

ITEM RES 2015-6376

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village Council Meeting**  
**9/1/2015**

<b>SUBJECT:</b>	<b>SUBMITTED BY:</b>
Final Plat of Subdivision at 2801 Ogden Avenue & Subdivision Improvement Agreement	Stanley J. Popovich, AICP Planning Manager

**SYNOPSIS**

A resolution has been prepared to resubdivide the subject property's seven existing lots into two new lots. Additionally, a separate resolution has been prepared to authorize the execution of a subdivision improvement agreement with the property owners at 2801 Ogden Avenue.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2011-2018 include *Exceptional Municipal Services*.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval on the September 8, 2015 active agenda per the Plan Commission's unanimous 7:0 recommendation. The Plan Commission discussed this petition at its August 3, 2015 meeting and found that the Final Plat of Subdivision met the standards of approval for a Plat of Subdivision (Sections 20.301 and 20.305).

**BACKGROUND**

The applicant is requesting approval of the Final Plat of Subdivision to resubdivide seven vacant existing lots into two new lots. One lot (3.3 acres), owned by the Alter Group, will be marketed for commercial development. The second lot (14.8 acres), owned by the Downers Grove Park District, will have wetland and park uses. The subject property is located at the southeast corner of Ogden and Walnut Avenues and is currently zoned O-R-M, Office-Research-Manufacturing.

There are no plans for development on either lot at this time. As such, the property owners will be entering into a Subdivision Improvement Agreement with the Village for public improvements. The applicants will be responsible for installing public improvements when development plans are presented for either lot.

Compliance with the Subdivision Ordinance

The proposal meets the Subdivision Ordinance requirements for lot area and depth as shown in the chart below:

<b>2801 Ogden Ave. Subdivision</b>	<b>Lot Width (req. 100 ft.)</b>	<b>Lot Depth (req. 140 ft.)</b>	<b>Lot Area (req. 20,000 sq. ft.)</b>
Lot 1	390 feet	469 ft.	145,634 sq. ft. (3.3 acres)
Lot 2	709 feet	835 ft.	644,766 sq. ft. (14.8 acres)

There are no exceptions being requested with this petition.

Compliance with the Zoning Ordinance

The subject property is currently zoned O-R-M, Office-Research-Manufacturing. The two new lots comply with the minimum lot area (20,000 square feet) requirement per Section 3.030 of the Zoning Ordinance. Any future development will have to comply with the Zoning Ordinance.

Public Improvements

There are no public improvements associated with this petition. The property owners will be responsible for installing public improvements at the time when development occurs as outlined in the Subdivision Improvement Agreement.

Compliance with the Comprehensive Plan

The Comprehensive Plan identifies this site as Catalyst Site #23. The future development of Lot 1 will meet the goal of enhancing the Ogden Avenue corridor. Lot 2, now owned by the park district, will satisfy the goal to continue enhancing the recreational opportunities provided to residents and visitors. This petition is consistent with the Comprehensive Plan.

Public Comment

One resident stated her support for the Downers Grove Park District purchasing Lot 2. However, she was concerned about new development and that this area is prone to flooding. She also addressed concerns about wildlife habitat and protecting the existing trees.

**ATTACHMENTS**

Final Plat Resolution

Final Subdivision Plat

Subdivision Improvement Agreement Resolution  
Agreement

Aerial Map

Staff Report with attachments dated August 3, 2015

Minutes of the Plan Commission Hearing dated August 3, 2015

**RESOLUTION \_\_\_\_\_****A RESOLUTION APPROVING THE  
FINAL PLAT OF SUBDIVISION  
FOR 2801 OGDEN AVENUE**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for the approval of a Final Plat of Subdivision to resubdivide seven lots into two lots, located on the southeast corner of Ogden and Walnut Avenues, commonly known as 2801 Ogden, Illinois, legally described as follows:

**PARCEL 1:**

THE WEST 144 FEET OF LOT 1 AND PART OF LOT 2 IN ARTHUR T. MCINTOSH AND COMPANY'S FIRST ADDITION TO BELMONT, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1919 AS DOCUMENT 137824, AND LYING SOUTH OF THE SOUTHERLY LINE OF THE LAND TAKEN IN CONDEMNATION CASE NUMBER 87ED72 (EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SAID SOUTH LINE IN SAID CONDEMNATION CASE AND THE EAST LINE OF THE WEST 144 FEET OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF SOUTH 02 DEGREES 15 MINUTES AND 01 SECOND EAST ALONG THE EAST LINE OF SAID WEST 144 FEET OF LOT 1, AT A DISTANCE OF 490.75 FEET; THENCE SOUTH 87 DEGREES 44 MINUTES AND 59 SECONDS WEST, A DISTANCE OF 451.26 FEET TO THE SOUTHERLY LINE IN SAID CONDEMNATION CASE NUMBER 87ED72; THENCE NORTH 78 DEGREES 20 MINUTES AND 58 SECONDS EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 241.81 FEET TO THE POINT OF BEGINNING), ALL IN SECTION 1, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

**ALSO KNOWN AS:**

PARCEL 2 IN BORG'S OGDEN AVENUE PLAT OF ASSESSMENT IN THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1994 AS DOCUMENT R94-040343, IN DUPAGE COUNTY, ILLINOIS.

