

ORDINANCE NO. 90-8

AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION
OF SULLIVAN ADDITION

Be it ordained by the President and Board of Trustees of the Village of Chatham that the final plat of subdivision of Sullivan Addition, as tendered to the Village of Chatham, conforms to all applicable ordinances and regulations pertaining to the approval of minor subdivisions, and the President is authorized to sign and Clerk is authorized to attest to such plat.

Passed by the Board of Trustees of the Village of Chatham, Illinois, on April 5, 1990.

APPROVED: _____

Carl Oblige
President

ATTEST: _____

Rae M. Miller
Clerk

Prepared by
Attorney Val C. Simhauser
SIMHAUSER LAW OFFICE
1208 South Sixth Street
Springfield, IL 62703
(217)-522-7800

DECLARATION OF BUILDING RESTRICTIONS
FOR "IVY GLEN ESTATES SULLIVAN ADDITION"

BE IT KNOWN that Gregory S. and JoAnn M. Sullivan, owners of the premises described in the foregoing Surveyor's Certificate, do hereby subdivide said tract of land and do designate such subdivision as Ivy Glen Estates, Sullivan Addition, an addition to the Village of Chatham, Illinois, in accordance with the attached plat thereof for the purpose of sale of lots with reference to description and number of the several lots as designated on said plat. Streets as shown on said plat are dedicated to public use as public thoroughfares and for sewers, water mains, and for public utility purposes, and the easements upon and across all lots as shown on said plat are dedicated for use for sewers, water mains and other public utilities and for surface drainage.

In consideration of the purchase of or other acquisition of any lots or parts thereof in Ivy Glen Estates, Sullivan Addition and in order to secure the best use and improvement of the building sites in said addition, to protect the owners of the building sites therein against undue depreciation in value of their properties, to prevent the erection therein of poorly designed or constructed buildings, to make the best use of and to preserve the natural beauty of said subdivision, to locate structural improvements therein with proper regard to topographical features of said subdivision, said owners do hereby, for

themselves and their successors and assigns, covenant and agree with all grantees of lots or parts thereof in said subdivision that the restrictions as hereinafter itemized shall be and are hereby declared to be covenants running with the land therein:

1) No building site shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any building site other than on detached single-family dwelling on Lots One (1) through Three (3).

2) Single-family units are not to exceed three levels of living quarters in height and a private garage for not more than three cars.

3) The following minimum restrictions apply to single-family dwellings. (The computation of square feet of floor space shall be based on the exterior measurements of the main structure and shall exclude porches, breezeways, garages and utility rooms, except if the utility room is part of the main structure).

a) A one-story dwelling 2,000 square feet of floor space.

b) A two-story house. Both stories containing the living quarters must be above the grade of the lot. 2,000 square feet of floor space, with a minimum of 900 sq. ft. on any given floor.

c) A one and one-half story house or similar. Both stories containing the living quarters must be above the grade of the lot. 1400 square feet on the first floor and 600 square feet on the second floor.

d) A tri-level or hillside house shall have 900 square feet of floor space on each of the two levels above the grade level or not less than 1800 square feet aggregate on said two levels.

Each dwelling must have an enclosed garage attached thereto of not less than adequate space for two automobiles.

4) "Building Site" as used in this instrument shall mean any part of any single tract of land, all of which is owned by the same person or group, and no residential structures shall be erected to be placed on any building site having an area less than the area of the smallest lot in said subdivision. No fence or wall shall be erected, placed or altered on any building site nearer to any street than the minimum building set back line unless approval for same has been theretofore obtained from the subdivision's governing authority.

5) No residential unit, including attached porches, breezeways, and garages, shall be erected on any lot nearer to the front line of said lot than the minimum setback line as shown on the recorded plat of the subdivision, or closer than 15 feet to either side lot line, or closer than 20 feet to the rear lot line (provided, however, that in the case of corner lots the setback from the side street line shall not be less than the minimum setback line as shown on the recorded plat of the subdivision). Each residential dwelling shall face a subdivision street. The total lot width displacement of buildings shall not exceed eighty percent (80%) of the lot width as measured across dwelling at front or rear foundations. Carports shall be classified as garages. Driveways shall have a minimum width of 9 feet.

6) Easements for installation and maintenance of drainage and utility facilities are reserved as shown on the recorded plat of Ivy Glen Estates, Sullivan Addition.

7) All sanitary sewer laterals shall be connected to the Springfield Sanitary District Sewer System and no individual waste disposal system and septic tank shall be installed on any lot or lots owned by the same person.

