

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting
8/18/2015

SUBJECT:	SUBMITTED BY:
Establishment of Special Service Area #9 at 1350 35th Street	Stan Popovich, AICP Planning Manager

SYNOPSIS

An ordinance has been prepared proposing the establishment of Special Service Area #9 for the 35th and Saratoga Subdivision at 1350 35th Street.

STRATEGIC PLAN ALIGNMENT

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

FISCAL IMPACT

n/a

RECOMMENDATION

Approval on the September 1, 2015 active agenda.

BACKGROUND

The Village is proposing establishment of Special Service Area (SSA) #9 for the 35th and Saratoga Subdivision, which will serve as a safeguard in the event that the homeowners' association cannot or does not maintain the subdivision's common detention areas. The SSA will allow the Village to levy a special tax on the property owners for the maintenance of the common areas if the homeowners' association defaults and the Village is required to step in to provide such maintenance. The Village would then assume responsibility for maintaining the common areas.

The 35th and Saratoga Subdivision is located on the north side of 35th Street, approximately 160 feet west of Saratoga Avenue. The seven lot subdivision was approved on May 31, 2015 and recorded on August 12, 2015. The subdivision consists of seven single family residential lots with a stormwater management basin on an outlot. The subdivision approval included the establishment of a homeowners' association to maintain the stormwater management facilities (including but not limited to the detention basin, inlet and out structures and connecting storm sewers) and associated landscaping, swales and grass areas.

The Village proposes a maximum annual rate not to exceed 3% of the property's equalized Assessed Value (EAV) as a tax levy.

To establish the SSA the Village must first approve an ordinance proposing the establishment of the SSA. A public hearing must then be held at a Council meeting after notice is published in the paper and mailed to

those properties which would be included in the SSA. There is then a 60 day objection period following the public hearing. If 51% of the property owners and electors residing within the boundaries of the proposed SSA file an objection, then the SSA cannot be created. If this threshold is not met, then the Village can approve an ordinance establishing the SSA. Staff is not anticipating an objection as the entire subdivision is still owned by the developer, Greenscape Homes, LLC. and they are asking for the creation of the SSA.

ATTACHMENTS

Ordinance

Aerial Map

Recorded Final Plat of Subdivision for the 35th and Saratoga Subdivision

ORDINANCE NO. _____**AN ORDINANCE PROPOSING THE ESTABLISHMENT OF
SPECIAL SERVICE AREA NUMBER 9
IN THE VILLAGE OF DOWNERS GROVE, ILLINOIS AND
PROVIDING FOR A PUBLIC HEARING
AND OTHER PROCEDURES IN CONNECTION THEREWITH**

BE IT ORDAINED by the Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

Section 1. Authority to Establish Special Service Area.

Special Service Areas are established pursuant to Article VII, Section 6L of the Constitution of the State of Illinois in force July 1, 1971, which provides:

The General Assembly may not deny or limit the power of home rule units (1) to make local improvement by special assessment and to exercise this power jointly with other counties and municipalities, and other classes of units of local government having that power on the effective date of this Constitution, unless that power is subsequently denied by law to any such other local unit of government, or (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services and are established pursuant to the provision of an Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties pursuant to the Revenue Act of 1939.

Section 2. Findings. The Village Council finds:

- A. It is in the public interest that the creation of the area hereinafter described as a special service area for the purposes set forth herein be considered.
- B. That said area is compact and contiguous and constitutes the sole area to be benefitted from the maintenance and operation of said improvements.
- C. That said area is zoned for residential purposes and will benefit specially from the municipal services to be provided and that the proposed municipal services are in addition to municipal services provided to the Village of Downers Grove as a whole and it is, therefore, in the best interest of the Village of Downers Grove that the levy of special taxes against said area for the services to be provided be considered.

Section 3. Public Hearing – Tax Rates.

