

VILLAGE OF GLENVIEW, ILLINOIS  
OFFICIAL BUSINESS

95520998

~~NATURE RECAPTURE AGREEMENT~~  
SIGNATURE *[Signature]* DATE 8/8/95

**DOW 384**

DEPT-01 RECORDING \$39.00  
T#2222 TRAN 3241 08/08/95 10:40:00  
#7113 # KB \*-95-520998  
COOK COUNTY RECORDER

ORDINANCE NO. 3745

RECAPTURE FOR CRESCENT LANE SANITARY SEWER AND WATERMAIN

WHEREAS, the Village of Glenview and a Municipal Corporation, (hereinafter referred to as "VILLAGE") by and through its President and Board of Trustees, (hereinafter, together with their agents and representatives, collectively referred to as "CORPORATE AUTHORITIES" and the residents of Crescent Lane, as property owners, benefitted heretofore and installed in Crescent Lane, from Potter Road east to the west line of Oak Hill Subdivision, a sanitary sewer to serve the residents on the south side of Crescent Lane and watermain to serve the residents on both the north and south sides of Crescent Lane; and

WHEREAS, the Corporate Authorities believe that said construction and installation is in the best interest of the Village and that public health and safety and general welfare of the Village will be served by the construction and installation of the aforesaid improvements; and

WHEREAS, some of the residents paid for part or all of the aforesaid improvements with the property owners Sarikas/Carson and Zeleny (hereinafter referred to as "OWNERS") paid the difference in cost between the amount placed in escrows by the residents with the Village and the final costs of the aforesaid improvements which included, but not limited to installation of an eight (8") inch sanitary sewer and an eight (8") watermain together with all necessary appurtenances, restoration of the area, engineering costs, legal fees, permit fees and inspection fees; and

WHEREAS, the property owner(s) who front along the south side of Crescent Lane, for the sanitary sewer, and along both sides of Crescent Lane, for the watermain, from Potter Road to the west line of the Oak Hill Subdivision, or any of successors or assigns, should pay their proportionate share of the costs based on the following schedules:

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## SANITARY SEWER

<u>P.I.N.</u>	<u>NAME AND ADDRESS</u> (as shown on tax rolls)	<u>LOT FRONTAGE</u>	<u>% OBLIGATION</u>
04-29-100-057	Dean Carson 1828 Mission Hills Rd. Northbrook, IL 60062	100.00	25.00%
04-29-100-056	S. Bunnag 3425 Crescent Ln. Northbrook, IL 60062	100.00	25.00%
04-29-100-055 (04-29-100-288)	Gordon D. Olson (LaPelusa) 3435 Crescent Ln. Northbrook, IL 60062	100.00	25.00%
04-29-100-054	Elmer Zeleny 2835 S. Ridgeway Ave Chicago, IL 60623	100.00	25.00%

\* Possible subdivision of lot into one(1) additional lot

## REMAIN

<u>PERMANENT INDEX NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>LOT FOOTAGE</u>	<u>% OBLIGATION</u>
04-29-100-057	Dean Carson 1828 Mission Hills Rd. Northbrook, IL 60062	100.00	10.741%
04-29-100-056	S. Bunnag 3425 Crescent Ln. Northbrook, IL 60062	100.00	10.741%
04-29-100-055 (04-29-100-288)	Gordon D. Olson (LaPelusa) 3435 Crescent Ln Northbrook, IL 60062	100.00	10.741%
04-29-100-054	Elmer Zeleny 2835 S. Ridgeway Ave. Chicago, IL 60623	100.00	10.741%
04-29-100-025	Tom Arvanitis 3410 Crescent Lane Northbrook, IL 60062	111.00	11.923%
04-29-100-024	Vollie & Erika Merry 3430 Crescent Ln. Northbrook, IL 60062	100.00	10.741%
04-29-100-023	M. Sarenac 3440 Crescent Ln. Northbrook, IL 60062	100.00	10.741%

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04-29-100-022 Pedro Gonzalez 100.00 10.741%

3460 Crescent Ln.  
Northbrook, IL 60062

04-29-100-204 John W. Gale\*\* 120.00 12.889%

3265 Potter Rd.  
Northbrook, IL 60062

\*\* Possible subdivision of lot into two(2) additional lots

WHEREAS, the Corporate Authorities believe that before a permit is issued for a connection to said watermain and/or sanitary sewer, or subdivision/resubdivision of a lot for the development of other lot(s), with the properties hereinafter legally described in Section 1, the owner of said properties be required to pay their proportionate share of the costs of the aforesaid improvements in accordance with the schedule set forth, and in accordance with the cost of said improvements as on file with the Corporate Authorities of the Village; and

