State of Illinois
County of Kendall

ORDINANCE 2000 - 53
Approving a Preliminary & Final Plat of Subdivision
REGAL OAK ESTATES SUBDIVISION

WHEREAS, Doug Overstreet did petition Kendall County for preliminary and final plat approval for the Regal Oak Estates (formerly Overstreet Acres) Subdivision; and

WHEREAS, said petition did pertain to a tract of land approximately 24.42 acres in area, located on the west side of IL Route 71, approximately ½ mile north of Oak Creek Drive in Oswego Township; and

WHEREAS, said property is legally described in Exhibit "A"; and

WHEREAS, said petition generally conforms to the Subdivision Control Ordinance, except for detention requirements; and

WHEREAS, said petition generally conforms to the Kendall County Land Resources Management Plan; and

WHEREAS, all procedures required by the Kendall County Subdivision Control Ordinance were followed;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby approves a preliminary and final plat of subdivision for said tract of land entitled "Regal Oak Estates Subdivision," and attached as Exhibit "B", with the following conditions that:

1. All stormwater detention requirements are waived.
2. The required 150 foot scenic route setback is reduced to 150 feet from the centerline of IL Route 71.
3. A clear delineation of the tree line shall be submitted prior to recording of the plat. Said delineation shall clearly indicate trees in areas where homes are to be placed.
4. A wetland delineation shall be required for lots 1 and 2 if the homesite is proposed within 50 feet of the possible wetland areas.
5. All parkway trees proposed on Overstreet Court shall be located on private property outside the right-of-way in compliance with the engineering plans by Ruettiger, Tonelli & Associates, last revised 12/5/2000, sheets 1 through 4. Additional trees shall be planted along Lot 1 in compliance with the subdivision regulations.
6. Parkway trees shall be planted by the developer prior to issuance of a certificate of occupancy for each lot.
7. The development shall be subject to the IL Route 71 landscaping and berming plan, as indicated in Exhibit "C".
8. The conservation easement language shall be included on the final plat and shall be enforceable by the Kendall County Forest Preserve District.
9. No additional trees over six (6) caliper inches that are not dead or diseased may be removed without the prior approval of the Planning, Building and Zoning Committee.
of the County Board.

10. The petitioner shall replace 512 caliper inches of trees, to be located on Lot 1 according to a site plan to be provided by the petitioner, prior to issuance of a certificate of occupancy. 2.5 caliper inches can be replaced by one (1)-ten (10) foot tall pine tree. The tree species shall be mixed in accordance with the ratio provided by the November 27, 2000 letter from Arbor Care, Inc. Trees shall not be used as required parkway trees, nor shall they be used as part of the berm landscaping along IL Route 71. Alternative species and locations for trees may be approved by the County staff.

IN WITNESS OF, this ordinance has been enacted on December 19, 2000.

Attest:  

Paul Anderson  
Kendall County Clerk

John A. Church  
Kendall County Board Chairman
EXHIBIT "A"

Legal Description

THAT PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL Meridian DESCRIBED AS FOLLOWS: COMMENCE AT THE CENTER OF SAID SECTION 26; THENCE NORTH 14°36'46" EAST, 1795.23 FEET TO THE CENTER OF THE TOP OF A CONCRETE FENCE POST FOR THE POINT OF BEGINNING; THENCE SOUTH 14°36'46" WEST, 525.0 FEET TO A POINT WHICH IS 1270.22 FEET TO THE CENTER OF SAID SECTION 26; THENCE SOUTH 60°45'08" EAST 849.44 FEET TO AN IRON STAKE WHICH IS NORTH 52°30'59" EAST 1337.83 FEET FROM THE CENTER OF SAID SECTION 26; THENCE NORTH 32°24'21" EAST ALONG A WESTERLY LINE OF TRACT OF LAND CONVEYED TO NOEL D. AND DIANE L. CRYDER BY AN ADMINISTRATOR'S DEED RECORDED FEBRUARY 2, 1976 AS DOCUMENT NO. 76-492 422.08 FEET; THENCE SOUTH 62°34'56" EAST ALONG THE NORTHERLY LINE OF SAID TRACT, 231.58 FEET; THENCE SOUTH 32°54'16" WEST ALONG AN EASTERLY LINE OF SAID TRACT, 84.35 FEET; THENCE SOUTH 61°16'04" EAST, ALONG A NORTHERLY LINE OF SAID TRACT, 513.13 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTH 32°11'00" EAST ALONG SAID CENTER LINE, 718.42 FEET TO A LINE DRAWN SOUTH 78°10'06" EAST, FROM THE POINT OF BEGINNING; THENCE NORTH 78°10'06" WEST, 1866.91 FEET TO THE POINT OF BEGINNING IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS.
Overstreet Builders Inc.
Doug Overstreet
2069 Brookwood Court
South Elgin, IL 60177

RE: Tree order

11/27/00

Dear Doug,

It was a pleasure meeting with you and discussing your plans for the Oswego project. This is a confirmation of your order for up to 120 various trees to be planted at the site. Varieties to include the following:

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Tree Type</th>
<th>Size</th>
<th>Caliper</th>
</tr>
</thead>
<tbody>
<tr>
<td>33</td>
<td>Pin Oaks</td>
<td>18'-20' tall</td>
<td>5&quot; caliper</td>
</tr>
<tr>
<td>50</td>
<td>White Pines</td>
<td>8'-12' tall</td>
<td>4&quot; caliper</td>
</tr>
<tr>
<td>18</td>
<td>Swamp White Oaks</td>
<td>14' tall</td>
<td>4.5&quot; caliper</td>
</tr>
<tr>
<td>12</td>
<td>Hawthorns</td>
<td>15' tall</td>
<td>4&quot; caliper</td>
</tr>
<tr>
<td>09</td>
<td>Amur Maples</td>
<td>10' tall</td>
<td>4&quot; caliper</td>
</tr>
</tbody>
</table>

If you have any questions or if I can be of further assistance please do not hesitate to call.

Sincerely,

[Signature]

Paul M. Beebe, President
Certified Arborist (#385)
ARBOR CARE, INC.

Arbor Care Inc. P.O. Box 638 Frankfort, IL 60423 (815)469-6061