### VILLAGE OF DOWNERS GROVE Report for the Village Council Meeting 6/14/2022

SUBJECT:	SUBMITTED BY:
Establishment of Special Service Area #12 – Fairview Ridge	Stan Popovich, AICP
Subdivision - 6000-6014 Fairview Avenue	Director of Community Development

### **S**YNOPSIS

An ordinance has been prepared proposing the establishment of Special Service Area #12 for the Fairview Ridge Subdivision at 6000-6014 Fairview Avenue.

### STRATEGIC PLAN ALIGNMENT

The goals for 2021-2023 identified Exceptional Municipal Services.

### FISCAL IMPACT

N/A

### RECOMMENDATION

### **UPDATE & RECOMMENDATION**

This item was discussed at the June 7th, 2022 Village Council meeting. Staff recommends approval on the June 14th, 2022 active agenda.

### BACKGROUND

The Village is proposing establishment of Special Service Area (SSA) #12 for the Fairview Ridge 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 Fairview Ridge Subdivision is located on the west side of Fairview Avenue, approximately 100 feet north of 61<sup>st</sup> Street. The eight lot subdivision was approved on March 8, 2022 and recorded on May 26, 2022. The subdivision consists of seven single family residential lots with a stormwater management basin on the 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 owned by the petitioner.

### **A**TTACHMENTS

Ordinance Aerial Map Recorded Final Plat of Subdivision for the Fairview Ridge Subdivision

### VILLAGE OF DOWNERS GROVE

### COUNCIL ACTION SUMMARY

INITI	ATED: Village Attorney (Name)	<b>DATE:</b> June 14, 2022
RECO	OMMENDATION FROM:(Boa	FILE REF:
<u>NATU</u>	JRE OF ACTION:	STEPS NEEDED TO IMPLEMENT ACTION:
<u>X</u>	Ordinance	Motion to Adopt "AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE
	Resolution	AREA #12 IN THE VILLAGE OF DOWNERS GROVE, ILLINOIS AND PROVIDING FOR A
	Motion	PUBLIC HEARING AND OTHER PROCEDURES IN CONNECTION THEREWITH", as presented.
	Other	eb

### **SUMMARY OF ITEM:**

Adoption of this ordinance shall propose the establishment of SSA #12 for the Fairview Ridge Subdivision.

### **RECORD OF ACTION TAKEN:**

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### ORDINANCE NO.

### AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA NUMBER 12 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 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, August 16, 2022 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 12 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 12

**NOTICE IS HEREBY GIVEN** that on Tuesday, August 16, 2022 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:

THE EAST 235 FEET OF THE SOUTH ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ (EXCEPT THE SOUTH 125.68 FEET THEREOF AND EXCEPT THE NORTH 10 FEET OF THE SOUTH 320.68 FEET THEREOF), OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, SUBJECT TO THE EASEMENTS, RESTRICTIONS AND RESERVATIONS, IF ANY, OF RECORD AND ZONING ORDINANCES OF DOWNERS GROVE, ILLINOIS.

Commonly known as: 6000-6014 Fairview, Downers Grove, IL 60516 PIN: 09-17-405-010 The approximate street location for the area is 100 feet north of 61<sup>st</sup> Street. 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 12, 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 12 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 Fairview Ridge Subdivision, 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. 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.

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 \_\_\_\_\_ 202\_\_\_\_.

Rosa Berardi, Village Clerk

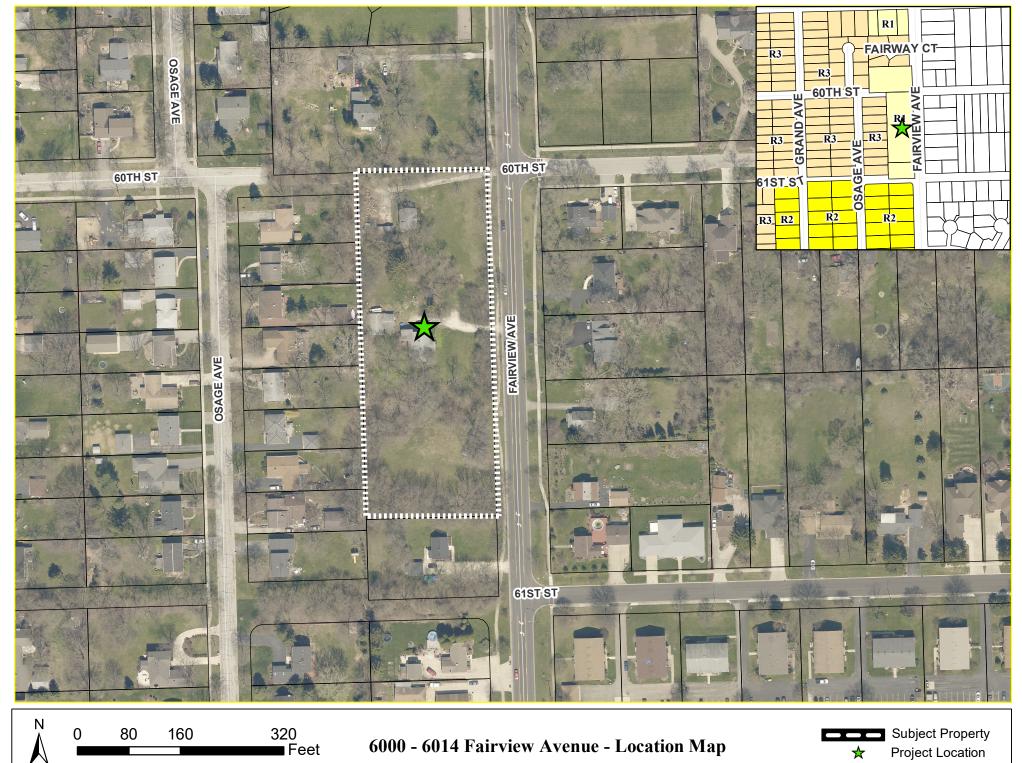
<u>Section 5</u>. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

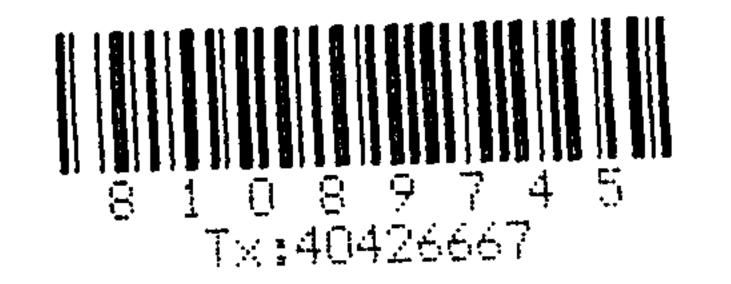
<u>Section 6</u>. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Mayor

