

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
OCTOBER 16, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision - 425 Davis Street	<ul style="list-style-type: none"> ✓ Resolution Ordinance Motion Discussion Only 	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A resolution for a Final Plat of Subdivision has been prepared to consolidate two existing lots into one for the property located at 425 Davis Street

STRATEGIC PLAN ALIGNMENT

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

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the October 16, 2012 consent agenda

BACKGROUND

The petitioner is proposing to consolidate two lots into a single lot to demolish the existing structures and construct a new single family house on the property. The 7,920 square foot property, commonly known as 425 Davis Street is zoned R-4 Single Family Residential and consists of two 30-foot wide by 132-foot deep lots. A single family residence with a detached garage, owned by the petitioner, are located on the lots.

All required infrastructure, including sidewalks, currently exists and no new public improvements are required. The proposed lot will include five-foot wide utility easements along the side property lines 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(b) of the Subdivision Control Ordinance. The dimensions for the new lot are outlined in the table below:

425 Davis Street	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	60 feet (no change)	140 feet	132 feet (No change)	7,500 sq. ft.	7,920 sq. ft. (no change)

The proposed consolidation is consistent with the Comprehensive Plan. The Comprehensive Plan notes the property is located within the single family traditional grid residential area. The traditional grid provides a uniform layout with standard street and lot widths. The Comprehensive Plan recommends residential areas

provide a variety of housing and dwelling unit types and densities, generally organized by dwelling types and lot sizes. The proposed single family lot is 60 feet in width where adjacent lots are primarily 60 to 90 feet wide along this block of Davis Street.

The Plan Commission considered the petition at their October 1, 2012 meeting. No public comments were received at the hearing. The Commission found that the request met the standards of the Subdivision and Zoning Ordinances. Based on their findings, the Plan Commission unanimously recommended approval of the Final Plat of Subdivision. Staff concurs with the Plan Commission recommendation.

ATTACHMENTS

Aerial Map

Resolution

Staff Report with attachments dated October 1, 2012

Minutes of the Plan Commission Hearing dated October 1, 2012

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION
FOR 425 DAVIS STREET**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for the approval of the Final Plat of Subdivision to consolidate two parcels into one lot for Bendien's Subdivision, located on the south side of Davis Street approximately 325 feet west of Fairview Avenue, commonly known as 425 Davis Street, Downers Grove, Illinois, legally described as follows:

Lots 12 and 13 in Block 8 in Street's Addition to Downers Grove, being a subdivision of 70 acres in the East 92 rods of the southeast quarter of Section 5, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded October 9, 1875 as Document 20678 in DuPage County, Illinois.

Commonly known as 425 Davis Street, Downers Grove, IL 60515 (PIN 09-05-418-007)

WHEREAS, notice has been given and a public hearing held on October 1, 2012 regarding this plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, the Plan Commission has recommended approval of the Final Plat of Subdivision of Bendien's Subdivision, located at 425 Davis Street, Downers Grove, Illinois, as requested, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the Final Plat of Subdivision of Bendien's Subdivision, located at 425 Davis Street, Downers Grove, Illinois, be and is hereby approved subject to the following condition:

1. The final plat shall substantially conform to the Final Plat of Subdivision of Bendien's Subdivision prepared by Harrington Land Surveying, Ltd., dated September 10, 2012 and attached to the staff report dated October 1, 2012, except as such plat may be modified to conform to the Village Codes and Ordinances.

BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the final plat.

BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its adoption in the manner provided by law.

Mayor

Passed:

Attest: _____
Village Clerk

BENDIEN'S SUBDIVISION

BEING A RESUBDIVISION OF

LOTS 12 AND 13 IN BLOCK 8 IN STREET'S ADDITION TO DOWNERS GROVE, BEING A SUBDIVISION OF 70 ACRES IN THE EAST 92 RODS OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON OCTOBER 9, 1875 AS DOCUMENT NO. 20678, IN DUPAGE COUNTY, ILLINOIS.

OWNERS CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) S.S.

THIS IS TO CERTIFY THAT GREENSCAPE HOMES LLC IS THE HOLDER OF RECORD TITLE TO THE PROPERTY SHOWN AND DESCRIBED ON THE PLAT, AND HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN BY THE USES AND PURPOSES THEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS 11 DAY OF September 2013

Joseph M. Beaulieu
MANAGING MEMBER

NOTARY CERTIFICATE

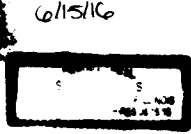
STATE OF ILLINOIS
COUNTY OF DUPAGE) S.S.

