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DENNIS KNOBLOCH  
MONROE COUNTY RECORDER  
WATERLOO, IL

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**CITY OF COLUMBIA, ILLINOIS**

**ORDINANCE NO. 3300**

**AN ORDINANCE TO APPROVE THE PRELIMINARY  
SUBDIVISION PLAT FOR THE FOX RUN ESTATES PHASE III  
SUBDIVISION IN THE CITY OF COLUMBIA, COUNTY OF  
MONROE AND STATE OF ILLINOIS**

**Adopted by  
the City  
Council  
Of the  
City of Columbia, Illinois  
this 17th day of January,  
2017**

**Published in pamphlet form by  
authority of the City Council  
Of the City of Columbia,  
Illinois this 17th day of January, 2017**

**ORDINANCE NO. 3300**

**AN ORDINANCE TO APPROVE THE PRELIMINARY SUBDIVISION PLAT FOR THE FOX RUN ESTATES PHASE III SUBDIVISION IN THE CITY OF COLUMBIA, COUNTY OF MONROE AND STATE OF ILLINOIS**

WHEREAS, the owner/developer of the "Fox Run Estates Phase III Subdivision" being PART OF LOTS 15 AND 37 OF "FOX RUN ESTATES - PHASE 1", REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF MONROE COUNTY, ILLINOIS, IN ENVELOPE 2-3278 AND PART OF TAX LOT 4A OF SECTION 4, AS SHOWN ON PAGE 29 OF SURVEYOR'S OFFICIAL PLAT RECORD A IN THE RECORDER'S OFFICE OF MONROE COUNTY, ILLINOIS, ALL IN TOWNSHIP 1 SOUTH, RANGE 10 WEST OF THE THIRD PRINCIPAL MERIDIAN, City of Columbia, Monroe County, Illinois has completed and filed with the City Clerk the necessary four (4) Copies of the Preliminary Subdivision Plat for the subject subdivision dated December 9, 2016 as required by Section 34-3-2 of the City of Columbia, Illinois (the "City) Subdivision Code;

WHEREAS, all of the requirements of the statutes of the State of Illinois and the Ordinances of the City (including Section 34-3-7 of the City's Subdivision Code) relative to preliminary subdivision platting of land located in the City have been complied with by the "Admiral Parkway, Inc.", as the owner/subdivider of the proposed "Fox Run Estates Phase Three" Subdivision.

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 preliminary subdivision plat entitled "Fox Run Estates Phase 3", being a PART OF LOTS 15 AND 37 OF "FOX RUN ESTATES - PHASE 1", REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF MONROE COUNTY, ILLINOIS, IN ENVELOPE 2-3278 AND PART OF TAX LOT 4A OF SECTION 4, AS SHOWN ON PAGE 29 OF SURVEYOR'S OFFICIAL PLAT RECORD A IN THE RECORDER'S OFFICE OF MONROE COUNTY, ILLINOIS, ALL IN TOWNSHIP 1 SOUTH, RANGE 10 WEST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF COLUMBIA, MONROE COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND WHICH MARKS THE MOST WESTERLY CORNER OF SAID LOT 37 OF "FOX RUN ESTATES - PHASE 1", THENCE AT AN ASSUMED BEARING OF NORTH 79°34'55" EAST, ALONG THE NORTHERLY LINE OF SAID LOT 37, A DISTANCE OF 162.22 FEET TO AN IRON PIN FOUND; THENCE SOUTH 80°52'57" EAST, CONTINUING ALONG THE NORTHERLY LINE OF SAID LOT 37, A DISTANCE OF 46.20 FEET TO AN IRON PIN FOUND; THENCE NORTH 04°18'16" EAST, ALONG THE WESTERLY LINE OF SAID LOT 37, A DISTANCE OF 162.60 FEET TO A PINCHED PIPE FOUND; THENCE NORTH 81 °12'28" EAST, ALONG THE NORTHERLY LINE OF SAID LOT 37, A DISTANCE OF 299.77 FEET TO AN IRON PIN SET; THENCE SOUTH 06°26'04" WEST, A DISTANCE OF 336.92 FEET TO AN IRON PIN SET; THENCE SOUTH 60°34'21" EAST, A DISTANCE OF 320.07 FEET TO AN IRON PIN SET; THENCE SOUTH 28°12'39" WEST, A DISTANCE OF 140.00 FEET TO AN IRON PIN SET WHICH LIES ON THE NORTHERLY RIGHT OF WAY LINE OF A PUBLIC ROAD KNOWN AS LAKE SHORE DRIVE; THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF LAKE SHORE DRIVE, THE FOLLOWING COURSES AND DISTANCES: NORTH 61°47'21" WEST, A DISTANCE OF 227.75 FEET TO AN IRON PIN FOUND WHICH MARKS A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2,379.00 FEET, A CENTRAL ANGLE OF 02°23'03" AND A CHORD OF 98.98 FEET WHICH BEARS SOUTH 60°35'50" EAST, AN ARC LENGTH OF 98.99 FEET TO AN IRON PIN FOUND WHICH MARKS THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 59°24'18" WEST, A DISTANCE OF 282.39 FEET TO AN IRON PIN FOUND WHICH MARKS A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 40°45'46" AND A CHORD OF 139.31 FEET WHICH BEARS NORTH 79°47'11" WEST, AN ARC LENGTH OF 142.29 FEET TO AN IRON PIN FOUND WHICH MARKS THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 19°21'36" WEST, A DISTANCE OF 64.41 FEET TO THE POINT OF BEGINNING, CONTAINING 4.52 ACRES, MORE OR LESS.