Passed: Published: Attest: Village Clerk

 $1\mw\ord.22\SSA\#12\-Propose$ 





## KATHLEEN V. CARRIER, RECORDER DUPAGE COUNTY ILLINOIS 05/26/2022 03:56 PM

DOCUMENT # R2022-051940

## STATE OF ILLINOIS

COUNTY OF DU PAGE

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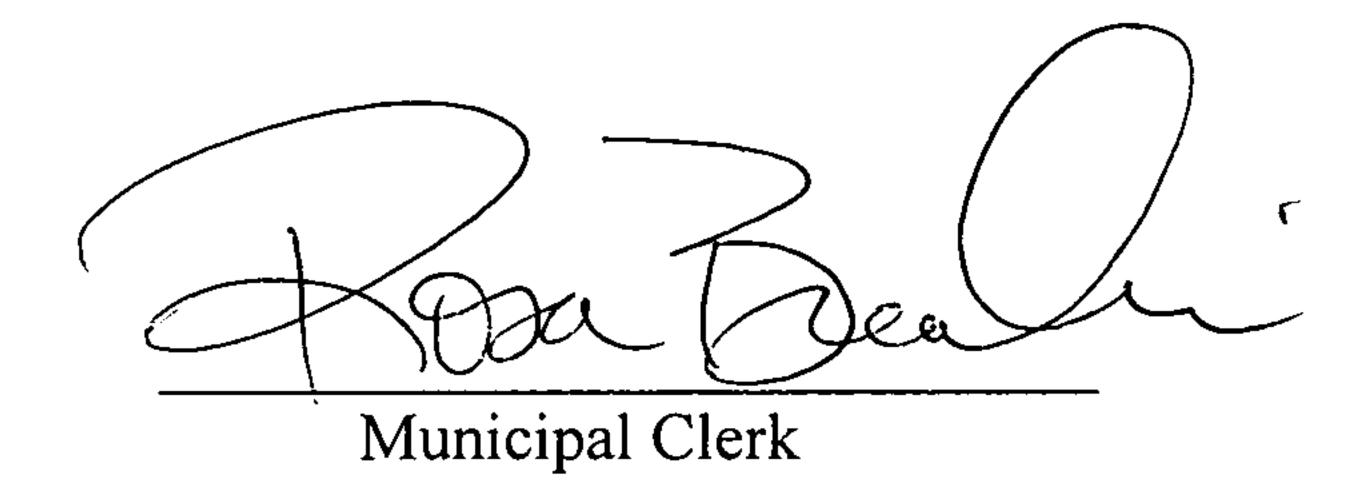
I, Rosa Berardi, DO HEREBY CERTIFY THAT I am the Village Clerk of the Village of Downers Grove, Du Page County, Illinois, and as such officer I have the lawful power and duty to keep an index and record of all proceedings of the Village Council of said Village, and of all ordinances and resolutions presented to or passed by said Village Council.

I DO HEREBY FURTHER CERTIFY, THAT the foregoing document is a true, correct and complete copy of a certain resolution now on file in my office, designated as Resolution 2022-26 and that said resolution was duly passed and approved by the Council of said Village at a meeting duly called and held in accordance with applicable law, at which a quorum was present and acting throughout.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Downers Grove, Illinois, in the State and County aforesaid, this 23<sup>rd</sup> day of May, 2022.

SEAL

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## DOCUMENT SUBMITTED WITH LOW QUALITY / ILLEGIBLE PORTIONS



Page 10 of 17

## **RES 2022-9333**

Final Plat of Subdivision 21-PLC-0026

**RESOLUTION NO. 2022-26** 

## A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR 6000-6014 FAIRVIEW 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 subdivide one lot into seven lots and create an outlot for stormwater detention, located on the west side of Fairview Avenue, approximately 100 feet north of 61st Street, commonly known as 6000-6014 Fairview Avenue, Downers Grove Illinois, legally described as follows:

THE EAST 235 FEET OF THE SOUTH ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ (EXCEPT THE SOUTH 125.68 FEET THEREOF AND EXCEPT THE NORTH 10 FEET OF THE SOUTH 320.68 FEET THEREOF), OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, SUBJECT TO THE EASEMENTS, RESTRICTIONS AND RESERVATIONS, IF ANY, OF RECORD AND ZONING ORDINANCES OF DOWNERS GROVE, ILLINOIS.

Commonly known as: 6000-6014 Fairview, Downers Grove, IL 60516 PIN: 09-17-405-010

WHEREAS, notice had been given and a public hearing held before the Plan Commission on February 7, 2022 for this final plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, Village staff has reviewed and recommends approval of the petition for Final Plat of Subdivision for the Fairview Ridge Subdivision, located at 6000-6014 Fairview Avenue, Downers Grove, Illinois, as requested, subject to certain conditions; and,

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the Fairview Ridge Subdivision, located at 6000-6014 Fairview, Downers Grove, Illinois, is hereby approved subject to the following conditions:

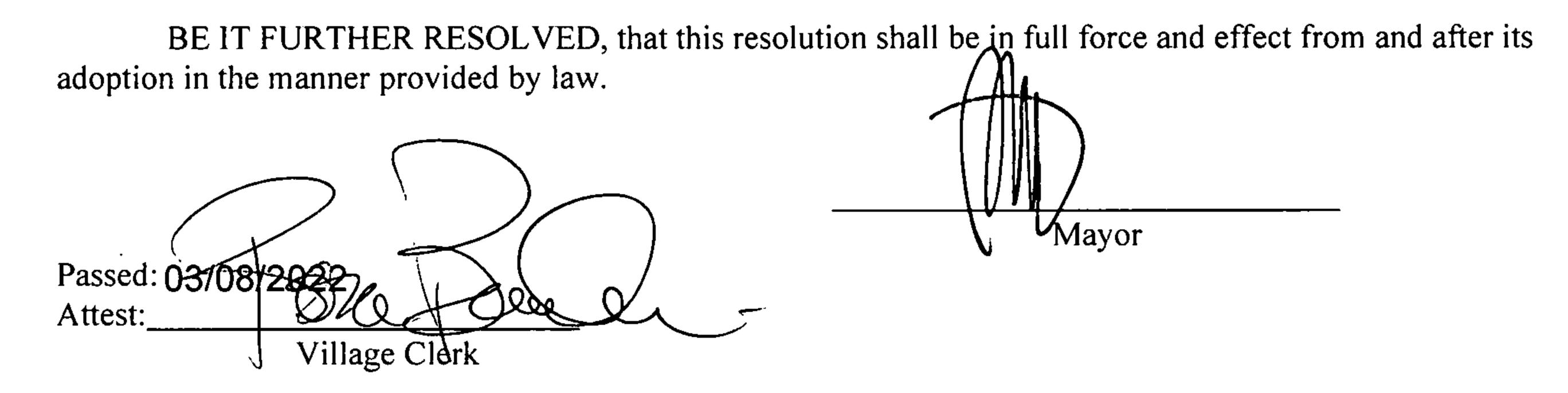
- The final plat of subdivision shall substantially conform to the Final Plat of Subdivision for the Fairview Ridge Subdivision prepared by DesignTek Engineering Inc. dated 11/8/2021 and last revised on 1/13/2022, except as such plans may be modified to conform to Village Codes and Ordinances.
- 2. The Right-of-Way Vacation shall be recorded prior to the Final Plat of Subdivision.
- 3. A Special Service Area shall be established and recorded to ensure adequate maintenance of the stormwater detention area prior to issuance of any occupancy permits.
- 4. The Homeowners Association Declaration of Covenants, Conditions and Restrictions document for the subdivision shall be recorded with the plat of subdivision.
- 5. The petitioner shall pay \$120,507.20 (\$56,412.95 for the Park District, \$43,621.20 for School District 58 and \$20,473.05 for School District 99) to the Village prior to executing the final plat of subdivision.

