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Cook County Recorder of Deeds
Date: 04/29/2009 11:17 AM Pg: 1 of 14

ORDINANCE

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THE VILLAGE OF WILLOW SPRINGS COOK COUNTY, ILLINOIS

ORDINANCE NUMBER 4-O-2009

AN ORDINANCE APPROVING THE PRELIMINARY PLAT OF
SUBDIVISION FOR THE PROPERTY LOCATED AT 8955
RESERVE DRIVE IN THE VILLAGE OF WILLOW SPRINGS,
COOK COUNTY, ILLINOIS

ALAN NOWACZYK, President
ADENA BASKOVICH, Village Clerk

GEORGE BARTIK
DAVID BOHAC
MARIO IMBARRATO
ANNETTE KAPTUR
ROBERT MESEC
KATHRYN STANPHILL

Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Willow Springs on 3/12/09
ODELSON & STERK, LTD. - Village Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805

RECORDING FEE \$ 962
DATE 4/29/09 COPIES 64
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ORDINANCE NO. 4-O-2009

AN ORDINANCE APPROVING THE PRELIMINARY PLAT OF SUBDIVISION FOR THE PROPERTY LOCATED AT 8955 RESERVE DRIVE IN THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS

WHEREAS, the Village of Willow Springs (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, Petitioner, Vito Mistretta Jr., is the owner of record of the property commonly known as 8955 Reserve Drive (the "*Mistretta Property*") which is legally described on Exhibit A, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Petitioner has caused the preparation and submission of the Preliminary Plat of Subdivision for the Mistretta Property (the "*Plat of Subdivision*"), a copy of which is attached hereto and made a part hereof as Exhibit B; and

WHEREAS, the Plan and Zoning Commission has held a public hearing, which was continued from time to time, to hear testimony and consider the Plat of Subdivision, along with all other requested documents submitted by the Applicant, in accordance with the Village of Willow Springs Village Code, a copy of the legal notice is attached hereto and made a part hereof as Exhibit C; and

WHEREAS, at said public hearings the abutting property owner, Mrs. Kulhanek, which has a common address of 11900 91st Street and permanent index number 23-06-100-009-0000, had offered to dedicate to the Village thirty (30) feet of land in order for a straight road to be developed by Mr. Mistretta, however, during the course of negotiations, Mrs. Kulhanek requested an ALTA Survey and permanent easements as a condition precedent to the dedication and Mr. Mistretta determined these conditions were not cost feasible to him and the project; and

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WHEREAS, the Plan and Zoning Commission has recommended that Plat of Subdivision be granted with the road approved on a temporary basis and on further condition that if the road is straightened the Kulhanek's bear the cost. A true and correct copy of the Recommendation from the Plan and Zoning Commission is attached hereto and made a part hereof as Exhibit D; and

WHEREAS, the Plat of Subdivision has been reviewed by the Village Engineer and approved by the Village Engineer; and

WHEREAS, the President and the Board of Trustees have reviewed the Recommendations of the Plan and Zoning Commission and, after due consideration, have determined that it is in the best interests of the Village to accept the Plat of Subdivision.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 2: The written findings of fact and recommendation of the Plan and Zoning Commission are hereby accepted and incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 3: The Village President and Board of Trustees have reviewed the Preliminary Plat of Subdivision and agree to accept the Preliminary Plat of Subdivision as presented.

SECTION 4: If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not effect any of the other provisions of this ordinance.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval by the Village Board and publication as provided by law.

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PASSED this 12th day of March, 2009, pursuant to a roll call vote as follows:

| | YES | NO | ABSENT | PRESENT |
|------------------|----------|----|--------|----------|
| Bartunek | ✓ | | | ✓ |
| Bohac | | | ✓ | |
| Kaptur | ✓ | | | ✓ |
| Krueger | ✓ | | | ✓ |
| Mesec | ✓ | | | ✓ |
| Stanphill | ✓ | | | ✓ |
| (Mayor Nowaczyk) | | | | ✓ |
| TOTAL | 5 | | | 6 |

APPROVED by the President on March 12, 2009.

Alan Nowaczyk, Village President

PUBLISHED and DEPOSED in my office this 12th day of March, 2009.

Adena Baskovich

Adena Baskovich, Village Clerk

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION

I, Adena Baskovich, DO HEREBY CERTIFY that I am the duly qualified and appointed Clerk of the Village of Willow Springs, Cook County, Illinois, and that as such Clerk I do have charge of and custody of the books and records of the Village of Willow Springs, Cook County, Illinois.