**PARCEL 2:**

LOTS 4, 5 AND 3 (EXCEPTING FROM SAID LOT 3 THAT PART THEREOF DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3, ALSO BEING ON THE EAST RIGHT OF WAY LINE OF WALNUT AVENUE, AND THE SOUTH RIGHT OF WAY LINE OF OGDEN AVENUE; THENCE NORTH 78 DEGREES 20 MINUTES 58 SECONDS EAST ALONG THE SOUTH RIGHT OF WAY LINE OF OGDEN AVENUE, A DISTANCE OF 289.67 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 02 DEGREES 03 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 17.24 FEET; THENCE SOUTH 74 DEGREES 26 MINUTES 43 SECONDS WEST, A DISTANCE OF 293.74 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF WALNUT AVENUE, BEING 37.53 FEET SOUTHERLY OF THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 02 DEGREES 02 MINUTES 39 SECONDS WEST ALONG THE EAST RIGHT OF WAY LINE OF WALNUT AVENUE, A DISTANCE OF 37.53 FEET TO THE POINT OF BEGINNING), ALL IN ARTHUR T. MACINTOSH AND CO'S FIRST ADDITION TO BELMONT, BEING A SUBDIVISION OF PART OF SECTIONS 1, 2, 11 AND 12, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1919 AS DOCUMENT 137824, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 2801 Ogden Avenue, Downers Grove, IL 60515  
(PINs: 08-01-304-002; -003, -022, -028 & 08-01-307-001; -002;-003)

WHEREAS, notice has been given and a public hearing held on August 3, 2015 regarding this final 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 for the Ogden and Walnut Resubdivision, located at 2801 Ogden Avenue, 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 for the Ogden and Walnut Resubdivision located at 2801 Ogden Avenue, Downers Grove, Illinois, is hereby approved subject to the following conditions:

1. The final plat of subdivision shall substantially conform to the Final Plat of Subdivision for the Ogden and Walnut Resubdivision prepared by Edward J. Malloy & Associates, LTD. last revised on June 18, 2015, except as such plans may be modified to conform to Village Codes and Ordinances.
2. The property owners shall enter into a Subdivision Improvement Agreement with the Village.

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



# OGDEN & WALNUT RESUBDIVISION

OF PARTS OF LOTS 1 TO 5, INCLUSIVE IN ARTHUR T. MCINTOSH AND COPMAN'S FIRST ADDITION TO BELMONT, A SUBDIVISION OF PARTS OF SECTIONS 1, 2, 11 AND 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

## FINAL SUBDIVISION PLAT

### OWNER'S CERTIFICATE AND SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
TAG LAND DGS LLC, A DELAWARE LIMITED LIABILITY COMPANY DOES HEREBY CERTIFY THAT IT IS THE OWNER OF PART OF THE PROPERTY DESCRIBED HEREON AND THAT IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED FOR THE PURPOSE OF SUBDIVIDING, IT FURTHER CERTIFIES TO THE BEST OF ITS KNOWLEDGE, THAT THE LAND INCLUDED HEREIN FALLS WITHIN THE FOLLOWING SCHOOL DISTRICTS: DOWNERS GROVE GRADE SCHOOL DISTRICT 58, 1860 63RD STREET, DOWNERS GROVE, IL 60516, (630) 719-5800; COMMUNITY HIGH SCHOOL DISTRICT 99, 6301 SPRINGSIDE AVE., DOWNERS GROVE, IL 60516, (630) 795-7100.

SIGNED AT \_\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

TAG LAND DGS LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_  
NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_

### NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ OF TAG LAND DGS LLC, A DELAWARE LIMITED LIABILITY COMPANY, 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 HE/SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS HIS/HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID LIMITED LIABILITY COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

### OWNER'S CERTIFICATE AND SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
DOWNERS GROVE PARK DISTRICT DOES HEREBY CERTIFY THAT IT IS THE OWNER OF PART OF THE PROPERTY DESCRIBED HEREON AND THAT IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED FOR THE PURPOSE OF SUBDIVIDING, IT FURTHER CERTIFIES TO THE BEST OF ITS KNOWLEDGE, THAT THE LAND INCLUDED HEREIN FALLS WITHIN THE FOLLOWING SCHOOL DISTRICTS: DOWNERS GROVE GRADE SCHOOL DISTRICT 58, 1860 63RD STREET, DOWNERS GROVE, IL 60516, (630) 719-5800; COMMUNITY HIGH SCHOOL DISTRICT 99, 6301 SPRINGSIDE AVE., DOWNERS GROVE, IL 60516, (630) 795-7100.

SIGNED AT \_\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

DOWNERS GROVE PARK DISTRICT

BY: \_\_\_\_\_  
NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_

### NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ OF DOWNERS GROVE PARK DISTRICT, 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 HE/SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS HIS/HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID DOWNERS GROVE PARK DISTRICT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

### PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

BY: \_\_\_\_\_  
CHAIRMAN OF THE PLAN COMMISSION

### VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015 BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE.

MAYOR OF DOWNERS GROVE

VILLAGE CLERK OF DOWNERS GROVE

### VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
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 APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE

### DOWNERS GROVE SANITARY DISTRICT CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
I, \_\_\_\_\_, COLLECTOR FOR 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 APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

COLLECTOR FOR THE DOWNERS GROVE SANITARY DISTRICT

### DRAINAGE CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
I, \_\_\_\_\_, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND OWNERS OF THE LAND DEPICTED HEREON OR DULY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION WILL BE 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 ADDJONING 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

OWNER OR ATTORNEY

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

OWNER OR ATTORNEY

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

DESIGN ENGINEER LICENSE NUMBER

### COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
I, PAUL HINDS, 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 AT WHEATON, DUPAGE COUNTY, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

COUNTY CLERK

### COUNTY RECORDERS CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS  
THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M AS DOCUMENT NUMBER \_\_\_\_\_.

### ILLINOIS DEPARTMENT OF TRANSPORTATION CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF \_\_\_\_\_ ) SS  
THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO ILLINOIS COMPILLED STATUTES CH. 765, SEC. 205/2; HOWEVER, A HIGHWAY PERMIT IS REQUIRED OF THE OWNER OF THE PROPERTY, A PLAN THAT MEETS REQUIREMENTS CONTAINED IN THE DEPARTMENT'S POLICY ON PERMITS FOR ACCESS DRIVENWAYS TO STATE HIGHWAYS WILL BE REQUIRED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

### TAX PARCEL PERMANENT INDEX NUMBERS:

08-01-307-001  
08-01-307-002  
08-01-307-003  
08-01-304-002  
08-01-304-003  
08-01-304-004  
08-01-304-028

PLAT SUBMITTED BY AND SEND FUTURE TAX BILLS TO:  
TAG LAND DGS LLC  
C/O

AFTER RECORDING RETURN TO:  
VILLAGE OF DOWNERS GROVE  
ATTENTION: VILLAGE CLERK  
801 BURLINGTON AVE.  
DOWNERS GROVE, ILLINOIS 60515

### 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 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. 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.