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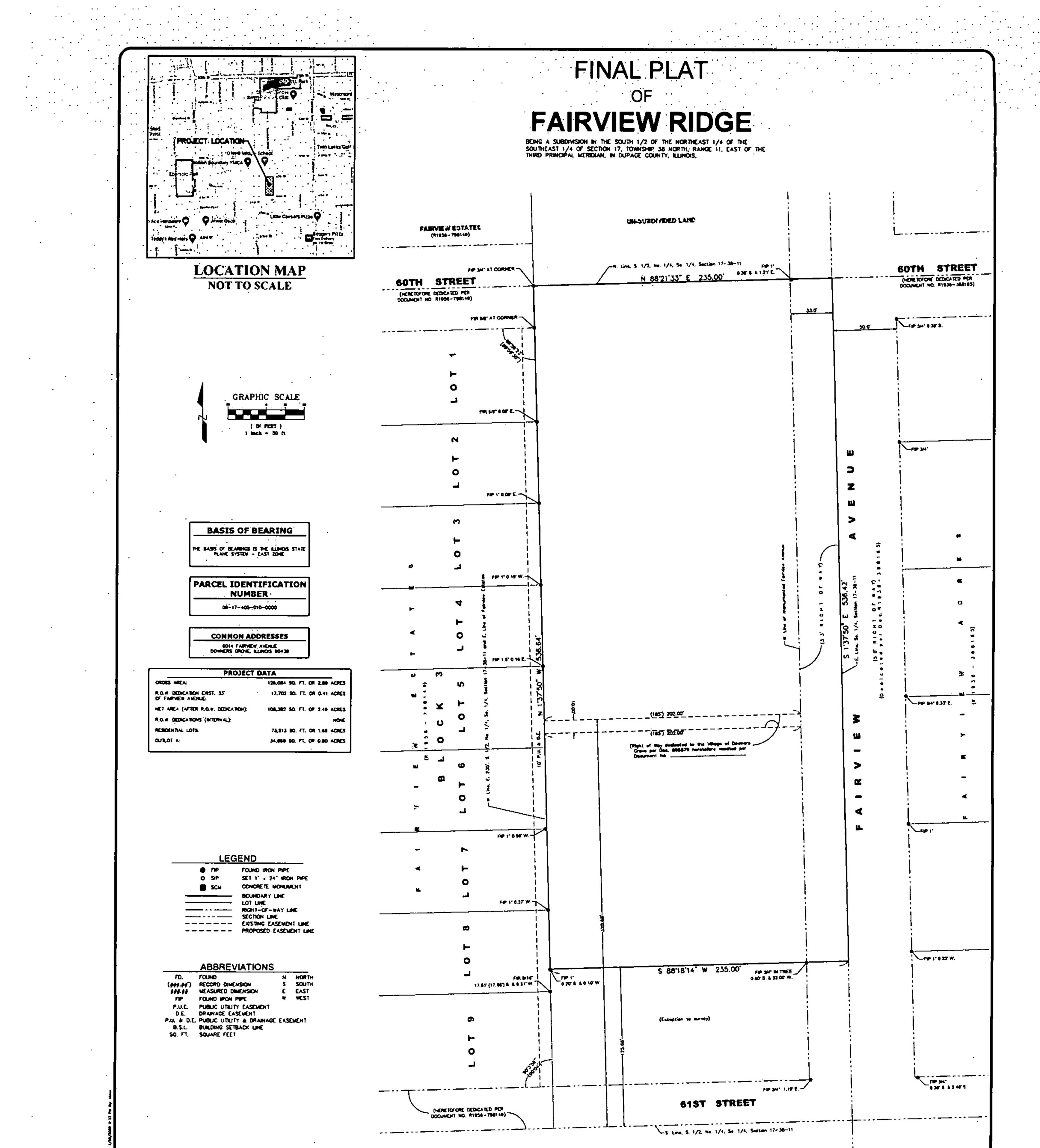
### **RES 2022-9333**

- 6. The stormwater report must be updated per the Review Letter Comment Set #1 from the Village of Downers Grove dated 1/26/22 before any stormwater or building permits can be issued.
- 7. The petitioner shall install sidewalks for the entire subdivision before the release of the first home site building permit.
- 8. The plan does not show any patios, decks, pools. The allowable impervious for each lot in the future will be determined by the impervious area used for the site runoff storage calculations.
- 9. Petitioner shall pay \$5,800 to the Village for the planting of ten (10) parkway trees prior to the issuance of any permits.