8) No building shall be erected, driveway constructed, or swimming pool installed, placed or altered until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures and as to location with respect to topography and finished grade elevation. Said grade lines shall be in conformity with the adjacent lots and shall not interfere with the drainage from adjoining lots. No fence or wall shall be erected, placed or altered on any lot nearer to any street line than the minimum building setback line unless similarly approved. The Architectural Control Committee will be composed of Gregory and JoAnn Sullivan and two other property owners from the subdivision designated by the Sullivans. A majority of the Committee may designate a representative to act for it. In the event of the death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee nor its designated

Page - 4

representative shall be entitled to any compensation for services performed pursuant to this covenant.

10) All construction must be diligently pursued to completion within a reasonable period. No building shall be occupied for living purposes which is not functionally complete in detail as to the exterior, nor shall any building materials, paint or building equipment be exposed to the public view if occupied as a dwelling. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

11) All television antennas and towers shall be placed to the rear of the dwelling structures and all compressors and cooling towers used in conjunction with central air-conditioning shall be installed in such a manner as to contribute to the exterior beauty and planning of the dwelling and not to become any annoyance and nuisance to the neighborhood.

12) No machinery, appliance or structure of any kind shall be permitted upon, maintained or operated in or on the premises of any lot for the facilitation and carrying on of any trade, business or industry.

13) The owner of any vacant lot shall cut the weeds and maintain the same in a proper condition.

14) No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

15) No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, or one sign of not more than five square feet advertising the property for sale or rent by the lot owner.

16) No spirituous, vinous or malt liquors shall be sold or kept for sale on said premises.

17) No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not bred, kept or maintained for any commercial purposes, unless approved by the Architectural Control Committee. No dogs shall be kept on any lot until such lot is improved with a habitable dwelling.

18) No lot shall be used or maintained as a dumping ground for rubbish, and all trash, garbage, or other waste shall be kept in sanitary containers. All incinerators or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.

19) These covenants are to run with the land and shall be binding on all parties and all persons claiming under

them for a period of 25 years from the date these covenants are recorded, after which time, said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by sixty-five percent (65%) of the then owners of the lots has been recorded, each lot having one vote, agreeing to change said covenants in whole or in part. These covenants and restrictions are subject to change by the Architectural Control Committee, by a majority vote of those members present and voting, with proper notice to owners.

20) Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages.

21) Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

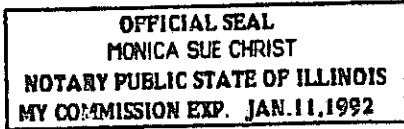
IN WITNESS WHEREOF, the undersigned has hereunto set
his respective hand and seal upon this 9th day of
January, 19 90.

Gregory S. Sullivan
Gregory S. Sullivan, Owner

JoAnn M. Sullivan
JoAnn M. Sullivan, Owner

Subscribed and sworn to before me this 9th day of
January, 19 90.

Monica Sue Christ
Notary Public



SURVEYOR'S CERTIFICATE

**STATE OF ILLINOIS] SS
COUNTY OF SANGAMON]**

I, JOHN L. RAYNOLDS JR., A REGISTERED ILLINOIS LAND SURVEYOR NO. 2254, DO HEREBY CERTIFY THAT I HAVE SURVEYED IN ACCORDANCE WITH THE LAWS AND USAGES OF THE STATE OF ILLINOIS, AND WITH THE LAWS OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS FOR MR. GREGORY SULLIVAN, THE FOLLOWING PROPERTY TO WIT:

THE NORTH 130 FEET OF THE EAST 12 ACRES OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, EXCEPT THE EAST 30 FEET USED FOR ROADWAY PURPOSES, SAID PROPERTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, THENCE WEST ON THE QUARTER, QUARTER SECTION LINE 30.00 FEET TO THE POINT OF BEGINNING, THENCE SOUTH PARALLEL TO THE SECTION LINE 130.00 FEET; THENCE DEFLECTING TO THE RIGHT $90^{\circ}-11'-36''$, 359.86 FEET; THENCE DEFLECTING TO THE RIGHT $89^{\circ}-59'-46''$, 130.00 FEET; THENCE DEFLECTING TO THE RIGHT $90^{\circ}-00'-14''$, 359.43 FEET TO THE POINT OF BEGINNING, CONTAINING 1.07 ACRES, MORE OR LESS.

I FURTHER CERTIFY THAT I HAVE SUBDIVIDED THE SAME INTO 3 LOTS AS SHOWN ON THE ATTACHED PLAT.

IRON PINS OR PIPES IDENTIFY ALL LOT CORNERS AS SHOWN ON SAID PLAT AND ALL MEASUREMENTS ARE GIVEN IN FEET AND DECIMALS THEREOF. ALL STREETS AND DRIVES AND EASEMENTS DESIGNATED ON SAID PLAT ARE INTENDED FOR PUBLIC USE.

SAID SUBDIVISION IS TO BE KNOWN AS SULLIVAN ADDITION, CHATHAM, SANGAMON COUNTY, ILLINOIS.