WHEREAS, notice has been sent to the property owner(s) listed in Section 1 hereof, advising said property owner(s) of a hearing on this Ordinance and giving each an opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Glenview, Cook County, Illinois:

SECTION 1: That as part of any subdivision/resubdivision or before any permit for a connection to said watermain or sanitary sewer is issued to or for the following described properties:

<u>P.I.N.</u>	<u>Property Address</u>	<u>Name &amp; Address</u>
04-29-100-057	3415 Crescent Ln. Northbrook, IL 60062	Dean Carson 1828 Mission Hills Rd. Northbrook, IL 60062

Parcel "A"

The east 100 feet of Lot "M" in Lake Avenue Farms Subdivision, a Subdivision of the Northwest 1/4 of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

Parcel "B"

The north 17 feet of the east 100 feet of Lot "M", in Lake Avenue Farms Subdivision, a Subdivision of the Northwest 1/4 of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois, which is to be resubdivided as follows:

Lot 1 in Crescent Lane Subdivision, a Subdivision in the Northwest quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

<u>P.I.N.</u>	<u>Property Address</u>	<u>Name &amp; Address</u>
04-29-100-056	3425 Crescent Ln. Northbrook, IL 60062	(S. Bunnage) Z. & L. Dobobrov 3425 Crescent Ln. Northbrook, IL 60062

Parcel "A"

The West 100 Feet of the East 200 Feet of Lot "M" in Lake Avenue Farms Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

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## Parcel "B"

The North 17 Feet of the West 200 Feet of Lot "M" in Lake Avenue Farms Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

<u>P.I.N.</u>	<u>Property Address</u>	<u>Name &amp; Address</u>
04-29-100-055 (04-29-100-288 new)	3435 Crescent Ln. Northbrook, IL 60062	(Olson) J & S LaPalusa 3435 Crescent Ln. Northbrook, IL 60062

Lot 1 in La Palusa Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

<u>P.I.N.</u>	<u>Property Address</u>	<u>Name &amp; Address</u>
04-29-100-054	3445 Crescent Ln. Northbrook, IL 60062	Elmer Zelony 2835 S. Ridgeway Ave. Chicago, IL 60623

## Parcel "A"

The West 100 Feet of the East 400 Feet of Lot "M" in Lake Avenue Farms Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

## Parcel "B"

The North 17 Feet of the West 100 Feet of the East 400 Feet Lot "M" in Lake Avenue Farms Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

<u>P.I.N.</u>	<u>Property Address</u>	<u>Name &amp; Address</u>
04-29-100-204	3265 Potter Rd. Northbrook, IL 60062	J & J Gale 3265 Potter Rd. Northbrook, IL 60062

## Parcel "A"

Parcel 1 of lot "M", (except the East 400 Feet thereof and except the West 3.5 Feet taken for Road and except the South 70.00 Feet thereof), in Lake Avenue Farms Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

## Parcel "B"

The North 17 Feet of Parcel 1 of lot "M", (except the East 400 Feet thereof and except the West 3.5 Feet taken for Road and except the South 70.00 Feet thereof), in Lake Avenue Farms Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

<u>P.I.N.</u>	<u>Property Address</u>	<u>Name &amp; Address</u>
04-29-100-025	3410 Crescent Ln. Northbrook, IL 60062	Tom Arvanitis 3410 Crescent Ln. Northbrook, IL 60062

Lot 1 in Glenview Pioneers Resubdivision of Lot "N" in Lake Avenue Farms Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

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<u>P.I.N.</u>	<u>Property Address</u>	<u>Name &amp; Address</u>
04-29-100-024	3430 Crescent Ln. Northbrook, IL 60062	V & E Merry 3430 Crescent Ln. Northbrook, IL 60062

Lot 2 in Glenview Pioneers Resubdivision of Lot "N" in Lake Avenue Farms Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

<u>P.I.N.</u>	<u>Property Address</u>	<u>Name &amp; Address</u>
04-29-100-023	3440 Crescent Ln. Northbrook, IL 60062	M Sarenac 3440 Crescent Ln. Northbrook, IL 60062

