

VILLAGE OF ARLINGTON HEIGHTS

RESOLUTION NO. _____

A RESOLUTION APPROVING A FINAL PLAT OF SUBDIVISION
(403 E. Grove Street; 419 S. Pine Avenue)

WHEREAS, DMDS, LLC (“*Owner*”) is the owner of record of those certain parcels of real property, commonly known as 403 E. Grove Street and 419 S. Pine Avenue, Arlington Heights, Illinois (“*Property*”); and

WHEREAS, J&B Homes, LLC (“*Petitioner*”) is under contract to purchase the Property and desires to resubdivide the Property into two lots; and

WHEREAS, the Petitioner filed an application with the Village for final approval of a plat of subdivision resubdividing the property into two lots pursuant to Sections 29-212 through 29-214 of the “Municipal Code of Arlington Heights, Illinois, 1995,” as amended (“*Village Code*”); and

WHEREAS, on June 12, 2024, the Village Plan Commission recommended approval of the proposed final plat of subdivision, subject to specified development conditions; and

WHEREAS, having considered the findings and recommendations of the Plan Commission, the Village President and Board of Trustees have found and determined that it will serve and be in the best interest of the Village and its residents to approve the proposal for the Property;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS, COOK COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2. APPROVAL OF FINAL PLAT OF SUBDIVISION. Pursuant to Section 29-214 of the Village Code and the home rule powers of the Village, and subject to, and contingent upon, the conditions, restrictions, and provisions set forth in Section 3 of this Resolution, that certain plat titled “Final Plat of Subdivision for 419 S Pine Subdivision,” prepared by CEMCON, Ltd., consisting of one sheet and dated May 28, 2024, a copy of which is attached to and, by this reference, made a part of this Resolution as Exhibit A (“*Final Plat of Subdivision*”), is hereby approved as the final plat of subdivision for the Property.

SECTION 3. APPROVAL OF VARIATION. Subject to, and contingent upon, the conditions, restrictions, and provisions set forth in Section 4 of this Resolution, and in accordance with, and pursuant to, Section 29-107 of the Village Code and the home rule powers of the Village, the Village hereby grants the Owner a variation from Section 29-501.b of the Village Code to eliminate the requirement to install public sidewalks adjacent to the Property.

SECTION 4. CONDITIONS OF APPROVAL. Approval of the final plat of subdivision in Section 2 of this Resolution, and of the variation in Section 3 of this Resolution, are conditioned upon the following provisions, conditions, and restrictions:

- A. Impact Fees. Prior to issuance by the Village of a building permit for a new residential structure on the Property, the Petitioner must pay the Village impact fees in accordance with Chapter 29 of the Village Code.

- B. Design Commission Approval. Prior to issuance by the Village of a building permit for a new residential structure on the Property, the Village Design Commission must grant design approval for the proposed home, in accordance with the Village Code.
- C. Linkage Fees. Prior to issuance by the Village of a building permit for a new residential structure on the Property, the Petitioner must pay the Village linkage fees, in accordance with Chapter 7 of the Village Code.
- D. Fee-In-Lieu. Prior to the Village's issuance of a site development permit for the required improvements on the Property, the Petitioner must pay to the Village a fee-in-lieu of onsite detention pursuant to Section 29-503.b of the Village Code, as determined by the Village Engineering Division.
- E. Sidewalk Ramps. For pedestrian safety, the Petitioner must install accessible sidewalk ramps at the intersection of Grove Street and Pine Avenue, at the terminus of the existing sidewalks located to the north and west of the Property, in accordance with the Sidewalk Plans attached to and, by this reference, made a part of this Resolution as Exhibit B.
- F. Reimbursement Covenant. The Petitioner must execute, and record against the Property, a covenant for the reimbursement of costs incurred by the Village for the installation of sidewalks within the rights-of-way adjacent to the Property, in a form to be approved by the Village Manager.
- G. Compliance with Regulations. The Property must comply at all times with all applicable Federal, State, and Village statutes, codes, ordinances, and regulations, as the same have been or may be amended from time to time, including, without limitation, the Village Code, and "The 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights," as amended.

