,600 sq. ft. (no change)

Per Sections 20.101 and 20.301(b), the petitioner is not requesting any exceptions from the Subdivision Ordinance. The proposed lot will include new five-foot wide utility easements along the side (east and west) property lines and a new ten-foot wide utility easement along the rear (south) property line which will satisfy the requirements for public utility easements.

NEIGHBORHOOD COMMENT

Staff has not received any written neighborhood comment regarding the proposal at this time.

FINDINGS OF FACT

Staff believes the proposed Final Plat of Subdivision to consolidate the two existing lots and vacated alleys into a single lot are consistent with the Zoning and Subdivision Ordinances and other planning objectives of the Village.

RECOMMENDATIONS

The proposed final plat of subdivision is compatible with the surrounding zoning and land use classifications. Based on the findings listed above, staff recommends that the Plan Commission make a motion recommending approval of a final plat of subdivision associated with PC-31-11 to the Village Council subject to the conditions below:

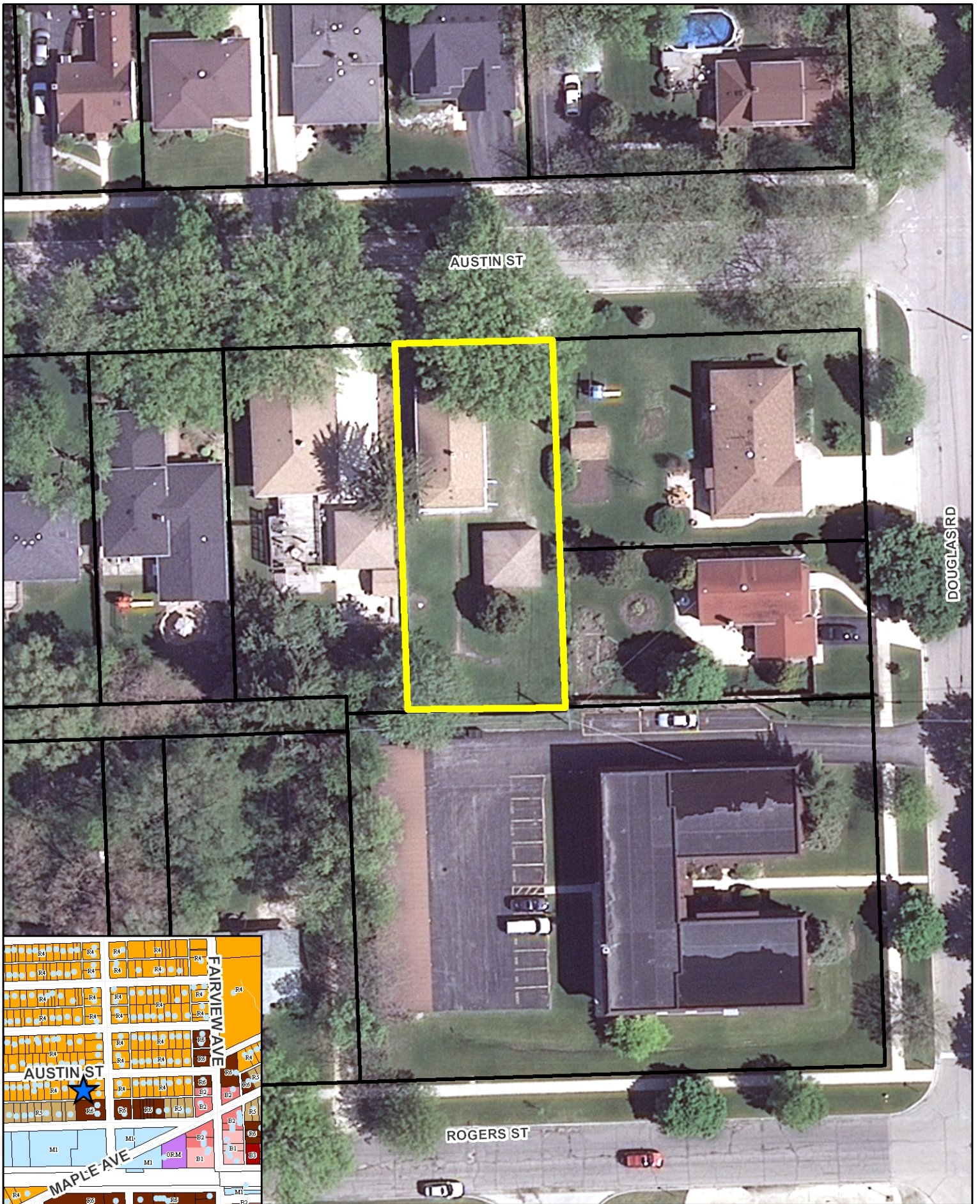
1. The final plat of subdivision shall substantially conform to the Final Plat of Subdivision prepared by Haeger Engineering, LLC., dated August 22, 2011 except as such plans may be modified to conform to the Village Codes and Ordinances.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:sp
-att

