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2012R28286

07/27/2012 08:52AM

REC FEE: 34.00

TOTAL: \$34.00

PAGES: 9

DELLA

JOSHUA A. LANGFELDER
SANGAMON COUNTY RECORDER

This Space for Recorder of Deeds

Ordinance No. 12-28

AN ORDINANCE ACCEPTING THE DEDICATION OF PUBLIC IMPROVEMENTS FOR HURSTBOURNE SUBDIVISION, PLAT 6

WHEREAS, Dennis McAvoy, the developer of Hurstbourne Subdivision, Plat 6, has completed the construction of public improvements in those plats, and such improvements have been inspected and approved by the consulting engineer for the Village, as set forth in a letter attached hereto as Exhibit A;

WHEREAS, the developer has executed a dedication of public improvements with respect to Plat 6 in the form formerly mandated by the Village of Chatham Subdivision Ordinance, which is attached hereto as Exhibit B;

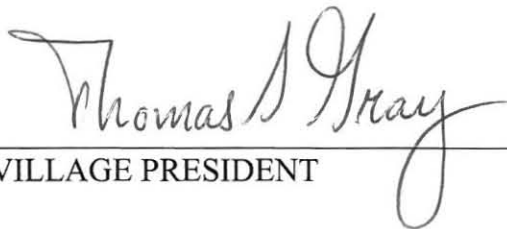
NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Dedication of Public Improvements attached hereto as Exhibit B is hereby approved. The Village of Chatham accepts the public works in Hurstbourne Subdivision, Plat 6. All prior letters of credit and performance bonds securing the public improvements in Plat 6 are discharged.

SECTION 2: The Clerk shall record this ordinance with the Recorder of Deeds of Sangamon County, Illinois.

SECTION 3: This Ordinance is effective immediately.

PASSED this 10 day of July, 2012.



VILLAGE PRESIDENT

ATTEST:



Village Clerk

AYES: 5 HERR MAU BOYLE KAVANAGH SCHATTEMAN
NAYS: 0
PASSED: 7-10-12
APPROVED: 7-10-12
ABSENT: 1 HOLDEN

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. 28, adopted by the President and Board of Trustees of said Village on the 10 day of July, 2012, said Ordinance being entitled:

AN ORDINANCE ACCEPTING THE DEDICATION OF PUBLIC IMPROVEMENTS FOR HURSTBOURNE SUBDIVISION, PLAT 6

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 10 day of July, 2012.



Village Clerk



GREENE & BRADFORD, INC.

3501 Constitution Drive
Springfield, Illinois 62711
(217) 793-8844
(217) 793-6227 Fax
www.greeneandbradford.com

February 16, 2012

Mr. Meredith Branham
Village of Chatham
116 East Mulberry
Chatham, IL 62629

RE: Hurstbourne Plat 6
G&B# 00380

Dear Mr. Branham:

The developer has notified Greene and Bradford, Inc. that all of the sidewalks have been installed for the aforementioned plat and would like to have his letter of credit in the amount of \$4,200 released. Upon completing the inspection on February 16, 2012, Greene and Bradford, Inc. concur that the sidewalks have been installed as per the plans.

If the Dedication and Bill of Sale for Public Improvements has not been completed for this project please advise and I will forward the required documentation to the developer to complete the paper work.

Please call if you should have any questions or need additional information.

Respectfully,
GREENE & BRADFORD, INC.

A handwritten signature in black ink, appearing to read 'Don DeFrates', with a horizontal line extending to the right.

Don DeFrates
Vice President

cc: John Myers
Denny McEvoy

Exhibit
A

GREENE & BRADFORD, INC.

3501 Constitution Drive
Springfield, Illinois 62711
(217) 793-8844
(217) 793-6227 Fax
www.greeneandbradford.com



June 22, 2012

John Myers
Rabin & Myers, P.C.
1300 S. Eighth Street
Springfield, Illinois 62703

RE: Hurstbourne Subdivision 6th Addition Dedication of Public Improvements

Dear Mr. Myers:

In response you e-mail dated June 20, 2012, Subject line Hurstbourne

We had received information from your office that the first Dedication of Public Improvements for Hurstborne Subdivision 6th Addition delivered to your office was a copied signature, and the Village requires original signatures. I directed the owner to send you the original form with original signatures.

As per your e-mail you indicated you need the correspondence from the Engineer to the Village. I have attached everything that is in the file for said subdivision.

If you have any questions or need additional information, please feel free to contact me at our office.

Respectfully,
GREENE & BRADFORD, INC.

A handwritten signature in black ink, appearing to read 'Don DeFrates', is written over a horizontal line.

Don DeFrates

DEDICATION OF PUBLIC IMPROVEMENTS
ATTACHED TO REAL ESTATE AND BILL OF SALE
FOR PERSONAL PROPERTY FOR
HURSTBOURNE SUBDIVISION, 6TH ADDITION

This Dedication and Bill of Sale is made by Denmar Builders, Inc. ("Grantor") in favor of the Village of Chatham, Illinois, an Illinois municipal corporation.

WHEREAS, Grantor was the owner/successor owner of certain property platted as Hurstbourne Subdivision, 6th Addition, Village of Chatham, Illinois; Recorded with the Sangamon County Recorder of Deeds as Document No. 2004-R-26894 on May 28, 2004;

WHEREAS, pursuant to Section 3 of Illinois Plat Act, the acknowledgment 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 Plats 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 to real property included within the roadway rights-of-way depicted on said plat of subdivision of Hurstbourne, 6th Addition, Village of Chatham as recorded with Sangamon County Recorder of Deeds at Document No. 2004-R-26894 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:

EXHIBIT
B

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 or 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 by the sewer system of the Village of Chatham within said plats, 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 which are the property of the Springfield Metropolitan Sanitary District.

3. Each and every part and item of a system for distribution of water provided by the waterworks system 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 provided by the electrical system of the Village of Chatham within said plat of 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 the 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 29th day of April, 2012.

DENMAR BUILDERS, INC.

By: 
Dennis McEvoy, Its President

STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

The undersigned, a notary public in and for said County and State, does hereby certify that Dennis McEvoy, being 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 said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this 29th day of April, 2012.

Clara Mae Hilberer
Notary Public



Prepared by and Return to:

Richard J. Wilderson
Graham & Graham, Ltd
1201 South Eighth Street
Springfield, Illinois 62703

Prepared by:
John M. Myers
Rabin & Myers, P.C.
1300 South Eighth Street
Springfield, IL 62703

Return to:
Patrick Schad
Village Clerk
Village of Chatham
116 East Mulberry Street
Chatham, IL 62629