
This Space for Recorder of Deeds

Ordinance No. 97- 50

AN ORDINANCE ACCEPTING THE DEDICATION OF PUBLIC IMPROVEMENTS FOR BRECKENRIDGE ESTATES SUBDIVISION, PLATS 2, 3, AND 4, AND RELEASING SECURITY THEREFOR, EXCEPT FOR CERTAIN SIDEWALKS THEREIN, AND APPROVING A REDUCTION IN THE AMOUNT OF THE LETTER OF CREDIT SECURING CONSTRUCTION OF PUBLIC IMPROVEMENTS AS TO PLAT 5 OF BRECKENRIDGE SUBDIVISION AND THE SIDEWALKS IN PLATS 2, 3 AND 4

WHEREAS, Breckenridge Development Corporation has completed the construction of public improvements in Breckenridge Estate Subdivision, Plats 2, 3, and 4, except for certain sidewalks as yet to be constructed therein; and such improvements have been inspected and approved by the Consulting Engineers for the Village as set forth in a letter dated August 21, 1997 attached hereto as Exhibit A;

WHEREAS, Breckenridge Development Corporation has executed a dedication of public improvements with respect to Plats 2, 3, and 4, in the form mandated by the Village

of Chatham Subdivision Ordinance, a copy of which Dedications are attached hereto as Exhibits B, C, and D;

WHEREAS, as set forth in correspondence from the consulting engineers for Breckenridge Development Corporation attached hereto as Exhibit E, said Corporation is amenable to allowing the security for Plat 5 also stand as security for the remaining sidewalks as yet to be constructed in Plats 2, 3, and 4;

WHEREAS, the consulting engineers for the Village, as indicated on the face of Exhibit E, have approved the reduction of the letter of credit securing construction of improvements for Plat 5 and the remaining sidewalks in Plats 2, 3 and 4 to the sum of \$50,000;

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 Dedications of Public Improvements attached hereto as Exhibit B, C, and E, are hereby approved. The Village of Chatham accepts the public works in Breckenridge Estates Subdivision, Plats 2, 3, and 4, with the exception of certain sidewalks which have not as yet been constructed.

SECTION 2: The security for public improvements in Breckenridge Estates Subdivision, Plats 2, 3, and 4, is hereby released. The security for public improvements for Breckenridge Estates Subdivision, Plat 5, is hereby released to the amount of \$50,000, with the understanding that, as set forth in Exhibit "E" hereto, said security shall also stand as

security for construction of the remaining sidewalks in Breckenridge Estates Subdivision, Plats 2, 3, and 4.

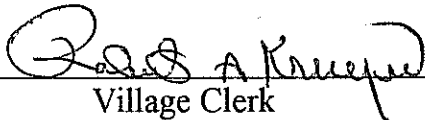
SECTION 3: The Clerk shall record the original of the Dedications, Exhibit B, C, and D hereto, with the Recorder of Deeds of Sangamon County, Illinois.

SECTION 4: This Ordinance is effective immediately.

PASSED this 9th day of September, 1997.


VILLAGE PRESIDENT

ATTEST:


Village Clerk

AYES: 6
NAYS: 0

PASSED: 9/9/97
APPROVED: 9/9/97

ABSENT: _____



GREENE & BRADFORD, INC.
OF SPRINGFIELD
CONSULTING ENGINEERS

3501 CONSTITUTION DRIVE
SPRINGFIELD, ILLINOIS 62707
(217) 793-8844
(217) 793-6227 FAX

August 21, 1997

Mr. John Myers
RABIN, MYERS & HANKEN, P.C.
P.O. Box 1858
1300 South 8th Street
Springfield, IL 62705-1858

AI's copy

RE: Plats 2, 3 and 4 Release
Breckenridge Estates
G&B# 93195

Dear John:

I have reviewed Tom Bartolomucci's letter dated August 18, 1997 and determined that our punch list for the above plats to be completed excluding the sidewalk.

