

**VILLAGE OF TOLONO
CHAMPAIGN COUNTY, ILLINOIS**

AN ORDINANCE APPROVING MINOR PLAT WITH WAIVERS

ORDINANCE NO. 14-O- 10

Adopted by the
Board of Trustees of the Village of Tolono
This 1st day of July, 2014

Published in pamphlet form by authority of the President and the Board of Trustees of the Village of Tolono, Champaign County, Illinois this 1st day of July, 2014.

VILLAGE OF TOLONO, ILLINOIS
AN ORDINANCE APPROVING MINOR PLAT WITH WAIVERS

ORDINANCE NO. 14-O- 10

WHEREAS, the Village of Tolono, Illinois previously adopted the Tolono Subdivision Ordinance which establishes the procedures and requirements for the preparation of a minor subdivision plat;

WHEREAS, The Village previously received an Application for Final Plat submitted by Roger and Charlotte Brauer as owners of record of property commonly known as 201 S. Condit St. Tolono, IL comprised of .474 acres and legally described as parts of lots 1, 2 and 3 of Block 7 of Smith & Whitehead Addition and a portion of Vacated Strong Street in the Village of Tolono, Champaign County, Illinois wherein they request the replat of said property pursuant to the Tolono Subdivision Ordinance as it pertains to minor subdivisions; and

WHEREAS, the Petitioners have tendered a minor subdivision plat dated 9/16/2013 prepared by Theodore P. Hartke Illinois Professional Land Surveyor No. 3594, a Tax Certificate, a Village Treasurer's Certificate, an Owner's Certificate, a School District Statement, and a Surveyor's Statement (all by reference incorporated herein) all in compliance with Village ordinances; and

WHEREAS, the Petitioners have also tendered a search of the public record by Chicago Title Insurance confirming their ownership in fee simple; and

WHEREAS, the Petitioners have submitted evidence that a copy of the Final Plat as been mailed to affected utility companies; and

WHEREAS, the final plat contains a drainage statement signed by the Petitioners and their engineer; and

WHEREAS, the Village has reviewed the public records and acknowledges that the property being replatted was originally platted prior to 1900 and that the community's interest is served by having the property replatted to create a logical configuration of the property consistent with improvements as built and consistent with the current ordinances of the Village; and

WHEREAS, the materials have been submitted to the Village Planning Commission and that any hearing pursuant to 4.17.4 of the Subdivision Ordinance or any other provision is deemed unnecessary; and

WHEREAS, due to the pre-existence of the subdivision and no change to its use it has been determined that the requirements of 4.17.3 E, F, and G respectively pertaining to the submission of an Endangered Species Review and Consultation Form, a report from the Illinois Historic Preservation Agency and Soil and Water Conservation District should be waived; and

WHEREAS, the Petitioner's efforts to replat the property provide benefit to the public and were performed at great expense and effort by the Petitioner and that the Village has determined it appropriate to waive the customary fee in order to facilitate the referenced replat.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF TOLONO AS FOLLOWS:

SECTION 1:

The requirements of Sections 4.17.3 E, F and G of the Tolono Subdivision Ordinance respectively pertaining to the submission of an Endangered Species Review and Consultation Form, a report from the Illinois Historic Preservation Agency and Soil and Water Conservation District Compliance are hereby waived as they pertain to the above referenced Petition.

SECTION 2:

The customary fee for the above referenced application by Petitioner is hereby waived.

SECTION 3:

Consideration by the Tolono Planning Commission, if any, is hereby deemed sufficient and any hearing pursuant to Section 4.17.4 of the Subdivision Ordinance or any other provision is hereby waived.

SECTION 3:

The above referenced Minor Subdivision Plat is hereby approved and the Board President, Clerk and Village Attorney are authorized and directed to execute such materials as are necessary to facilitate the recording of same.

SECTION 5: This Ordinance shall take effect and be in force from and after its passage and publication in pamphlet form as provided by law and a copy shall, after the passage of this Ordinance, be filed or cause to be filed for record in the Office of Recorder of Deeds of Champaign County, a certified Copy of this Ordinance.

ADOPTED this 1st day of July, 2014

PASSED this 1st day of July, 2014

APPROVED:



President of the Board of Trustees
Village of Tolono

ATTEST:



Village Clerk

CERTIFICATION

I, Dixie Phillips, Clerk of the Village of Tolono, Champaign County, Illinois do hereby certify that this is a true and accurate copy of the above-entitled Ordinance adopted this 1st day of July, 2014.


Dixie Phillips, Village Clerk