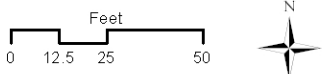
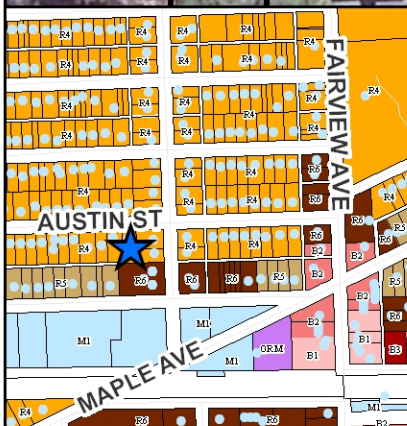
P:\P&CD\PROJECTS\PLAN COMMISSION\2011 PC Petition Files\PC-31-11 511 Austin Street - Lot Consolidation\Staff Report PC-31-11.doc



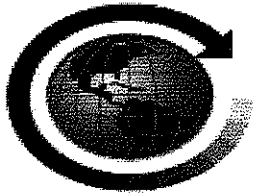
AUSTIN ST

DOUGLAS RD

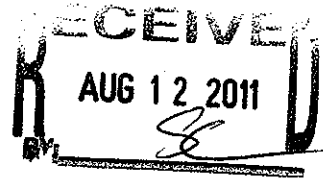
ROGERS ST



511 Austin Street Location Map



GREENSCAPE HOMES, LLC



Telephone: 630-³³⁸⁻⁷⁵²⁹~~281-2037~~
Fax: 630-281-2021

4355 Weaver Parkway Suite 350
Warrenville, IL. 60555

August 12, 2011

VIA PERSONAL DELIVERY

Department of Community Development
Plan Commission
Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL. 60515
Phone: 630-434-5515
Fax: 630-434-5572

Dear Downers Grove Plan Commission:

Subject: 511 Austin Street Downers Grove, IL. 60515
Current Lots: 11, 12 & Vacated Alley – Consolidated to New Lot 1

In order to build a new construction single family home at 511 Austin Street Downers Grove, IL. 60515 we must consolidate Lots 11, 12 & Vacated Alley to make one buildable lot. We are submitting with our documents a Boundary & Topographical Survey of the current lots: 11 & 12 and are also including a Plat of Consolidation for the new proposed Lot 1.