SECTION 5. EXECUTION OF FINAL PLAT OF SUBDIVISION. Upon satisfaction of the conditions set forth in Section 4.F of this Resolution, the Village President and the Village Clerk are hereby authorized and directed to execute and seal, on behalf of the Village, the Final Plat of Subdivision.

SECTION 6. RECORDATION OF FINAL PLAT OF SUBDIVISION. Upon execution of the Final Plat of Subdivision by the Village President and the Village Clerk, as provided in Section 5 of this Resolution, the Village Clerk is directed to cause the Final Plat of Subdivision to be recorded on title to the Property in the office of the Cook County Clerk Recording Division.

SECTION 7. EFFECTIVE DATE.

- A. This Resolution will be effective only upon the occurrence of all of the following events:
 1. Passage by the Village President and Board of Trustees in the manner required by law; and
 2. The filing by the Owner and Petitioner with the Village Clerk of an Unconditional Agreement and Consent, in the form of Exhibit C attached to and, by this reference, made a part of this Resolution, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Resolution and to indemnify the Village for any claims that may arise in connection with the approval of this Resolution.

- B. In the event the Owner and/or Petitioner do not file fully executed copies of the Unconditional Agreement and Consent, as required by Section 7.A.2 of this Resolution, within 30 days after the date of final passage of this Resolution, the Village President and Board of Trustees will have the right, in their sole discretion, to declare this Resolution null and void and of no force or effect.

AYES:

NAYS:

PASSED AND APPROVED THIS ___ day of _____, 2024

Village President

ATTEST:

Village Clerk

EXHIBIT A

FINAL PLAT OF SUBDIVISION

DEED OF DEDICATION

STATE OF ILLINOIS)
COUNTY OF COOK)
SS.
WE, THE UNDERSIGNED, DMDS, LLC, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE WITHIN PLAT.

WITNESS OUR HANDS AND SEALS THIS ____ DAY OF _____, 20 ____
OWNER: _____ PRINTED NAME: DANIEL MAYER, MANAGER OF DMDS, LLC
OWNER: _____ PRINTED NAME: DAWN SELLECK, MANAGER OF DMDS, LLC

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, PERSONALLY APPEARED DANIEL MAYER, MANAGER OF DMDS, LLC AND DAWN SELLECK, MANAGER OF DMDS, LLC, AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED.

OWNER'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK)
SS.
DANIEL MAYER, MANAGER OF DMDS, LLC AND DAWN SELLECK, MANAGER OF DMDS, LLC, HEREBY CERTIFIES THAT THEY ARE THE OWNERS OF THE ABOVE DESCRIBED PROPERTY AND HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HERON DRAWN.

NOTARY'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK)
SS.
I, _____, A NOTARY PUBLIC, IN THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT DANIEL MAYER, MANAGER OF DMDS, LLC AND DAWN SELLECK, MANAGER OF DMDS, LLC WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHO ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE OF OWNERSHIP, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED.

SURVEYOR'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK)
SS.
THIS IS TO CERTIFY THAT I, JEFFREY R. PANKOW, ILLINOIS PROFESSIONAL LAND SURVEYOR #3483 HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

PARCEL 1: THAT PART OF LOT 15 DESCRIBED AS FOLLOWS: BEGINNING AT THE EAST LINE OF PINE AVENUE AND THE SOUTH LINE OF LOT 15; THENCE EAST ALONG THE SOUTH LINE OF LOT 15, 57.38 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 166.39 FEET; THENCE WEST ALONG THE SOUTH LINE OF GROVE STREET 55.62 FEET; THENCE SOUTH ALONG THE EAST LINE OF PINE AVENUE 166.18 FEET TO THE POINT OF BEGINNING, IN ASSASSOR'S DIVISION OF PART OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: LOT ONE HUNDRED TWENTY-EIGHT (128) IN SCARSDALE, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE EAST HALF AND PART OF THE EAST HALF OF THE WEST HALF OF SECTION THIRTY-TWO (32), TOWNSHIP FORTY-TWO (42) NORTH, RANGE ELEVEN (11), EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE PLAT HERON DRAWN IS A CORRECT AND ACCURATE REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN U.S. FEET AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT BASED ON REVIEW OF FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP PANEL NO. 17031C0203J WITH AN EFFECTIVE DATE OF AUGUST 19, 2008, IT IS OUR OPINION THAT THE PROPERTY DESCRIBED HEREON FALLS WITHIN ZONE X AS DESIGNATED AND DEFINED BY F.E.M.A..