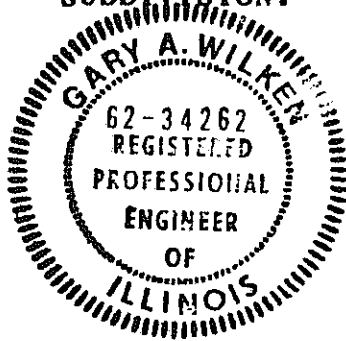
I FURTHER CERTIFY THAT THE FOREGOING PLAT ACCOMPANYING THIS CERTIFICATE CORRECTLY REPRESENTS THE SAID PREMISES AS SUBDIVIDED.


REGISTERED ILLINOIS LAND SURVEYOR #2254

DRAINAGE CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF SANGAMON }

THE UNDERSIGNED, GARY WILKEN, REGISTERED PROFESSIONAL ENGINEER NO 62-34262 AND MR. GREGORY SULLIVAN, THE OWNER OF THE LAND WHICH IS TO BE PLATTED AS SULLIVAN ADDITION DO HEREBY STATE THAT THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SAID SUBDIVISION AND THAT ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH WATERS INTO PUBLIC AREAS OR DRAINS WHICH SAID OWNERS HAVE A RIGHT TO USE, AND THAT SUCH SURFACE WATERS HAVE BEEN PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF CONSTRUCTION OF SAID SUBDIVISION.



Gary Wilken 1/15/90
REGISTERED PROFESSIONAL ENGINEER

Gregory S Sullivan 1/15/90
OWNER

OWNER'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF SANGAMON }

KNOW ALL MEN BY THESE PRESENTS: THAT I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF ALL THE PREMISES EMBODIED IN THE ATTACHED PLAT OF SULLIVAN ADDITION, A SUBDIVISION TO THE VILLAGE OF CHATHAM, AND THAT I HAVE CAUSED SAID PLAT TO BE MADE AND THAT IT IS A TRUE AND CORRECT PLAT OF SULLIVAN ADDITION AS LAID OFF INTO LOTS AND STREETS BY JOHN L. RAYNOLDS, JR. REGISTERED ILLINOIS LAND SURVEYOR NUMBER 2254; AND I, THE UNDERSIGNED, HEREBY DEDICATE TO THE VILLAGE OF CHATHAM, COUNTY OF SANGAMON, STATE OF ILLINOIS AND SET APART FOR THE USE OF THE GENERAL PUBLIC FOREVER ALL OF THE STREETS AND THOROUGHFARES AS INDICATED AND SHOWN ON SAID PLAT; AND WE FURTHER DEDICATE EASEMENTS WITHIN THE RIGHT OF WAY OF SUCH STREETS AND THOROUGHFARES TO THE APPLICABLE PUBLIC UTILITY COMPANIES FOR THOSE UTILITY INSTALLATIONS THAT ARE PERMITTED BY THIS AND OTHER RESOLUTIONS AND CODES OF THE VILLAGE TO BE INSTALLED IN STREET OR THOROUGHFARE RIGHT OF WAY.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS AND AFFIXED OUR SEALS THE 16th DAY OF January, 1990

Gregory Sullivan (SEAL)

(SEAL)

NOTARY CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF SANGAMON)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT MR. GREGORY SULLIVAN IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED, SEALED AND DELIVERED THE SAID INSTRUMENT AS HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH, INCLUDING THE RELEASE AND WAIVER OF HOMESTEAD, AND ALSO INCLUDING THE DEDICATION OF ALL STREETS AND HIGHWAYS TO THE USE OF THE GENERAL PUBLIC FOREVER, AND INCLUDING THE GRANT OF CERTAIN GENERAL UTILITY EASEMENTS TO THE APPLICABLE PUBLIC UTILITY COMPANIES.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 16th DAY
OF January, 1990.

Monica Sue Christ
NOTARY PUBLIC

OFFICIAL SEAL
MONICA SUE CHRIST
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. JAN.11.1992

COUNTY CLERK'S CERTIFICATE

**STATE OF ILLINOIS } SS
COUNTY OF SANGAMON }**

**I, _____, COUNTY CLERK OF SANGAMON
COUNTY, STATE OF ILLINOIS DO HEREBY CERTIFY THAT ON THE
_____ DAY OF _____, 199__, THERE WERE
NO DELINQUENT GENERAL TAXES UNPAID, SPECIAL ASSESSMENTS, OR
DELINQUENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND
SHOWN ON THE PLAT ATTACHED TO THIS CERTIFICATE AND DESCRIBED
IN THE CERTIFICATE OF THE SURVEYOR ATTACHED HERETO AND TO
SAID PLAT.**

**_____
COUNTY CLERK, SANGAMON COUNTY, ILLINOIS**