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

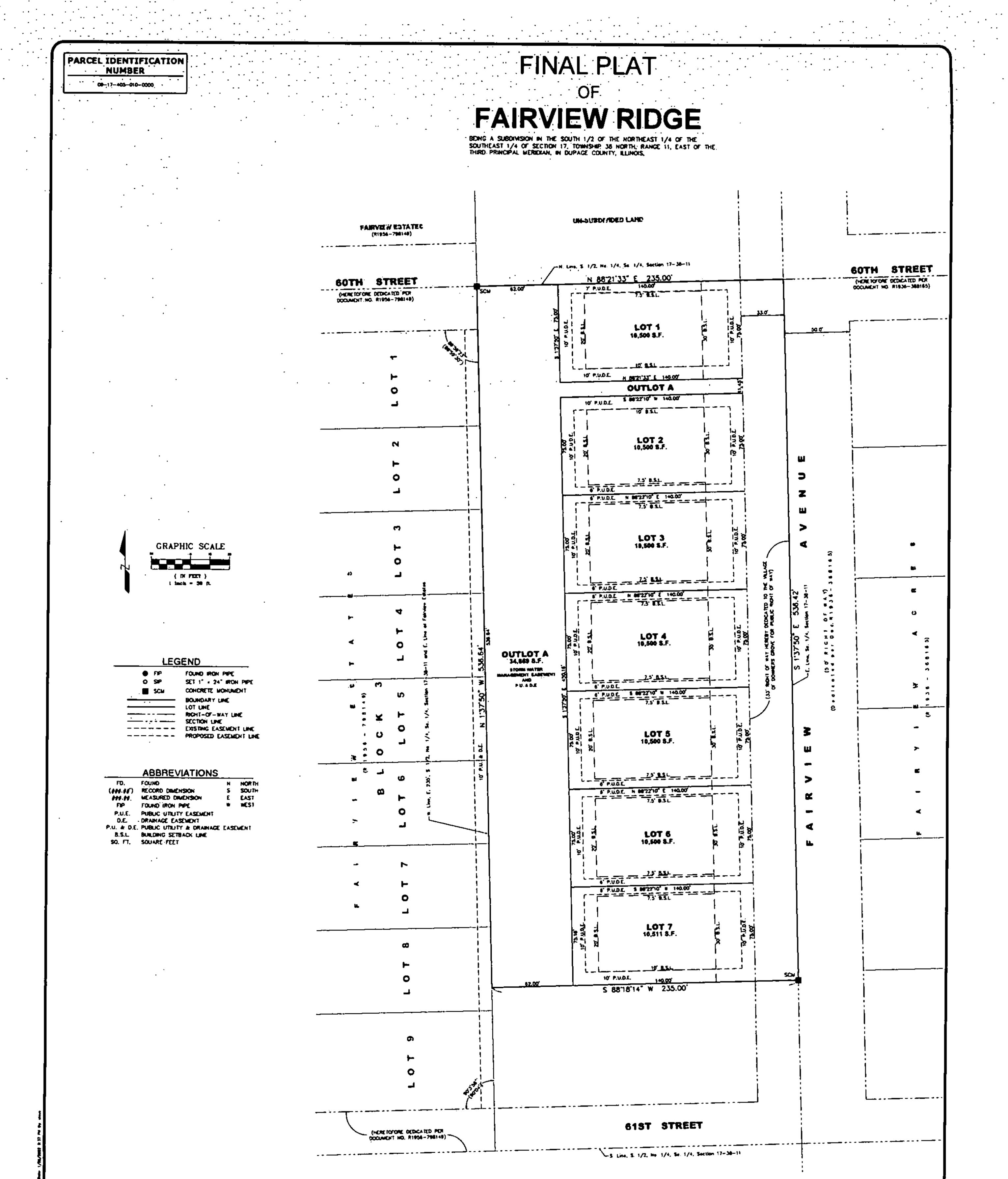


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### **EXISTING CONDITIONS**

	<u>GENERAL NOTES</u> 1. ALL AREAS ARE PLUS OR MOUS 2. ALL EASEMENTS ARE HEREBY GRANTED TO THE VELACE OF DOMMERS GROVE. 3. ALL DISTANCE ARE IN FEET AND DECMAL PARTS THEREOF. 4. OUTLOT A SHALL BE MAINTAINED BY THE HOA AND COMP'S TO BE RECORDED UNDER SEPARATE DOCUMENTS		by and re The Village of D 801 Burlingt			<u>inal mylar submitted</u> by and return to: lage of Downers Grove Burlington Avenue rs Grove, Illinois 60439	Teton Development, LLC Downers Grove 1536 128th Street Igton Avenue Lemont, Illinois 60439									
	DEMONTTEX ENGINEERMING, INC. Constitute City Examplement & Long Residence SECOND, 1800, Street, Suder L Molares, Brook 80445 (704) 129-4941	PREPARED FOR TETON DEVELOPMENT	, шс	NO, DATE 1. 01/13/22 2. 01/26/22	REVISIONS DESCRIPTION PER VILLAGE & CUENT REV.: LOT SHITT VILLAGE COMMENTS	8Y 54 54		·	AL PLAT			- <u>-</u>			HEET NO. of 3	
5	(708) 326-4961 FAX: (708) 326-4967 L PROF. LK. No.: 164 - 983748						DRAFTING COMPLETED	11/06/2021	DRAWN BY. CHECKED BY:		PROJECT N	1" + 30	<u>su</u>	Preject No:	21-0012	
Res #	2022-24	- -		•										-		



### **PROPOSED CONDITIONS**

11/06/2021

07/27/2021

DRAWN BY. S.L.

CHECKED BY: SDS

SHEET NO.

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PROJECT MANAGER. 8.1.

SCALE 1" + 30

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21-0012

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10kars, tänos 80448 (706) 326-4961			01/26/22	VILLAGE COMMENTS		FAIRVIEW RIDGE
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& PROF. LIC. No.; 184 - 003746

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### **RESERVED FOR: DUPAGE COUNTY RECORDER**

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num Preparty Act, Chapter 785 LCS 805/2, as amended from time to time

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### PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS

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these areas designated "P.U. & D.E." on the plot, to construct, repair, inspect, maintain and aparete various transmissions, detribution, and collection systems, induding but not finited to welse first, senitery severa and sharm severa, together with any and all necessary when veults for hydrants, manhalan, seich basins, sensetions, appliances and other structures and appurturances as may be deemed necessary by and Weep, and, along, under and through the property sharm on the pist, together with the right of access for necessary labor, materials and equipment to do any of the above sers.

STATE OF ILLINOIS-COUNTY OF DUPACE) THIS IS TO CERTIFY THAT DESCRIBED HEREON." AND HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS INDICATED HEREON . FOR THE USES AND PURPOSES' THEREIN SET FORTH AS ALLOWED AND PROVIDED BY STATUTE AND HEREBY ACKNOWLEDGES AND ADOPTS THE SAME UNDER THE STYLE AND TITLE AFORESAID. DATED AT ELINCIS THIS SCHOOL DISTRICT CERTIFICATE STATE OF ALLINOIS COUNTY OF DUPACE) DROVE HIGH SCHOOL DISTRICT 99, IN DUPAGE COUNTY, ILLINOIS. ALLINOIS THIS \_\_\_\_\_ DAY OF DATED AT

### OWNER'S & SCHOOL DISTRICT NOTARY PUBLIC CERTIFICATE

STATE OF RUNDIS

OWNER'S CERTIFICAT

ss COUNTY OF DUPACE )

THE UNDERSIGNED DOES HEREBY CERTIFY THAT, AS OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND KNOWN AS FAIRVEW RIDGE, TO THE BEST OF MY KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF ELEMENTARY SCHOOL DISTRICT OF DOWNERS GROVE #58 AND DOWNERS

PARCEL IDENTIFICATION

NUMBER

08-17-405-010-0000

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COMED COMPANY AND AT & T CORPORATION

BEING A SUBDIVISION IN THE SOUTH 1/2 OF THE NORTHEAST 1/4, OF THE THRO PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE

IL \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE

STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_\_(HAME)

\_\_\_\_\_\_(COMPANY)

IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FORECOME CERTIFICATE OF DIMERSHIP, APPEARED BEFORE WE THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED THE SAID INSTRUMENT AS THE FREE AND VOLUNTARY ACT, AND AS THE FREE AND YOLUNTARY ACT OF SAID UNITED LIABILITY COMPANY.

GVEN UNDER WY KAND AND NOTARIAL SEAL:

THES \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_

BY: \_\_\_\_\_\_NOTARY PUBLIC

VILLAGE COUNCIL'S CERTIFICATE

STATE OF ILLINOIS ) 22 ( COUNTY OF DUPACE )

APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.O., 20\_\_\_\_ BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE, ILLINGIS.