If the Letter of Credit to you is in satisfactory form for Plat 5 to cover the above plats, I will have the Developers furnish you our "Deed of Dedication" instruments to you for the August 26, 1997 Village meeting.

If you have any questions, please contact me at our office.

Respectfully,
GREENE & BRADFORD, INC.

Jay Jessen, P.E.

xc: Tom Bartolomucci / Mike Curtis - Coombe Bloxdorf
Meredith Branham

JJ/srf

J:\93195\corres\93195I.005

EXHIBIT A

**DEDICATION OF PUBLIC IMPROVEMENTS
ATTACHED TO REAL ESTATE AND BILL OF SALE
FOR PERSONAL PROPERTY FOR
BRECKENRIDGE SUBDIVISION, PLAT 2**

This Dedication and Bill of Sale is made by Breckenridge Development Corporation, 2475 West Monroe Street, Springfield, Illinois 62704 "Grantor" in favor of the Village of Chatham, Illinois, an Illinois municipal corporation.

WHEREAS, Grantor was the owner of certain property platted as Plat No. 2 of Breckenridge Subdivision, and said Plat of Subdivision in the Village of Chatham was recorded on November 1, 1993 as Document No. 93-48318 with the Recorder of Deeds of Sangamon County, Illinois;

WHEREAS, pursuant to Section 3 of the Illinois Plat Act, the acknowledgement and recording of the Plat was a conveyance in fee simple of such portions of the platted premises as were marked and noted on the Plat as donated or granted to the public, including all easements and rights-of-way;

WHEREAS, pursuant to the Village of Chatham Subdivision Ordinance, the public improvements constructed on the platted premises are not considered to be accepted by the Village of Chatham until the requirements of the Subdivision Ordinance are met and this Dedication of Public Improvements and Bill of Sale for Personal Property is recorded by the Village of Chatham along with a resolution or ordinance accepting the dedication.

NOW, THEREFORE, in consideration of the foregoing and in consideration of the Village of Chatham's acceptance of title to and all further responsibilities with respect to the public improvements contained on said plat of said subdivision, Grantor does hereby dedicate and convey to the Village of Chatham, Illinois all of the improvements

EXHIBIT B

to real property included within the roadway rights-of-way depicted on said plat, including but not limited to roads, curbs, gutters and sidewalks. Grantor hereby grants, sells, transfers and delivers to the Village of Chatham, Illinois the following goods, chattels, and other items of personal property attached to or constructed within said subdivision:

1. Each and every part and item of a system of storm sewers, within public rights of way of said plat of subdivision for the purpose of collection, transport and flow of storm waters. This transfer does not include any retention of detention works or drainage swales, ditches and depressions or storm sewers not within a public right of way which will remain the maintenance responsibility of the individual lot owners or the homeowners association, as the case may be.

2. Each and every part and item of a system for the collection, transportation and treatment of sanitary sewage installed at the direction of the Village of Chatham within said plat, excepting those pipes which transport the sewage of a single building into a sewer main and commonly known as a house or building service, and excepting those pipes dedicated to and accepted by the Springfield Metro Sanitary District.

3. Each and every part and item of a system for distribution of water installed at the direction of the Village of Chatham within said plat, except the pipes which transport water from the meter pit to a building, and commonly known as a house or building service.

4. Each and every part and item of a system for the distribution of electricity installed at the direction of the Village of Chatham within said subdivision, except the electrical equipment and wires on the user side of the electric transformer or pedestal and commonly known as a house or building service.

Grantor hereby covenants that it is the lawful owner of the aforescribed goods, chattels and personalty; that subject to the prior dedication of rights to the Village of Chatham in connection with recordation of the Plat it is the lawful owner of the aforescribed improvements to real property; and such items are free from all encumbrances; that Grantor has the right to sell the same or dedicate the same as aforesaid, and that Grantor warrants and will defend the same against the claims and demands of all persons.