I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HERON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS, WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED.



EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO
COMMONWEALTH EDISON COMPANY
AND
SBC TELEPHONE COMPANY, GRANTEEES,
THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES, GUYS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) ON THE PLAT AND MARKED 'EASEMENT', 'UTILITY EASEMENT', 'PUBLIC UTILITY EASEMENT', 'P.U.E.' (OR SIMILAR DESIGNATION), THE PROPERTY DESIGNATED IN THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS 'COMMON ELEMENTS'; AND THE PROPERTY DESIGNATED ON THE PLAT AS 'COMMON AREA OR AREAS'; AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHTS TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES, ROOTS AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) MARKED 'EASEMENT', 'UTILITY EASEMENT', 'PUBLIC UTILITY EASEMENT', 'P.U.E.' (OR SIMILAR DESIGNATION) WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM 'COMMON ELEMENTS' SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE 'CONDOMINIUM PROPERTY ACT', CHAPTER 765 ILCS 605/2(C), AS AMENDED FROM TIME TO TIME.
THE TERM 'COMMON AREA OR AREAS' IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR AS AN APPORTIONMENT TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS 'OUTLOTS', 'COMMON ELEMENTS', 'OPEN SPACE', 'OPEN AREA', 'COMMON GROUND', 'PARKING' AND 'COMMON AREA'; THE TERM 'COMMON AREA OR AREAS'; AND 'COMMON ELEMENTS' INCLUDES REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS. 'P.U.E.' EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF THE GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.

PUBLIC UTILITY EASEMENT PROVISIONS

A PUBLIC UTILITY EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF ARLINGTON HEIGHTS ('VILLAGE') AND ITS FRANCHISEES, PERMITEES OR LICENSEES FOR ALL AREAS HERON PLATTED AND DESIGNATED 'PUBLIC UTILITY EASEMENT', TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES IN, UNDER, OVER, ACROSS, ALONG AND UPON THE SURFACE OF SAID EASEMENT, INCLUDING BUT NOT LIMITED TO THE FOLLOWING WITHOUT LIMITATION, WATER MAINS, STORMWATER RUNOFF, STORM SEWERS, SANITARY SEWERS, GAS MAINS, TELEPHONE CABLES, ELECTRICAL LINES, AND CABLE TELEVISION AND WHERE ADJACENT TO PUBLIC RIGHT OF WAY OR STORMWATER CONTROL EASEMENTS FOR PUBLIC PEDESTRIAN EGRESS AND INGRESS TO SIDEWALKS OR PATHWAY SYSTEMS, NO ENCROACHMENT OF ANY KIND SHALL BE ALLOWED WITHIN SAID EASEMENT UNLESS THE VILLAGE DETERMINES THAT SAID ENCROACHMENT SHALL NOT INTERFERE WITH THE PROPER FUNCTIONING OF ALL SUCH PERMITTED USES, SUCH AS ENCROACHMENT BY NON-INTERFERING GARDENS, SHRUBS AND OTHER LANDSCAPING MATERIAL, THE VILLAGE AND ITS FRANCHISEES, PERMITEES OR LICENSEES WITH PERMITS FROM THE VILLAGE MAY ENTER UPON SAID EASEMENT FOR THE USES HEREIN SET FORTH AND HAVE THE RIGHT TO CUT, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED 'PUBLIC UTILITY EASEMENT' WHICH ENCRACH ON AND INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND SUCH FACILITIES APPURTENANT THERETO.