ATTEST: 8¥; \_\_\_\_ MAYOR

VIELACE CLEPK

### MILLAGE COLLECTOR'S CERTIFICATE

STATE OF BUINDIS )

555 COUNTY OF DUPAGE)

L \_\_\_\_\_\_ COLLECTOR FOR THE VELACE OF DOWNERS CROVE, ALLINOIS DO HEREBY CORTEFY 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.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

BY: \_\_\_\_\_

### PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS

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The right is dee prested to ant dean, from an remove, without abligation to restars or replace any obstruction, including but not limited to break, structures or interpresented on the estemant that interfore with the operation of such lines and severe. No permanent buildings or structures shall be placed on sale essemant, but same may be used for gardens, landscape graps, and other purposes that do not then an later interfore with the elevanded uses or rights. Where an essemant is used for both sever and other utilities, the other utility installation and be aution; and artimates of the Village of Deaners Grave and to Village approval as to design and leastion.

Perpetual essements are hereby reserved for and granted to the Mage of Devenue Orave and other gevenuents authorities heving-jurisdiction of the land, even the entire essement area for ingress, agrees, and the performance of municipal and other governmental services including voter, starm and services and maintanance and emergency and reutine pance. Inc, and other public safety relate services.

CONCAST.COMMUNICATIONS PROVISIONS

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An exemute in hereby received and granted to COMCAST COMPLANCATIONS COMPORATION, aperating within the Village of Demore Grave, it's adjusted and granted to granted to granted to the installation, memberance, releastion, renewed and removal of communication and breakcast signed systems in, under, across, slong and upon the surface of the property shown an the plot and designated as "Public Utility and Grainage Easement", or "P.U. & D.E." and the property designated an the plat for streets and alleys as required to provide the planned unit development and other property, unother ar not contiguous therets, with communication and breadcost TV services, together, with the right to install required service connections for each lat. No buildings or other abstructions shall be constructed or tracted in any such "Public Utility and Drainage Essemant" or "P.U. & D.C." grant of grantees. Her shall any other use be made thereof which will interface with the assemants reserved and granted heraby.

### DECLARATION OF RESTRICTIVE COVENANTS

The undersigned owner hereby declares theil the rest preparty described in and depicted on this plat of maintain shall be hald, transformed, sale, conveyed and occupied subject to the following covenants and restrictions:

(4) Al public utility structures and facilities, whether localest an public or private property, shall be constructed whelly underground, except for transformers, transformer pade, light pales, requisitors, varies, methors and similar structures approved by the Village of Devices prior to recording of this plat of matchinism.

(b) An assument for service, and ever preparty with starm analysis, service, stract lighting, patches what public utility, services, is hereby reserved for and (a) An example of Decemp and Decemp Grow Sectory District, their respective subsequery and appropriate and appropriate and appropriate staty parties, is hereby respond to and granted to the Village of Decemp Crows and Decemps Grows Sectory District, their respective subsequery and appropriate appropriate and appropriate and appropriate and appropriate appropriate appropriate appropriate and appropriate appropriate appropriate appropriate and appropriate approprise appropriate appropriate appropriate a interfers with the proper operation and meintanance thereof.

### **STORMWATER PROVISIONS**

Whereas, sold lots will be conveyed to purchasers subject to this declaration to the and that the restrictions imposed shift incre to the banefit of each of all of the purchasers of such lots whether they shall have beenne such teles the banefit of the date thereof, and their respective heirs and assigns, and

thereas, the alcreeald property described on the attested plat is located antirety within the surparate limits of the Village of Dawner's Crave, strate, and

Whereds, all of the previolens, restrictions, constaints, oprogramments, and charges harein contained shak nin with and bind at all suid late and land and have to the banelit of, and be unforcedule by the Village of Downers Grave, Minais, and the evenes or summer of any of the late of land comprised within add plat, and their respective heirs, avecuaters, administrators, autocasers, grantees and emigns.

Non, therefore, of persons, finite to corporations now owing the obviously preparty to sovenant and agree that they ar any person, firm or corporation hereafter assuring 'any preparty or late shown upon the attached plot of subdivision are hereby subjected to the following restrictions running with said preparty to shortseever punced, to wit:

Const hareby grants to the Village of Dowlars Grave & Starmouter Management Constant for the use and banefit of the Village, over the Starmouter Facilities within the Property and a right of access to privately-several land for the receivable exercise of the rights granted to the Village.

Each owner or purchaser shall be responsible to impact and maintain the Starmwater Facilities an their lat. He buildings or structures of any kind shall be placed on said economic ner shall any other change be made on the Property that maintain the starmwater facility, impacts starmwater facility, impacts at an anist and the Property, hegethery impacts the starmwater facility of the Starmwater Facilities, or materially reduce the starmwater descents at any Starmwater Facility, impacts at an Approved Plane.


In the event the Village determines, in its sele and shadule discretion, that the probabilises of the proper determines of the Starsweter Facilities is not saling parlarment or that proper operation of the Stammeter Facilities is not accurring, on the Property at any time, the Village or its contractors or egents, effor ten (10) days prior written notice to the Contr. may, but shall not be ablicated to, only upon any or at all the Property for the purposes of (a) correcting any visibility and (b) parterning maintanance was an and to the Stammuster Facilities.


In the event that the Village shall perform, or cause to be performed, any very pursuant to the Stamovaler Management Essemant, the Wilage shall have the right to charge the Owner an amount to sufficient to detray the entire cost of such cast, including administrative casts, either such cost is incurred. If the emount so charged is not pold by the Owner utain they (30) says Astening a demand in willing by the Village for such payment, such thoras, legether with interest and costs of colection, shall became a flux upon the Property and the Village shall have the right to collect such thoras, with interest and costs, and to orderes such tion as in foreclasure proceedings as permitted by low.