If you have any questions, please do not hesitate to contact me.
Sincerely,

Keith Neumann
Director of Operations

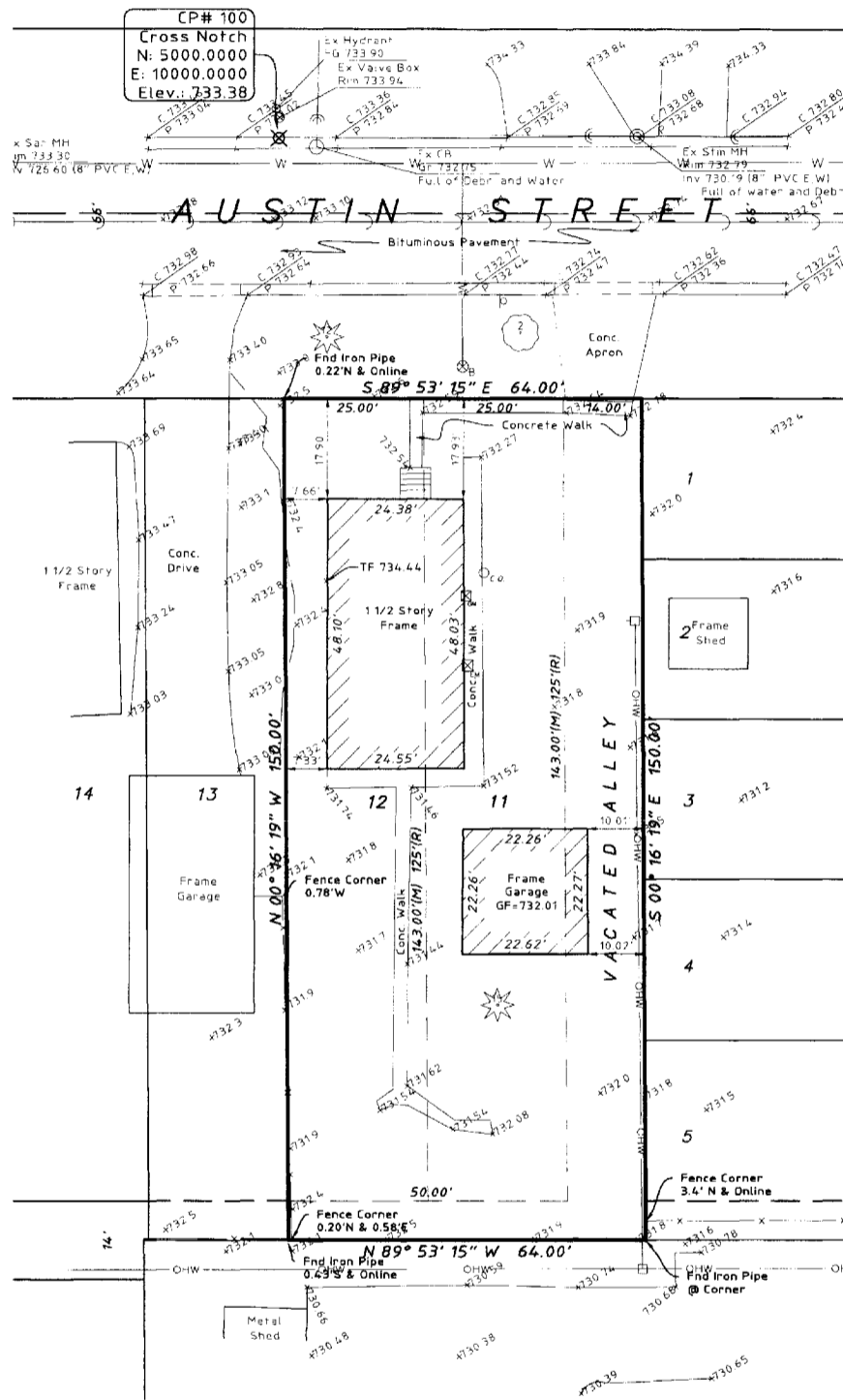
KRN/agm

LEGAL DESCRIPTION

LOTS 11 AND 12 IN BLOCK 11 IN GOSTYN, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1889 AS DOCUMENT 41158, IN DU PAGE COUNTY, ILLINOIS.

ALSO

ALL OF THE VACATED ALLEY LYING WEST OF AND ADJOINING LOT 1 TO 5 AND LYING EAST OF AND ADJOINING LOT 11 IN BLOCK 11 AND THE NORTH HALF OF THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOTS 11 AND 12 IN BLOCK 11 IN GOSTYN, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1889 AS DOCUMENT 41158, IN DU PAGE COUNTY, ILLINOIS.



LEGEND

- Manhole
- Catch Basin
- Sanitary Sewer
- Water Main
- Fire Hydrant
- B-Box
- Light Pole
- Fence
- Sign
- Overhead Utility Line
- Utility Pole
- Mailbox
- Pavement Elevation
- Ground Elevation
- Softscape Flow
- Contour Line
- Deciduous Tree
- Coniferous Tree

Benchmark

Source Benchmark

Dupage County Benchmark MI01002
 Description: Bronze Disk Stamped
 Location: In northeast concrete headwall on St. Charles Road bridge over East Branch of Du Page River
 Elevation: 699.64 NGVD 29

Site Benchmark

CP # 100 (See Survey)
 Description: Cross Notch
 Elevation: 733.38 (NGVD 29)

Surveyor's Notes:

1. Field work was completed on July 20, 2011.
2. The Horizontal coordinates and basis of bearing shown hereon are assumed.
3. A title commitment policy was not provided for this survey. This property may be subject to easements and/or restrictions not provided to the surveyor prior to the completion of this survey.
4. Utility information shown hereon is based upon field measurements, available records. Information from field data is limited to that which is visible and can be measured. This survey does not exclude the possibility of the existence of other underground utilities and or structures. Record information is based upon data collected from both public and private sources. The completeness and/or accuracy of these records cannot be guaranteed, except for those items that can be verified by field measurement. Prior to any excavation contact J.U.L.I.E (1-800-892-0123).

State of Illinois)
) SS:
 County of Cook)

This professional service conforms to the current Illinois minimum standards for topographic surveys and boundary Surveys.