### DECLARATION OF RESTRICTIVE COVENANTS

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 ACQUIRE SAID LOTS 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, 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 REFORMATION 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 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

OWNER

NOTARY PUBLIC

### 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 AT&T TELEHOLDINGS INCORPORATED, 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, WIRING, CONDUITS, MANHOLES, MARKERS, TRANSFORMERS, TRANSFORMER PADS, 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 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. 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 "GUILDS", "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 GRANTEE AT COST OF THE GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.

### LAND SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

I, THOMAS A. MOLLOY, AN ILLINOIS PROFESSIONAL LAND SURVEYOR AND MANAGING AGENT OF EDWARD J. MOLLOY AND ASSOCIATES, LTD., AN ILLINOIS PROFESSIONAL DESIGN FIRM, HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF RESUBDIVIDING SAID LOT INTO TWO LOT SUBDIVISION:

THE WEST 144 FEET OF LOT 1 AND PART OF LOT 2 IN ARTHUR T. MCINTOSH AND COMPANY'S FIRST ADDITION TO BELMONT, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1919 AS DOCUMENT 137824, AND LYING SOUTH OF THE SOUTHERLY LINE OF THE LAND TAKEN IN CONDEMNATION CASE NUMBER 87ED722 (EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SAID SOUTH LINE IN SAID CONDEMNATION CASE AND THE EAST LINE OF THE WEST 144 FEET OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF SOUTH 02 DEGREES 15 MINUTES AND 01 SECOND EAST ALONG THE EAST LINE OF SAID WEST 144 FEET OF LOT 1, A DISTANCE OF 490.75 FEET; THENCE SOUTH 87 DEGREES 44 MINUTES AND 59 SECONDS WEST, A DISTANCE OF 238.56 FEET; THENCE NORTH 2 DEGREES 15 MINUTES AND 01 SECOND WEST, A DISTANCE OF 451.26 FEET TO THE SOUTHERLY LINE IN SAID CONDEMNATION CASE NUMBER 87ED722; THENCE NORTH 78 DEGREES 20 MINUTES AND 58 SECONDS EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 241.81 FEET TO THE POINT OF BEGINNING), ALL IN SECTION 1, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

ALSO KNOWN AS:

PARCEL 2 IN BORG'S OGDEN AVENUE PLAT OF ASSESSMENT IN THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1994 AS DOCUMENT 894-040343, IN DUPAGE COUNTY, ILLINOIS.

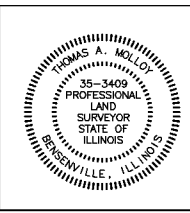
TOGETHER WITH:

LOTS 4, 5 AND 3 (EXCEPTING FROM SAID LOT 3 THAT PART THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3, ALSO BEING ON THE EAST RIGHT OF WAY LINE OF WALNUT AVENUE, AND THE SOUTH RIGHT OF WAY LINE OF OGDEN AVENUE; THENCE NORTH 78 DEGREES 20 MINUTES 58 SECONDS EAST ALONG THE SOUTH RIGHT OF WAY LINE OF OGDEN AVENUE, A DISTANCE OF 189.67 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 02 DEGREES 03 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 17.24 FEET; THENCE SOUTH 74 DEGREES 26 MINUTES 43 SECONDS WEST, A DISTANCE OF 293.74 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF WALNUT AVENUE, BEING 37.53 FEET SOUTHERLY OF THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 02 DEGREES 02 MINUTES 39 SECONDS WEST ALONG THE EAST RIGHT OF WAY LINE OF WALNUT AVENUE, A DISTANCE OF 37.53 FEET TO THE POINT OF BEGINNING), ALL IN ARTHUR T. MCINTOSH AND CO'S FIRST ADDITION TO BELMONT, BEING A SUBDIVISION OF PART OF SECTIONS 1, 2, 11 AND 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1919 AS DOCUMENT 137824, IN DUPAGE COUNTY, ILLINOIS.

SIGNED AT BENSENVILLE, ILLINOIS, THIS 18TH DAY OF JUNE, A.D. 2015.

EDWARD J. MOLLOY AND ASSOCIATES, LTD.  
AN ILLINOIS PROFESSIONAL DESIGN FIRM - LICENSE NO. 184-002910

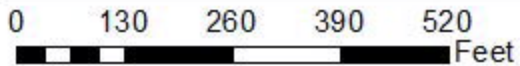
TOGETHER WITH:  
THOMAS A. MOLLOY  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 31-409  
(EXPIRES NOVEMBER 30, 2016 AND IS RENEWABLE)  
MANAGING AGENT, ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184-002910  
(EXPIRES APRIL 30, 2017 AND IS RENEWABLE)



DRAFTED BY: BJE  
PAGE: 2 OF 2  
ORDER NO.: 150094(SUB)  
FILE: 1-38-10  
PROJECT NO.: 117

PREPARED BY:  
EDWARD J. MOLLOY & ASSOCIATES, LTD.  
LAND & CONSTRUCTION SURVEYORS  
1236 MARK STREET, BENSENVILLE, ILLINOIS 60106 (630) 595-2600 FAX:(630) 595-4700  
E-MAIL: TMOLLOY@EJMOLLOY.COM

VALID ONLY WITH EMBOSSED SEAL



2801 Ogden Avenue Location Map





**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
AUGUST 3, 2015 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
15-PLC-0021 2801 Ogden Avenue	Final Plat of Subdivision	Patrick Ainsworth, AICP Planner

**REQUEST**

The petitioner is requesting final plat of subdivision approval to resubdivide seven lots into two new lots.