I, *Joseph M. Beaulieu*, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT *Joseph M. Beaulieu*, THE MANAGING MEMBER OF GREENSCAPE HOMES, LLC, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED THERETO AND THAT HE APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED AND DELIVERED THE PLAT AS HIS OWN FREE AND VOLUNTARY ACT UNDER THE STYLE AND TITLE THEREON INDICATED FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 11 DAY OF September 2013

Joseph M. Beaulieu
NOTARY PUBLIC

MY COMMISSION EXPIRES: 6/15/16



DAVIS STREET
66 FOOT WIDE PUBLIC RIGHT OF WAY
HEREINAFTER DEDICATED

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, RALPH J. MARUGG, AN ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 2436 HAVE SURVEYED AND SUBDIVIDED THE ABOVE DESCRIBED PROPERTY AS SHOWN BY THIS PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION, ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

HANOVER PARK, ILLINOIS, JUNE 13, 2012

Ralph J. Marugg
PROFESSIONAL LAND SURVEYOR NO. 2436
EXPIRES EXTENSION/RENEWAL DATE: 12-30-2012

PLAN COMMISSION CERTIFICATE

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

CHAIRMAN

DOWNERS GROVE SANITARY DISTRICT CERTIFICATE

I, *Mark McManis*, 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



VILLAGE COLLECTOR CERTIFICATE

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 BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

VILLAGE COLLECTOR

VILLAGE COUNCIL CERTIFICATE

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

MAYOR

VILLAGE CLERK

REVISED 9-7-2012 PER VILLAGE REVIEW

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) S.S.

THE UNDERSIGNED DO HEREBY CERTIFY THAT, AS OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND KNOWN AS BENDIEN'S SUBDIVISION TO THE BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT 89 HIGH SCHOOL DISTRICT, AND DISTRICT 88 ELEMENTARY SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

DATED AT *Downers Grove*, ILLINOIS THIS 11 DAY OF September 2013

Joseph M. Beaulieu
GREENSCAPE HOMES LLC
MANAGING MEMBER

ENGINEER:
KOZIOL ENGINEERING
1621 OGDEN AVENUE
LISLE, ILLINOIS 60532
(630) 435-8686 VOICE
(630) 435-8689 FAX
MBROWN@KOZIOLENGINEERING.COM

DEVELOPER:
GREENSCAPE HOMES LLC
4355 WEAVER PARKWAY
SUITE 120
WARRENVILLE, ILLINOIS 60555
(630) 281-2052 VOICE
(630) 281-2021 FAX
KEITH.NEUMANN@GREENSCAPEHOMES.COM

DECLARATION OF RESTRICTIVE COVENANTS

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

AN EASEMENT FOR SERVING THE SUBDIVISION, AND OTHER PROPERTY WITH STORM DRAINAGE, SANITARY SEWER, STREET LIGHTING, POTABLE WATER SERVICE AND BOTH PUBLIC UTILITY SERVICE, IS HEREBY RESERVED AND GRANTED TO THE VILLAGE OF DOWNERS GROVE AND DOWNERS GROVE SANITARY DISTRICT, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, TO INSTALL, OPERATE AND MAINTAIN AND REPAIR, 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, BELOW OR THROUGH THE GROUND SHOWN WITHIN DOTTED LINES ON THE PLAT MARKED "PUBLIC UTILITY AND/OR DRAINAGE EASEMENT", OR SIMILAR LANGUAGE DESIGNATING A STORMWATER OR SEWER EASEMENT, AND 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 GRANTEES' FACILITIES OR IN, UPON OR OVER, THE PROPERTY WITHIN THE STORMWATER OR SEWER EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. 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 HEREOF, 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 SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND THE OWNERS OR OWNER OF ALL OF THE LOTS OF LAND COMPRISED WITHIN THE 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:

- 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.
- EACH OWNER OR PURCHASER SHALL BE RESPONSIBLE FOR MAINTAINING THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, APPLICABLE TO HIS LOT IN SUCH A 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 SLOPE WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
- 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.
- 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 THE COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS LOT WHICH MAY BE FORECLOSED BY ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
- 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 THEREON.

DATED THIS 11 DAY OF September 2013

Joseph M. Beaulieu
GREENSCAPE HOMES LLC
MANAGING MEMBER

STATE OF ILLINOIS

COUNTY OF DUPAGE) S.S.

WITNESSED BEFORE ME THIS 11 DAY OF September 2013

NOTARY PUBLIC *Joseph M. Beaulieu*

MY COMMISSION EXPIRES: 6/15/16



EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO: COMMONWEALTH EDISON COMPANY AND SBC-AMERITECH, ILLINOIS A.K.A. ILLINOIS BELL TELEPHONE COMPANY, GRANTEE.

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 DESIGNATED IN THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS "COMMON ELEMENTS" AND THE PROPERTY DESIGNATED ON THIS 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 GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) MARKED "EASEMENT", "UTILITY EASEMENT", "P.U.E." (OR SIMILAR DESIGNATION) WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. 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, 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 APPURTENANCE 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 "DUTYLESS", "COMMON ELEMENTS", "OPEN SPACE", "COMMON 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 BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

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

COUNTY CLERK CERTIFICATE

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

COUNTY RECORDER CERTIFICATE

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

RECORDER OF DEEDS

DRAINAGE CERTIFICATE

I, *Joseph P. Neumann*, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND *Joseph P. Neumann* OWNER OF THE LAND DEPICTED HEREON OR HIS DULY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO 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 NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATED THIS 10th DAY OF Sept 2013

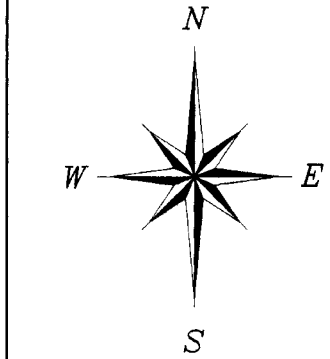
Joseph P. Neumann
ILLINOIS REGISTERED PROFESSIONAL ENGINEER
062-11326

