

AUG 15 2011

ORDINANCE NO. 2885

A. Ronald Colyer
City Clerk

**AN ORDINANCE FOR CONDITIONAL APPROVAL OF THE
MINOR SUBDIVISION PLAT FOR BRIAR LAKE ESTATES –
LOTS 98 & 99 IN THE CITY OF COLUMBIA, ILLINOIS**

WHEREAS, Chad Hohman and Addie Hohman, his wife, are the owners of the land comprising the proposed Minor Subdivision Plat for Briar Lake Estates – Lots 98 & 99 in the City of Columbia, Illinois (the “City”); which subdivision comprises all of lots 98 and 99 of the “Briar Lake Estates Phase 2” Subdivision in the City (the subdivision plat for which is recorded in Plat Envelope 2-194B in the Monroe County, Illinois Recorder’s Office in Waterloo, Illinois and Plat Book 106, Page 12 in the St. Clair County, Illinois Recorder’s office in Belleville, Illinois) which land is more particularly described as follows, to wit:

LOTS 98 AND 99 OF BRIAR LAKE ESTATES PHASE TWO, A SUBDIVISION AS RECORDED IN PLAT BOOK 106 ON PAGE 12 IN THE ST. CLAIR COUNTY RECORDS AND AS RECORDED IN ENVELOPE 2-204A IN THE MONROE COUNTY RECORDS, BEING PART OF SECTIONS 9 AND 10, TOWNSHIP 1 SOUTH, RANGE 10 WEST OF THE THIRD PRINCIPLE MERIDIAN, IN MONROE AND ST. CLAIR COUNTIES, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 99 OF BRIAR LAKE ESTATES PHASE TWO; THENCE ON AN ASSUMED BEARING OF NORTH 64 DEGREES 14 MINUTES 54 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID LOT 99 AND THE NORTHERLY LINE OF SAID LOT 98, A DISTANCE OF 278.00 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 98; THENCE SOUTH 25 DEGREES 45 MINUTES 06 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID LOT 98, A DISTANCE OF 180.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 98; THENCE SOUTH 64 DEGREES 14 MINUTES 54 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 98 AND THE SOUTHERLY LINE OF SAID LOT 99, A DISTANCE OF 278.00 FEET TO SOUTHWESTERLY CORNER OF SAID LOT 99; THENCE NORTH 25 DEGREES 45 MINUTES 06 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID LOT 99, A DISTANCE OF 180.00 FEET TO THE POINT OF BEGINNING.

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

WHEREAS, the Minor Subdivision Plat for Briar Lake Estates – Lots 98 & 99 is a consolidation of Lots 98 & 99 Briar Lake Estates Phase 2 in the City and all of the capital infrastructure improvements that serve the proposed Minor Subdivision Plat for Briar Lake Estates – Lots 98 & 99 were constructed and installed by the Developer of the Briar Lake

Estates when that subdivision was developed and there are no new and different infrastructure improvements to be constructed and installed for the subject Minor Subdivision Plat for Briar Lake Estates – Lots 98 & 99 and, therefore no maintenance guarantee is required to be furnished to the city prior to approval of the subdivision plat for that subdivision;

WHEREAS, the developer/subdivider 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 Minor Subdivision Plat for Briar Lake Estates – Lots 98 & 99 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 Minor Subdivision Plat for Briar Lake Estates – Lots 98 & 99 subdivision plat submittal dated August, 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 condition has been done, performed and satisfied by the Subdividers/Developers), to wit:

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

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

NAYS: None.

ABSENT: None.

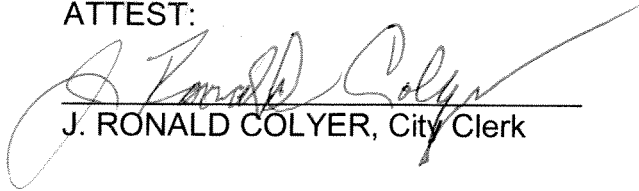
ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 15th day of August, 2011.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



J. RONALD COLYER, City Clerk

(SEAL)