**NOTICE**

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

**GENERAL INFORMATION**

<b>OWNERS:</b>	TAG Land DGS LLC 5500 West Howard Street Skokie, IL 60077	&	Downers Grove Park District 2455 Warrenville Road Downers Grove, IL 60515
<b>APPLICANT:</b>	The Alter Group 500 West Howard Street Skokie, IL 60077		

**PROPERTY INFORMATION**

<b>EXISTING ZONING:</b>	O-R-M, Office-Research-Manufacturing
<b>EXISTING LAND USE:</b>	Vacant
<b>PROPERTY SIZE:</b>	790,400 square feet (18.14 acres)
<b>PIN:</b>	08-01-304-002,-003 ,-022, -028 & 08-01-307-001, -002, -003

**SURROUNDING ZONING AND LAND USES**

<b>ZONING</b>		<b>FUTURE LAND USE</b>
<b>NORTH:</b>	R-1, Single Family Residence (DuPage County)	Office/Corporate Campus
<b>SOUTH:</b>	R-1, Detached Residential House 1	Institutional
<b>EAST:</b>	R-3, Residential Detached House 3	Single Family Residential
	R-1, Residential Detached House 1	Single Family Residential
	B-3, General Services and Highway Business	Corridor Commercial
<b>WEST:</b>	R-4, Single Family Residence (DuPage County)	N/A

**ANALYSIS****SUBMITTALS**

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



15-PLC-0021, 2801 Ogden Avenue  
August 3, 2015

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1. Application for Public Hearing
2. Location Map
3. Project Narrative
4. Plat of Survey
5. Final Plat of Subdivision

### **PROJECT DESCRIPTION**

The petitioner is requesting approval of the Final Plat of Subdivision to subdivide seven existing lots into two new lots. The property is located on the southeast corner of Walnut and Ogden Avenues and is currently zoned O-R-M, Office-Research-Manufacturing.

Currently, the 18.1 acre property is unimproved and heavily vegetated. The property contains a designated county wetland near the north central part of the property. Acknowledging this wetland, the property owners have proposed a new property configuration that separates the proposed Lot 1 and Lot 2 while encompassing the entire wetland area on Lot 2. Lot 2 was purchased by the Downers Grove Park District. At this time, there are no plans to develop either lot.

### **COMPLIANCE WITH COMPREHENSIVE PLAN**

The subject property is identified as Catalyst Site #23 in the Comprehensive Plan. Catalyst Sites are classified as underutilized properties that contain characteristics which are prime for development or redevelopment. After numerous years of marketing the property for a large retailer, the applicant is requesting to resubdivide into two lots. Lot 1, which abuts Ogden Avenue, will continue to be marketed for future commercial development. Lot 2 of the subdivision is now Downers Grove Park District property and will be used for recreational purposes.

While the Comprehensive Plan states that this large tract of land is prime for a large retail use, the Comprehensive Plan also identified goals to enhance the access to recreational opportunities. The Park District's purchase of Lot 2 will supply more land to provide more access to recreational opportunities to the Downers Grove residents and park district users. The Park District has not announced plans for any future development on Lot 2 at this time. In effect, this land subdivision can fulfill two goals of the Comprehensive Plan simultaneously which is to develop the land along the Ogden Avenue corridor and to increase recreational opportunities to the community.

The proposed subdivision is consistent with the Comprehensive Plan.

### **COMPLIANCE WITH ZONING ORDINANCE**

The 18.1 acre size property is currently zoned O-R-M, Off-Research-Manufacturing which meets the minimum district area size of five acres. The two new lots also comply with the minimum lot area (20,000 square feet) per Section 3.030 of the Zoning Ordinance. There are no plans for development on either lot at this time; however, any future development will have to comply with the zoning regulations.

The resubdivision is consistent with the Zoning Ordinance.

### **COMPLIANCE WITH THE SUBDIVISION ORDINANCE**

The two new lots will meet the minimum lot dimension requirements outlined in Section 20.301 of the Village's Subdivision Ordinance. The lot dimensions are specified in the table below:

15-PLC-0021, 2801 Ogden Avenue  
August 3, 2015

Page 3

<b>2801 Ogden Ave. Subdivision</b>	<b>Lot Width (req. 100 ft.)</b>	<b>Lot Depth (req. 140 ft.)</b>	<b>Lot Area (req. 20,000 sq. ft.)</b>
Lot 1	390 feet	469 ft.	145,634 sq. ft. (3.3 acres)
Lot 2	709 feet	835 ft.	644,766 sq. ft. (14.8 acres)

The petitioner is providing the required five-foot wide public utility and drainage easements along the side lot lines and the ten-foot wide public utility and drainage easements along the rear lot lines, as applicable. There are no school and park donations required with this application. The proposed resubdivision is consistent with the Subdivision Ordinance.

#### **ENGINEERING/PUBLIC IMPROVEMENTS**

There are no public improvements required with the subdivision application at this time. However, the property owners will be entering into a Subdivision Agreement with the Village for future public improvements if and when development is proposed for either lot. The type of public improvements will be determined when development plans are presented to the Village. Both property owners will be responsible for installing the required public improvements.

#### **NEIGHBORHOOD COMMENT**

Notice was provided to all property owners within 250 feet of the subject property in addition to posting a public hearing notice sign onsite and publishing the notice in *Downers Grove Suburban Life*. Staff has received comments from multiple residents concerned about future development. There are no development plans for either lot at this time.

#### **FINDINGS OF FACT**

The proposed Final Plat of Subdivision to subdivide the existing seven lots into two lots meets the standards of Sections 20.301 and 20.305 of the Subdivision Ordinance and Section 3.030 of the Zoning Ordinance.