STATE REGISTRATION NUMBER

11-30-2013

REGISTRATION EXPIRATION DATE

Joseph M. Beaulieu
GREENSCAPE HOMES LLC
MANAGING MEMBER



www.HarringtonLandSurveying.com

HARRINGTON
LAND SURVEYING LTD.
ILLINOIS & WISCONSIN

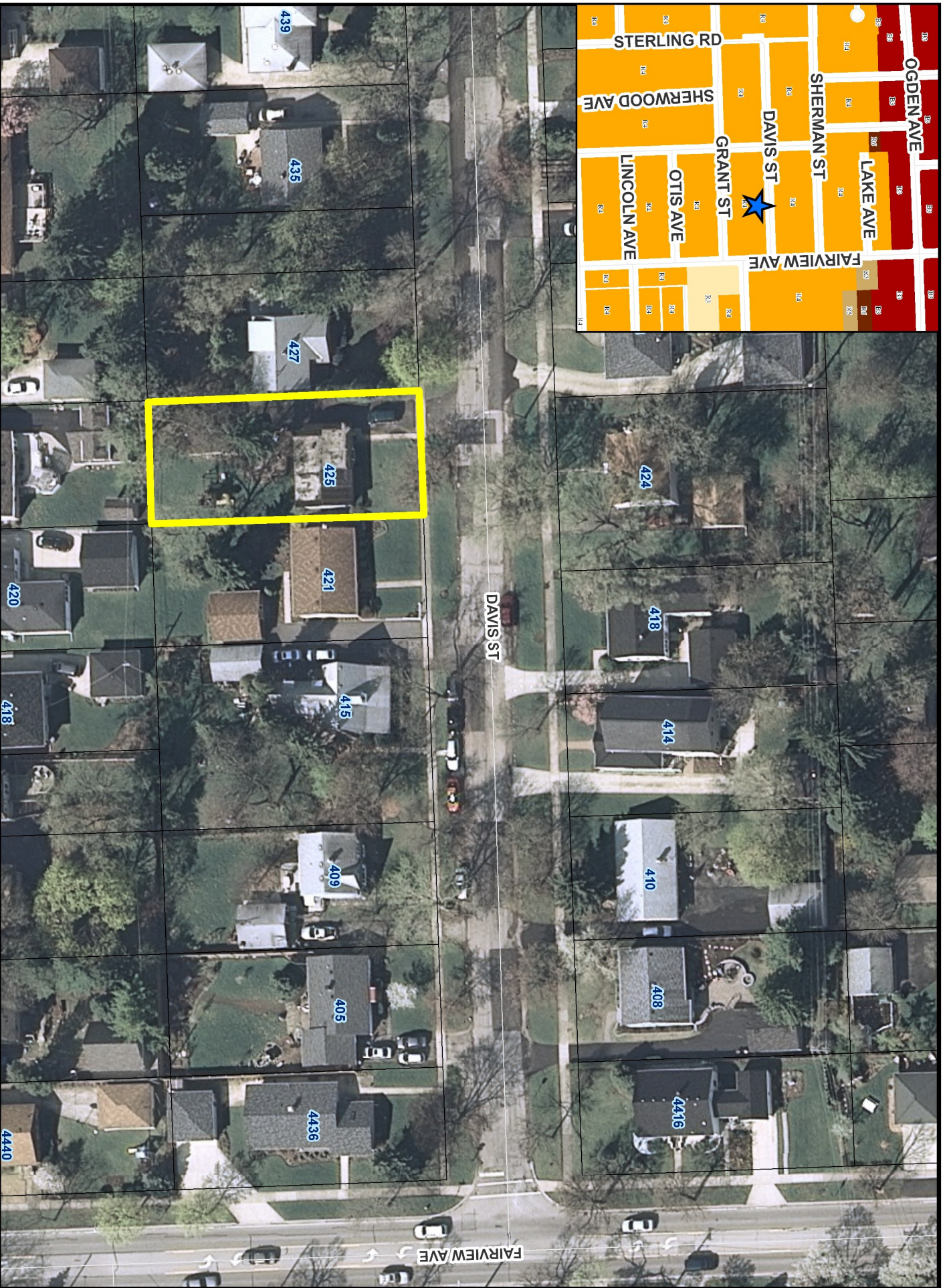
2391 LEEWARD LANE
HANOVER PARK, IL 60133
VOICE (630) 590-4094
FAX (630) 590-9525

ORDERED BY:
GREENSCAPE HOMES LLC.

SCALE: 1" = 20'
September 10, 2013

SURVEY NO.: 054-12
DRAWN BY: J.M.M.
FILE NAME: 054-12_CON.DWG

BENDIEN'S SUBDIVISION
DOWNERS GROVE, ILLINOIS



0 10203040 Feet

425 Davis Street Location Map





**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
OCTOBER 1, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC 32-12 425 Davis Street	Final Plat of Subdivision	Stan Popovich, AICP Planner

REQUEST

The petitioner is requesting approval of a final plat of subdivision to consolidate two existing parcels into one lot.

