

NOV 21 2011

ORDINANCE NO. 2910

AN ORDINANCE FOR CONDITIONAL APPROVAL OF THE
FINAL SUBDIVISION PLAT FOR THE VILLAGE OF
WERNINGS PHASE 2 SUBDIVISION IN THE CITY OF
COLUMBIA, ILLINOIS

J. Ronald Colyer
City Clerk

WHEREAS, Wernings Land Trust II, is the owner of the land comprising the proposed Village of Wernings Phase 2 Subdivision in the City of Columbia, Illinois (the "City"); which subdivision comprises Part of Fractional Section 9, Township 1 South, Range 10 West of the Third Principal Meridian, Monroe County, Illinois and which land is more particularly described as follows, to wit:

BEGINNING AT THE WESTERN-MOST CORNER OF LOT 22 OF VILLAGE OF WERNINGS PHASE ONE AS SHOWN ON THE FINAL PLAT RECORDED IN ENVELOPE 2-252A OF THE MONROE COUNTY RECORDER'S OFFICE; *THENCE* SOUTH 67 DEGREES 52 MINUTES 33 SECONDS EAST A DISTANCE OF 162.38 FEET; *THENCE* SOUTH 58 DEGREES 46 MINUTES 11 SECONDS EAST A DISTANCE OF 50.01 FEET; *THENCE* SOUTH 67 DEGREES 52 MINUTES 33 SECONDS EAST A DISTANCE OF 78.48 FEET; *THENCE* SOUTH 00 DEGREES 32 MINUTES 59 SECONDS EAST A DISTANCE OF 92.96 FEET; *THENCE* SOUTH 08 DEGREES 40 MINUTES 09 SECONDS EAST A DISTANCE OF 92.96 FEET; *THENCE* SOUTH 16 DEGREES 47 MINUTES 19 SECONDS EAST A DISTANCE OF 92.96 FEET; *THENCE* SOUTH 24 DEGREES 54 MINUTES 29 SECONDS EAST A DISTANCE OF 92.96 FEET; *THENCE* SOUTH 33 DEGREES 01 MINUTES 40 SECONDS EAST A DISTANCE OF 92.96 FEET; *THENCE* SOUTH 41 DEGREES 08 MINUTES 50 SECONDS EAST A DISTANCE OF 92.96 FEET; *THENCE* SOUTH 49 DEGREES 16 MINUTES 00 SECONDS EAST A DISTANCE OF 92.96 FEET; *THENCE* SOUTH 56 DEGREES 33 MINUTES 02 SECONDS EAST A DISTANCE OF 87.39 FEET; *THENCE* SOUTH 57 DEGREES 57 MINUTES 13 SECONDS EAST A DISTANCE OF 205.33 FEET; *THENCE* SOUTH 02 DEGREES 57 MINUTES 31 SECONDS WEST A DISTANCE OF 255.40 FEET; *THENCE* SOUTH 86 DEGREES 48 MINUTES 12 SECONDS WEST A DISTANCE OF 121.36 FEET; *THENCE* ALONG A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 225.00 FEET FOR AN ARC LENGTH OF 76.41 FEET, ALSO HAVING A CHORD BEARING OF SOUTH 06 DEGREES 31 MINUTES 58 SECONDS WEST FOR A CHORD DISTANCE OF 76.05 FEET; *THENCE* ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 18.00 FEET FOR AN ARC LENGTH OF 26.35 FEET, ALSO HAVING A CHORD BEARING OF SOUTH 25 DEGREES 40 MINUTES 42 SECONDS EAST FOR A CHORD DISTANCE OF 24.06 FEET; *THENCE* SOUTH 31 DEGREES 51 MINUTES 39 SECONDS WEST A DISTANCE OF 50.69 FEET; *THENCE* SOUTH 22 DEGREES 22 MINUTES 52 SECONDS WEST A DISTANCE OF 131.43 FEET; *THENCE* NORTH 67 DEGREES 34 MINUTES 29 SECONDS WEST A DISTANCE OF 160.00 FEET; *THENCE* NORTH 22 DEGREES 22 MINUTES 52 SECONDS EAST A DISTANCE OF 181.43 FEET; *THENCE* NORTH 67

