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OFFICIAL BUSINESS
VILLAGE OF Burr Ridge
Francis M. Barnicle, Mayor
220 W. 85TH ST
Burr Ridge, IL 60521

AGREEMENT TO DEFER DEDICATION OF LAND
OR PAYMENT OF FEE IN LIEU THEREOF

This Agreement is between GEORGE REDIEHS and FERN F. REDIEHS, his wife (hereinafter referred to as "Rediehs"), ROY CARR and SUSAN CARR, his wife (hereinafter referred to collectively as "Carrs") (Rediehs and Carrs being referred to collectively as "Owners"), the BOARD OF EDUCATION for PLEASANTDALE SCHOOL DISTRICT 107 (hereinafter referred to as "the BOARD") and the VILLAGE OF BURR RIDGE (hereinafter referred to as "the Village").

Whereas, the Owners are all of the owners of record of the following described real estate located within the corporate limits of the School District (hereinafter referred to as the "Real Property"):

The East 25 acres of the Southeast quarter of the Northwest quarter of Section 31, Township 38 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

Whereas, the Owners desire to subdivide the Real Property into six lots comprising approximately 12.5 acres (as shown on a plat of subdivision prepared for the Owners by Midwest Technical Consultants, Inc., dated October 21, 1986, which is hereby incorporated by reference), on one of which shall be located the dwelling of the Rediehs and on one of which shall be the dwelling of the Carrs. The other four lots shall at various times be developed by the Owners or members of their family as personal dwellings. The legal description of said proposed subdivision is as follows:

SteepleSide Estates Subdivision, being a Subdivision of East half of the East twenty-five (25) acres of the Southeast Quarter of the Northwest Quarter of Section 31, Township 38 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

Whereas, Ordinance No. 542 of the Village of Burr Ridge, entitled "An Ordinance of the Village of Burr Ridge so as to Provide for Dedications of School Lands or for Payment of Fees in Lieu Thereof" (hereinafter referred to as "the Ordinance") provides in part that whenever the owner of unsubdivided property located within the Village desires to subdivide the property, he shall as a condition of the approval by the Village of the plat of subdivision either convey a portion of the property to the school district within which the property is located or contribute cash in lieu of a donation of land to said school district, said land or cash to be used for school purposes for the benefit of the occupants of the property. Under the standards of the Ordinance, the Real Property is too small in size to require the conveyance of a portion thereof to the BOARD and as a result the Village is empowered under the Ordinance to require the owner of the Real

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Property to pay to the BOARD cash in lieu of land as a condition of the approval of the subdivision. Applying the standards as to cash donations contained in the Ordinance, Owners would be required to pay to the BOARD the sum of \$4,101.13 prior to or upon approval of a plat of subdivision.

Whereas, the Owners represent that the sole purpose for their subdividing the Real Property at this time is to enable them and other members of their family to construct dwellings on portions of the Real Property and not for the purpose of selling any of the lots in the proposed subdivision to persons who are not members of the family. For that reason, Owners have asked the BOARD if it would permit them to defer the payment of the cash which would be due upon the approval of the plat of subdivision until such time as any lot created by the subdivision is no longer owned by Owners or members of their family. The BOARD has acceded to this request and this Agreement is being executed for the purpose of formalizing the understanding between the parties.

IT IS, THEREFORE, AGREED by and between GEORGE REDIENS, FERN REDIENS, ROY CARR, SUSAN CARR, and the BOARD as follows:

1. The above recitals are true and correct.
2. If Owners apply to the Village for the approval of a subdivision of the Real Property and said application is approved, the payment of the cash payment of \$4,101.13 in lieu of the donation of land from Owners to the BOARD as otherwise required by the Ordinance shall be deferred as hereinafter provided.
3. Said subdivision shall contain not fewer than six buildable lots.
4. No payment shall be due the BOARD so long as the owners of record of all the Real Property including its separate lots are any or all of the persons hereinafter named or any persons related to the named persons by blood or marriage (all such persons are hereinafter referred to as "Covered Persons"): GEORGE REDIENS, SUSAN CARR, THOMAS W. REDIENS, GEORGE A. REDIENS, WILLIAM K. REDIENS, SHERYL REDIENS, TAMMY REDIENS, THOMAS REDIENS, JR., DEBORAH REDIENS, CHRISTINA MANLY, JONATHAN REDIENS, RYAN CARR, MATY CARR, and ROMY CARR; GAIL REDIENS PROBST, CAROL REDIENS AND WILLIAM G. REDIENS
5. Upon the conveyance or transfer of the title to any lot in the subdivision to a person other than a Covered Person, whether voluntarily or involuntarily, the grantee or transferee shall pay to the BOARD the amount which, as of the date of the conveyance or transfer, would then be required by the Ordinance to be paid (or by any other ordinance of the Village of Burr Ridge which may replace the Ordinance) as of the date of the conveyance or transfer, as if the subdivision were then approved by the

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Village of Burr Ridge but, in any event, not less than \$4,101.13 which payment shall be due on the recording of the deed or upon the effective date of any other transfer. The BOARD shall execute and deliver to the grantee a receipt for said payment in a form suitable for recording. This obligation shall run with the land and be deemed to be accepted by a grantee or transferee by acceptance of title to a lot in the subdivision.

6. The obligation to make the cash payment in lieu of the donation of land shall also remain an obligation of the Owners and, if the grantee or transferee of land as described herein fails to make said payment when due, Owners and each of them shall promptly make such payment on behalf of the grantee or transferee. This obligation of the Owners shall be joint and several. The obligations of the Owners shall be binding upon their heirs, executors and assigns.

7. This Agreement is subject to its being approved by the Village, which approval shall be endorsed hereon. As a precondition of such approval, the BOARD agrees to hold harmless and release the Village from any and all claims as may arise in favor of the BOARD and against the Village as a result of the Village's nonenforcement of Ordinance 542 as to the Owners pursuant to this Agreement.

8. Owners may furnish an executed copy of this Agreement to the Village as evidence of their satisfaction of the cash donation requirements of the Ordinance.

9. An executed copy of this Agreement shall be recorded with the Recorder of Deeds of Cook County, Illinois following its execution and approval by the Village, but prior to the recording of any Plat of Subdivision of the Real Property.

BOARD OF EDUCATION PLEASANTDALE
SCHOOL DISTRICT 107

George F. Rediehs
George Rediehs

By [Signature]
President

Date: July 16, 1987

[Signature]
9 George F. Rediehs
Fern F. Rediehs

Attest: [Signature]
Secretary

Date: July 16, 1987

Date: July 22, 1987

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Roy Carr

Roy Carr

Date: 7/9/87

Susan Carr

Susan Carr

Date: 7/9/87

Property of Cook County Clerk's Office

VILLAGE OF BURR RIDGE

By [Signature]
Village President

ATTEST [Signature]

DATE: 7/9/87

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COMPUTATION OF CASH CONTRIBUTION IN
LIEU OF LAND: REDIEHS-CARR/SCHOOL DISTRICT 107

1. Elementary

600 students/11 acres = 54.55 students per acre
.513 students (4 bdrm. per Ordinance) x 6 lots = 3.078 subd. elem. students
3.078/12.5 subd. acres = .24624 elem. children per subd. acre
.24624/54.55 = .004514 x \$35,000 FMV (per Ordinance) = \$157.99/acre
\$157.99 x 12.5 subd. acres = \$1974.88 elementary cash contribution

2. Jr. High

900 students/29 acres = 31.0345 students per acre
.314 (4 bdrm. per Ordinance) x 6 lots = 1.884 subd. jr. hi. students
1.88/12.5 subd. acres = .15072 jr. hi. children per subd. acre
.15072/31.0345 = .00486 x \$35,000 FMV (per Ordinance) = \$170.10/acre
\$170.10 x 12.5 subd. acres = \$2126.25 jr. hi. cash contribution

TOTAL (elem. & jr. hi.) \$1974.88 + \$2126.25 = \$4101.13

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COUNTY RECORDS

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