NOTICE

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

GENERAL INFORMATION

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

PROPERTY INFORMATION

EXISTING ZONING: R-4 Single Family Residential District
EXISTING LAND USE: Residential
PROPERTY SIZE: 7,920 square feet (0.18 acres)
PIN: 09-05-418-007

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-4 Single Family Residence District	Single Family Residential
SOUTH:	R-4 Single Family Residence District	Single Family Residential
EAST:	R-4 Single Family Residence District	Single Family Residential
WEST:	R-4 Single Family Residence District	Single Family Residential

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 petitioner is requesting approval of a final plat of subdivision to consolidate two existing parcels into one lot. The property, commonly known as 425 Davis Street, is zoned R-4 Single Family Residential. The property is made up of two 30-foot wide by 132-foot deep lots totaling 7,920 square feet in size.

The property is improved with a single family home and a detached garage. The petitioner is proposing to demolish the existing home and garage and construct a new single family house. Without the consolidation, the petitioner would not be permitted to construct a new single family house.

COMPLIANCE WITH COMPREHENSIVE PLAN

The Residential Area Plan section of the Comprehensive Plan identifies the property being within the single family traditional grid residential area. The traditional grid provides a uniform layout with standard street and lot widths. The subject single family lot is 60 feet wide where adjacent lots are primarily 60 or 90 feet wide. The Comprehensive Plan recommends residential areas provide a variety of housing and dwelling unit types and densities, generally organized by dwelling types and lot sizes as identified in the Land Use Plan. Staff believes the proposed consolidation of two parcels into one lot is consistent with the Comprehensive Plan.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned R-4 Single Family Residence District. The proposed single family residential use is a permitted use in the district. The proposed lot complies with Sections 28.1103(d) and 28.1104(d) of the Zoning Ordinance. If the subdivision is approved, the petitioner will be able to construct the new single family residence. The new home will be required to 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 district. The lot dimensions are specified in the table below:

425 Davis Street	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	60 feet (no change)	140 feet	132 feet (No change)	7,500 sq. ft.	7,920 sq. ft. (no change)

The petitioner is not requesting any exceptions from Sections 20.101 and 20.301(b) of 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

Notice was provided to all property owners 250 feet or less from the property in addition to posting the public hearing notice sign and publishing the legal notice in the *Downers Grove Reporter*. Staff spoke with one resident who expressed no concerns regarding this petition.

FINDINGS OF FACT

Staff believes the proposed Final Plat of Subdivision to consolidate the two existing parcels into a single lot meets the standards of Sections 28.1103(d) and 28.1104(d) of the Zoning Ordinance and Sections 20.101 and 20.301(b) of the Subdivision Ordinance. Staff believes the request is consistent with the Comprehensive Plan and Zoning and Subdivision Ordinances 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 the Plan Commission make a positive recommendation to the Village Council regarding PC 32-12 subject to the condition below:

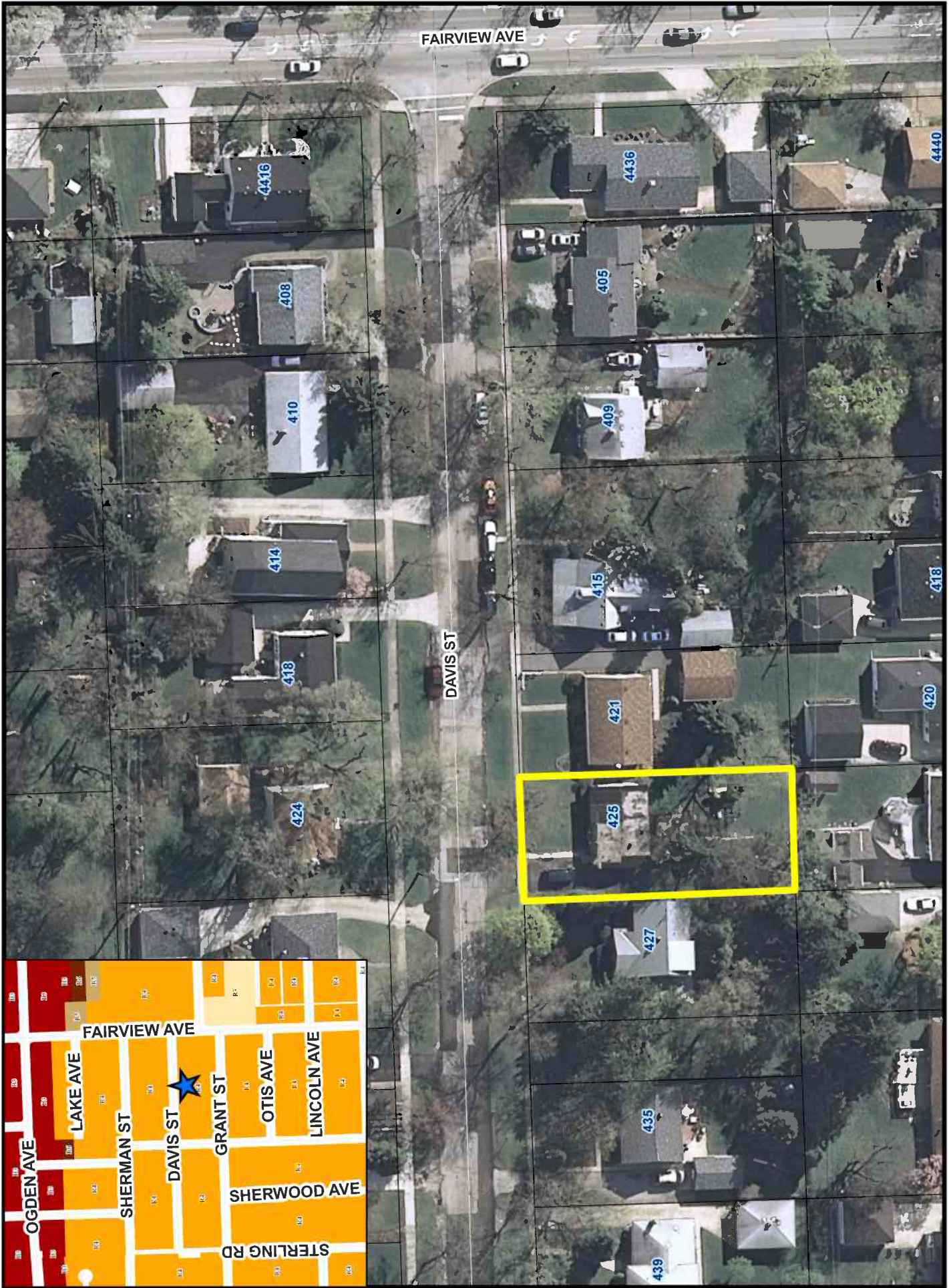
1. The final plat shall substantially conform to the Final Plat of Subdivision of Bendien's Subdivision prepared by Harrington Land Surveying, Ltd., dated September 10, 2012 and attached to the staff report, except as such plat may be modified to conform to the Village Codes and Ordinances.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:sp
-att