DEGREES 34 MINUTES 29 SECONDS WEST A DISTANCE OF 43.72 FEET; *THENCE* NORTH 22 DEGREES 22 MINUTES 52 SECONDS EAST A DISTANCE OF 131.22 FEET; *THENCE* NORTH 67 DEGREES 36 MINUTES 29 SECONDS WEST A DISTANCE OF 400.00 FEET; *THENCE* NORTH 30 DEGREES 26 MINUTES 27 SECONDS WEST A DISTANCE OF 200.81 FEET; *THENCE* NORTH 00 DEGREES 25 MINUTES 57 SECONDS WEST A DISTANCE OF 143.82 FEET; *THENCE* SOUTH 63 DEGREES 25 MINUTES 31 SECONDS WEST A DISTANCE OF 104.17 FEET; *THENCE* SOUTH 78 DEGREES 47 MINUTES 30 SECONDS WEST A DISTANCE OF 133.52 FEET; *THENCE* SOUTH 01 DEGREES 06 MINUTES 05 SECONDS WEST A DISTANCE OF 104.09 FEET; *THENCE* NORTH 88 DEGREES 53 MINUTES 55 SECONDS WEST A DISTANCE OF 154.42 FEET; *THENCE* ALONG A NON-TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET FOR AN ARC LENGTH OF 14.11 FEET, ALSO HAVING A CHORD BEARING OF SOUTH 02 DEGREES 07 MINUTES 57 SECONDS EAST FOR A CHORD DISTANCE OF 14.10 FEET; *THENCE* SOUTH 84 DEGREES 38 MINUTES 03 SECONDS WEST A DISTANCE OF 191.89 FEET; *THENCE* NORTH 00 DEGREES 45 MINUTES 40 SECONDS EAST A DISTANCE OF 20.87 FEET; *THENCE* NORTH 01 DEGREES 06 MINUTES 05 SECONDS EAST A DISTANCE OF 340.20 FEET; *THENCE* NORTH 59 DEGREES 54 MINUTES 34 SECONDS EAST A DISTANCE OF 71.72 FEET; *THENCE* SOUTH 47 DEGREES 16 MINUTES 40 SECONDS EAST A DISTANCE OF 164.30 FEET; *THENCE* ALONG A NOT-TANGENTIAL CURVE TO THE RIGHT, HAVING A RADIUS OF 175.00 FEET FOR AN ARC LENGTH OF 15.02 FEET, ALSO HAVING A CHORD BEARING OF NORTH 45 DEGREES 10 MINUTES 51 SECONDS EAST FOR A CHORD DISTANCE OF 15.01 FEET; *THENCE* NORTH 47 DEGREES 16 MINUTES 40 SECONDS WEST A DISTANCE OF 160.31 FEET; *THENCE* NORTH 59 DEGREES 54 MINUTE 34 SECONDS EAST A DISTANCE OF 169.12 FEET; *THENCE* NORTH 81 DEGREES 45 MINUTES 30 SECONDS EAST A DISTANCE OF 119.58 FEET; *THENCE* NORTH 62 DEGREES 36 MINUTES 25 SECONDS EAST A DISTANCE OF 73.69 FEET; *THENCE* NORTH 61 DEGREES 47 MINUTES 25 SECONDS EAST A DISTANCE OF 75.55 FEET; *THENCE* NORTH 24 DEGREES 33 MINUTES 30 SECONDS EAST A DISTANCE OF 71.10 FEET; *THENCE* NORTH 22 DEGREES 07 MINUTES 27 SECONDS EAST A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED.
CONTAINING 15.312 ACRES MORE OR LESS.

and they have submitted to the City the required five (5) copies of their final subdivision plat for approval by the City Council;

WHEREAS, a majority of the capital infrastructure improvements that serve the proposed Village of Wernings Phase 2 Subdivision are constructed and a maintenance guarantee is required to be furnished to the city prior to the Mayor and City Clerk signing the final plat for that subdivision;

WHEREAS, the owner has supplied to the City all other supporting documents required for final subdivision plat approval, in due and proper form;

WHEREAS, the City Engineer and the City Attorney have reviewed the Village of Wernings Phase 2 Subdivision final subdivision plat and are recommending conditional approval thereof as is in this Ordinance made and provided for.

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 Village of Wernings Phase 2 Subdivision final subdivision plat submittal dated October 7, 2011, is approved subject to compliance with the following special conditions, (and the Mayor and the City Clerk shall withhold signature from the final subdivision plat until said conditions have been done, performed and satisfied by the Subdividers/Developers), to wit:

- (1) A performance bond or letter of credit in the amount of 125% of the estimated cost of the subdivision infrastructure improvements that have yet to be constructed or corrected as per an inspection by the City's Department of Public Works shall be submitted to the City to guarantee the construction or correction of those subdivision infrastructure improvements;
- (2) A maintenance bond or letter of credit in the amount of 125% of the estimated cost of the subdivision infrastructure improvements shall be submitted to the City guaranteeing the subdivision infrastructure improvements for a period of two (2) years;
- (3) Payment to the City Clerk of the full payment and reimbursement due the City for the City's Attorney's fees and Engineer's fees incurred in connection with the final subdivision plat approval.

Section 3. The Mayor and the City Clerk shall withhold signing of the final plat pending being advised by the City Attorney or the City Engineer that the above-mentioned special conditions for subdivision plat approval have been satisfied, done and performed by the Subdivider/Developer of the subdivision.

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

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

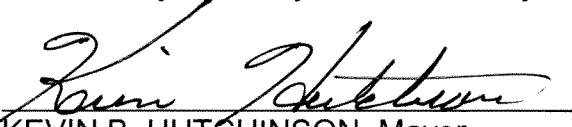
YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Mathews, Piazza and Reis.

NAYS: None.

ABSENT: None.

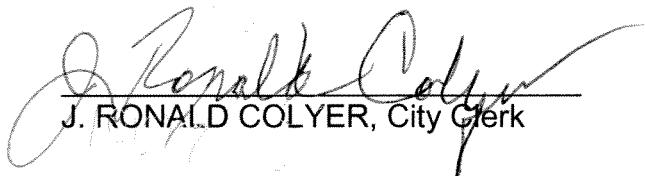
ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 21st day of November, 2011.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



J. RONALD COLYER, City Clerk

(SEAL)