ORDINANCE NUMBER 2003 - 19

FINAL PLANNED DEVELOPMENT AND SUBDIVISION PLAT APPROVAL
ROSE HILL

WHEREAS, the Property Concepts, Inc. petitioned Kendall County for approval of a Final Planned Development and Subdivision plat for Rose Hill Subdivision as required under the provisions of the RPD-2 (Residential Planned Development – Two) District; and

WHEREAS, said petition did pertain to a tract of land approximately 97.60 acres in area, located at the Northwest corner of Minkler and Hilltop Roads in Oswego and Kendall Townships; and

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

WHEREAS, the Planning, Building and Zoning Committee and the County Board previously granted approval of a concept plan and preliminary plat to the County Board;

WHEREAS, the developer has proposed to develop the property as a Planned Residential Development; and

WHEREAS, the final Planned Development and Subdivision plat attached hereto and made a part hereof as Group Exhibit “B” has been reviewed and determined to be in substantial conformance with the previously approved concept plan and preliminary plat; and

WHEREAS, all procedures required by Sections 8.04 and 8.06 the Kendall County Zoning Ordinance and the requirements of the Kendall County Subdivision Control Ordinance were followed;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby approves a concept plan preliminary plat of subdivision for said tract of land entitled “Rose Hill”.

IN WITNESS OF, this ordinance has been enacted on July 16, 2003.

Attest:

John A. Church
Kendall County Board Chairman

Paul Anderson
Kendall County Clerk
LEGAL DESCRIPTION

That part of the Northwest Quarter of Section 1, part of the North Half of Section 2, Township 36 North, Range 7 East of the Third Principal Meridian, and that part of the South Half of Section 35, Township 37 North, Range 7 East of the Third Principal Meridian, described as follows:
Commencing at the Southwest corner of the Southeast Quarter of said Section 1; thence North 0 degrees 30' 57" West along the East line of the West Half of said Section 1, 713.80 feet; thence South 65 degrees 34' 48" West 298.72 feet; thence South 88 degrees 31' 15" West 1516.20 feet; thence North 88 degrees 56' 06" West 265.76 feet; thence North 81 degrees 43' 35" West 568.81 feet to the East line of said Section 2; thence North 0 degrees 29' 58" West along said East line 1612.69 feet; thence North 62 degrees 03' 44" West 469.85 feet; thence North 13 degrees 41' 35" East 34.22 feet for the point of beginning; thence North 13 degrees 41' 35" East 894.72 feet; thence South 60 degrees 32' 16" East 543.23 feet; thence North 10 degrees 25' 37" East 572.88 feet; thence North 64 degrees 37' 29" West 192.72 feet; thence North 10 degrees 25' 37" East 573.81 feet; thence North 64 degrees 23' 33" West 815.10 feet; thence North 48 degrees 52' 44" West 1145.38 feet to the center line of Minkler Road; thence North 32 degrees 10' 03" East along said center line 4.33 feet; thence North 48 degrees 43' 44" West 1688.46 feet; thence South 32 degrees 26' 29" West 949.07 feet; thence South 26 degrees 41' 34" West 1931.28 feet to the center line of Hilltop Road; thence South 65 degrees 39' 27" East along said center line 1528.16 feet to the center line of said Minkler Road; thence North 29 degrees 51' 35" East along said center line 3.26 feet; thence South 65 degrees 58' 42" East 583.91 feet; thence South 89 degrees 26' 42" East 390.10 feet; thence South 63 degrees 58' 42" East 479.27 feet; thence South 60 degrees 58' 05" East 886.44 feet to the point of beginning, in the Townships of Oswego and Kendall, Kendall County, Illinois.

PIN #03-43-400-003
05-01-100-007
05-02-200-001

EXHIBIT "A"
Rosehill Subdivision
Oswego and Kendall Townships
Kendall County
Illinois

State of Illinois
County of Kendall

This is to certify that Old Second National Bank on Trustee's order, Trust Agreement dated June 1, 2002 and Trustee's Trust
No. 8778 is the owner of the land described in the foregoing
subdivision plat for the purposes of subdividing certain
real property located in the Townships of Kendall and Oswego,
County of Kendall, Illinois, which real property is under the
ease and Title described. Said premises are located within Community Unit School District No. 115.

Dated at Joliet, Illinois, the 8th day of May, 2003.

By: Trust Officer

Attest:


State of Illinois
County of Kendall

I, , a Notary Public in and for the

State and County aforesaid, hereby certify that the

persons appearing in the foregoing requirements are described as

the persons aforesaid, who is a Notary Public in and for the

State and County aforesaid, and that the signature of the

person aforesaid is his own, and that it was signed by him

under his hand and official Seal, this day of , 2003.

Notary Public


State of Illinois
County of Kendall

Approved by the City Council of the City of

Elmwood, Kendall County, Illinois.

Dated at the City Hall of the City of

Elmwood, Kendall County, Illinois, the

day of , 2003. A.D.

ATTEST:

Mayor


State of Illinois
County of Kendall

L. Francis G. Hines, County Engineer of Kendall County, does hereby certify that the

subdivision plat has been examined by him and found to comply

with the requirements of the Act of July 18, 1977, entitled

"An Act for the Better Definition of Subdivisions", and that the

subdivision plat is hereby approved.

Dated this day of , 2003.

Kendall Township Highways Commissioner

\[Signature\]


State of Illinois
County of Kendall

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"An Act for the Better Definition of Subdivisions", and that the

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Dated this day of , 2003.