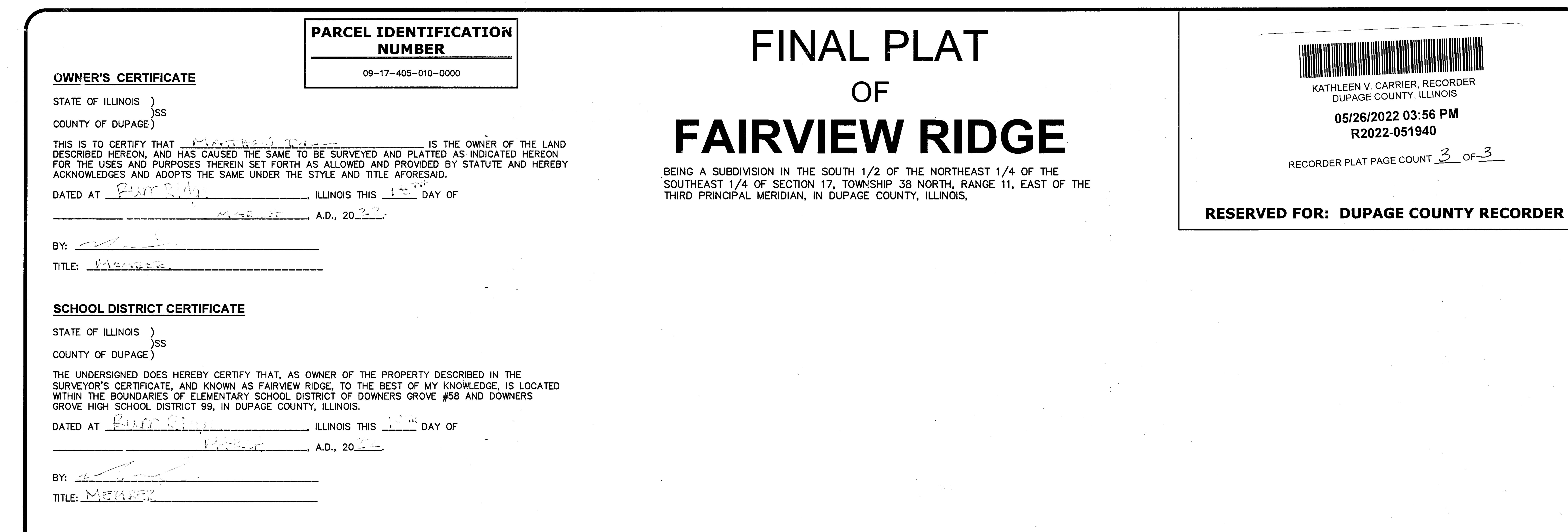
COUNTY OF DUPAGE)	In othersel, the owners have set their hands upon the attached plot the day and date first written therean,
	Dates at Minais, This day of A.D. 20
APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS THIS DAY OF	By (Quner)
	NOTARY PUBLIC CERTIFICATE
BY:	STATE OF ALINOIS ) ) SS COUNTY OF DUPACE)
COUNTY CLERK'S CERTIFICATE	L A HOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT (HAME)
STATE OF RELINCIS ) ) 55	(BRE) OF
COUNTY OF DUPAGE }	OVEN UNDER NY HAND AND NOTABAL SEAL THIS DAY OF, A.D., 20
L COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT CENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT.	UT:NOTART PUBLIC
I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT,	
GIVEN UNDER MY HAND AND SEAL OF THE COUNTY OLERK OF DUPAGE COUNTY, ALLINDIS, THIS	COUNTY RECORDER'S CERTIFICATE
DAY OF A.D., 20	STATE OF ALMOIS )
BY:	COUNTY OF DUPAGE)
COUNTY CLERK	THIS INSTRUMENT NUMBER WAS FILED FOR RECORD. IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS ON
DOWNERS GROVE SANITARY DISTRICT CERTIFICATE	THE DAY OF AD, 20 AT O'CLOCKW.
STATE OF ILLINOIS )	
) SS COUNTY OF DUPAGE)	BY:
L. COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY UNDEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.	
THIS DAY OF A.D. 20	SURVEYOR'S CERTIFICATE
BT:	STATE OF ALLINOIS )
COLLECTOR	) 55
DRAINAGE CERTIFICATE	COUNTY OF WILL )
L A REGISTERED PROFESSIONAL ENGINEER IN ALLINOIS AND	THIS IS TO GERTIFY THAT I, STEVEN J. LAUB, AN ILLINGIS PROFESSIONAL LAND SURVEYOR, NO. 035-003160, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:
AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.	THE EAST 235 FEET OF THE SOUTH 1/2 OF THE HORTHEAST 1/4 OF THE SOUTHEAST 1/4 (EXCEPT THE SOUTH 125.68 FEET THEREOF), ALL IN SECTION 17, TOWNSHIP 38 NORTH, RANCE 11, EAST OF THE THIRD PRINCIPAL MERICIAN, IN DUPAGE COUNTY, ILLINOIS,
REASONABLE PROVISION HAS BEEN WADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS AND PUBLIC AREAS, OR DRAMS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE	AS SHOWN BY THE ANNEXED PLAT WHICH IS A CORRECT REPRESENTATION OF SAID SUBDIVISION.
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	I FURTHER CERTIFY THAT THIS SUBDIVISION LIES WITHIN THE WILLAGE LIMITS OF WITHIN 1.5 WEES OF THE CORPORATE LIMITS OF THE WILLAGE OF DOWNERS GROVE, WILMOIS,

I FURTHER CERTET THAT THIS SUBCIVISION DES WITHIN THE WELFACE LIMITS OF WITHIN 1.5 MEES OF THE CONFORATE LIMITS OF THE WELFACE OF DOWNERS CHOVE, ILLINOIS,

WHICH IS THE SUBJECT OF THIS SUBDIVISION OR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEE	AS ENGINEER, I HEREBY CERTIFY THAT THE PROPER ANY PART THEREOF IS NOT LOCATED WITHIN A SPI ERAL EMERGENCY MANAGEMENT AGENCY,		AN AND IS EXERCISING SPECIAL POWERS AUTH REQULATIONS ENACTED BY THE VILLAGE OF DI			
DATED THIS DAY OF	A.D. 20	I FURTHER CERTIFY THAT IRON PIPE 1 FINAL GRADING, AND THAT THE PLAT	" x 24" WILL BE SET AT ALL LOT CORNERS, I HEREON DRAWN CORRECTLY REPRESENTS SAID	EXCEPT WHERE CONCRETE WORKN SURVEY AND SUBDIVISION.	WENTS ARE INDICATED, UPON T	HE COMPLETION OF THE
BY; ENCINEER		I FURTHER CERTIFY THAT PART OF TH BY THE FEDERAL EMERCENCY MANAGE 1704300166J, EFFECTIVE DATE ON AU	E SUBJECT PROPERTY LIES WITHIN ZONE "X" ( MENT AGENCY'S (FENA) FLOOD INSURANCE RA GUST 1, 2019.	(AREAS DETERMINED TO BE OUTS	SIDE THE 0.2% ANNUAL CHANCING AND INCORPORATED AREAS	e floodplain) as defined 5, map number
		OWENSIONS ARE GIVEN IN FEET AND	DECINAL PARTS THEREOF AND ARE CORRECTED	D TO A TEMPERATURE OF 68 DE	GREES FAHRENHEIT.	
		GIVEN UNDER HUTHAND AND SEAL AT STEVEN & LAUB ILLINDIS PROPESSIONAL LAND SURVEY LICENSE DOPPRES ON MOVEMBER, 30,				STATE OF LLANCES &
				MINIMUM STANDARDS FOR A BOI		A CONTRACT OF A
DENONTEK ENDINEERING. INC. Conductive Coll Democrate & Long Statement						SHEET NO.
State Street, Street, Street, State L	PREPARED FOR. TETON DEVELOPMENT, LLC	NO. DATE DESCRIPTION		MINIMUM STANDARDS FOR A BO		
Constationer Chill Descriptions & Long Street, Suite L Hokere, Broet Street, Suite L		NO. DATE DESCRIPTION 1. 01/13/22 PER VILLAGE & CLENT NEV.: LOT SHIFT		FINAL PLAT RVIEW RIDGE		