FOLLOWING ANY WORK TO BE PERFORMED BY VILLAGE FRANCHISEES, PERMITEES OR LICENSEES WITH PERMITS FROM THE VILLAGE, IN THE EXERCISE OF THE EASEMENT RIGHTS GRANTED HEREIN, SAID ENTITIES SHALL MAKE SURFACE RESTORATIONS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: BACKFILL ANY TRENCH, RESTORE CONCRETE AND ASPHALT SURFACES, TOPSOIL AND SEED, REMOVE EXCESS DEBRIS, MAINTAIN AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION. ALL SAID RESTORATION SHALL BE COMPLETED IN ACCORDANCE WITH VILLAGE STANDARDS AND SUBJECT TO VILLAGE APPROVAL.

FOLLOWING ANY WORK TO BE PERFORMED BY THE VILLAGE IN THE EXERCISE OF ITS EASEMENT RIGHTS GRANTED HEREIN, THE VILLAGE SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE LAWN OR SHRUBBERY.

VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK)
SS.
I DO HEREBY CERTIFY THAT THERE ARE NO DEFERRED SPECIAL ASSESSMENTS OR UNPAID CURRENT ASSESSMENTS DUE AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

VILLAGE CERTIFICATE OF APPROVAL

STATE OF ILLINOIS)
COUNTY OF COOK)
SS.
UNDER THE AUTHORITY PROVIDED BY 65 ILCS 5/11-12 AS AMENDED BY THE STATE LEGISLATURE OF THE STATE OF ILLINOIS AND ORDINANCE ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS, THIS PLAT WAS GIVEN APPROVAL BY THE VILLAGE OF ARLINGTON HEIGHTS AND MUST BE RECORDED WITHIN SIX MONTHS OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID.

APPROVED BY THE PLAN COMMISSION AT A MEETING HELD
THIS ____ DAY OF _____, A.D., 20 ____
CHAIRMAN SECRETARY

APPROVED BY THE VILLAGE BOARD OF TRUSTEES AT A MEETING HELD
THIS ____ DAY OF _____, A.D., 20 ____
PRESIDENT VILLAGE CLERK

APPROVED BY THE VILLAGE COLLECTOR
THIS ____ DAY OF _____, A.D., 20 ____
VILLAGE COLLECTOR

APPROVED BY THE VILLAGE ENGINEER
THIS ____ DAY OF _____, A.D., 20 ____
VILLAGE ENGINEER

FINAL PLAT OF SUBDIVISION
FOR
419 S PINE
SUBDIVISION

BEING PART OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

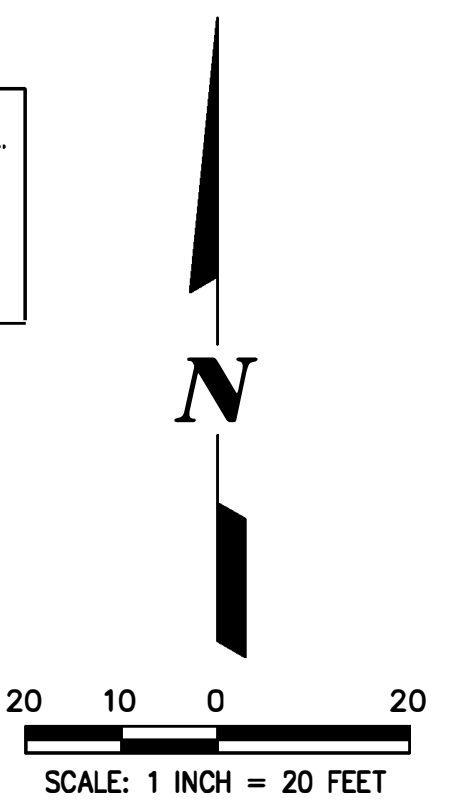
SEND TAX BILL TO:
J & B HOMES
(PRINT NAME)
P.O. BOX 886
(ADDRESS)
TASCA, IL 60143
(CITY/TOWN) (STATE) (ZIP CODE)