That a public hearing be held on Tuesday, November 3, 2015 at 7:00 p.m. in the Council Chambers of the Civic Center, 801 Burlington Avenue, Downers Grove, Illinois, to consider the creation of Special Service Area Number 9 of the Village of Downers Grove, in the territory described in the Notice set forth in Section 4 hereof. At the hearing, there will be considered the levy of an annual tax not to exceed an annual rate of three percent (3%) of the assessed value, as equalized, of the property in the Special Service Area. Said taxes shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Revenue Act of 1939. Notwithstanding the foregoing, taxes shall not be levied hereunder and said area shall be “dormant”, and shall take effect only if the applicable required owners association or property owner fails to maintain, repair or replace part or all of the “Common Area” and stormwater management facilities and associated landscaping, retaining walls and grass areas, as hereinafter identified, and the Village chooses to assume some or all of said responsibilities. The Village may annually levy hereunder up to the maximum rate specified herein for the cost of said services, as said services become necessary and are provided for.

Section 4. Notice of Hearing.

Notice of hearing shall be published at least once not less than fifteen (15) days prior to the public hearing in one or more newspapers in general circulation in the Village of Downers Grove. In addition, notice by mailing shall be given by depositing said notice in the U.S. Mail addressed to the person or persons in whose name the general taxes for the preceding year were paid on each lot, block, tract, or parcel of land lying within the proposed Special Service Area. Said notices shall be mailed not less than ten (10) days prior to the time set for the public hearing. In the event the taxes for last preceding year were not paid, the Notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of the property. The Notice shall be in substantially the following form:

NOTICE OF HEARING

**VILLAGE OF DOWNERS GROVE
SPECIAL SERVICE AREA NUMBER 9**

NOTICE IS HEREBY GIVEN that on Tuesday, November 3, 2015 at 7:00 p.m., in the Council Chambers of the Civic Center, 801 Burlington Avenue, Downers Grove, Illinois, a hearing will be held by the Village Council of the Village of Downers Grove, to consider forming a Special Service Area consisting of the following described territory:

BEING A SUBDIVISION OF PARCEL 5 IN REST HAVEN WEST SECOND ASSESSMENT PLAT, BEING A PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 2015 AS DOCUMENT NUMBER R2015-089485

Commonly known as: 1350 35th, Downers Grove, IL 60515
PIN: 06-31-201-043

The approximate street location for the area is on the north side of 35th Street approximately 160 feet west of Saratoga Avenue. An accurate map of said territory is on file in the office of the Village Clerk and is available for public inspection.

All interested persons affected by the formation of Downers Grove Special Service Area Number 9, including all persons owning taxable real property within said special service area, will be given the opportunity to be heard regarding the formation and boundaries of the area and may object to the formation of the area and the levy of taxes affecting said area. The hearing may be adjourned by the Council to another date without further notice other than a Motion to be entered upon the minutes of its meeting fixing the time and place of its adjournment. The purpose of the formation of Downers Grove Special Service Area Number 9 in general is to provide special municipal services to the area, including, but not limited to, municipal services in connection with the maintenance and operation of any "Common Area" of the subject property as defined in the Declaration of Covenants, Conditions, Easements and Restrictions for the Homeowners' Association, including but not limited to real property and improvements thereto owned or maintained by the Association, and the stormwater management facilities (including, but not limited to, stormwater detention and retention basin areas, inlet and out structures, connection storm sewers, connecting surface drainage channels, subsurface drainage systems) and associated landscaping, retaining walls and grass areas located therein.

A special tax will be considered at the public hearing to be levied in an amount not to exceed an annual rate of three percent (3%) of the assessed value, as equalized to be levied against the real property included in the special service area. This tax may be levied for an indefinite period of time during and in the years subsequent to the date of this Ordinance.

If a petition signed by at least fifty-one percent (51%) of the electors residing within the special service area and by at least fifty-one percent (51%) of the owners of record of the land included within the boundaries of the Special Service Area is filed with the Village clerk within sixty (60) days following the final adjournment of the public hearing objecting to the creation of the special service district, the enlargement thereof, the levy or imposition of a tax for the provision of special services to the area, or to a proposed increase in the tax, no such district shall be created or enlarged, or tax may be levied or imposed nor the rate increased.

Dated this _____ day of _____ 201_____.