**OWNER'S & SCHOOL DISTRICT NOTARY PUBLIC CERTIFICATE** 

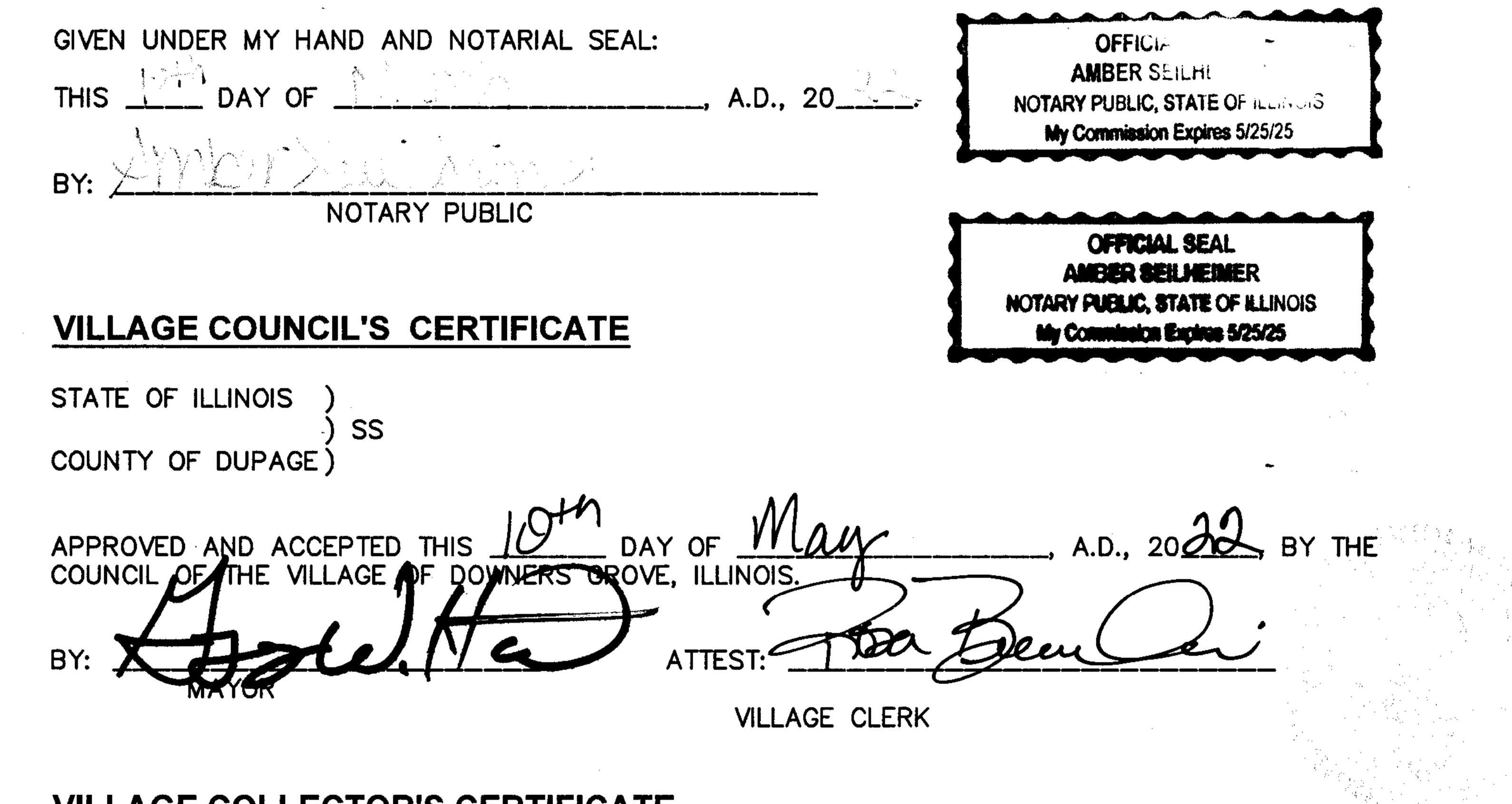
**COMED COMPANY AND AT & T CORPORATION** 

## STATE OF ILLINOIS ) ) SS COUNTY OF DUPAGE)

ORD 2022-9459

	NOTARY PUBLIC IN AND FOR SAID COUN	NTY, IN THE
STATE AFORESAID, DO HEREBY CERTIFY THAT		(NAME)
	_ (TITLE) OF	(COMPANY)

IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING CERTIFICATE OF OWNERSHIP, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED THE SAID INSTRUMENT AS THE FREE AND VOLUNTARY ACT, AND AS THE FREE AND VOLUNTARY ACT OF SAID LIMITED LIABILITY COMPANY.



VILLAGE COLLECTOR'S CERTIFICATE

STATE OF ILLINOIS ) ) SS COUNTY OF DUPAGE)

I, 20010 LANCY, COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE, ILLINOIS 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.

\_\_\_\_\_. A.D., 20<u>22</u>. THIS 30 DAY OF March

An easement for serving the subdivision and other property with electric and communication service is hereby reserved for and granted to COMED COMPANY and AT & T CORPORATION, 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), the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", 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 or dotted lines (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.

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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 Grantees at cost of the Grantor/Lot Owner, upon written request.

## PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS

A non-exclusive perpetual easement is hereby reserved and granted to the Village of Downers Grove, and their successors and assigns over all areas designated "Public Utility and Drainage Easement and those areas designated "P.U. & D.E." on the plat, to construct. reconstruct, repair, inspect, maintain and operate various transmissions, distribution, and collection systems, including but not limited to water lines, sanitary sewers and storm sewers, together with any and all necessary valve vaults fire hydrants, manholes, catch basins, connections, appliances and other structures and appurtenances as may be deemed necessary by said Village, over, upon, along, under and through the surface of the property shown on the plat, together with the right of access for necessary labor, materials and equipment to do any of the above work.

The right is also granted to cut down. trim or remove, without obligation to restore or replace any obstruction, including but not limited to trees, shrubs, other plants, structures or improvements on the easement that interfere with the operation of such lines and sewers. No permanent buildings or structures shall be placed on said easement, but same may be used for gardens, landscape areas, and other purposes that do not then or later interfere with the aforesaid uses or rights. Where an easement is used for both sewer and other utilities, the other utility installation shall be subject to the ordinance of the Village of Downers Grove and to Village approval as to design and location.

Perpetual easements are hereby reserved for and granted to the Village of Downers Grove and other governmental authorities having jurisdiction of the land, over the entire easement area for ingress, egress, and the performance of municipal and other governmental services including water, storm and sanitary sewer service and maintenance and emergency and routine police, fire, and other public safety related services.