#### **RECOMMENDATION**

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The proposed final plat of subdivision is consistent with surrounding uses and zoning classifications. Staff finds that the request is consistent with the Comprehensive Plan and meets the requirements of the Zoning and Subdivision Ordinances. Based on the findings listed above, staff recommends that the Plan Commission make a positive recommendation to the Village Council subject to the following conditions:

1. The final plat of subdivision shall substantially conform to the Final Plat of Subdivision for the Ogden and Walnut Resubdivision prepared by Edward J. Malloy & Associates, LTD. last revised on June 18, 2015, except as such plans may be modified to conform to Village Codes and Ordinances.
2. The property owners shall enter into a Subdivision Agreement with the Village.

15-PLC-0021, 2801 Ogden Avenue  
August 3, 2015

Page 4

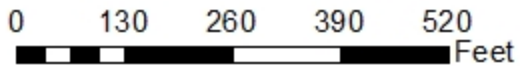
Staff Report Approved By:

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Stanley J. Popovich, AICP  
Planning Manager

SP:pa  
-att

P:\P&CD\PROJECTS\PLAN COMMISSION\2015 PC Petition Files\15-PLC-0021 - 2801 Ogden Final Subdivision SE Corner  
Walunt\_Ogden\Staff Report 15-PLC-0021.docx



2801 Ogden Avenue Location Map



## THEALTERGROUP®

5500 W. Howard Street  
Skokie, Illinois 60077

TEL (847) 676-4300  
FAX (847) 676-4305  
NET altergroup.com

July 23, 2015



Department of Community Development  
Village of Downers Grove  
801 Burlington Avenue  
Downers Grove, IL 60515

Re: Project Summary / Narrative Letter

Dear Sir or Madam:

The purpose of the Plat of Subdivision is to divide the property into two parcels. The front parcel will remain owned by TAG LAND DGS LLC for possible future hotel use or other use as permitted by the existing ORM zoning designation. The remaining southern parcel will be sold to the Downers Grove Park District for their use. The lot line between the two parcels is somewhat irregular since the Park district wishes to keep the existing wetlands and incorporate them into their design. The newly acquired land would complement the prairie / ecological style that the Park District has in place directly south of this site.

Please note that we are submitting this along with a subdivision improvement agreement.

If you have any questions or comments, please call me at (312) 391-1142.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Ricamato".

Michael D. Ricamato  
Vice President – Development

**Administration Office**

2455 Warrenville Road  
Downers Grove, IL 60515  
Phone: 630.963.1304  
Fax: 630.963.1543

**Recreation and Fitness Center**

4500 Belmont Road  
Downers Grove, IL 60515  
Phone: 630.960.7250  
Fax: 630.960.7251

**Lincoln Center**

935 Maple Avenue  
Downers Grove, IL 60515  
Phone: 630.963.1300  
Fax: 630.963.5884

**Golf Course**

2420 Haddow Avenue  
Downers Grove, IL 60515  
Phone: 630.963.1306  
Fax: 630.963.9435

**Museum**

831 Maple Avenue  
Downers Grove, IL 60515  
Phone: 630.963.1309  
Fax: 630.963.0496

**William F. Sherman, Jr.****Interpretive Center**

901 31st Street  
Downers Grove, IL 60515  
Phone: 630.963.9388  
Fax: 630.963.9389

July 24, 2015

Downers Grove Plan Commission  
801 Burlington Avenue  
Downers Grove, IL 60515

Re: Newly Acquired Park District Property

I am pleased to provide the Downers Grove Plan Commission the Park District's intended use of the recently acquired Alter Property as well as the adjacent Walnut Property.

The District's intention is to combine the parcels into continuous cohesive Recreational use. In the near term the newly acquired property will remain undeveloped open space. The existing Walnut Avenue Park will begin to be used for field sports (soccer, flag football, lacrosse, etc.) this fall. In the future the District plans on using the entire property for preservation of Open Space, Recreation and Athletics.