Kendall Township Highways Commissioner

\[Signature\]


Prepared by: Western Engineering, Inc.
One West Kinzie Street, Suite 200
Chicago, Illinois 60610
(312) 442-5311 (800) 442-3092 Fax

Sheet 4 of 4
FINAL LANDSCAPE PLAN
ROSE HILL
KENDALL COUNTY, ILLINOIS

GENERAL NOTES:

The following is a final landscape plan for Rose Hill, a Subdivision in Kendall County, Illinois. This plan is intended to provide specific design guidance for the development of the site. It includes the following:

- Landscape design for public areas and streets.
- Planting and irrigation specifications.
- Drainage solutions to ensure proper water management.
- Eco-friendly considerations to promote sustainability.

PLANT LIST:

<table>
<thead>
<tr>
<th>COMMON NAME</th>
<th>QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Egyptian Grass</td>
<td>5000 sq ft</td>
</tr>
<tr>
<td>Japanese Maple</td>
<td>15</td>
</tr>
<tr>
<td>Oak Tree</td>
<td>10</td>
</tr>
<tr>
<td>Rose</td>
<td>500</td>
</tr>
<tr>
<td>Lavender</td>
<td>100</td>
</tr>
<tr>
<td>Hosta</td>
<td>150</td>
</tr>
<tr>
<td>Zinnia</td>
<td>200</td>
</tr>
<tr>
<td>Geranium</td>
<td>100</td>
</tr>
</tbody>
</table>

MATERIAL LIST:

<table>
<thead>
<tr>
<th>MATERIAL</th>
<th>QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gravel</td>
<td>60 tons</td>
</tr>
<tr>
<td>Concrete</td>
<td>200 cubic yards</td>
</tr>
<tr>
<td>Aggregates</td>
<td>15 tons</td>
</tr>
</tbody>
</table>

MAINTENANCE:

- Regular watering and pruning as needed.
- Fertilization according to plant requirements.
- Pest control and disease management.

PREPARED FOR:
PROPERTY CONCEPTS, INC.
2677 ROUTE 34
STREATOR, ILLINOIS 60863

PREPARED BY:
IVES/RYAN GROUP, INC.
4600 W. 122ND ST.
LAKE SHORES, ILLINOIS 60663

[Stamp: JUL 2 200]
RIGHT-OF-WAY MAINTENANCE AGREEMENT

NOW COMES ROSE HILL SUBDIVISION HOMEOWNERS' ASSOCIATION, an Illinois Not-for-Profit Corporation, which does hereby agree to enter into this Right-of-Way Maintenance Agreement with Kendall Township Road Commissioner, Oswego Township Road Commissioner, and the County of Kendall for and in consideration of the approval of Rose Hill Subdivision in the Township of Kendall, Illinois upon the following terms and conditions:

WHEREAS, Kendall Township and Oswego Township are rural township road districts, which have limited funds to maintain all township roads; and

WHEREAS, Property Concepts, Inc. has proposed the development of Rose Hill Subdivision within Kendall Township, and Oswego Township, Illinois having various amenities that shall not be maintained by the Kendall Township or Oswego Township Highway Departments, including a central trail system throughout the development, as well as island cul-de-sacs, substantial open space, and trees within the right-of-way being maintained in order to preserve trees; and

WHEREAS, the Homeowners' Association of Rose Hill Subdivision has agreed to undertake the maintenance of the above stated items in an orderly fashion to preserve the value of the subdivision, to avoid becoming an imposition on the taxpayers of the County of Kendall and Kendall and Oswego Townships as a whole, and to comply with all terms of the Planned Unit Development Agreement and Covenants, Conditions, and Restrictions of record in reference to Rose Hill Subdivision:

NOW THEREFORE, the parties agree that ROSE HILL SUBDIVISION HOMEOWNERS' ASSOCIATION shall be responsible to maintain all of the following improvements at its expense:
1) The ROSE HILL SUBDIVISION HOMEOWNERS' ASSOCIATION, an Illinois Not-for-Profit Corporation, shall have authority and will mandatorily require through its covenants and the Planned Unit Development Agreement entered into with the County of Kendall to assess maintenance fees for a central trail system throughout the development, as well as island cul-de-sacs, all common open space areas designated on the Plat of Subdivision, and trees within the right-of-way being maintained in order to preserve trees, at its expense and to levy assessments therefore under the terms of its Homeowners' Association Covenants, Conditions, and Restrictions of record and Bylaws, and to consent to the execution of a Special Tax Service Area for back-up levy purposes by the County of Kendall in the event the Homeowners' Association fails to carry out its obligations hereunder.

2) The Kendall Township and Oswego Township Road Commissioners shall be responsible for maintenance of public roadways in terms of road repair, snow plowing, and replacement of road surface pursuant to its normal method of road maintenance throughout the Township of Kendall.

3) Any Agreement or parts thereof in conflict with the provisions of this Agreement are hereby repealed to the extent of such conflict.

This Agreement is binding upon all successors, heirs, and assigns of each party hereto.

ROSE HILL SUBDIVISION HOMEOWNERS' ASSOCIATION,
an Illinois Not-for-Profit Corporation

By: ___________________________
    President

Attest: _________________________
    Asst. Secretary

Dated: July 21, 2003
KENDALL TOWNSHIP ROAD COMMISSIONER

By:  

Dated: 7/21/03

OSWEGO TOWNSHIP ROAD COMMISSIONER

By:  

Dated: 7-7-03

Prepared by:
Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois  60560
630.553.9500