I DO HEREBY FURTHER CERTIFY that the foregoing is a full, true and correct copy of Ordinance No. 4-O-2009, "AN ORDINANCE APPROVING THE PRELIMINARY PLAT OF SUBDIVISION FOR THE PROPERTY LOCATED AT 8955 RESERVE DRIVE IN THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS," adopted and approved by the President and Board of Trustees of the Village of Willow Springs, Illinois, on March 12, 2009.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Willow Springs, Cook County, Illinois this 12th day of March, 2009.



Adena Baskovich, Village Clerk
Village of Willow Springs, Cook County, Illinois



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EXHIBIT A

Legal Description

LOT 7 IN LENZ SUBDIVISION IN WILLOW SPRINGS IN PART OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

23-06-103-017-0000
8955 Reserve Drive

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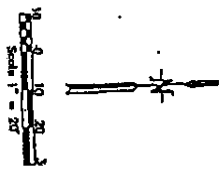
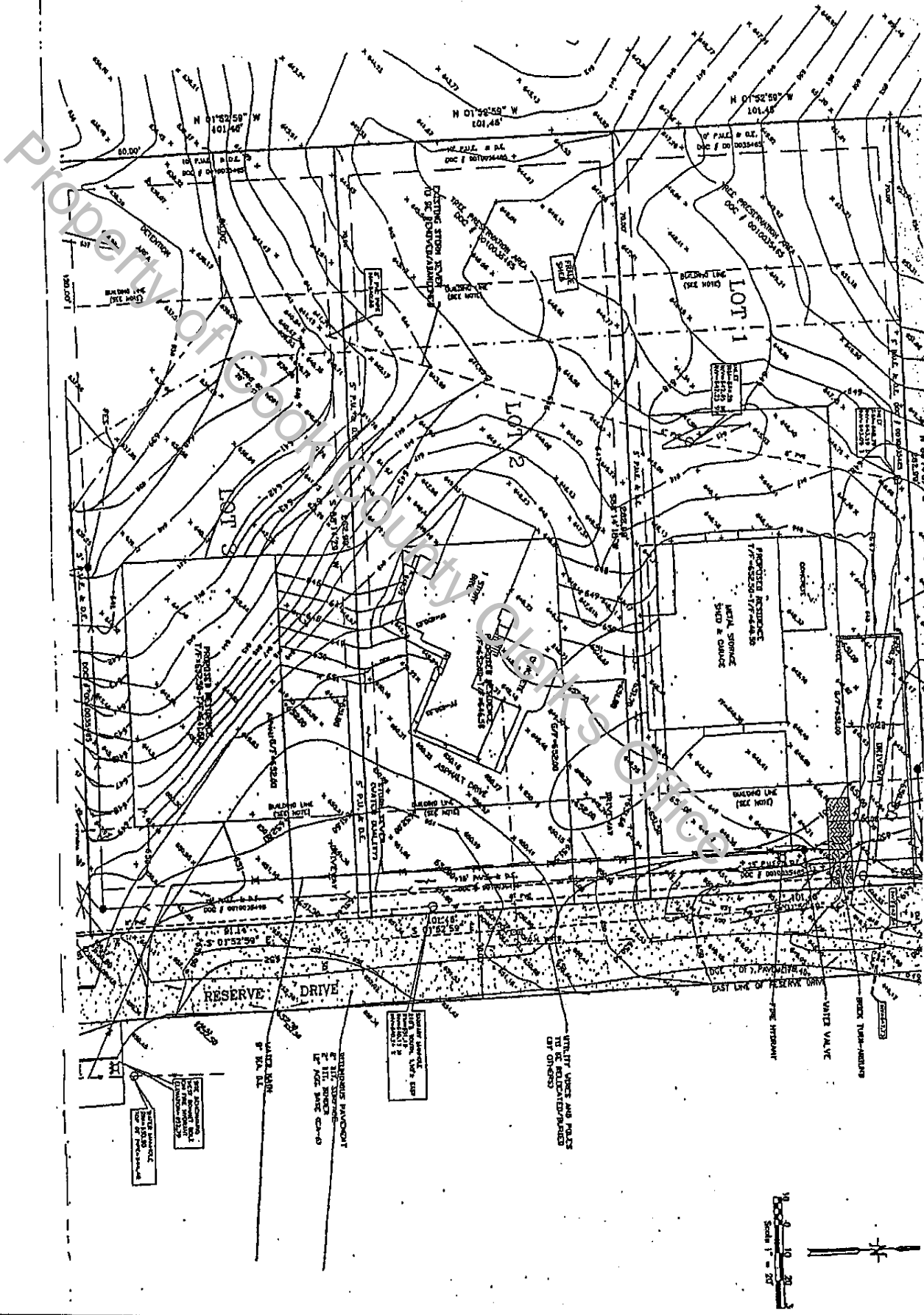
EXHIBIT B