THIS PLAT WAS SUBMITTED TO THE COUNTY RECORDER FOR THE PURPOSES OF RECORDING BY:
(PRINT NAME)
(ADDRESS)
(CITY/TOWN) (STATE) (ZIP CODE)

TOTAL AREA OF SUBDIVISION
0.503 ACRES
21,913 S.F.
(MORE OR LESS)

PARCEL INDEX NUMBER
03-32-115-011
03-32-123-001
ARLINGTON HEIGHTS, ILLINOIS

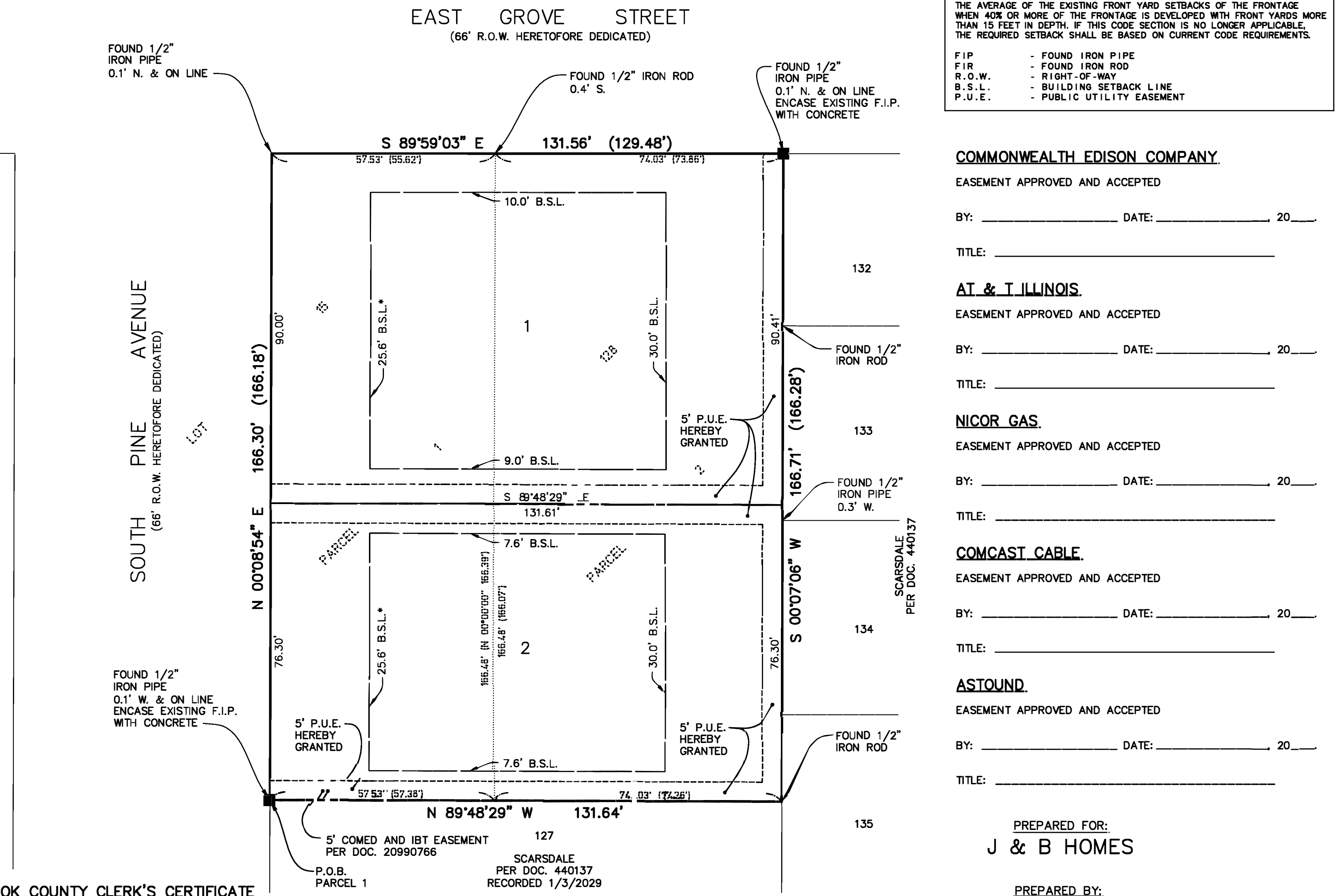
Table with 2 columns: LOT AREA, SUMMARY TABLE. Rows for Lot 1 (11,870) and Lot 2 (10,043).