Sincerely,

William G. McAdam  
Executive Director

WGM:db

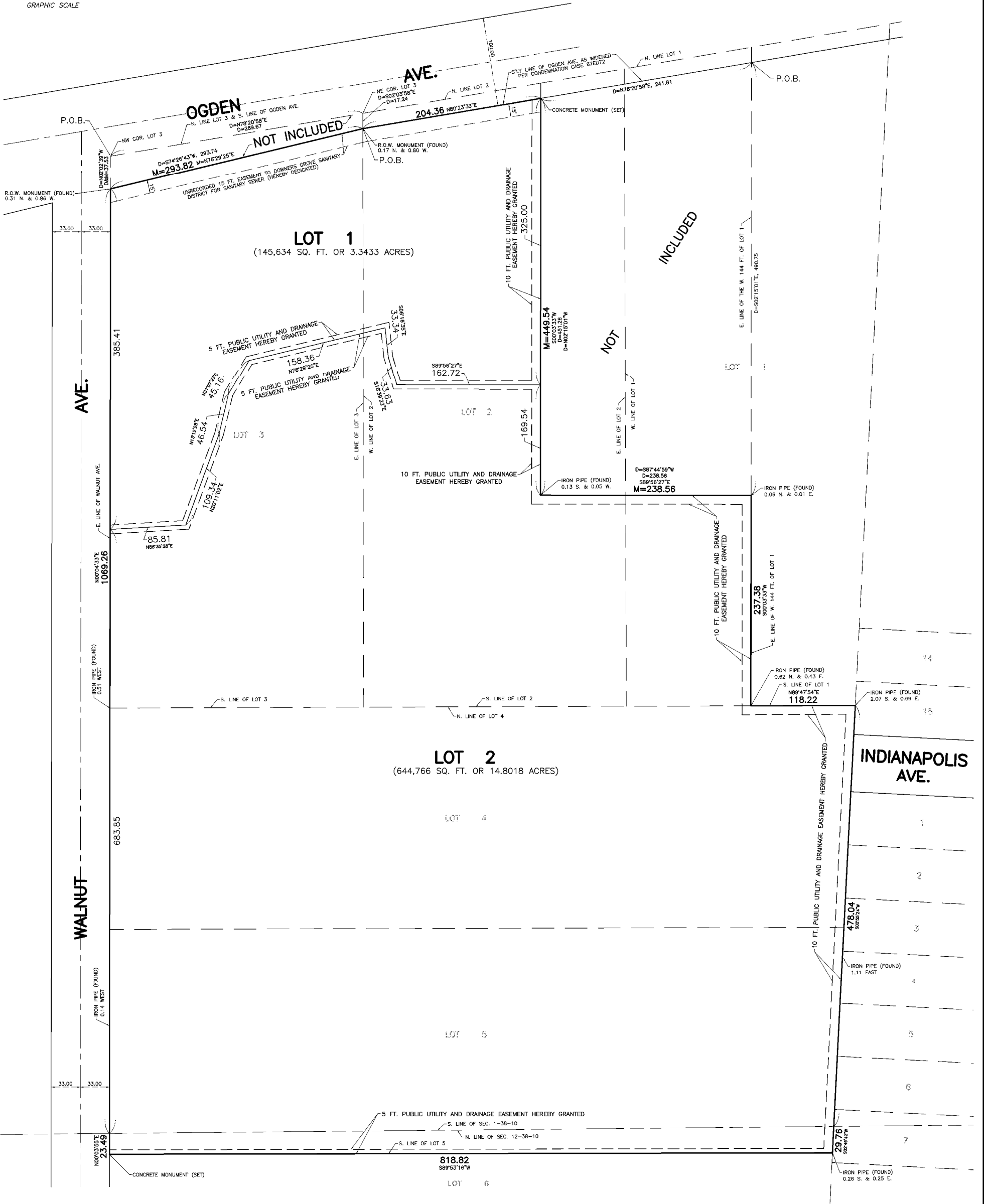
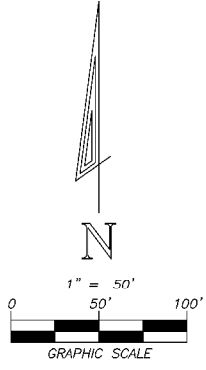




# OGDEN & WALNUT RESUBDIVISION

OF PARTS OF LOTS 1 TO 5, INCLUSIVE IN ARTHUR T. MCINTOSH AND COPMANY'S FIRST ADDITION TO BELMONT, A SUBDIVISION OF PARTS OF SECTIONS 1, 2, 11 AND 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

## FINAL SUBDIVISION PLAT



DRAFTED BY: BJE  
 PAGE: 1 OF 2  
 ORDER NO.: 150094(SUB)  
 FILE: 1-38-10  
 PROJECT NO.: 117

PREPARED BY:  
**EDWARD J. MOLLOY & ASSOCIATES, LTD.**  
 LAND & CONSTRUCTION SURVEYORS  
 1236 MARK STREET, BENSENVILLE, ILLINOIS 60106 (630) 595-2600 FAX:(630) 595-4700  
 E-MAIL: TMOLLOY@EJMOLLOY.COM



# OGDEN & WALNUT RESUBDIVISION

OF PARTS OF LOTS 1 TO 5, INCLUSIVE IN ARTHUR T. MCINTOSH AND COPMAN'S FIRST ADDITION TO BELMONT, A SUBDIVISION OF PARTS OF SECTIONS 1, 2, 11 AND 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

## FINAL SUBDIVISION PLAT

### OWNER'S CERTIFICATE AND SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

TAG LAND DGS LLC, A DELAWARE LIMITED LIABILITY COMPANY DOES HEREBY CERTIFY THAT IT IS THE OWNER OF PART OF THE PROPERTY DESCRIBED HEREON AND THAT IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED FOR THE PURPOSE OF SUBDIVIDING. IT FURTHER CERTIFIES TO THE BEST OF ITS KNOWLEDGE, THAT THE LAND INCLUDED HEREIN FALLS WITHIN THE FOLLOWING SCHOOL DISTRICTS: DOWNERS GROVE GRADE SCHOOL DISTRICT 58, 1860 63RD STREET, DOWNERS GROVE, IL 60516, (630) 719-5800; COMMUNITY HIGH SCHOOL DISTRICT 99, 6301 SPRINGSIDE AVE., DOWNERS GROVE, IL 60516, (630) 795-7100.

SIGNED AT \_\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

TAG LAND DGS LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_  
NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_

### NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ OF TAG LAND DGS LLC, A DELAWARE LIMITED LIABILITY COMPANY, 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 HE/SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS HIS/HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID LIMITED LIABILITY COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

### OWNER'S CERTIFICATE AND SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

DOWNERS GROVE PARK DISTRICT DOES HEREBY CERTIFY THAT IT IS THE OWNER OF PART OF THE PROPERTY DESCRIBED HEREON AND THAT IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED FOR THE PURPOSE OF SUBDIVIDING. IT FURTHER CERTIFIES TO THE BEST OF ITS KNOWLEDGE, THAT THE LAND INCLUDED HEREIN FALLS WITHIN THE FOLLOWING SCHOOL DISTRICTS: DOWNERS GROVE GRADE SCHOOL DISTRICT 58, 1860 63RD STREET, DOWNERS GROVE, IL 60516, (630) 719-5800; COMMUNITY HIGH SCHOOL DISTRICT 99, 6301 SPRINGSIDE AVE., DOWNERS GROVE, IL 60516, (630) 795-7100.