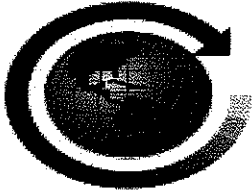
P:\P&CD\PROJECTS\PLAN COMMISSION\2012 PC Petition Files\PC 32-12 425 Davis Street - Lot Consolidation\Staff Report PC 32-12.doc



0 10203040 Feet

425 Davis Street Location Map





GREENSCAPE HOMES, LLC

**Telephone: 630-281-2037
Fax: 630-281-2021**

**4355 Weaver Parkway Suite 350
Warrenville, IL. 60555**

August 23, 2012

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:

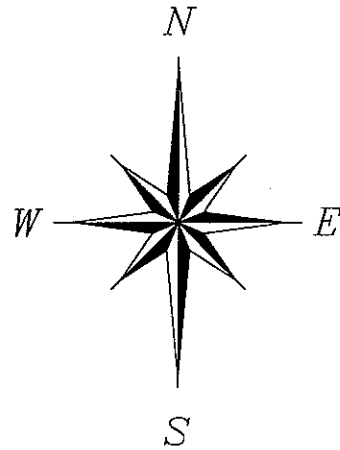
Subject: 425 Davis Street, Downers Grove, IL. 60515
Current Lots: 12 & 13 – Consolidated to New Lot 1

In order to build a new construction single family home at 425 Davis Street, Downers Grove, IL. 60515 we must consolidate Lots 12 & 13 to make one buildable lot. We are submitting with our documents a Boundary & Topographical Survey of the current lots: 12 & 13 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



