

Ordinance No. 96-07

**AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION  
OF FOXX CREEK ESTATES PLAT 3**

WHEREAS, on January 18, 1996 the Planning Commission of the Village of Chatham reviewed and recommended approval of Plat 3 of Foxx Creek Estates Subdivision.

WHEREAS, the Village Attorney has reviewed the documents accompanying the plat and has found them to be in proper form, except for the covenants.

WHEREAS, proper security for Plat 3 has been tendered by the Developer of Plat 3 of Foxx Creek Estates Subdivision.

*NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:*

**SECTION 1:** The final plat of subdivision of Foxx Creek Estates Plat 3 and documents thereto attached are hereby approved.

**SECTION 2:** Upon review of the covenants by the Village Attorney for sufficiency, the President is authorized and directed to sign said Plat 3 on behalf of the Village.

**SECTION 3:** As recommended by the Consulting Engineer for the Village pursuant to Exhibit A hereto, surety in the amount of \$415,000.00 for construction of the public improvements in Foxx Creek Estates Plat 3 is hereby approved. The letter of credit issued by Marine Bank Springfield on January 19, 1996, attached as Exhibit B is approved as surety therefor.

**SECTION 4:** This Ordinance is effective immediately.

PASSED this 23rd day of January, 1996.

*Linda Koester*

LINDA KOESTER, VILLAGE PRESIDENT

ATTEST:

*Barbara Diekhans*

Deputy Village Clerk

AYES:

5

NAYS:

0

PASSED:

1-23-96

APPROVED:

1-23-96

ABSENT:

1

**ORDINANCE CERTIFICATE**

STATE OF ILLINOIS        )  
  ) SS.  
COUNTY OF SANGAMON        )

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 96-07, adopted by the President and Board of Trustees of said Village on the 23rd day of January, 1996, said Ordinance being entitled:

**AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION  
OF FOXX CREEK ESTATES PLAT 3**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 23rd day of January 1996.

Barbara J. Beckhaus  
Deputy Village Clerk

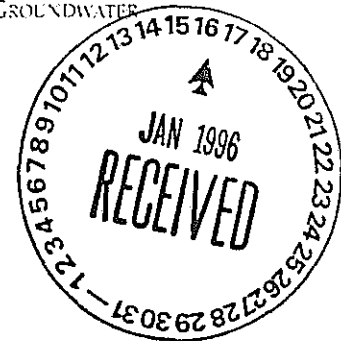
# RAPPS

ENGINEERING & APPLIED SCIENCE

ESTABLISHED IN 1978

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January 15, 1996



Mr. Del McCord, Village Administrator  
Village of Chatham  
116 E. Mulberry  
Chatham, IL 62629

Re: Foxx Creek Estates Plat No. 3  
Reduction of Bond

Dear Del:

The developer has requested that the bond be reduced for plat 3 of Foxx Creek Estates. A preliminary inspection has not been held for this plat due to the weather. For the most part, it appears that the public improvements have been completed for Plat 3 in accordance to the approved plans for that plat. The following items were observed during December and I know need to be completed before final inspection is held:

1. The asphalt surface needs to be completed at the intersection of Ill. Rte. 4 and Independence Blvd.
2. Pavement striping needs to be completed.
3. Stone rip rap needs to be placed at the connection of the detention basin and Ill. Rte. 4.
4. The headwalls need to be completed at the detention basin.

The above items are minor and the retainage should be lowered. A final inspection will be held later before the public improvements of Plat 3 are accepted. Lowering the letter of credit to \$415,000 would appear to be acceptable.

If you have any questions, please feel free to contact me at 787-2118 ext. 201.

Sincerely,

Handwritten signature of Terry Burke in cursive script.

Terry Burke, P.E.

cc: Jay Jessen, Greene & Bradford  
Mike Williamsen  
John Myers ✓

# MARINE BANK

— SPRINGFIELD —

3050 West Wabash Avenue  
Springfield, IL 62704  
Telephone: (217) 726-0600  
Fax: (217)726-0619

2136 East Cook Street  
Springfield, IL 62703  
Telephone: (217) 525-8800  
Fax: (217) 525-8806

January 19, 1996

## IRREVOCABLE LETTER OF CREDIT

### BENEFICIARY:

Village of Chatham  
Attn: Village Engineer  
Department of Streets &  
Public Improvements  
Municipal Building  
116 E. Mulberry  
Chatham, Illinois 62629

### ACCOUNT PARTY:

Fox Creek Estates  
Plat 3  
Chatham, Illinois

### AMOUNT:

Four Hundred Fifteen  
Thousand and No/100 Dollars  
(U.S. \$415,000.00)

### EXPIRATION DATE

January 19, 1997

Gentlemen:

We hereby establish our Irrevocable Letter of Credit in your favor for account of Fox Creek Estates for the amount of \$415,000.00 (Four Hundred Fifteen Thousand and No/100 Dollars) available by your drafts at sight drawn on the Marine Bank of Springfield, Springfield, Illinois, accompanied by:

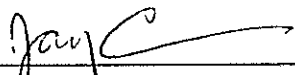
- a. Copy of letter from village to R.L.P. Development Co. designated by the Village as a final inspection letter and detailing work to be completed including cost estimates.
- b. Statement signed by the Village Engineer of the Village of Chatham, Chatham, Illinois as follows: "The public improvements for which this credit is security have not been completed as required by the code of the Village of Chatham, and Marine Bank of Springfield is hereby released of liability under this credit to the extent of each draw under the credit."

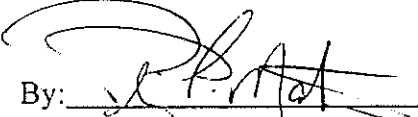
Except as otherwise expressly stated herein, this credit is subject to the Uniform Commercial Code as adopted in the State of Illinois.

We hereby agree with the drawers, endorsers, and bona fide holders of drafts drawn under and in compliance with the terms of this debt, that such drafts will be duly honored on due presentation to the drawee on or before January 19, 1997. All parties hereto agree that the outstanding obligation hereunder may be released only upon the written authorization of the Village Engineer and said Village of Chatham. This letter of credit shall be automatically extended for additional periods of one year from the expiration date or each future expiration date unless sixty days (60) prior to such date, the Bank shall notify you in writing, by registered mail at the above address, that we elect not to renew this letter of credit for such additional period. If we shall make such election, the Village Engineer of the Village of Chatham shall release Marine Bank, Springfield, of all further obligation under this letter of credit at the end of said sixty-day period, provided, however, that nothing contained herein shall be construed to limit the right of the Village of Chatham to make drafts against this letter until its initial expiration date or any date to which said letter is automatically extended as described above.

Attest:

Marine Bank, Springfield

By:   
Vice President

By:   
President