SIGNED AT \_\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

DOWNERS GROVE PARK DISTRICT

BY: \_\_\_\_\_  
NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_

### NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ OF DOWNERS GROVE PARK DISTRICT, 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 HE/SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS HIS/HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID DOWNERS GROVE PARK DISTRICT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

### PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

BY: \_\_\_\_\_  
CHAIRMAN OF THE PLAN COMMISSION

### VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015 BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE.

\_\_\_\_\_  
MAYOR OF DOWNERS GROVE

\_\_\_\_\_  
VILLAGE CLERK OF DOWNERS GROVE

### VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

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 APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

\_\_\_\_\_  
COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE

### DOWNERS GROVE SANITARY DISTRICT CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

I, \_\_\_\_\_, COLLECTOR FOR 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 APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

\_\_\_\_\_  
COLLECTOR FOR THE DOWNERS GROVE SANITARY DISTRICT

### DRAINAGE CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

I, \_\_\_\_\_, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND OWNERS OF THE LAND DEPICTED HEREON OR DULY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION WILL BE 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

\_\_\_\_\_  
OWNER OR ATTORNEY

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

\_\_\_\_\_  
OWNER OR ATTORNEY

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

\_\_\_\_\_  
DESIGN ENGINEER LICENSE NUMBER \_\_\_\_\_

### COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

I, PAUL HINDS, 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 AT WHEATON, DUPAGE COUNTY, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015.

\_\_\_\_\_  
COUNTY CLERK

### COUNTY RECORDERS CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M AS DOCUMENT NUMBER \_\_\_\_\_

\_\_\_\_\_  
RECORDER OF DEEDS OF DUPAGE COUNTY

### ILLINOIS DEPARTMENT OF TRANSPORTATION CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF \_\_\_\_\_ ) SS

THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO ILLINOIS COMPILLED STATUTES CH. 765, SEC. 205/2; HOWEVER, A HIGHWAY PERMIT IS REQUIRED OF THE OWNER OF THE PROPERTY, A PLAN THAT MEETS REQUIREMENTS CONTAINED IN THE DEPARTMENT'S POLICY ON PERMITS FOR ACCESS DRIVENWAYS TO STATE HIGHWAYS WILL BE REQUIRED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

SIGNED: \_\_\_\_\_

### TAX PARCEL PERMANENT INDEX NUMBERS:

- 08-01-307-001
- 08-01-307-002
- 08-01-307-003
- 08-01-304-002
- 08-01-304-003
- 08-01-304-022
- 08-01-304-028

### PLAT SUBMITTED BY AND SEND FUTURE TAX BILLS TO:

TAG LAND DGS LLC  
C/O

AFTER RECORDING RETURN TO:  
VILLAGE OF DOWNERS GROVE  
ATTENTION: VILLAGE CLERK  
801 BURLINGTON AVE.  
DOWNERS GROVE, ILLINOIS 60515

### 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 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. 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.

### DECLARATION OF RESTRICTIVE COVENANTS

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 ACQUIRE SAME 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 REFORMATION 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 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2015

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
NOTARY PUBLIC

### 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 AT&T TELEHOLDINGS INCORPORATED, 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, WIRING, CONDUITS, MANHOLES, TRANSFORMERS, TRANSFORMER PADS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SIGNALS 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 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 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 "GUILDS", "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.

### LAND SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

I, THOMAS A. MOLLOY, AN ILLINOIS PROFESSIONAL LAND SURVEYOR AND MANAGING AGENT OF EDWARD J. MOLLOY AND ASSOCIATES, LTD., AN ILLINOIS PROFESSIONAL DESIGN FIRM, HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF RESUBDIVIDING SAME INTO A TWO LOT SUBDIVISION:

THE WEST 144 FEET OF LOT 1 AND PART OF LOT 2 IN ARTHUR T. MCINTOSH AND COMPANY'S FIRST ADDITION TO BELMONT, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1919 AS DOCUMENT 137824, AND LYING SOUTH OF THE SOUTHERLY LINE OF THE LAND TAKEN IN CONDEMNATION CASE NUMBER 87ED722 (EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SAID SOUTH LINE IN SAID CONDEMNATION CASE AND THE EAST LINE OF THE WEST 144 FEET OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF SOUTH 02 DEGREES 15 MINUTES AND 01 SECOND EAST ALONG THE EAST LINE OF SAID WEST 144 FEET OF LOT 1, A DISTANCE OF 490.75 FEET; THENCE SOUTH 87 DEGREES 44 MINUTES AND 59 SECONDS WEST, A DISTANCE OF 238.56 FEET; THENCE NORTH 2 DEGREES 15 MINUTES AND 01 SECOND WEST, A DISTANCE OF 451.26 FEET TO THE SOUTHERLY LINE IN SAID CONDEMNATION CASE NUMBER 87ED722; THENCE NORTH 78 DEGREES 20 MINUTES AND 58 SECONDS EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 241.81 FEET TO THE POINT OF BEGINNING), ALL IN SECTION 1, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

ALSO KNOWN AS:

PARCEL 2 IN BORG'S OGDEN AVENUE PLAT OF ASSESSMENT IN THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1994 AS DOCUMENT 94-040343, IN DUPAGE COUNTY, ILLINOIS.

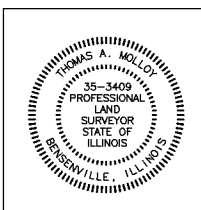
TOGETHER WITH:

LOTS 4, 5 AND 3 (EXCEPTING FROM SAID LOT 3 THAT PART THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3, ALSO BEING ON THE EAST RIGHT OF WAY LINE OF WALNUT AVENUE, AND THE SOUTH RIGHT OF WAY LINE OF OGDEN AVENUE; THENCE NORTH 78 DEGREES 20 MINUTES 58 SECONDS EAST ALONG THE SOUTH RIGHT OF WAY LINE OF OGDEN AVENUE, A DISTANCE OF 189.67 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 02 DEGREES 03 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 17.24 FEET; THENCE SOUTH 74 DEGREES 26 MINUTES 43 SECONDS WEST, A DISTANCE OF 293.74 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF WALNUT AVENUE, BEING 37.53 FEET SOUTHERLY OF THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 02 DEGREES 02 MINUTES 39 SECONDS WEST ALONG THE EAST RIGHT OF WAY LINE OF WALNUT AVENUE, A DISTANCE OF 37.53 FEET TO THE POINT OF BEGINNING), ALL IN ARTHUR T. MCINTOSH AND CO'S FIRST ADDITION TO BELMONT, BEING A SUBDIVISION OF PART OF SECTIONS 1, 2, 11 AND 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

SIGNED AT BENSENVILLE, ILLINOIS, THIS 18TH DAY OF JUNE, A.D. 2015.