Grantor assigns to the Village of Chatham all outstanding warranties and guaranties by any contractor or subcontractor with respect to any public works dedicated or conveyed pursuant to this instrument.

This dedication and sale is effective upon its acceptance by ordinance or resolution of the Village of Chatham, Illinois, and recordation of same with the Recorder of Deeds of Sangamon County, Illinois.

SIGNED AND ACKNOWLEDGED this 22 day of August, 1997.

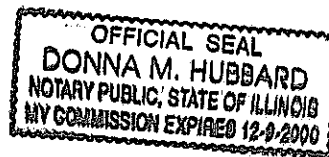
Ally Pflanz Vice President
Authorized Signature
Breckenridge Development Inc

SUBSCRIBED AND ACKNOWLEDGED TO before me

this 22 day of August, 1997.

Donna M Hubbard

Notary Public



**DEDICATION OF PUBLIC IMPROVEMENTS
ATTACHED TO REAL ESTATE AND BILL OF SALE
FOR PERSONAL PROPERTY FOR
BRECKENRIDGE SUBDIVISION, PLAT 3**

This Dedication and Bill of Sale is made by Breckenridge Development Corporation, 2475 West Monroe Street, Springfield, Illinois 62704 "Grantor" in favor of the Village of Chatham, Illinois, an Illinois municipal corporation.

WHEREAS, Grantor was the owner of certain property platted as Plat No. 3 of Breckenridge Subdivision, and said Plat of Subdivision in the Village of Chatham was recorded on November 1, 1993 as Document No. 93-48319 with the Recorder of Deeds of Sangamon County, Illinois;

WHEREAS, pursuant to Section 3 of the Illinois Plat Act, the acknowledgement and recording of the Plat was a conveyance in fee simple of such portions of the platted premises as were marked and noted on the Plat as donated or granted to the public, including all easements and rights-of-way;

WHEREAS, pursuant to the Village of Chatham Subdivision Ordinance, the public improvements constructed on the platted premises are not considered to be accepted by the Village of Chatham until the requirements of the Subdivision Ordinance are met and this Dedication of Public Improvements and Bill of Sale for Personal Property is recorded by the Village of Chatham along with a resolution or ordinance accepting the dedication.

NOW, THEREFORE, in consideration of the foregoing and in consideration of the Village of Chatham's acceptance of title to and all further responsibilities with respect to the public improvements contained on said plat of said subdivision, Grantor does hereby dedicate and convey to the Village of Chatham, Illinois all of the improvements

EXHIBIT C

to real property included within the roadway rights-of-way depicted on said plat, including but not limited to roads, curbs, gutters and sidewalks. Grantor hereby grants, sells, transfers and delivers to the Village of Chatham, Illinois the following goods, chattels, and other items of personal property attached to or constructed within said subdivision:

1. Each and every part and item of a system of storm sewers, within public rights of way of said plat of subdivision for the purpose of collection, transport and flow of storm waters. This transfer does not include any retention of detention works or drainage swales, ditches and depressions or storm sewers not within a public right of way which will remain the maintenance responsibility of the individual lot owners or the homeowners association, as the case may be.

2. Each and every part and item of a system for the collection, transportation and treatment of sanitary sewage installed at the direction of the Village of Chatham within said plat, excepting those pipes which transport the sewage of a single building into a sewer main and commonly known as a house or building service, and excepting those pipes dedicated to and accepted by the Springfield Metro Sanitary District.

3. Each and every part and item of a system for distribution of water installed at the direction of the Village of Chatham within said plat, except the pipes which transport water from the meter pit to a building, and commonly known as a house or building service.

4. Each and every part and item of a system for the distribution of electricity installed at the direction of the Village of Chatham within said subdivision, except the electrical equipment and wires on the user side of the electric transformer or pedestal and commonly known as a house or building service.