SUBJECT TO ANY EASEMENTS, CONDITIONS, OR RESTRICTIONS OF RECORD.

Is hereby approved by the City's City Council. The Mayor is hereby authorized and directed to sign the certificate on the revised preliminary plat acknowledging the City's approval of the preliminary plat and the City's City Clerk is hereby authorized and directed to attest the same upon the owner/subdivider of the subdivision having remitted payment to the office of the City Clerk of all fees and costs due in connection with preliminary subdivision plat approval for the City's services.

**Section 3.** In accordance with the provisions of Section 34-3-13 of the City's Subdivision Code, the subdivider is now authorized to proceed with the preparation of the required improvement plans for the physical infrastructure capital improvements to be installed in the subdivision for the City Council approval, followed by the construction and installation of said infrastructure improvements in the subdivision. Alternatively, the subdivider is entitled to proceed with the preparation of the improvement plans for physical infrastructure capital improvements to be installed in the subdivision for City Council approval, followed by the subdivider posting with the City a Performance guarantee to secure construction and installation of the infrastructure improvements within a period of two (2) years, followed by the preparation of a final subdivision plat for

the subdivision for City Council approval prior to installation of the infrastructure improvements in the subdivision.

**Section 4.** In connection with final subdivision plat approval for the subject subdivision, prior to as a condition for final subdivision plat approval, the subdivider will be required to do and perform the following:

1. Provide to the City a good and sufficient "Bill of Sale", in form to be approved by the City Attorney, to evidence the transfer of ownership to the City of the capital infrastructure improvements in the subdivision or, in the alternative thereto, provide to the City a Performance Guarantee in form to be approved by the City Attorney, to secure the construction of the infrastructure improvements in the subdivision in compliance with the City approved improvement plans.
2. Provide the City with a two (2) year term Maintenance Guarantee for the subdivision infrastructure improvements installed in the subdivision by the developer prior to the final subdivision plat approval, in a form to be approved by the City Attorney.
3. Provide to the City a good and sufficient Engineer's Certificate, from an Illinois licensed professional engineer, in form to be approved by the City's administrative staff, certifying that the infrastructure improvements for the subdivision have been installed in compliance with approved improvement plans, with applicable City Codes and Ordinances, if the infrastructure improvements are installed prior to the final plat approval.
4. Provide to the City "as-built" drawings for the infrastructure improvements installed in the subdivision prior to the final subdivision plat approval, as required by Section 34-3-15 of the City's Subdivision Code, if the infrastructure improvements are installed prior to final subdivision plat approval.
5. The notes on the final subdivision plat for the subject subdivision **shall** include a note which requires the following:
  - A. Due to the shrink-swell potential of the soils on the premises of the subdivision, the developer will be required for building construction to use reinforced foundations and widened trenches, and backfill trenches with suitable course material to prevent structural damage caused by shrinking and swelling.

- B. To avoid on-site erosion, the owner and/or builder/developer will be required to limit the removal of plant cover to those sites under active erosion and sedimentation and shall be required to seed or sod all disturbed areas as soon as possible after completion of construction.
- C. Install tile drains along the base of foundations to lower seasonal high water table.
- D. Driveway, Sidewalk And Parking Lot Statement - The owner and/or builder/developer with consultations of a qualified professional engineer will insure adequate compaction of grades under sidewalks, driveways and parking lots when installed over public right-of-way and easements. The City of Columbia assumes no responsibility for any settlement or pavement damage and the owner and/or builder/developer agrees to hold the City harmless from any future costs or maintenance of said sidewalks, driveways and/or parking lots.
- E. Structure Statement - The owner and/or builder/developer with consultations of a qualified professional engineer will insure adequate compaction of grades under all structures on lots within the subdivision. The City of Columbia assumes no responsibility for any settlement or structure damage and the owner and/or builder/developer agrees to hold the City harmless from any future cost or maintenance of said structures.

**Section 5.** This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

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

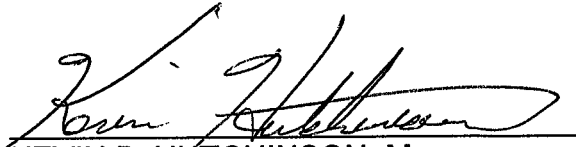
YEAS: Aldermen Ebersohl, Agne, Roessler, Reis, Holtkamp and Martens.

NAYS: None.

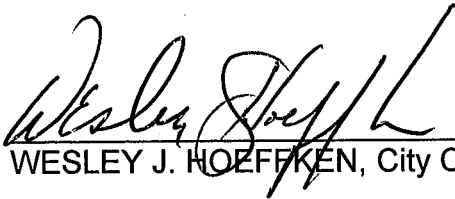
ABSENT: Aldermen Niemietz and Huch.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 17th day of January, 2017.

  
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KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
\_\_\_\_\_  
WESLEY J. HOEFFKEN, City Clerk

(Seal)