April Holden, Village Clerk

Section 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk



0 37.575 150 225 Feet

1350 35th Street - Location Map



LEGEND & ABBREVIATIONS

- CONCRETE MONUMENT SET
- CONCRETE MONUMENT FOUND
- IRON PIPE SET
- IRON PIPE FOUND
- ⑧ RECORD DATA
- ⑨ MEASURED DATA
- PUBLIC UTILITY & DRAINAGE
- - - EASEMENT LINE
- PROPERTY LINE
- - - BUILDING SETBACK LINE
- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- - - PROPOSED PARCEL LINE
- SECTION LINE

FINAL PLAT OF SUBDIVISION
35TH AND SARATOGA SUBDIVISION

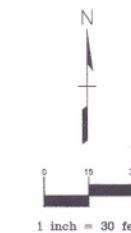
BEING A SUBDIVISION OF PARCEL 5 IN REST HAVEN WEST SECOND ASSESSMENT PLAT, BEING PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JUNE 6, 2003 AS DOCUMENT R2003-213254 IN DUPAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS:
 1350 35TH STREET
 DOWNERS GROVE, ILLINOIS

PAGE 1 OF 2

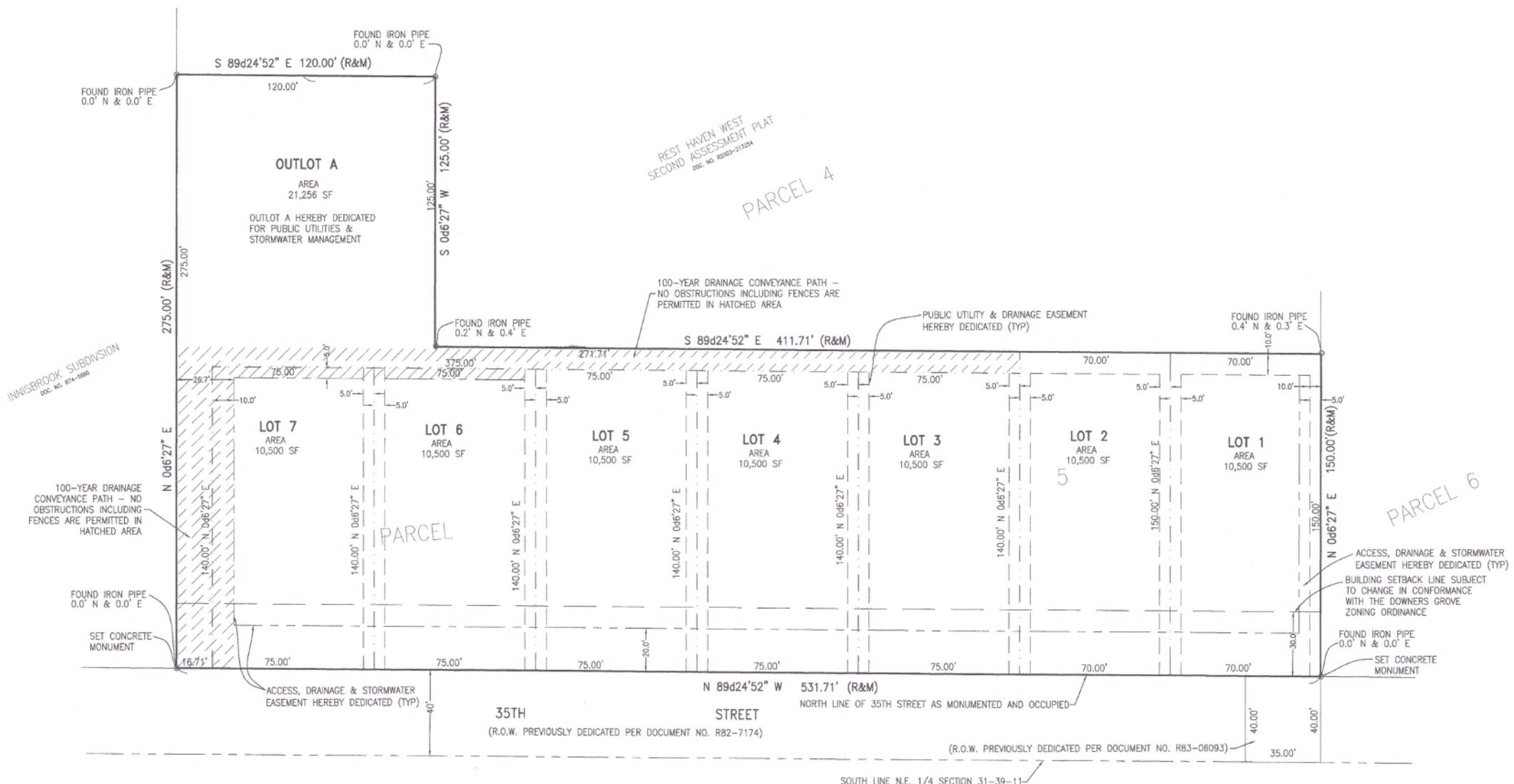


FRED BUCHOLZ
 DUPAGE COUNTY RECORDER
 AUG. 12. 2015 RHSP 11:57 AM
 PLAT \$79.00 06-31-201-043
 000 PAGES R2015-089485



BASIS OF BEARING
 CENTERLINE OF 35TH STREET
 ASSUMED TO BE N 89°24'52" W

pm: 0631201043



SURVEYOR NOTES:

1. IRON PIPES SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
2. ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
3. DIMENSIONS ALONG CURVED LINES ARE ARC DIMENSIONS.
4. ALL EASEMENTS ARE HERETOFORE DEDICATED UNLESS OTHERWISE NOTED.
5. ALL EASEMENTS DEPICTED ON THE PLAT MAP ARE FOR PUBLIC UTILITIES AND DRAINAGE PURPOSES UNLESS OTHERWISE NOTED. REFER TO THE PUBLIC UTILITIES AND DRAINAGE EASEMENT PROVISIONS STATEMENT FOR SPECIFIC TERMS AND CONDITIONS

AREA OF SURVEY:

CONTAINING 94,753± SQUARE FEET (2.175 ACRES) MORE OR LESS

STATE OF ILLINOIS) SS
 COUNTY OF DUPAGE)

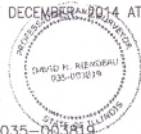
THIS IS TO CERTIFY THAT I, DAVID M. RIENDEAU, ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER _____ HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY AS SHOWN BY THIS PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION.