Grantor hereby covenants that it is the lawful owner of the aforescribed goods, chattels and personalty; that subject to the prior dedication of rights to the Village of Chatham in connection with recordation of the Plat it is the lawful owner of the aforescribed improvements to real property; and such items are free from all encumbrances; that Grantor has the right to sell the same or dedicate the same as aforesaid, and that Grantor warrants and will defend the same against the claims and demands of all persons.

Grantor assigns to the Village of Chatham all outstanding warranties and guaranties by any contractor or subcontractor with respect to any public works dedicated or conveyed pursuant to this instrument.

This dedication and sale is effective upon its acceptance by ordinance or resolution of the Village of Chatham, Illinois, and recordation of same with the Recorder of Deeds of Sangamon County, Illinois.

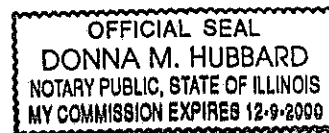
SIGNED AND ACKNOWLEDGED this 22 day of August, 1997.

Ally Blong Vice President
Authorized Signature
Breeknidge Development Inc.

SUBSCRIBED AND ACKNOWLEDGED TO before me

this 22 day of August, 1997.

Donna M. Hubbard
Notary Public



**DEDICATION OF PUBLIC IMPROVEMENTS
ATTACHED TO REAL ESTATE AND BILL OF SALE
FOR PERSONAL PROPERTY FOR
BRECKENRIDGE SUBDIVISION, PLAT 4**

This Dedication and Bill of Sale is made by Breckenridge Development Corporation, 2475 West Monroe Street, Springfield, Illinois 62704 "Grantor" in favor of the Village of Chatham, Illinois, an Illinois municipal corporation.

WHEREAS, Grantor was the owner of certain property platted as Plat No. 4 of Breckenridge Subdivision, and said Plat of Subdivision in the Village of Chatham was recorded on February 7, 1996 as Document No. 96-04783 with the Recorder of Deeds of Sangamon County, Illinois;

WHEREAS, pursuant to Section 3 of the Illinois Plat Act, the acknowledgement and recording of the Plat was a conveyance in fee simple of such portions of the platted premises as were marked and noted on the Plat as donated or granted to the public, including all easements and rights-of-way;

WHEREAS, pursuant to the Village of Chatham Subdivision Ordinance, the public improvements constructed on the platted premises are not considered to be accepted by the Village of Chatham until the requirements of the Subdivision Ordinance are met and this Dedication of Public Improvements and Bill of Sale for Personal Property is recorded by the Village of Chatham along with a resolution or ordinance accepting the dedication.

NOW, THEREFORE, in consideration of the foregoing and in consideration of the Village of Chatham's acceptance of title to and all further responsibilities with respect to the public improvements contained on said plat of said subdivision, Grantor does hereby dedicate and convey to the Village of Chatham, Illinois all of the improvements

EXHIBIT D

to real property included within the roadway rights-of-way depicted on said plat, including but not limited to roads, curbs, gutters and sidewalks. Grantor hereby grants, sells, transfers and delivers to the Village of Chatham, Illinois the following goods, chattels, and other items of personal property attached to or constructed within said subdivision:

1. Each and every part and item of a system of storm sewers, within public rights of way of said plat of subdivision for the purpose of collection, transport and flow of storm waters. This transfer does not include any retention of detention works or drainage swales, ditches and depressions or storm sewers not within a public right of way which will remain the maintenance responsibility of the individual lot owners or the homeowners association, as the case may be.

2. Each and every part and item of a system for the collection, transportation and treatment of sanitary sewage installed at the direction of the Village of Chatham within said plat, excepting those pipes which transport the sewage of a single building into a sewer main and commonly known as a house or building service, and excepting those pipes dedicated to and accepted by the Springfield Metro Sanitary District.

3. Each and every part and item of a system for distribution of water installed at the direction of the Village of Chatham within said plat, except the pipes which transport water from the meter pit to a building, and commonly known as a house or building service.