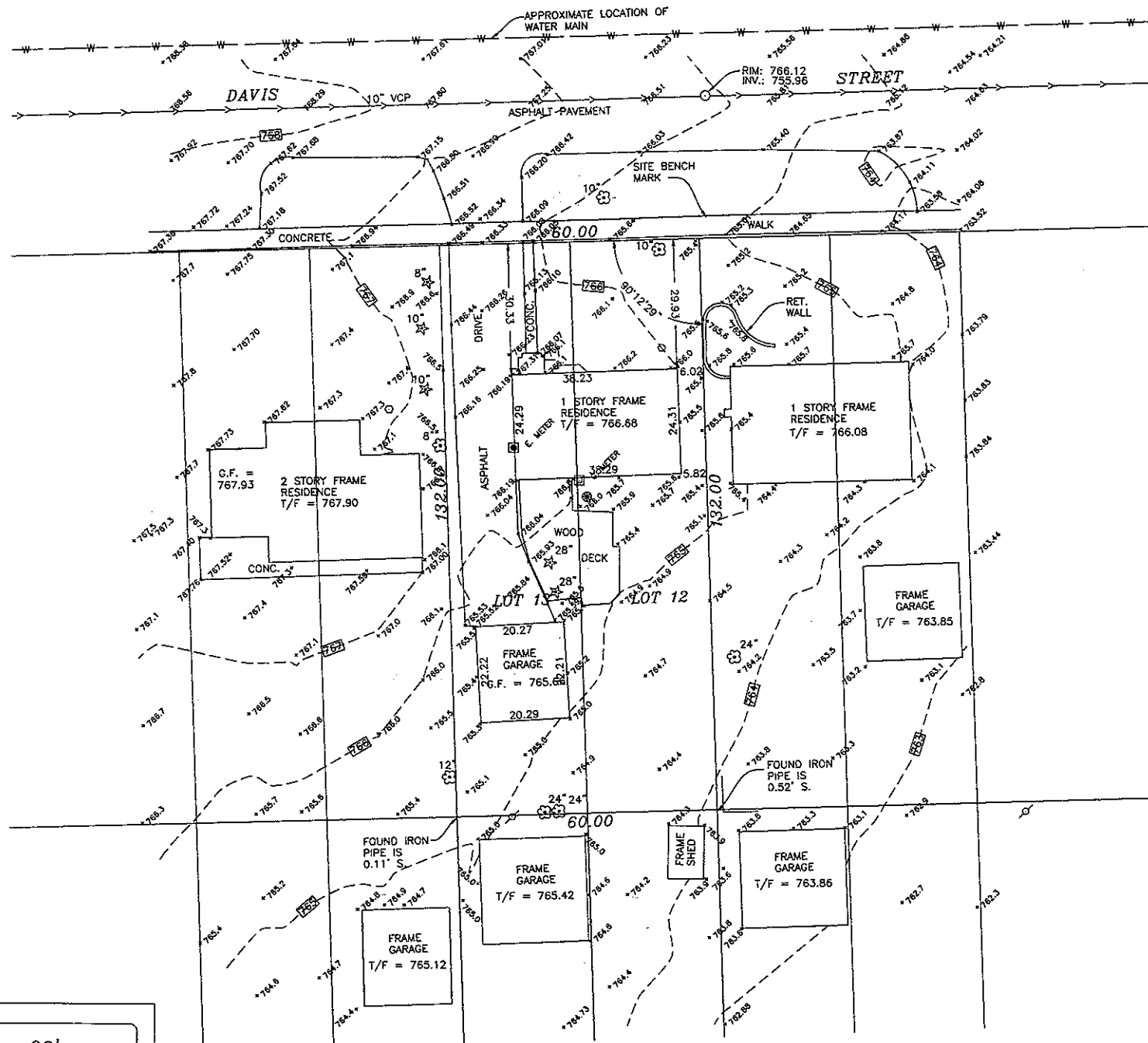
PLAT OF SURVEY

OF

LOTS 12 AND 13 IN BLOCK 8 IN STREET'S ADDITION TO DOWNERS GROVE, BEING A SUBDIVISION OF 70 ACRES IN THE EAST 92 RODS OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON OCTOBER 9, 1875 AS DOCUMENT NO. 20678, IN DUPAGE COUNTY, ILLINOIS.

AREA IS EQUAL TO:
7,919.99 SQUARE FEET

HARRINGTON 2381 Leeward Lane
Hanover Park, IL 60133
Est. 1970 Voice: 630-830-4894
LAND SURVEYING, LTD. Fax: 630-830-5525
Illinois & Wisconsin
www.HarringtonLandSurveying.com



LEGEND

- ⊗ CATCH BASIN
- INLET
- SANITARY SEWER MANHOLE
- CLEAN OUT
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ ELECTRIC METER
- ⊕ GAS METER
- ⊕ AIR CONDITIONER
- ⊕ UTILITY POLE
- ⊕ CONIFEROUS TREE
- ⊕ DECIDUOUS TREE
- ⊕ B-BOX

BENCH MARK:
DUPAGE COUNTY SURVEY MARKER
DGN07001 LOCATED AT THE NORTHWEST
CORNER OF MAPLE AVENUE AND DUNHAM
ROAD. ELEVATION = 743.51 (NGVD 1929)
(743.24 NAVD 88)

SITE BENCH MARK:
CROSS IN WALK AT THE NORTHEAST CORNER OF
PROPERTY. ELEVATION = 765.03 NAVD 88 (USED)

UNDER GROUND UTILITY INFORMATION SHOWN
HEREON IS FROM OBSERVABLE EVIDENCE.
ALL UNDER GROUND UTILITY LOCATIONS
MUST BE VERIFIED PRIOR TO ANY
CONSTRUCTION.

THIS PROFESSIONAL SERVICE CONFORMS TO THE
CURRENT ILLINOIS MINIMUM STANDARDS FOR A
TOPOGRAPHIC SURVEY.

THIS PROFESSIONAL SERVICE CONFORMS TO THE
CURRENT ILLINOIS MINIMUM STANDARDS FOR A
BOUNDARY SURVEY.

For Building Restrictions and Easements refer to your
Abstract Deed, Guarantee Policy and Local Ordinances.
COMPARE ALL POINTS BEFORE BUILDING
AND AT ONCE REPORT ANY DIFFERENCE

FOUND 3/4" IRON PIPE AT ALL CORNERS

ALL BOUNDARY LINE DIMENSIONS ARE RECORD AND
MEASURED UNLESS OTHERWISE NOTED.

NOT VALID WITHOUT EMBOSSED SEAL

State of Illinois }
County of Du Page } S.S.

I, Ralph J. Marugg, do hereby certify that I have surveyed
the above described property and that the plat thereon drawn is
a correct representation of same.

All distances are given in feet and decimal parts thereof
and correct at 62° Fahrenheit.

HANOVER PARK, ILLINOIS MAY 26, 2012

ORDERED BY:
KOZIOL ENGINEERING

SCALE: 1" = 20'

SURVEY NO.: 054-12
DRAWN BY: RJM
FILE NAME: 054-12.DWG

COMMON ADDRESS:
425 DAVIS STREET
DOWNERS GROVE, ILLINOIS.