PARCEL 5 IN REST HAVEN WEST SECOND ASSESSMENT PLAT, BEING PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JUNE 6, 2003 AS DOCUMENT R2003-213254 IN DUPAGE COUNTY, ILLINOIS.

I, FURTHER STATE THAT THE PROPERTY IN THIS SUBDIVISION IS IN ZONE 'X' AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AS SET FORTH ON THE FLOOD INSURANCE RATE MAP FOR THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, COMMUNITY PANEL NUMBER 17043C0607H EFFECTIVE DATE DECEMBER 16, 2004.

GIVEN UNDER MY HAND AND SEAL THIS 30TH DAY OF DECEMBER 2014 AT WARRENVILLE, IL

Signature of David M. Riendeau



DAVID M. RIENDEAU
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003819
 LICENSE EXPIRES 11/30/2016

SUBMITTED BY:

DATE: 12/30/14
 REVISED: 1/28/15
 REVISED: 2/11/15
 REVISED: 2/24/15
 REVISED: 3/18/15
 REVISED: 3/25/15

PREPARED BY:
GREENSCAPE HOMES, LLC
 4355 WEAVER PARKWAY
 WARRENVILLE, IL 60555

DUPAGE CO RECORDER PAGE 1 OF 2

35TH AND SARATOGA SUBDIVISION

BEING A SUBDIVISION OF PARCEL 5 IN REST HAVEN WEST SECOND ASSESSMENT PLAT, BEING PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JUNE 6, 2003 AS DOCUMENT R2003-213254 IN DUPAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1350 35TH STREET DOWNERS GROVE, ILLINOIS

PLAT R2015-089485 AUG. 12. 2015 11:57 AM

PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE CERTIFICATE

STATE OF ILLINOIS) SS COUNTY OF DU PAGE) APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE THIS 6th DAY OF August, A.D., 2015 [Signature]

VILLAGE COUNCIL OF THE VILLAGE OF DOWNERS GROVE CERTIFICATE

STATE OF ILLINOIS) SS COUNTY OF DU PAGE) APPROVED BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE THIS 4th DAY OF August, A.D., 2015 [Signature]



SANITARY DISTRICT CERTIFICATE

STATE OF ILLINOIS) SS COUNTY OF DU PAGE) I, William Clay Campbell, 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. DATED THIS 11th DAY OF August, A.D., 2015 [Signature]