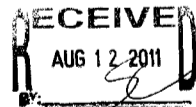
Schaumburg, Illinois _____ July 21, 2011 _____

By: _____
 Illinois Professional Land Surveyor No. 3695



EXPIRES 11-30-12

HAEGER ENGINEERING LLC
 Illinois Professional Design Firm No. 184-003152
 Consulting Engineers and Land Surveyors
 1300 N. Plum Grove Road
 Schaumburg, Illinois 60173
 Tel: 847/394-6600 Fax: 847/394-6608



Topographic and Boundary Survey
 511 Austin Street
 Downers Grove, IL

HAEGER ENGINEERING
 consulting engineers • land surveyors
 1300 N. Plum Grove Road, Schaumburg, IL 60173 • Tel: 847.394.6600 Fax: 847.394.6608
 Illinois Professional Design Firm License No. 184-003152
 www.haegerengineering.com



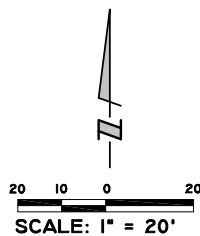
Scale: 1" = 20'

Project Manager: W/C
 Engineer: JWS
 Date: 07/21/11
 Project No.: 111007
 Sheet: 1

No. _____ Date _____ Revision _____

511 AUSTIN SUBDIVISION

BEING A SUBDIVISION OF PART OF LOTS 11 AND 12 IN BLOCK 11 IN GOSTYN, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1889 AS DOCUMENT 41158, IN DU PAGE COUNTY, ILLINOIS.



DECLARATION OF RESTRICTIVE COVENANTS

THE UNDERSIGNED OWNER HEREBY DECLARES THAT THE REAL PROPERTY DESCRIBED IN AND DEPICTED ON THIS PLAT OF SUBDIVISION SHALL BE HELD, TRANSFERRED, SOLD, CONVEYED AND OCCUPIED SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS:

(A) ALL PUBLIC UTILITY STRUCTURES AND FACILITIES, WHETHER LOCATED ON PUBLIC OR PRIVATE PROPERTY, SHALL BE CONSTRUCTED WHOLLY UNDERGROUND, EXCEPT FOR TRANSFORMERS, TRANSFORMER PADS, LIGHT POLES, REGULATORS, VALVES, MARKERS AND SIMILAR STRUCTURES APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF DOWNERS GROVE PRIOR TO RECORDING OF THIS PLAT OF SUBDIVISION.

(B) AN EASEMENT FOR SERVING THE SUBDIVISION, AND OTHER PROPERTY WITH STORM DRAINAGE, SANITARY SEWER, STREET LIGHTING, POTABLE WATER SERVICE AND OTHER PUBLIC UTILITY SERVICES, IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE AND DOWNERS GROVE SANITARY DISTRICT, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEPARATELY, TO INSTALL, OPERATE AND MAINTAIN AND REMOVE, FROM TIME TO TIME, FACILITIES AND EQUIPMENT USED IN CONNECTION WITH THE PUBLIC WATER SUPPLY, TRANSMISSION LINES, SANITARY SEWERS, STORM DRAINAGE SYSTEM, STREET LIGHTING SYSTEM, OR OTHER PUBLIC UTILITY SERVICE, AND THEIR APPURTENANCES, EITHER ON, OVER, ACROSS, BELOW OR THROUGH THE GROUND SHOWN WITHIN THE DOTTED LINES ON THE PLAT MARKED PUBLIC UTILITY AND/OR DRAINAGE EASEMENT, OR SIMILAR LANGUAGE DESIGNATING A STORMWATER OR SEWER EASEMENT, AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, TOGETHER WITH THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE STORMWATER OR SEWER EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE'S. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

WHEREAS, SAID LOTS WILL BE CONVEYED TO PURCHASERS SUBJECT TO THIS DECLARATION TO THE END THAT THE RESTRICTIONS IMPOSED SHALL INURE TO THE BENEFIT OF EACH AND ALL OF THE PURCHASERS OF SUCH LOTS WHETHER THEY SHALL HAVE BECOME SUCH BEFORE OR AFTER THE DATE THEREOF, AND THEIR RESPECTIVE HEIRS AND ASSIGNS, AND

WHEREAS, THE AFORESAID PROPERTY DESCRIBED ON THE ATTACHED PLAT IS LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND

WHEREAS, ALL OF THE PROVISIONS, RESTRICTIONS, CONDITIONS, COVENANTS, AGREEMENTS, AND CHARGES HEREIN CONTAINED SHALL RUN WITH AND BIND ALL OF SAID LOTS AND LAND AND SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND THE OWNERS OR OWNER OF ANY OF THE LOTS OF LAND COMPRISED WITHIN SAID PLAT AND THEIR RESPECTIVE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.

