

ORDINANCE NO. 2515

NOV 20 2006

**AN ORDINANCE FOR APPROVAL OF THE FINAL
SUBDIVISION PLAT FOR PHASES ONE AND TWO OF THE
STONECREST SUBDIVISION ON "D" ROAD IN MONROE
COUNTY, ILLINOIS**


City Clerk

WHEREAS, Stonecrest Properties, Inc., an Illinois Business Corporation, as the Developer/Subdivider of the proposed Stonecrest Subdivision on "D" Road in Monroe County, Illinois (the "Developer" or the "Subdivider") has submitted to the City the required five (5) copies of its final subdivision plat dated November 1, 2006 for Phases One and Two of the Stonecrest Subdivision, (as amended as hereinafter stated and provided) for approval by the City Council;

WHEREAS, the property comprising the proposed "Stonecrest" Subdivision is located within a one and one-half (1 & 1/2) mile radius of the corporate limits of the City of Columbia, Illinois (the "City") and is therefore within the extraterritorial jurisdiction of the City's Subdivision Control Ordinance so that the subdivider is required to obtain subdivision plat approval for the preliminary and final plats for the subdivision (as well as approval of the improvement plan for infrastructure improvements to be installed in the subdivision) from the City Council of the City in order to subdivide the property and to create the "Stonecrest" Subdivision;

WHEREAS, the Acting City Engineer and the City Attorney have reviewed the final plat for Phases One and Two of the "Stonecrest" Subdivision and are recommending approval thereof as is in this Ordinance made and provided.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. The "Stonecrest" Subdivision Final Subdivision Plat submittal for Phases One and Two of the Subdivision dated November 1, 2006, for the following described property located on "D" Road in Monroe County, Illinois, to wit:

PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 1
SOUTH, RANGE 10 WEST OF THE THIRD PRINCIPAL MERIDIAN,
MONROE COUNTY, ILLINOIS, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29 WITH THE WESTERLY RIGHT-OF-WAY LINE OF A PUBLIC ROAD KNOWN AS "D" ROAD (40 FEET WIDE); THENCE AT AN ASSUMED BEARING OF SOUTH 89°-32'-21" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, A DISTANCE OF 154.84 FEET TO THE STONE WHICH MARKS THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, SAID STONE ALSO LIES ON THE EAST LINE OF A TRACT OF LAND CONVEYED TO BOBBIE G. AND PATRICIA H. SMALL BY DEED RECORDED IN THE RECORDER'S OFFICE OF MONROE COUNTY, ILLINOIS, IN BOOK OF DEEDS 167 ON PAGE 270; THENCE NORTH 00°-17'-04" WEST, ALONG THE EAST LINE OF SAID SMALL TRACT, A DISTANCE OF 336.00 FEET TO AN IRON BAR WHICH MARKS THE NORTHEASTERLY CORNER OF SAID SMALL TRACT; THENCE ALONG THE NORTHERLY LINE OF SAID SMALL TRACT THE FOLLOWING COURSES AND DISTANCES: NORTH 62°-51'-56" WEST, A DISTANCE OF 462.60 FEET TO AN IRON BAR; THENCE NORTH 09°-07'-22" EAST, A DISTANCE OF 110.93 FEET TO AN IRON BAR; THENCE NORTH 89°-54'-29" WEST, A DISTANCE OF 918.98 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHWEST CORNER OF SAID SMALL TRACT, SAID CONCRETE MONUMENT ALSO LIES ON THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 29; THENCE NORTH 00°-09'-42" EAST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 29, A DISTANCE OF 364.36 FEET TO A POINT; THENCE NORTH 49°-04'-09" EAST, A DISTANCE OF 519.53 FEET TO A POINT; THENCE SOUTH 64°-22'-26" EAST, A DISTANCE OF 77.38 FEET TO A POINT; THENCE SOUTH 30°-37'-05" EAST, A DISTANCE OF 216.82 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 620.00 FEET, A CENTRAL ANGLE OF 03°-31'-53" AND A CHORD OF 38.21 FEET WHICH BEARS NORTH 66°-08'-01" EAST, AN ARC LENGTH OF 38.21 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 21°-54'-01" WEST, A DISTANCE OF 285.76 FEET TO A POINT; THENCE NORTH 79°-55'-30" EAST, A DISTANCE OF 254.96 FEET TO A POINT; THENCE NORTH 85°-10'-45" EAST, A DISTANCE OF 401.92 FEET TO A POINT; THENCE NORTH 89°-45'-02" EAST, A DISTANCE OF 200.00 FEET TO A POINT; THENCE SOUTH 78°-54'-14" EAST, A DISTANCE OF 195.00 FEET TO A POINT; THENCE SOUTH 71°-53'-07" EAST, A DISTANCE OF 180.00 FEET TO A POINT; THENCE NORTH 09°-21'-17" EAST, A DISTANCE OF 219.97 FEET TO A POINT; THENCE SOUTH 78°-17'-16" EAST, A DISTANCE OF 185.68 FEET TO A POINT WHICH LIES IN THE CENTERLINE OF "D" ROAD (40 FEET WIDE); THENCE ALONG THE