VILLAGE COLLECTOR'S CERTIFICATE

STATE OF ILLINOIS) SS COUNTY OF DU PAGE) I, Judy Betting, COLLECTOR OF 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. DATED THIS 7th DAY OF August, A.D., 2015 [Signature]

SCHOOL DISTRICT BOUNDARY STATEMENT

STATE OF ILLINOIS) SS COUNTY OF DU PAGE) THE UNDERSIGNED DO HEREBY CERTIFY THAT, AS OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND KNOWN AS 1350 35th Street TO THE BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE 99 HIGH SCHOOL DISTRICT, AND 58 ELEMENTARY SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

DATED AT 10:00 AM ILLINOIS THIS 4 DAY OF August, A.D., 2015 Greenscape Homes, LLC BY: [Signature]

DRAINAGE CERTIFICATE

STATE OF ILLINOIS) SS COUNTY OF DU PAGE) I, Daniel M. Riendera, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND GREENSCAPE HOMES, LLC THE 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 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 NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. DATED THIS 31st DAY OF July, A.D., 2015 862-050030 [Signature]

STATE REGISTRATION NUMBER 11/2015 REGISTRATION EXPIRATION DATE

PROPERTY OWNER'S SIGNATURES BY: Greenscape Homes, LLC BY: [Signature]

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... (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...

DECLARATION CERTIFICATE

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 JURISDICTIONAL 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 LANDS COMPRISED WITHIN SAID PLAT, AND THEIR RESPECTIVE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.

NOW, THEREFORE, ALL PERSONS, FIRMS OR CORPORATION 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 BY 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... 2. EACH OWNER OR PURCHASER SHALL BE RESPONSIBLE FOR MAINTAINING THE STORMWATER EASEMENT... 3. IN THE EVENT ANY OWNER OF PURCHASER FAILS TO PROPERLY MAINTAIN THE STORMWATER EASEMENT... 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... 5. THE AFORESAID RESTRICTIONS AND COVENANTS, AND EACH AND EVERY ONE OF THEM, ARE HEREBY EXPRESSLY MADE AN ESSENTIAL PART OF THIS INSTRUMENT...

IN WITNESS WHEREOF, THE OWNERS HAVE SET THEIR HANDS UPON THE ATTACHED PLAT THE DAY AND DATE FIRST WRITTEN THEREON

DATED THIS 4 DAY OF August, A.D., 2015 Greenscape Homes, LLC BY: [Signature] OWNER [Signature] NOTARY PUBLIC



MY COMMISSION EXPIRES: 3/22/18

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, 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, FEDESTALS, 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 ON 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, REPAIR, SERVICED, MAINTAIN, 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...

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 '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 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 DU PAGE) Greenscape Homes, LLC INDIVIDUALS (OR CORPORATION), HEREBY CERTIFY THAT THEY (OR IT) ARE THE OWNERS (OR OWNER) OF THE ABOVE DESCRIBED PROPERTY AND THEY (OR IT) HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HEREON DRAWN. DATED THIS 4 DAY OF August, A.D., 2015 GREENSCAPE HOMES, LLC BY: [Signature] ADDRESS: 4355 Weaver Parkway, Warrenville, IL 60555

NOTARY CERTIFICATE

STATE OF ILLINOIS) SS COUNTY OF DU PAGE) I HEREBY CERTIFY THAT THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE ARE KNOWN TO ME AS SUCH OWNERS. GIVEN UNDER MY HAND AND SEAL THIS 4th DAY OF August, A.D., 2015 [Signature]



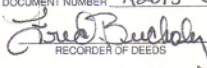
DUPAGE COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS) SS COUNTY OF DU PAGE) I, Paul Hinds, COUNTY CLERK OF DU PAGE 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 12th DAY OF August, A.D., 2015 [Signature]



DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS) SS COUNTY OF DU PAGE) THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THE 12th DAY OF August, A.D., 2015 AT 11:57 O'CLOCK A.M. AS DOCUMENT NUMBER R2015-089485 [Signature]



DUPAGE CO RECORDER PAGE 2 OF 2

DATE: 12/30/14 REVISED: 1/28/15 REVISED: 2/11/15 REVISED: 2/24/15 REVISED: 3/18/15 REVISED: 3/25/15

PREPARED BY: GREENSCAPE HOMES, LLC 4355 WEAVER PARKWAY WARRENVILLE, IL 60555