NOW, THEREFORE, ALL PERSONS, FIRMS OR CORPORATIONS NOW OWNING THE AFORESAID PROPERTY DO COVENANT AND AGREE THAT THEY OR ANY PERSON, FIRM OR CORPORATION HEREAFTER ACQUIRING ANY PROPERTY OR LOTS SHOWN UPON THE ATTACHED PLAT OF SUBDIVISION ARE HEREBY SUBJECTED TO THE FOLLOWING RESTRICTIONS RUNNING WITH SAID PROPERTY TO WHOMSOEVER OWNED, TO WIT:

1. NO IMPROVEMENTS SHALL BE MADE IN OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, AS DESCRIBED IN THE PLAT OF SUBDIVISION, EXCEPT FOR LANDSCAPE INSTALLATION OF TREES, SHRUBS, BUSHES AND GRASS AND THE INSTALLATION OF UNDERGROUND UTILITY LINES AND DRIVEWAYS.
2. EACH OWNER OR PURCHASER SHALL BE RESPONSIBLE FOR MAINTAINING THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, APPLICABLE TO HIS LOT IN SUCH MANNER AS TO INSURE THE FREE AND UNINTERRUPTED FLOW OF STORM WATER THROUGH THE DRAINAGE SYSTEM OF THE SUBDIVISION, AND SHALL NOT DESTROY OR MODIFY GRADES OR SLOPES WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
3. IN THE EVENT ANY OWNER OR PURCHASER FAILS TO PROPERLY MAINTAIN THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, THE VILLAGE OF DOWNERS GROVE, ILLINOIS, SHALL UPON TEN DAYS PRIOR WRITTEN NOTICE, RESERVE THE RIGHT TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE AND FREE FLOW OF STORMWATER THROUGH THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS.
4. IN THE EVENT THE VILLAGE OF DOWNERS GROVE, ILLINOIS, SHALL BE REQUIRED TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, THE COST TOGETHER WITH THE ADDITIONAL SUM OF TEN PERCENT SHALL, UPON RECORDATION OF A NOTICE OF LIEN WITHIN SIXTY DAYS OF COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS LOT WHICH MAY BE FORECLOSED BY AN ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
5. THE AFORESAID RESTRICTIONS AND COVENANTS, AND EACH AND EVERY ONE OF THEM, ARE HEREBY EXPRESSLY MADE AN ESSENTIAL PART OF THIS INSTRUMENT, AND SHALL BE AND REMAIN OF PERPETUAL EFFICACY AND OBLIGATION IN RESPECT TO THE SAID PREMISES AND THE PARTIES HEREIN DESIGNATED, THEIR AND EACH OF THEIR SUCCESSORS, HEIRS, AND ASSIGNS. IN WITNESS WHEREOF, THE OWNERS HAVE SET THEIR HANDS UPON THE ATTACHED PLAT THE DAY AND DATE FIRST WRITTEN THERON.

DATED AT _____, ILLINOIS THIS _____ DAY OF _____, A.D. 20____

BY: _____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT I AM 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 THEY SIGNED AND DELIVERED SAID INSTRUMENT AS HOLDER OF RECORD TITLE AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, A.D. 20____

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND TELECOMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO

COMMONWEALTH EDISON COMPANY

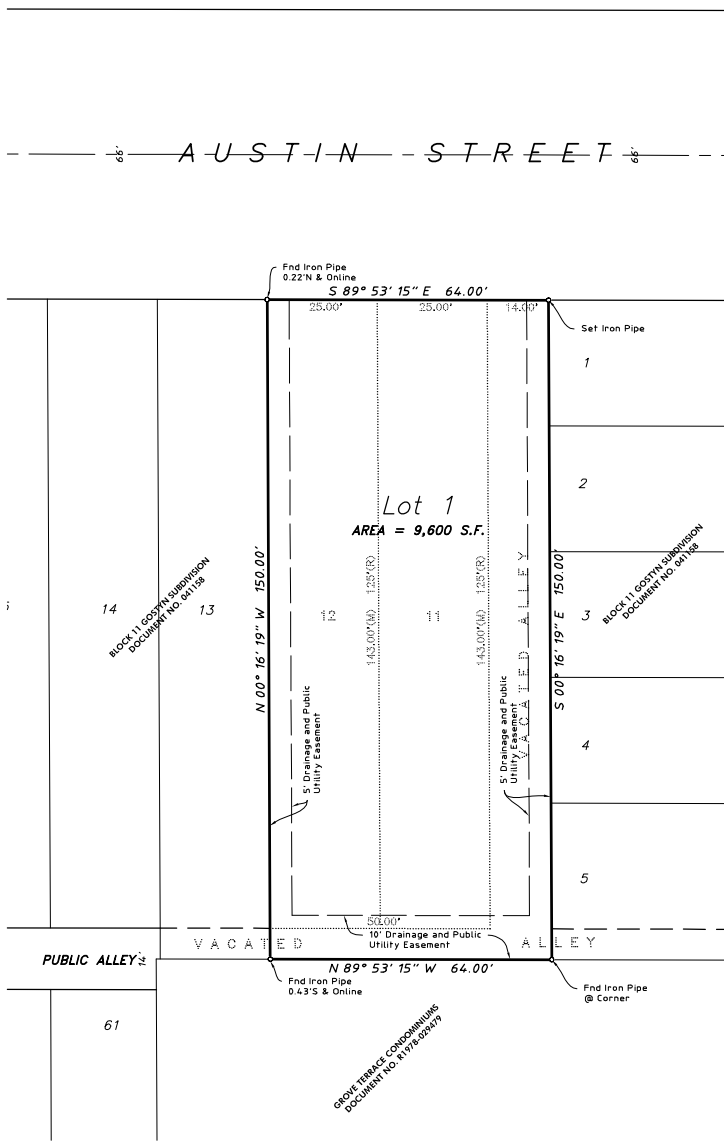
AND
AT&T A.K.A. SBC, AMERITECH, ILLINOIS BELL, TELEPHONE COMPANY, GRANTEE'S.

THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES, GUYS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) ON THE PLAT AND MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U.E." (OR SIMILAR DESIGNATION), THE PROPERTY DESIGNATED IN THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS "COMMON ELEMENTS" AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS" AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHTS TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES, ROOTS AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U.E." (OR SIMILAR DESIGNATION) WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE'S. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT", CHAPTER 765 ILCs 605/2(C), AS AMENDED FROM TIME TO TIME.

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR AS AN APPORTIONMENT TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS "OUTLOTS", "COMMON ELEMENTS", "OPEN SPACE", "OPEN AREA", "COMMON GROUND", "PARCEL AREA", "COMMON AREA", "THE TERM "COMMON AREA OR AREAS" AND "COMMON ELEMENTS" INCLUDE REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS, DISTRICT OR STRUCTURES SUCH AS A POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF THE GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.



OWNER'S CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

I, _____, HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE ABOVE DESCRIBED PROPERTY AND IT HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HEREON DRAWN.

DATED AT _____, ILLINOIS THIS _____ DAY OF _____, A.D. 20____

BY: _____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT I AM 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 THEY SIGNED AND DELIVERED SAID INSTRUMENT AS HOLDER OF RECORD TITLE AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, A.D. 20____

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____, 20____.

CHAIRMAN

VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

I, _____, COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPOINTED AGAINST THE TRACT OF LAND, INCLUDED IN THIS PLAT.

VILLAGE COLLECTOR

SANITARY DISTRICT CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

I, _____, COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

COLLECTOR

PREPARED BY:

HAEGER ENGINEERING, LLC
CONSULTING ENGINEERS AND LAND SURVEYORS
1300 N. PLUM GROVE ROAD
SCHAUMBURG, IL 60173
TEL: (847)394-6600
FAX: (847)394-6608
PROJECT NO. 11-107F

PREPARED FOR:

GREENSCAPE HOMES LLC
4355 WEAVER PARKWAY, STE. 350
WARRENVILLE, IL 60555

SEND NEW TAX BILLS TO:

THIS PLAT SUBMITTED FOR RECORDING BY: _____

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE.

BY: _____
MAYOR

ATTEST: _____
VILLAGE CLERK

DUPAGE COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

I, _____, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT, GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____, A.D. 20____.

COUNTY CLERK

DUPAGE COUNTY, ILLINOIS (SEAL)

RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THE _____ DAY OF _____, A.D. 20____, AT _____ O'CLOCK _____ M. AS DOCUMENT NUMBER _____.

RECORDER OF DEEDS

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

I, _____, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS AND PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION. FURTHER, AS ENGINEER, I HEREBY CERTIFY THAT THE PROPERTY WHICH IS THE SUBJECT OF THIS SUBDIVISION OR ANY PART THEREOF IS (IS NOT) LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

BY: _____ DATED _____
OWNER/ATTORNEY

BY: _____ DATED _____
ILLINOIS PROFESSIONAL ENGINEER NO. _____

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS)
) SS:
 COUNTY OF DUPAGE)

THE UNDERSIGNED DO HEREBY CERTIFY THAT, AS OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND KNOWN AS _____ TO THE BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE _____ HIGH SCHOOL DISTRICT, AND _____ ELEMENTARY SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

DATED AT _____, ILLINOIS THIS _____ DAY OF _____, A.D. 20____.