CENTERLINE OF "D" ROAD (40' WIDE), THE FOLLOWING COURSES AND DISTANCES: SOUTH 05°-30'-00" WEST, A DISTANCE OF 196.48 FEET TO A RAILROAD SPIKE; THENCE SOUTH 06°-30'-00" WEST, A DISTANCE OF 480.93 FEET TO A RAILROAD SPIKE, BEING A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1100.00 FEET, A CENTRAL ANGLE OF 24°-30'-00" AND A CHORD OF 466.79 FEET WHICH BEARS SOUTH 18°-45'-00" WEST, AN ARC LENGTH OF 470.37 FEET TO A RAILROAD SPIKE, BEING THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 31°-00'-00" WEST, A DISTANCE OF 68.59 FEET TO THE POINT OF INTERSECTION OF THE CENTERLINE OF "D" ROAD (40' WIDE) WITH THE NORTHERLY LINE OF A TRACT OF LAND CONVEYED TO ROY A. AND ROSE ELLEN JUELFs BY DEED RECORDED IN THE RECORDER'S OFFICE OF MONROE COUNTY, ILLINOIS, IN BOOK OF DEEDS 172 ON PAGE 244; THENCE NORTH 65°-33'-36" WEST, ALONG THE NORTHERLY LINE OF SAID JUELFs TRACT, A DISTANCE OF 20.13 FEET TO A POINT WHICH LIES ON THE WESTERLY RIGHT-OF-WAY LINE OF "D" ROAD (40' WIDE); THENCE SOUTH 31°-00'-00" WEST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF "D" ROAD (40' WIDE), A DISTANCE OF 25.51 FEET TO A POINT; THENCE SOUTH 23°-00'-00" WEST, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF "D" ROAD (40' WIDE), A DISTANCE OF 281.14 FEET TO A POINT; THENCE SOUTH 24°-30'-00" WEST, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF "D" ROAD (40' WIDE), A DISTANCE OF 154.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 39.26 ACRES, MORE OR LESS.

is approved, subject to the amendment thereof (as will appear on the mylar copies of the subdivision final plat) to add a note 13 to the notes on the plat to read as follows:

"13) The 8 foot wide road reservation contained in the deed recorded in the Monroe County, Illinois Recorder's Office in Deed Book 215, on Pages 469-473, as Document No. 226034 was extinguished by merger of title in the deed to Stonecrest Properties, Inc. recorded in the Monroe County, Illinois Recorder's Office as document No. 295054, on February 28, 2005 and no longer encumbers the property comprising this subdivision."

Section 3. The City Council hereby grants the following variances (which were heretofore granted by Ordinance No. 2415, enacted November 21, 2005, with regard to a preliminary plat for the same subdivision property which subdivision been thereafter reconfigured and changed) from strict compliance with the following regulations contained

in the City's Subdivision Code under and pursuant to Section 34-6-1 of said Subdivision Code:

(1) From Subsection 34-4-3(D) of the Subdivision Code which restricts the length of dead-end streets that end in a cul-de-sac to 500 feet and from Section 34-4-6 of the Subdivision Code which provides that blocks in subdivisions shall not be longer than 1300 lineal feet for Croatia Drive which is a dead-end street over 1300 lineal feet in length;

(2) To allow the final subdivision plat for Stonecrest Subdivision Phases One and Two to deviate from strict compliance with the preliminary plat to allow for the reconfiguration of lots as a result of accesses to adjoining property and drainage right of way in accordance with the City approved improvement plans for the subdivision; which deviation the City's City Council finds and declares not to be a substantial deviation;

(3) From Section 34-5-3 of the City's Subdivision Code with regard to the reconstruction of "D" Road adjoining the subdivision and with regard to the obligation to construct Portland cement sidewalk along "D" Road adjoining the subdivision the subdivider having remitted payment to the City prior to final plat approval of a sum equal to the estimated cost to construct said sidewalk, as said cost estimate was approved by the City's then acting Engineering Consultant, Kenneth Vaughn.

Section 4. This Ordinance shall be in full force and effect from and after its passage, as provided by law.

Alderman Koesterer moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Agne, and the roll call vote was as follows:

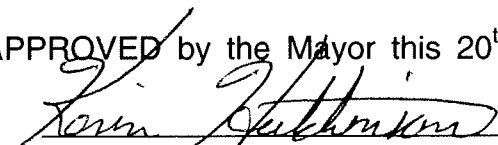
YEAS: Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Huch and Mayor Hutchinson.

NAYS: None.

ABSENT: Aldermen Conrad and Row.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 20th day of November, 2006.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY J. HOFFKEN, CITY CLERK
(SEAL)