

**ORDINANCE NO. 3061**

SEP 16 2013

**AN ORDINANCE FOR CONDITIONAL APPROVAL OF THE  
FINAL SUBDIVISION PLAT FOR THE BROCKLAND  
SUBDIVISION IN THE CITY OF COLUMBIA, ILLINOIS**

*J. Ronald Colyer*  
City Clerk

WHEREAS, Bob Brockland Pontiac GMC, Inc., is the owner of the land comprising the proposed Brockland Subdivision in the City of Columbia, Illinois (the "City"); which subdivision comprises land which is more particularly described as follows, to wit:

Two Tracts of Land Being Part of Tax Lot 2a of Diehl Subdivision in U.S. Survey 644, Claim 501 in Township 1 South, Range 10 West of the Third Principal Meridian, City of Columbia, Monroe County, Illinois, Said Tract Being More Particularly Described as Follows:

Beginning at the Point of Intersection of the Southern Right of Way Line of Lake Shore Drive, 50 Feet Wide, and the Eastern Right of Way Line of Old State Route 3, Variable Width, Thence Along Said Southern Right of Way Line, North 80 Degrees 41 Minutes 06 Seconds East 325.76 Feet, Thence Leaving Said Right of Way Line along the Western Line of a Tract Conveyed to Laura Gillespie South 13 Degrees 29 Minutes 57 Seconds West 368.02 Feet to a Point on the Western Right of Way Line of Skyline Drive, 35 Feet Wide, Thence Along the Right of Way Line of Said Skyline Drive North 87 Degrees 50 Minutes 00 Seconds West 35.01 Feet, South 01 Degrees 10 Minutes 00 Seconds West 82.21 Feet, South 28 Degrees 10 Minutes 00 Seconds West 441.60 Feet, South 25 Degrees 50 Minutes 33 Seconds West 182.85 Feet, South 21 Degrees 10 Minutes 00 Seconds West 184.90 Feet, South 09 Degrees 50 Minutes 00 Seconds West 436.38 Feet to a Point of Curve to the Right, Whose Radius Point Bears North 80 Degrees 10 Minutes 00 Seconds West 50.00 Feet from the Last Described Point, Thence along the Arc of Said Curve 94.76 Feet to the Point of Tangent, Thence North 61 Degrees 35 Minutes 00 Seconds West 143.19 Feet to a Point on the Aforesaid Eastern Right of Way Line of Old State Route 3, Thence Along Said Right of Way Line, North 15 Degrees 53 Minutes 22 Seconds East 1569.32 Feet to the Point of Beginning and Containing 8.552 Acres.

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

WHEREAS, all the capital infrastructure improvements to serve the proposed Brockland Subdivision are constructed and installed and there are no new and different infrastructure improvements to be constructed and installed for the subject Brockland Subdivision; and, therefore no maintenance guarantee is required to be furnished to the city prior to approval of the final subdivision plat for that subdivision;

WHEREAS, the developer/subdivider of the Brockland Subdivision has requested a variance to relieve the requirement to provide storm water detention as provided in Section

5-7-1 of the City's Subdivision Code which requires such; and, the City Council has determined that said variance should be allowed and granted;

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 Brockland 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 Brockland Subdivision final subdivision plat submittal dated July 16, 2013, 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) The plat must state the width of the public streets contained on the plat;
- (2) The plat must contain the school district statement identifying the applicable school district;
- (3) The plat must contain the statutory drainage statement;
- (4) The plat must contain the legal description of the property encompassed by the plat;
- (5) 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.** In accordance with the provisions of Section 34-6-1 of the City's Subdivision Code which allows the City Council to grant a variance or special exception from all provisions of the City's Subdivision Code except from the requirements of Section 34-4-7 of Article IV of said Subdivision Code, the City Council hereby grants a Subdivision Code variance to not provide storm water detention as required by Section 5-7-1 of the City's Subdivision Code, as is requested in the letter from Mark A. Doering, Doering Engineering, Inc. dated August 20, 2013.

**Section 4.** 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 5.** This Ordinance shall be in full force and effect from and after its passage, as provided by law.

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

YEAS: Aldermen Agne, Roessler, Huch, Mathews, Reis and Holtkamp.

NAYS: None.

ABSENT: Aldermen Ebersohl and Niemietz.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 16<sup>th</sup> day of September, 2013.

  
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KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
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J. RONALD COLYER, City Clerk

(SEAL)