BY: _____

STATE OF ILLINOIS)
) SS:
 COUNTY OF COOK)

I, JEFFREY W. GLUNT, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOTS 11 AND 12 IN BLOCK 11 IN GOSTYN, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1889 AS DOCUMENT 41158, IN DU PAGE COUNTY, ILLINOIS.

ALSO

ALL OF THE VACATED ALLEY LYING WEST OF AND ADJOINING LOT 1 TO 5 AND LYING EAST OF AND ADJOINING LOT 11 IN BLOCK 11 AND THE NORTH HALF OF THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOTS 11 AND 12 IN BLOCK 11 IN GOSTYN, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1889 AS DOCUMENT 41158, IN DU PAGE COUNTY, ILLINOIS.

DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

I DO HEREBY FURTHER CERTIFY THAT UPON COMPLETION OF CONSTRUCTION, IRON PIPES AT ALL INTERIOR LOT CORNERS AND POINTS OF CHANGE IN ALIGNMENT WILL BE SET, AS REQUIRED BY THE PLAT ACT (765 ILCs 2050.01 ET SEQ.). I FURTHER CERTIFY THAT ALL EXTERIOR CORNERS OF THE SUBDIVISION HAVE BEEN MONUMENTED PRIOR TO RECORDATION OF THE SUBDIVISION PLAT AND THAT CONCRETE MONUMENTS HAVE BEEN SET AS REQUIRED. THIS IS TO FURTHER CERTIFY THAT THE LAND INCLUDED IN THE ANNEXED PLAT IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, WHICH HAS AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 65 ILCs 5/11-12-6 AS HERETOFORE AND HEREAFTER AMENDED.

I FURTHER CERTIFY THAT THE DESCRIBED PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF VILLAGE OF DOWNERS GROVE, ILLINOIS THAT HAS A COMPREHENSIVE PLAN AND THAT BASED ON INFORMATION PROVIDED ON THE FLOOD INSURANCE RATE MAP COMMUNITY - PANEL NO. 170432004H DATED DECEMBER 16, 2004 PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR DUPAGE COUNTY, ILLINOIS AND INCORPORATED AREAS, THE PROPERTY SHOWN AND DESCRIBED HEREON IS LOCATED WITHIN ZONE X, WHICH IS DEFINED BY FEMA AS "AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS.

SCHAUMBURG, ILLINOIS _____ AUGUST 11, 2011

BY: _____
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3695

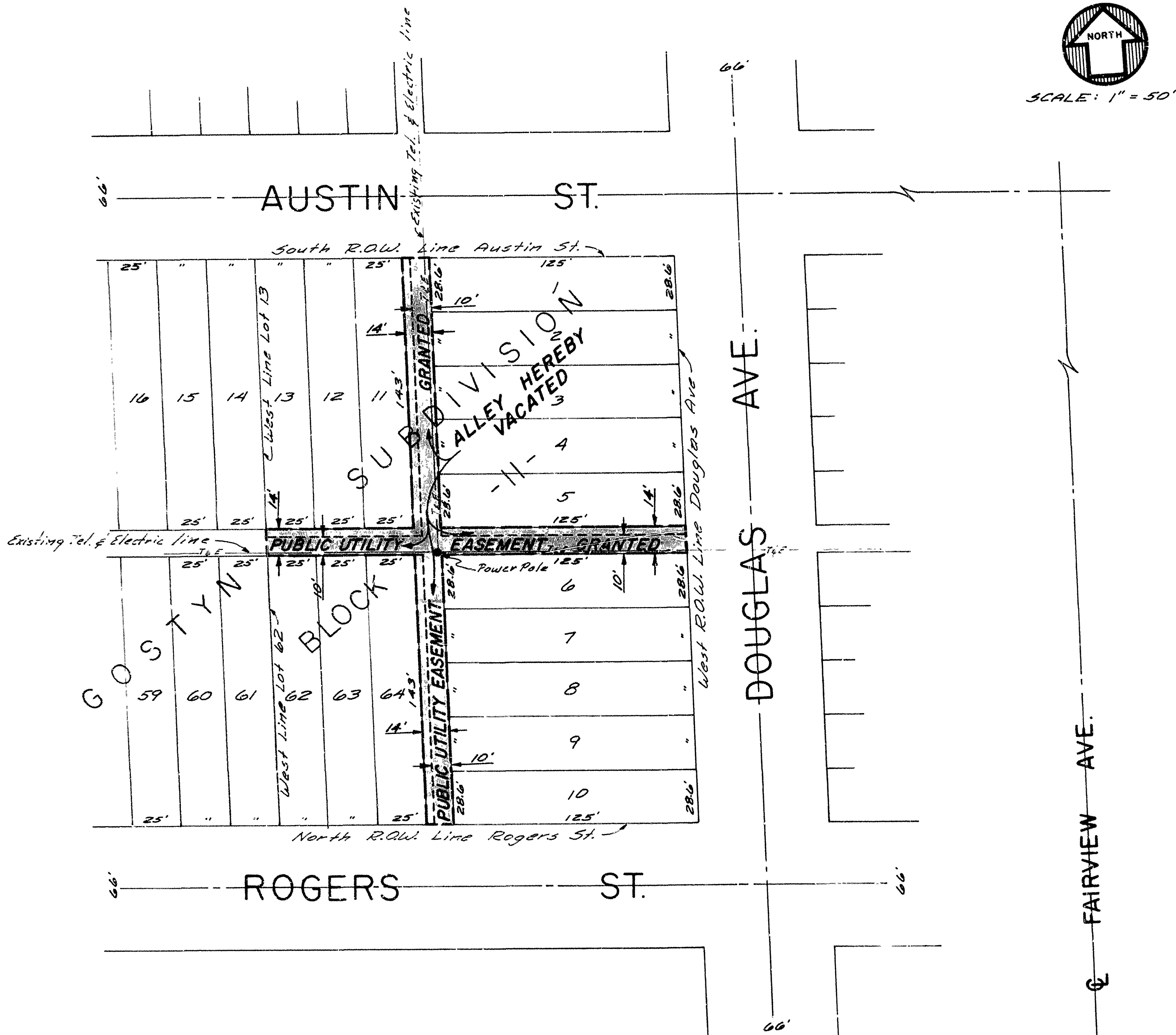
HAEGER ENGINEERING LLC
ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-003152
CONSULTING ENGINEERS AND LAND SURVEYORS
1300 N. PLUM GROVE ROAD, SCHAUMBURG, ILLINOIS 60173
TEL: (847) 394-6600 FAX: (847) 394-6608