FIELD WORK COMPLETED MAY 24, 2012

PROFESSIONAL DESIGN FIRM REGISTRATION NO.: 184-003297

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2436
LICENSE EXPIRATION/RENEWAL: 11-30-2012

BENDIEN'S SUBDIVISION

BEING A RESUBDIVISION OF

LOTS 12 AND 13 IN BLOCK 8 IN STREET'S ADDITION TO DOWNERS GROVE, BEING A SUBDIVISION OF 70 ACRES IN THE EAST 92 RODS OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON OCTOBER 9, 1975 AS DOCUMENT NO. 20678, IN DUPAGE COUNTY, ILLINOIS.

OWNERS CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.

THIS IS TO CERTIFY THAT GREENSCAPE HOMES LLC IS THE HOLDER OF RECORD TITLE TO THE PROPERTY SHOWN AND DESCRIBED ON THE PLAT, AND HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN BY THE USES AND PURPOSES THEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS 11 DAY OF September 2013

Joseph M. Beaulieu
MANAGING MEMBER

NOTARY CERTIFICATE

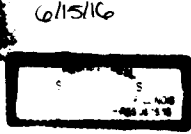
STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.

I, *Joseph M. Beaulieu*, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT *Joseph M. Beaulieu*, THE MANAGING MEMBER OF GREENSCAPE HOMES, LLC, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED THERETO AND THAT HE APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED AND DELIVERED THE PLAT AS HIS OWN FREE AND VOLUNTARY ACT UNDER THE STYLE AND TITLE THEREON INDICATED FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 11 DAY OF September 2013

Joseph M. Beaulieu
NOTARY PUBLIC

MY COMMISSION EXPIRES: 6/15/16



DAVIS STREET
66 FOOT WIDE PUBLIC RIGHT OF WAY
HEREINAFTER DEDICATED

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, RALPH J. MARUGG, AN ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 2436 HAVE SURVEYED AND SUBDIVIDED THE ABOVE DESCRIBED PROPERTY AS SHOWN BY THIS PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION, ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

HANOVER PARK, ILLINOIS, JUNE 13, 2012

Ralph J. Marugg
PROFESSIONAL LAND SURVEYOR NO. 2436

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2436
EXPIRES EXTENSION/RENEWAL DATE: 12-30-2012

PLAN COMMISSION CERTIFICATE

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

CHAIRMAN

DOWNERS GROVE SANITARY DISTRICT CERTIFICATE

I, *Mark McManis*, 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



VILLAGE COLLECTOR CERTIFICATE

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 BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

VILLAGE COLLECTOR

VILLAGE COUNCIL CERTIFICATE

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

MAYOR

VILLAGE CLERK

REVISED 9-7-2012 PER VILLAGE REVIEW

PROFESSIONAL DESIGN FIRM REGISTRATION NO. 184-003297

HARRINGTON
LAND SURVEYING LTD.
ILLINOIS & WISCONSIN
2391 LEEWARD LANE
HANOVER PARK, IL 60139
VOICE (630) 590-4094
FAX (630) 590-9525

ORDERED BY:
GREENSCAPE HOMES LLC.

SCALE: 1" = 20'
September 10, 2013

SURVEY NO.: 054-12
DRAWN BY: J.M.M.
FILE NAME: 054-12_CON.DWG

BENDIEN'S SUBDIVISION
DOWNERS GROVE, ILLINOIS

ENGINEER:
KOZIOL ENGINEERING
1621 OGDEN AVENUE
LISLE, ILLINOIS 60532
(630) 435-8686 VOICE
(630) 435-8689 FAX
MBROWN@KOZIOLENGINEERING.COM

DEVELOPER:
GREENSCAPE HOMES LLC
4355 WEAVER PARKWAY
SUITE 120
WARRENVILLE, ILLINOIS 60555
(630) 281-2052 VOICE
(630) 281-2021 FAX
KEITH.NEUMANN@GREENSCAPEHOMES.COM

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.

THE UNDERSIGNED DO HEREBY CERTIFY THAT, AS OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND KNOWN AS BENDIEN'S SUBDIVISION TO THE BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT 89 SCHOOL DISTRICT, AND DISTRICT 88 ELEMENTARY SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

DATED AT *Downers Grove*, ILLINOIS THIS 11 DAY OF *September*, 2013

Joseph M. Beaulieu
GREENSCAPE HOMES LLC
MANAGING MEMBER

SCHOOL DISTRICT CERTIFICATE

DECLARATION OF RESTRICTIVE COVENANTS

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

AN EASEMENT FOR SERVING THE SUBDIVISION, AND OTHER PROPERTY WITH STORM DRAINAGE, SANITARY SEWER, STREET LIGHTING, POTABLE WATER SERVICE AND BOTH PUBLIC UTILITY SERVICE, IS HEREBY RESERVED AND GRANTED TO THE VILLAGE OF DOWNERS GROVE AND DOWNERS GROVE SANITARY DISTRICT, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, TO INSTALL, OPERATE AND MAINTAIN AND REPAIR, 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, BELOW OR THROUGH THE GROUND SHOWN WITHIN DOTTED LINES ON THE PLAT MARKED "PUBLIC UTILITY AND/OR DRAINAGE EASEMENT", OR SIMILAR LANGUAGE DESIGNATING A STORMWATER OR SEWER EASEMENT, AND 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. 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 HEREOF, 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 SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND THE OWNERS OR OWNER OF ALL OF THE LOTS OF LAND COMPRISED WITHIN THE 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:

- 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.
- EACH OWNER OR PURCHASER SHALL BE RESPONSIBLE FOR MAINTAINING THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, APPLICABLE TO HIS LOT IN SUCH A 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 SLOPE WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
- 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.
- 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 THE COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS LOT WHICH MAY BE FORECLOSED BY ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
- 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 THEREON.