Lot 3 in Glenview Pioneers Resubdivision of Lot "N" in Lake Avenue Farms Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

<u>P.I.N.</u>	<u>Property Address</u>	<u>Name &amp; Address</u>
04-29-100-022	3460 Crescent Ln. Northbrook, IL 60062	Pedro Gonzalez 3460 Crescent Ln. Northbrook, IL 60062

Lot 4 in Glenview Pioneers Resubdivision of Lot "N" in Lake Avenue Farms Subdivision, a Subdivision in the Northwest Quarter of Section 29, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

said applicant or property owner(s) must pay to the Village of Glenview, before obtaining such permit, as a recapture charge for the aforementioned improvements, the following sums of money according to the prorations as hereinafter set forth in Section 1-B.

SECTION 1-A Total cost schedule sanitary sewer and watermain installation in Crescent Lane, Glenview, Illinois:

#### SANITARY SEWER

Const. Cost =	\$26,746.00
Plan Review =	\$267.46
Permit Fees =	\$11,699.00
Engn. Fees =	\$704.00
Legal Fees =	\$2,437.87
Misc. =	\$1,100.00
Total =	\$42,954.33

#### WATERMAIN

Const. Cost =	\$34,753.90
Plan Review =	\$357.54
Insp. Fees =	\$1,430.16
Engn. Fees =	\$500.00
Legal Fees =	\$2,437.88
Misc. =	\$2,470.00
Total =	\$41,949.48

SECTION 1-B: Recapture Payment Schedule:  
(see Section 1 for legal descriptions)

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<u>P.I.N.</u>	<u>Property Address</u>	<u>OBLIGATION</u>	<u>RECAPTURE AMOUNT</u>
04-29-100-057	3415 CRESCENT LN.	25.00 % 10.741%	Sewer \$10,738.58 Water \$4,505.85 Total \$15,244.44 Paid \$47,616.43 Due (\$32,371.99)
04-29-100-056	3425 CRESCENT LN.	25.00 % 10.741%	Sewer \$10,738.58 Water \$4,505.85 Total \$15,244.43 Paid Due \$15,244.43
04-29-100-055 (04-29-100-268 new)	3435 CRESCENT LN.	25.00 % 10.741%	Sewer \$10,738.58 Water \$4,505.86 Total \$15,244.44 Paid \$11,217.00 Due \$4,027.44
04-29-100-054	3445 CRESCENT LN.	25.00 % 10.741%	Sewer \$10,738.58 Water \$4,505.85 Total \$15,244.43 Paid \$30,695.22 Due (\$15,450.79)
04-29-100-025	3410 CRESCENT LN.	0.000% 11.923%	Sewer \$0.00 Water \$6,001.50 Total \$6,001.50 Paid \$5,636.47 Due \$365.03
04-29-100-024	3430 CRESCENT LN.	0.000% 10.741%	Sewer \$0.00 Water \$4,505.85 Total \$4,505.85 Paid \$0.00 Due \$4,505.85
04-29-100-023	3440 CRESCENT LN.	0.000% 10.741%	Sewer \$0.00 Water \$4,505.85 Total \$4,505.85 Paid \$0.00 Due \$4,505.85
04-29-100-022	3460 CRESCENT LN.	0.000% 10.741%	Sewer \$0.00 Water \$4,505.85 Total \$4,505.85 Paid \$0.00 Due \$4,505.85
04-29-100-204	3265 Potter Rd**	0.000% 12.889%	Sewer \$0.00 Water \$5,407.02 Total \$5,407.02 Paid \$6,000.00 Due (\$592.98)

\*\* Possible subdivision of lot into two (2) additional lots.

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Section 1-C: WHEREAS, the property owners at 3415 and 3445 Crescent Lane, 04-29-100-057 and 04-29-100-054 respectively, in order to initiate the installation of the public improvements along Crescent Lane, paid an excess amount toward the construction contract and related fees. And, whereas the property owner at 3265 Potter Road, 04-29-100-204, based on an initial estimate of the recapture obligation, paid an excess amount.