EDWARD J. MOLLOY AND ASSOCIATES, LTD.  
AN ILLINOIS PROFESSIONAL DESIGN FIRM - LICENSE NO. 184-002910

\_\_\_\_\_  
THOMAS A. MOLLOY  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 31-409  
(EXPIRES NOVEMBER 30, 2016 AND IS RENEWABLE)  
MANAGING AGENT, ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184-002910  
(EXPIRES APRIL 30, 2017 AND IS RENEWABLE)



DRAFTED BY: BJE  
PAGE: 2 OF 2  
ORDER NO.: 150094(SUB)  
FILE: 1-38-10  
PROJECT NO.: 117

PREPARED BY:  
EDWARD J. MOLLOY & ASSOCIATES, LTD.  
LAND & CONSTRUCTION SURVEYORS  
1236 MARK STREET, BENSENVILLE, ILLINOIS 60106 (630) 595-2600 FAX:(630) 595-4700  
E-MAIL: TMOLLOY@EJMOLLOY.COM

VALID ONLY WITH EMBOSSED SEAL

## DRAFT

**FILE 15-PLC-0021 (previously continued):** A petition seeking approval of a Final Plat of Subdivision to subdivide the existing property into two lots. The property is currently zoned O-R-M, Office-Research-Manufacturing. The subject property is located at the southeast corner of Ogden and Walnut Avenues, commonly known as 2801 Ogden Avenue, Downers Grove, IL (08-01-304-002, -003, -022, -028 and 08-01-307-001, -002, and -003). The Alter Group, Petitioner and Owner.

Mr. Ainsworth reviewed the location of the 18.1-acre site which sat vacant. The lot is co-owned by the Alter Group and the Downers Grove Park District. The proposal is to redistribute the seven existing lots into two new lots. Lot 2 would be owned by the Downers Grove Park District and contain the existing wetland while Lot 1 would be owned by the Alter Group. No development plans were planned for the two lots at this time. Originally the entire site was set aside in the Comprehensive Plan for big box retail; however, due to development issues, the proposal tonight was for Lot 1 (3.3 acres) to go to the Alter Group and Lot 2 (14.8 acres) to go to the park district. Mr. Ainsworth discussed how certain provisions in the Comprehensive Plan encourage recreational opportunities within the village.

Continuing, Mr. Ainsworth reported the village would be entering into a subdivision improvement agreement with the two property owners for future public improvements based on future developments. Details followed. There were no standards for approval on this proposal although both lots met the lot dimension requirements in both the Subdivision and Zoning Ordinances.

Questions followed as to how the irregular shape was benefiting the owner, i.e., it allowed development to take place on Lot 1 and would have a buffer zone around the wetland, per county regulations. Asked if Lot 1 would have access to Walnut Avenue, Mr. Ainsworth explained it would depend upon the development coming in. Determining lot depth to Ogden Avenue was then discussed. Staff was satisfied with the lot depth.

Mr. Ken Rathje, Rathje Planning Services, 412 Chicago Avenue, Downers Grove, stated he was representing both owners and explained that the proposal was more of a lot consolidation into two lots versus a subdivision. A history of the parcels followed, noting that the park district had always planned to acquire the piece of property, for as long as 20 years, as open, passive space. Continuing, Mr. Rathje described that the Alter piece of property on the north would include access, at minimum, along Walnut Avenue with a possibility of a right-in/right-out on Ogden Avenue. Lot dimensions followed. To date, he said the park district had no plans to develop the property but was responsible for providing appropriate storm water management and appropriate public improvements when development came in. The same followed for the Alter Group. The depth of the property was, again, discussed, noting the narrowest part of Lot 1 was about 230 feet.

Mr. Quirk found it interesting that the site, even though being eyed by the park district for many years, was listed as a catalyst site for big box retail and mixed into the comprehensive plan. However, Mr. Rathje explained that many times public entities, when interested in acquiring property will not disclose, publicly, their interest and it was not unusual for a comprehensive plan to not disclose something similar. Mr. Rathje did acknowledge that there was language in the comprehensive plan that did anticipate the possibility of open space. He further explained the initial challenges of the property with the Alter Group.

DRAFT

Chairman Rickard opened up the meeting to public comment.

Ms. Donna DeLou, 4617 Druendel Road, Downers Grove, was pleased to see that the park district was acquiring the open space because she always had concerns about the property. Also there were many empty stores in the strip mall nearby. She was glad to see the open space because it helped with the flooding in the area but also helped with the wildlife. She asked that if future development does come in to keep the 100-year old tree on the site and the parties work with the park district.

No further comments followed.

Mr. Rathje emphasized that both parties will be obligated to provide stormwater detention for the development of their property, as appropriate and as required by the ordinance.

Chairman Rickard closed the public hearing and opened up the discussion to the commissioners.

Commissioner comments were that the proposal appeared to be a win for both parties; by having the wetlands removed from the lot, it made Lot 1 more marketable; and it was consistent with the comprehensive plan.

**WITH RESPECT TO FILE 15-PLC-0021, MR. COZZO MADE A MOTION TO FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE TWO (2) CONDITIONS LISTED IN STAFF'S MEMORANDUM.**

**SECONDED BY MRS. RABATAH. ROLL CALL:**

**AYE: MR. COZZO, MRS. RABATAH, MR. BASSLER, MS. HOGSTROM, MR. QUIRK,  
MR. THOMAN; CHAIRMAN RICKARD**

**NAY: NONE**

**MOTION CARRIED. VOTE: 7-0**