DATED THIS 11 DAY OF September 2013

Joseph M. Beaulieu
MANAGING MEMBER

GREENSCAPE HOMES LLC

STATE OF ILLINOIS)

COUNTY OF DUPAGE) S.S.

WITNESSED BEFORE ME THIS 11 DAY OF September A.D. 2012

Joseph M. Beaulieu
NOTARY PUBLIC
MY COMMISSION EXPIRES: 6/15/16



EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO: COMMONWEALTH EDISON COMPANY AND SBC-AMERITECH, ILLINOIS A.K.A. ILLINOIS BELL TELEPHONE COMPANY, GRANTEE.

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 DESIGNATED IN THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS "COMMON ELEMENTS" AND THE PROPERTY DESIGNATED ON THIS 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", "P.U.E." (OR SIMILAR DESIGNATION) WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE. 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 ICS 605/2, 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 APPURTENANCE 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 "DUTYLESS", "COMMON ELEMENTS", "OPEN SPACE", "COMMON 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 BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

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

COUNTY CLERK CERTIFICATE

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

COUNTY RECORDER CERTIFICATE

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

RECORDER OF DEEDS

DRAINAGE CERTIFICATE

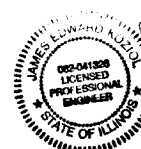
I, *Joseph P. Neumann*, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND OWNER OF THE LAND DEPICTED HEREON OR HIS DULY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO 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 NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATED THIS 10th DAY OF Sept 2013

Joseph P. Neumann
ILLINOIS REGISTERED PROFESSIONAL ENGINEER
062-11326

STATE REGISTRATION NUMBER
11-30-2013

REGISTRATION EXPIRATION DATE



Joseph M. Beaulieu
GREENSCAPE HOMES LLC
MANAGING MEMBER

PC-32-12 A petition seeking approval of a Final Plat of Subdivision to consolidate two existing parcels into one lot. The property is located on the south side of Davis Street approximately 325 feet west of Fairview Avenue, commonly known as 425 Davis Street, Downers Grove, IL (PIN 09-05-418-007); Keith Neumann, Greenscape Homes, LLC, Petitioner/Owner.

Chairman Hose swore in those individuals who would be speaking on the above petition.

Stan Popovich reviewed the lot consolidation before the commissioners, noting the parcel was R-4 Single Family Residential. Currently, the site consisted of two lots (30 feet x 142 feet wide) with a single-family home and detached garage. The owner was proposing to raze the two structures and construct a new home with attached garage in its place but without the consolidation, the new construction could not be permitted. The Village's Comprehensive Plan noted the lots in the area were anywhere from 60 feet to 90 feet wide and staff believed the proposal was consistent with the Village's Comprehensive Plan, the Subdivision Ordinance and Zoning Ordinance. Utility easements were pointed out on the overhead. Notification was published in the newspaper, a sign was posted on the property, and residents within 250 feet were notified.

Staff recommended that the Plan Commission forward a positive recommendation to the Village Council with its one condition stated in the staff report. It was also brought to Mr. Popovich's attention that in staff's report, the proposal listed three existing parcels when it was actually two existing parcels being consolidated into one parcel.

No comments from the Plan Commission. Chairman Hose invited the petitioner to speak.

Mr. Keith Neumann, Greenscape Homes, 4355 Weaver Parkway, Warrenville, Illinois, stated he was seeking approval for the two lot consolidation located on Davis Street, which lot measured 60 feet wide by 132 feet deep. He intended to construct a single-family home and needed the lots to be consolidated in order to construct the home.

Chairman Hose invited the public to speak. No comments received. Public comment was closed.

Mr. Neumann waived his right to his closing statement.

Mr. Cozzo had nothing but positive comments about the proposal. Mr. Beggs commented, in general, that the approval did not change any level of use of the property. Others concurred.

WITH RESPECT TO FILE PC-32-12, MR. WAECHTLER MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL SUBJECT TO THE FOLLOWING CONDITION:

- 1. THE FINAL PLAT SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION OF BENDIEN'S SUBDIVISION PREPARED BY HARRINGTON LAND SURVEYING, LTD., DATED SEPTEMBER 10, 2012 AND ATTACHED TO THE STAFF REPORT, EXCEPT AS SUCH PLAT MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MRS. RABATAH.

ROLL CALL:

**AYE: MR. WAECHTLER, MRS. RABATAH, MR. BEGGS, MR. COZZO,
MR. MATEJCZYK, MR. WEBSTER, CHAIRMAN HOSE**

NAY: NONE

MOTION CARRIED. VOTE: 7-0