

APR 18 2011

ORDINANCE NO. 2860

**AN ORDINANCE FOR CONDITIONAL APPROVAL OF THE
FINAL MINOR SUBDIVISION PLAT FOR A RESUBDIVISION
OF LOT 7 OF EAST GATE SOUTH – WEST 2 IN THE CITY
OF COLUMBIA, ILLINOIS**

J. Ronald Colgan
City Clerk

WHEREAS, Sutherland Properties, LLC is the owner of the land comprising a Resubdivision of Lot 7 of East Gate South – West 2 in the City of Columbia, Illinois (the "City"); which subdivision comprises all of Lot 7 of "East Gate South – West 2" reference being had to the plat thereof recorded in the Recorder's Office of Monroe County, Illinois in Envelope 2-216A, City of Columbia, Monroe County, Illinois and which land is more particularly described as follows, to wit:

BEGINNING AT THE IRON PIN FOUND WHICH MARKS THE MOST NORTHERLY CORNER OF LOT 7 OF "EAST GATE SOUTH - WEST 2"; THENCE AT AN ASSUMED BEARING OF SOUTH $69^{\circ}40'56''$ EAST, ALONG THE NORTHERLY LINE OF LOT 7 OF "EAST GATE SOUTH - WEST 2", A DISTANCE OF 302.67 FEET TO AN IRON PIN FOUND WHICH MARKS THE NORTHEASTERLY CORNER OF LOT 7 OF "EAST GATE SOUTH - WEST 2"; THENCE ALONG THE SOUTHEASTERLY LINE OF LOT 7 OF "EAST GATE SOUTH - WEST 2", THE FOLLOWING COURSES AND DISTANCES: SOUTH $45^{\circ}53'21''$ WEST, A DISTANCE OF 663.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 606.32 FEET, A CENTRAL ANGLE OF $09^{\circ}17'32''$ AND A CHORD OF 98.23 FEET WHICH BEARS SOUTH $50^{\circ}32'07''$ WEST, AN ARC LENGTH OF 98.33 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH $55^{\circ}10'53''$ WEST, A DISTANCE OF 222.40 FEET; THENCE SOUTH $34^{\circ}49'07''$ EAST, A DISTANCE OF 30.00 FEET; THENCE SOUTH $55^{\circ}10'53''$ WEST, A DISTANCE OF 120.20 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF $02^{\circ}06'47''$ AND A CHORD OF 11.06 FEET WHICH BEARS SOUTH $54^{\circ}07'30''$ WEST, AN ARC LENGTH OF 11.06 FEET TO THE MOST SOUTHERLY CORNER OF LOT 7 OF "EAST GATE SOUTH - WEST 2"; THENCE ALONG THE SOUTHWESTERLY LINE OF LOT 7 OF "EAST GATE SOUTH - WEST 2", THE FOLLOWING COURSES AND DISTANCES: NORTH $36^{\circ}57'47''$ WEST, A DISTANCE OF 361.19 FEET; THENCE NORTH $29^{\circ}25'32''$ EAST, A DISTANCE OF 46.86 FEET TO A STONE FOUND; THENCE NORTH $00^{\circ}02'37''$ WEST, A DISTANCE OF 63.07 FEET TO AN IRON PIN FOUND WHICH MARKS THE NORTHWESTERLY CORNER OF LOT 7 OF "EAST GATE SOUTH - WEST 2"; THENCE NORTH $57^{\circ}47'21''$ EAST, ALONG THE NORTHWESTERLY LINE OF LOT 7 OF "EAST GATE SOUTH - WEST 2", A DISTANCE OF 869.10 FEET TO THE POINT OF BEGINNING, CONTAINING 8.34 ACRES, MORE OR LESS.

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

WHEREAS, a Resubdivision of Lot 7 of East Gate South – West 2 is a subdivision of a tract of land in the City and all of the capital infrastructure improvements that serve the proposed Resubdivision of Lot 7 of East Gate South – West 2 have been constructed and installed previously or by the Developer of a Resubdivision of Lot 7 of East Gate South – West 2. No maintenance guarantee is required to be furnished to the city prior to approval of the final subdivision plat as all public improvements have been installed and accepted by the City and/or are covered by other guarantees such as a bond for excavations involving pavement;

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 a Resubdivision of Lot 7 of East Gate South – West 2 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. A Resubdivision of Lot 7 of East Gate South – West 2 final minor subdivision plat submittal dated March 15, 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 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 Agne moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Niemietz, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler.

NAYS: None.

ABSENT: None.

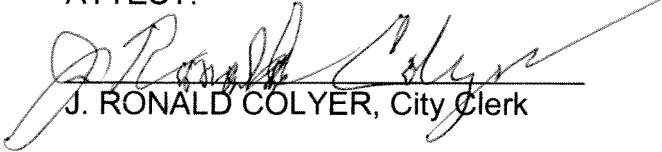
ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 18th day of April, 2011.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



J. RONALD COLYER, City Clerk

(SEAL)