4. Each and every part and item of a system for the distribution of electricity installed at the direction of the Village of Chatham within said subdivision, except the electrical equipment and wires on the user side of the electric transformer or pedestal and commonly known as a house or building service.

Grantor hereby covenants that it is the lawful owner of the aforescribed goods, chattels and personalty; that subject to the prior dedication of rights to the Village of Chatham in connection with recordation of the Plat it is the lawful owner of the aforescribed improvements to real property; and such items are free from all encumbrances; that Grantor has the right to sell the same or dedicate the same as aforesaid, and that Grantor warrants and will defend the same against the claims and demands of all persons.

Grantor assigns to the Village of Chatham all outstanding warranties and guaranties by any contractor or subcontractor with respect to any public works dedicated or conveyed pursuant to this instrument.

This dedication and sale is effective upon its acceptance by ordinance or resolution of the Village of Chatham, Illinois, and recordation of same with the Recorder of Deeds of Sangamon County, Illinois.

SIGNED AND ACKNOWLEDGED this 22 day of August, 1997.

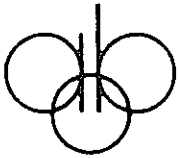
Alfred J. Beebe
Authorized Signature
Beebe Development Inc

SUBSCRIBED AND ACKNOWLEDGED TO before me

this 22 day of August, 1997.

Donna M Hubbard
Notary Public





Coombe - Bloxdorf, P.C.
 auby, oglesby & bartolomucci

consulting engineers
 land surveyors - planners

1323 south first street / springfield, illinois 62704 / area code 217 / 544-8477

August 18, 1997
 Project 92-14
 Breckenridge Estates

Mr. Jay Jessen, P.E.
 Greene & Bradford, Inc.
 3501 Constitution Drive
 Springfield, IL 62707

RE: Bond Reduction

Dear Jay:

Al Young and George Stelle would like to close out on the bonds on Plats 2, 3 and 4.

Listed below are the current bond amounts and remaining sidewalks:

<u>SIDEWALK REMAINING</u>	<u>CURRENT BOND</u>
Plat 2 1000 L.F.	\$ 52,210.00 (2 & 3)
Plat 3 307 L.F.	
Plat 4 1500 L.F.	\$ 50,000.00
Plat 5 884 L.F.	\$ 50,000.00
3691 L.F. (TOTAL)	\$ 152,210.00 (TOTAL)

3691 L.F. @ \$8.50 = \$31,373.50
 \$31,373.50 x 125% = \$39,216.88

*Reviewed
 Greene/Bradford
 JEF*

We are preparing "Dedication of Public Improvements" Documents for Plats 2, 3 and 4.

We would like to leave the bond of Plat 5 alone to cover the remaining cost of Plat 2, 3 and 4. The total bond of \$50,000 of Plat 5 would cover the entire remainder of \$39,216.88.

Please let me know if this is acceptable.

Very truly yours,
 COOMBE-BLOXDORF/A.O.B.

By Thomas E. Bartolomucci
 Thomas E. Bartolomucci

TEB/stm
 Copy: Al Young

EXHIBIT E

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. 97-50 adopted by the President and Board of Trustees of said Village on the 9th day of September, 1997, said Ordinance being entitled:

AN ORDINANCE ACCEPTING THE DEDICATION OF PUBLIC IMPROVEMENTS FOR BRECKENRIDGE ESTATES SUBDIVISION, PLATS 2, 3, AND 4, AND RELEASING SECURITY THEREFOR, EXCEPT FOR CERTAIN SIDEWALKS THEREIN, AND APPROVING A REDUCTION IN THE AMOUNT OF THE LETTER OF CREDIT SECURING CONSTRUCTION OF PUBLIC IMPROVEMENTS AS TO PLAT 5 OF BRECKENRIDGE SUBDIVISION AND THE SIDEWALKS IN PLATS 2, 3 AND 4

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 9th day of September, 1997.

Richard A. [Signature]
Village Clerk