Therefore, the three property owners at 3415, 3445 Crescent Lane and 3265 Potter Road, will receive a proportionate share of incoming recapture funds and excess dollars that have been posted in escrow for the project (which include a 10% contingency and excess funds received), based upon their percent of excess payment. The excess payment and attributable rebate percentage was calculated as follows:

P.I.N.	Total Paid Total to Project	Total Oblig.	Excess Paymnt.	Recapt. \$ Due	Excess Escrow \$	% Rebate
04-29-100-057 3415 Crescent Ln.	\$47,616.43	\$15,244.44	\$32,371.99	\$22,167.90	\$10,204.10	66.86%
04-29-100-054 3445 Crescent Ln.	\$30,695.22	\$15,244.43	\$15,450.79	\$10,580.49	\$ 4,870.30	31.91%
04-29-100-204 3265 Potter Rd.	\$ 6,000.00	\$ 5,307.02	\$ 592.98	\$ 406.06	\$ 186.91	1.23%
	\$84,311.65	\$35,895.89	\$40,415.76	\$33,154.45	\$15,261.31	100.00%

SECTION 2: That the Village Treasurer be and is hereby authorized, upon receipt of the recapture charges thereon provided for herein, to pay said amounts to the "Owners" as reimbursement for the applicant's share of the cost of the sanitary sewer, watermain and facilities.

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SECTION 3: The charges provided for herein are in addition to any such other permit charges or fees as may be applicable, which from time and time, maybe provided by Code of the Village of Glenview, Cook County, Illinois and any other authorized agency.

SECTION 4: This Ordinance shall expire and terminate as soon as the charges provided in Section 1-B hereof have been collected and paid as provided in Section 2 hereof; provided, however, that in any event, this Ordinance shall terminate not later than fifteen (15) years following the date of its adoption.

SECTION 5: By the passage and approval of this Ordinance, the Village of Glenview does not become a Guarantor of collector for said same "Owner's", or any of its successors or assigns, it being the intent of this Ordinance that the Village of Glenview can use only its best efforts to collect and pay said recapture charges.

SECTION 6: That the Director of Development be and hereby authorized and directed to send a copy of this Ordinance to the persons whose names appear on the most recent tax roll for each of the properties described in Section 1 hereof.

SECTION 7: This Ordinance shall become effective and after its passage and approval and ten (10) days after the sending of Notice required in Section 6 hereof.

SECTION 8: If any section, paragraph, sentence or clause of this Ordinance is, regardless of clause, held in valid or to be unconstitutional, the remaining sections, paragraph, sentences and clauses shall continue in full force and shall be construed thereafter, as being the entire provisions of this Ordinance.

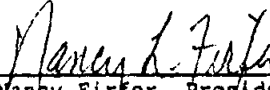
PASSED this 1ST day of AUGUST, 1995.

AYES: TRUSTEES FULLER, KUSTRA, PATTON, MC LENNAN, ULSTRUP.


NAYS: NONE.

ABSENT: TRUSTEE STICKNEY.

APPROVED by me this 1ST day of AUGUST 1995.

  
Nancy Firker, President of the  
Village of Glenview, Cook County, Illinois

ATTESTED and FILED in my office  
this 1st day of AUGUST, 1995.

  
Paul T. McCarthy, Clerk of  
the Village of Glenview,  
Cook County, Illinois

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VILLAGE OF GLENVIEW  
INTERDEPARTMENTAL MEMORANDUM

Date: July 12, 1995

To: Mary Bak, Director of Development  
From: Steve Jacobson, Village Engineer *SM*  
Subject: Crescent Lane Recapture Ordinance

A Recapture Ordinance has been prepared on behalf of the residents that funded the installation of the Sanitary Sewer and Watermain along Crescent Lane. The watermain and sanitary sewer were installed as an extension of the Subdivision requirements for the Sarikas' Subdivision. At its inception, two of the property owners, the Carson's, on behalf of the Sarikas', and Mr. Zeleny, funded a major portion of the costs. As the project progressed, other residents of Crescent Lane participated in the costs based upon the Village's preliminary estimate of recapture costs.

The attached recapture Ordinance has been mailed to all residents affected by this agreement. All affected residents have been notified of the upcoming Board meeting.

This recapture agreement is being submitted to the Board of Trustees for first consideration and then approval.

It is therefore recommended that the Village of Glenview Board of Trustees consider and approve this Crescent Lane Recapture Agreement for Sanitary Sewer and Watermain.

Approved this 1ST day of AUGUST, 1995

*Nancy L. Firfer*  
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Nancy Firfer, President of the Board of Trustees

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