Plat of Subdivision

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Mistretta



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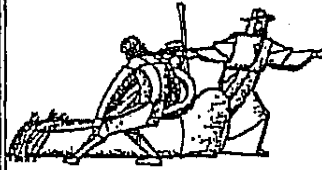
EXHIBIT C

Legal Notice

Property of Cook County Clerk's Office

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Mistrella
#8273



Desplaines Valley News

P.O. Box 348,
5818 S. Archer Road
Summit, IL 60501
(708) 594-9340
Robert J. Noonan,
Acting Publisher

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
WILLOW SPRINGS PLAN AND ZONING COM-
MISSION
 PLEASE TAKE NOTICE that at 7:00 p.m. on May 7, 2008, at the Willow Springs Village (One Village Circle, Willow Springs, Illinois) the Village of Willow Springs Plan and Zoning Commission will conduct a public hearing for a proposed subdivision for the property commonly known as 8955 Reserve Dr., Willow Springs, Cook County, Illinois. (Permanent Index Number: 23-06-103-017-0000) legally described as follows:
LOT 7, IN LENZ SUBDIVISION IN WILLOW SPRINGS IN PART OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
 Dated: April 21, 2008
BY ORDER OF THE PLAN AND ZONING COMMISSION OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, IL
 By: Thomas Kaptur, Chairman

Being first duly sworn, deposes and says that he is the Acting Publisher of the Desplaines Valley News, a secular weekly newspaper of general circulation in the County of Cook, regularly published in the Village of Summit, with specific circulation to the Villages of Argo-Summit, Brookfield, Countryside, Bedford Park, Bridgeview, Hodgkins, Indian Head Park, unincorporated La Grange Highlands, Lyons Township, and Villages of Lyons, McCook and Willow Springs, Illinois, and various Park, Library and Fire & Police Protection Districts therein, for more than one year prior to the first publication of said notice.

Deponent further says that a notice of which the attached notice is a true and correct copy, was published in said Desplaines Valley News and that the date(s) of paper containing said published notice was the

24TH day of APRIL, 2008
 _____ day of _____, 20____
 _____ day of _____, 20____
 _____ day of _____, 20____

Robert J. Noonan
Robert J. Noonan

Subscribed and sworn to before me, this

24TH day of APRIL, 2008.

Matthew J. Villagomez
NOTARY PUBLIC

OFFICIAL SEAL
 MATTHEW J VILLAGOMEZ
 NOTARY PUBLIC - STATE OF ILLINOIS
 MY COMMISSION EXPIRES: 11/14/11

The Desplaines Valley News is a newspaper as defined in Chapter 100, Sections 1, 3, 5 and 10, Illinois Revised Statutes.

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EXHIBIT D

Plan and Zoning Commission Recommendation

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RECOMMENDATION OF THE VILLAGE OF WILLOW SPRINGS PLAN AND ZONING COMMISSION TO THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOW SPRINGS

Dated: March 4, 2009

Applicant: Vito Mistretta, Jr.
91 Santa Fe Court
Willow Springs, IL 60480

Property: 8955 Reserve Drive, Willow Springs, IL 60480
PIN: 23-06-103-017-0000

Relief Requested: Application for Subdivision

Public Hearing: A public hearing was originally held on May 7, 2008, August 6, 2008 and finally on March 4, 2009. Present were Chairman Kaptur, Commissioners Smuda, Schmidt, Formento, Engineer John Hoefflerle and Attorney McGrath. Attorney Andrea Crowley made a presentation and informed the Commission that the the agreement with the Kulhanek's to dedicate thirty (30) feet had not materialized. The Kulhanek's had offered to dedicate to the village thirty (30) feet of land in order for a straight road to be developed. However, during the course of negotiations, the Kulhanek's requested that Mr. Mistretta provide the Kulhanek's with an ALTA Survey and permanent easements as a condition precedent to the dedication. Mr. Mistretta determined this was not cost feasible for him and the project. Therefore, Mr. Mistretta was now seeking approval of the site plan submitted on June 19, 2008.

Chairman Kaptur made a motion to approve road on a temporary basis as contained in the site plan submitted on June 19, 2008, with all improvements, subject to Village Engineer approval, and on further condition that if the road is straightened the Kulhaneks bear the cost, which was seconded by Commissioner Smuda. Motion carried 4-0.

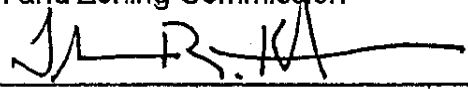
Public Comment: There was no public comment.

Commission Recommendation: The Commission voted 4-0 to grant the subdivision.

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Respectfully Submitted

Village of Willow Springs
Plan and Zoning Commission

By: 
Thomas Kaptur, Chairman

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