PLAT OF VACATION

WITH RESERVATION FOR PUBLIC UTILITY EASEMENT

BOOK 60
PAGE 169

OF
THAT PART OF THE 14.0 FOOT ALLEY IN BLOCK 11, IN GOSTYN'S SUBDIVISION SITUATED IN PART OF THE NORTH-EAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DU PAGE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: ALL OF THE 14.0 FOOT ALLEY LYING BETWEEN LOTS 5, 6, 11, 12, 13, 62, 63 AND 64 IN SAID BLOCK 11, EXTENDING FROM THE WEST LINE OF LOTS 13 AND 62, AS EXTENDED, TO THE WEST RIGHT OF WAY LINE OF DOUGLAS AVENUE; SUBJECT TO AN EASEMENT FOR PUBLIC UTILITIES ACROSS THE SOUTH 10.0 FEET THEREOF; ALSO ALL OF THE 14.0 FOOT ALLEY LYING BETWEEN LOTS 1, 11 AND 64 IN SAID BLOCK 11 AND EXTENDING FROM THE SOUTH RIGHT OF WAY LINE OF AUSTIN STREET TO THE NORTH RIGHT OF WAY LINE OF ROGERS STREET; SUBJECT TO AN EASEMENT FOR PUBLIC UTILITIES ACROSS THE EAST 10.0 FEET THEREOF.



Document No. R71-9168
Filed For Record in Recorder's
Office Of Du Page County, Illinois
On 3-12-71 At 10:45 AM
Henry R. Rudolph
Recorder

For Details of this
vac. Ordinance # 1553
See Dec. R71-9168

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)SS
THIS IS TO CERTIFY THAT WE, WIGHT AND COMPANY, INCORPORATED HAVE PLATTED THE ABOVE DESCRIBED PROPERTY AS SHOWN BY THE ANNEXED PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID VACATION PLAT.
I CERTIFY THAT THE PROPERTY AS DESCRIBED ON THE ANNEXED PLAT LIES WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
GIVEN UNDER MY HAND AND SEAL AT DOWNERS GROVE, ILLINOIS, THIS 12th DAY OF Sept. A.D. 1970.

Robert J. Wight
ILLINOIS LAND SURVEYOR 1678

WIGHT AND COMPANY
INCORPORATED
DOWNERS GROVE ILLINOIS

• ARCHITECTS •
• CONSULTING ENGINEERS •
• PLANNERS • SURVEYORS •

DRAWN BY:	J.W.	DATE:	8-26-70
CHECKED BY:		JOB No.	70-8101