## **COMCAST COMMUNICATIONS PROVISIONS**

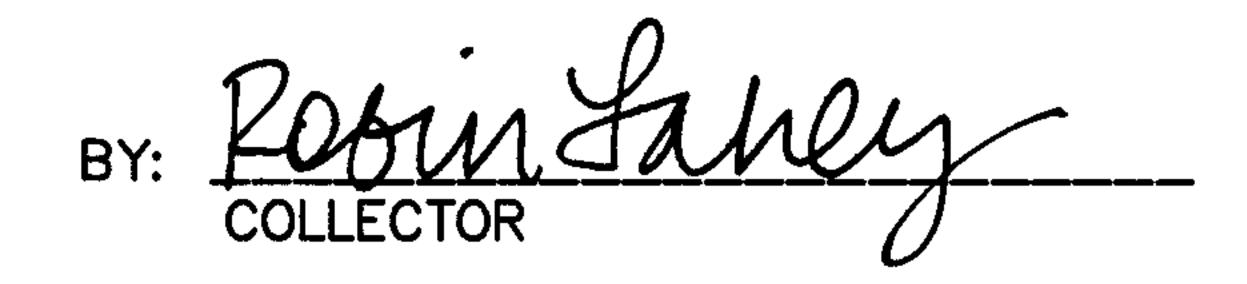
An easement is hereby reserved and granted to COMCAST COMMUNICATIONS CORPORATION, operating within the Village of Downers Grove, it's successors and assigns, jointly and severally, for the installation, maintenance, relocation, renewal and removal of communication end broadcast signal systems in, under, across, along and upon the surface of the property shown on the plat and designated as "Public Utility and Drainage Easement" or "P.U. & D.E." and the property designated on the plot for streets and alleys as required to provide the planned unit development and other property, whether or not contiguous thereto, with communication and broadcast TV services, together with the right to install required service connections for each lot. No buildings or other obstructions shall be constructed or erected in any such "Public Utility and Drainage Easement" or "P.U. & D.E." areas, without the prior written consent of grantees. Nor shall any other use be made thereof which will interfere with the easements reserved end granted hereby.

## **DECLARATION OF RESTRICTIVE COVENANTS**

The undersigned owner hereby declares that the real property described in and depicted on this plat of subdivision shall be held, transferred, sold, conveyed and occupied subject to the following covenants and restrictions:

(a) All public utility structures and facilities, whether located on public or private property, shall be constructed wholly underground, except for transformers, transformer pads, light poles, regulators, valves, markers and similar structures approved by the Village Engineer of the Village of Downers Grove prior to recording of this plat of subdivision.

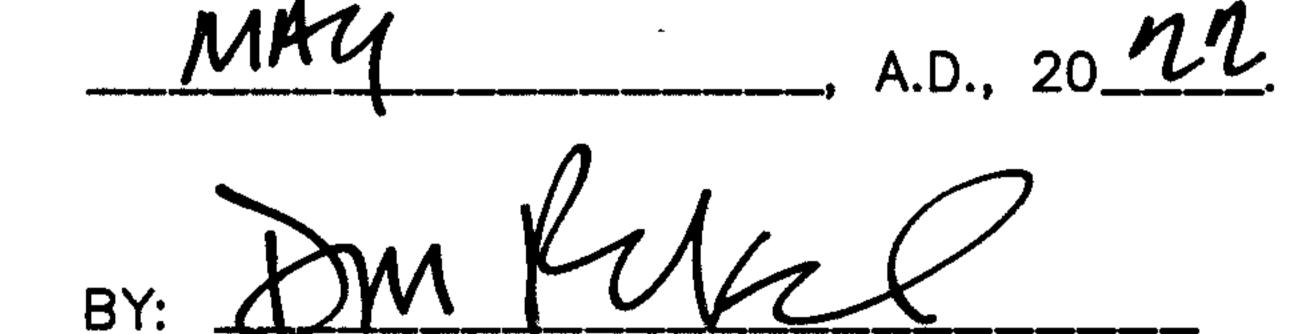
(b) An easement for serving the subdivision, and other property with storm drainage, sanitary sewer, street lighting, potable water service, and other public utility services, is hereby reserved for and granted to the Village of Downers Grove and Downers Grove Sanitary District, their respective successors and assigns, jointly and separately, to install, operate and maintain, and remove, from time to time, facilities and equipment used in connection with the public water supply, transmission lines, sanitary sewers, storm drainage system, street lighting system, or other public utility service, and their appurtenances, either on, over, across, below or through the ground shown within the dotted lines on the plat marked 'Public Utility and/or Drainage Easement," or similar language designating a stormwater or sewer easement, and the property designated on the plat for streets and alleys, together with the right to cut, trim or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over 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.



# PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS ) ) SS COUNTY OF DUPAGE)

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS THIS \_\_\_\_\_ DAY OF



CHAIRMAN

# **COUNTY CLERK'S CERTIFICATE**

STATE OF ILLINOIS ) ) SS COUNTY OF DUPAGE)

COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS DO HEREBY CERTIFY INCLIENT GENERAL TAXES NO LINPAID FORFEITED TAXES AND NO REDEEMARLE

(H.O.A.) shall be responsible for maintenance of all landscaping areas and all stormwater facilities within the property depicted as Outlot A and marked Stormwater Management Easement and P.U. & D.E. The H.O.A. shall maintain those specified areas and features described above in a manner consistent with the plans approved by the Village and all other Village ordinances.

## **STORMWATER MANAGEMENT AND PUBLIC UTILITIES EASEMENTS**

## **STORMWATER EASEMENT**

A non-exclusive, perpetual easement is hereby granted to the Village of Downers Grove (the "Village") in, over, under, through, and upon Outlot A and shown on the plat and designated within the dashed or dotted lines (or similar designation) and marked "Stormwater Management Easement P.U. & D.E". for purposes of providing adequate stormwater drainage control together with reasonable access thereto. The easement shall run with the land and shall be binding upon the owner, its successors, heirs, executors and assigns. To ensure the integrity of the stormwater facilities, no obstruction shall be placed, nor alterations made, including alterations in the final topographical grading plan which in any manner impeded or diminish stormwater drainage of detention in, over, under, through or upon said easement areas. In the event such obstruction or alterations or to perform other repair, alteration or replacement as may reasonably be necessary to ensure that adequate stormwater storage, storm drainage, detention and retention facilities and appurtenances thereto remain fully operational and that the condition of said drainage easement complies with all applicable Village codes. In the event of an emergency situation, as determined by the Village, the seventy—two (72) hours prior notice requirement set forth above shall not apply, and the Village shall have the right, but not the duty, to proceed without notice to the H.O.A. or property owner, in the event the Village shall perform, or have performed on its behalf, removal of and stort not or upon the stormwater facilities drainage easement, as set forth in this easement, the cost of such work shall, upon recordation of Notice of Lien with the Recorder of Deeds of the DuPage County, constitute a lien against the assets of the property owner which caused such obstruction or alteration. The cost of the work incurred by the Village shall performance of such work include all expenses and costs associated with the performance of such work included by the village shall perform