ORDINANCE NO. 2517

City Clerk

AN ORDINANCE TO APPROVE THE FINAL SUBDIVISION PLAT FOR THE BRELLINGER FIRST ADDITION SUBDIVISION IN THE CITY OF COLUMBIA, ST. CLAIR COUNTY, ILLINOIS
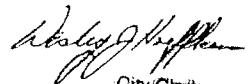
WHEREAS, the Owner/Developer of the "Brellinger First Addition Subdivision", being a subdivision of the Southeast Quarter of the Southeast Quarter of Section 4, Township 1 South, Range 10 West of the Third Principal Meridian, in the City of Columbia, County of St. Clair and State of Illinois has completed and filed with the City Clerk the necessary five (5) copies of the final subdivision plat for the subject subdivision as required by Section 34-3-17 of the City of Columbia, Illinois (the "City") Subdivision Code;

WHEREAS, Section 34-3-1, Subsection (C), and Section 34-5-18, Subsection (B), of the City's Subdivision Code allows the subdivider of a subdivision in the City to post a performance guarantee secured by cash escrow, Insurance Bond or Letter of Credit to guarantee completion of construction of all the capital infrastructure improvements required for the subdivision within two (2) years of the date of final plat approval in lieu of having constructed the infrastructure improvements and said improvements having been inspected by the City, approved for dedication by the City and dedicated to the City prior to final subdivision plat approval;

WHEREAS, the Owner/Developer of the "Brellinger First Addition Subdivision", the Brellinger Land Trust, (the Trustee of said trust being Dennis R. Brand), has constructed most of the capital infrastructure improvements for the subdivision and has provided to the City a Performance Guarantee Letter of Credit issued by First National Bank of Waterloo in the principal amount of $15,238.91, same being 125% of the estimated costs to complete the capital infrastructure improvements for the subdivision within the time frame the Subdivision Code requires;

WHEREAS, the subdivision Owner/Developer, Brellinger Land Trust, has paid to the City Clerk the required fees for City Attorney and Acting City Engineer's fees for plat approval as is made and provided for in, and required by, Section 18.55.001 of the City's Salaries and Fees Ordinance No. 2454, enacted April 3, 2006; and,

WHEREAS, all the requirements of the statutes of the State of Illinois and the ordinances of the City (including Sections 34-3-22 and 34-3-23 of the City's Subdivision Code) relative to the platting and subdivision of property in the City have been complied with by the Brellinger Land Trust as the Owner/Developer of the proposed Brellinger First Addition 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 subdivision plat entitled "Brellinger First Addition Subdivision", being a subdivision of part of the Southeast Quarter of the Southeast Quarter of Section #4, Township 1 South, Range 10 West of the Third Principal Meridian, St. Clair County, Illinois, which is more particularly described as follows, to wit:

A part of the southeast quarter of the southeast quarter of Section # 4, Township 1 South, Range 10 West of the Third Principal Meridian, St. Clair County, Illinois, being more particularly described as follows:

Commencing at an old concrete monument which marks the northeast corner of Tax Lot # 2 of the said Section # 4, referencing Page # 29 of the 'Surveyor's Official Plat Record-A', a part of the public record in the Monroe County Recorder's office; thence on assumed bearing of South 89 Degrees, 33 Minutes, 45 Seconds East and along the north line of the southeast quarter of the southeast quarter of said Section # 4, a distance of 576.38 feet and to an iron bar marking the northeasterly corner of "Brellinger" subdivision, the final plat for which is on file in the Monroe County Recorder's office as Document # 283607, in Envelope # 2-173A, being the Point of Beginning for the herein described tract; thence continuing along the said north quarter-quarter section line, South 89 Degrees, 33 Minutes, 45 Seconds East, a distance of 118.84 feet and to an old iron bar; thence departing the north quarter-quarter section line, South 01 Degrees, 20 Minutes, 45 Seconds West, a distance of 75.25 feet to an old iron bar; thence South 89 Degrees, 35 Minutes, 24 Seconds East, a distance of 633.69 feet and to an old iron bar; thence South 00 Degrees, 23 Minutes, 40 Seconds West, a distance of 943.60 feet and to an iron bar set at the most easterly north corner for the above-referenced "Brellinger" subdivision; thence along the northeasterly bounds of the same for the following courses and distances, North 49 Degrees, 55 Minutes, 53 Seconds West, a distance of 976.75 feet and to a concrete monument at the common rear corner for Lots # 21 and # 22 of the "Brellinger" subdivision; thence North 00 Degrees, 28 Minutes, 08 Seconds East, a distance of 395.52 feet and to the Point of Beginning, containing 11.11 acres, more or less.

is hereby approved and the Mayor is hereby authorized to sign the certificate on the plat acknowledging the City's approval of the plat and the City Clerk is hereby authorized and directed to attest the same and affix thereto the corporate seal of the City.

Section 3. This Ordinance shall be in full force and effect from and after its passage, as provided by law.

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

YEAS: <u>Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Huch and Mayor</u>

<u>Hutchinson</u>.

NAYS: <u>None</u>.

ABSENT: <u>Aldermen Conrad and Row</u>.

ABSTENTIONS: <u>None</u>.

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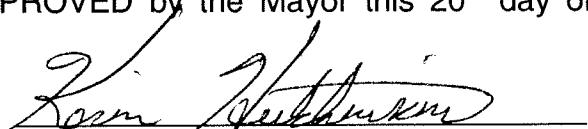
KEVIN B. HUTCHINSON, Mayor

ATTEST:

WESLEY J. HOEFFKEN, City Clerk

(SEAL)