PROPOSED PROPERTY INFORMATION table with columns: PROPOSED LOT, PROPOSED ADDRESS, OWNER NAME, OWNER ADDRESS. Includes Lot 1 and Lot 2 information.

LEGEND
SUBDIVISION BOUNDARY LINE (Heavy Solid Line)
LOT LINE/PROPERTY LINE (Solid Line)
ADJACENT LOT LINE/PROPERTY LINE (Light Solid Line)
UNDERLYING LINE/PROPERTY LINE (Light Dotted Line)
EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Line)
BUILDING LINE (Long Dashed Lines)
SET CONCRETE MONUMENT

NOTES
3/4 INCH IRON PIPE SET AT ALL LOT CORNERS AND POINTS OF CURVATURE UNLESS OTHERWISE NOTED.
ALL MEASUREMENTS ARE SHOWN IN U.S. FEET AND DECIMAL PARTS THEREOF.
DIMENSIONS ENCLOSED IN () INDICATE RECORD OR DEED DATA.
ALL EASEMENTS ARE HEREBY GRANTED UNLESS OTHERWISE NOTED.
THE MEASURED BEARINGS SHOWN HEREON ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM (NAVD 88) EAST ZONE.
POSSIBLE PUBLIC UTILITY EASEMENT ALONG EAST PROPERTY LINE OF UNDERLYING LOT 128 (PARCEL 2), EXACT SIZE & LOCATION CAN NOT BE ASCERTAINED FROM RECORD DOCUMENTS.
* THE ACTUAL REQUIRED FRONT YARD BUILDING SETBACK LINE MAY BE LESS THAN OR GREATER THAN 26.5' AS PRESCRIBED IN THE ARLINGTON HEIGHTS MUNICIPAL CODE, SPECIFICALLY, SECTION 5-1-3.61(a) OF CHAPTER 28 ALLOWS THE FRONT YARD SETBACK TO BE CALCULATED BASED ON THE AVERAGE OF THE EXISTING FRONT YARD SETBACKS OF THE FRONTAGE WHEN MORE OR MORE OF THE FRONTAGE IS DEVELOPED WITH FRONT YARDS MORE THAN 15 FEET IN DEPTH. IF THIS CODE SECTION IS NO LONGER APPLICABLE, THE REQUIRED SETBACK SHALL BE BASED ON CURRENT CODE REQUIREMENTS.



COOK COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK)
SS.
I, _____, COUNTY CLERK OF COOK COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.
I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.
GIVEN UNDER MY HAND AND SEAL AT COOK COUNTY, ILLINOIS, THIS ____ DAY OF _____, 20 ____
COUNTY CLERK

COOK COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK)
SS.
THIS INSTRUMENT _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON THE ____ DAY OF _____, A.D., ____ AT ____ O'CLOCK ____ M.
RECORDER OF DEEDS

PREPARED FOR: J & B HOMES
PREPARED BY: CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
E-Mail: cadd@cemcon.com Website: www.cemcon.com
DISC NO.: 8008012 FILE NAME: RESUB
DRAWN BY: SMR FLD. BK. / PG. NO.:
COMPLETION DATE: 3-19-2024 JOB NO.: 8008.0012
PROJECT REFERENCE:
CHECKED BY: 3-26-2024 / GLK
REVISIONS: 4-29-24/SMR PER VILLAGE REVIEW DATED 4-10-24
5-15-24/SMR PER CLIENT REVIEW
5-28-24/SMR PER CLIENT REVIEW
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DRAWING DATE: 5/29/2024 BY: SARA PETERSEN

EXHIBIT B

SIDEWALK PLANS

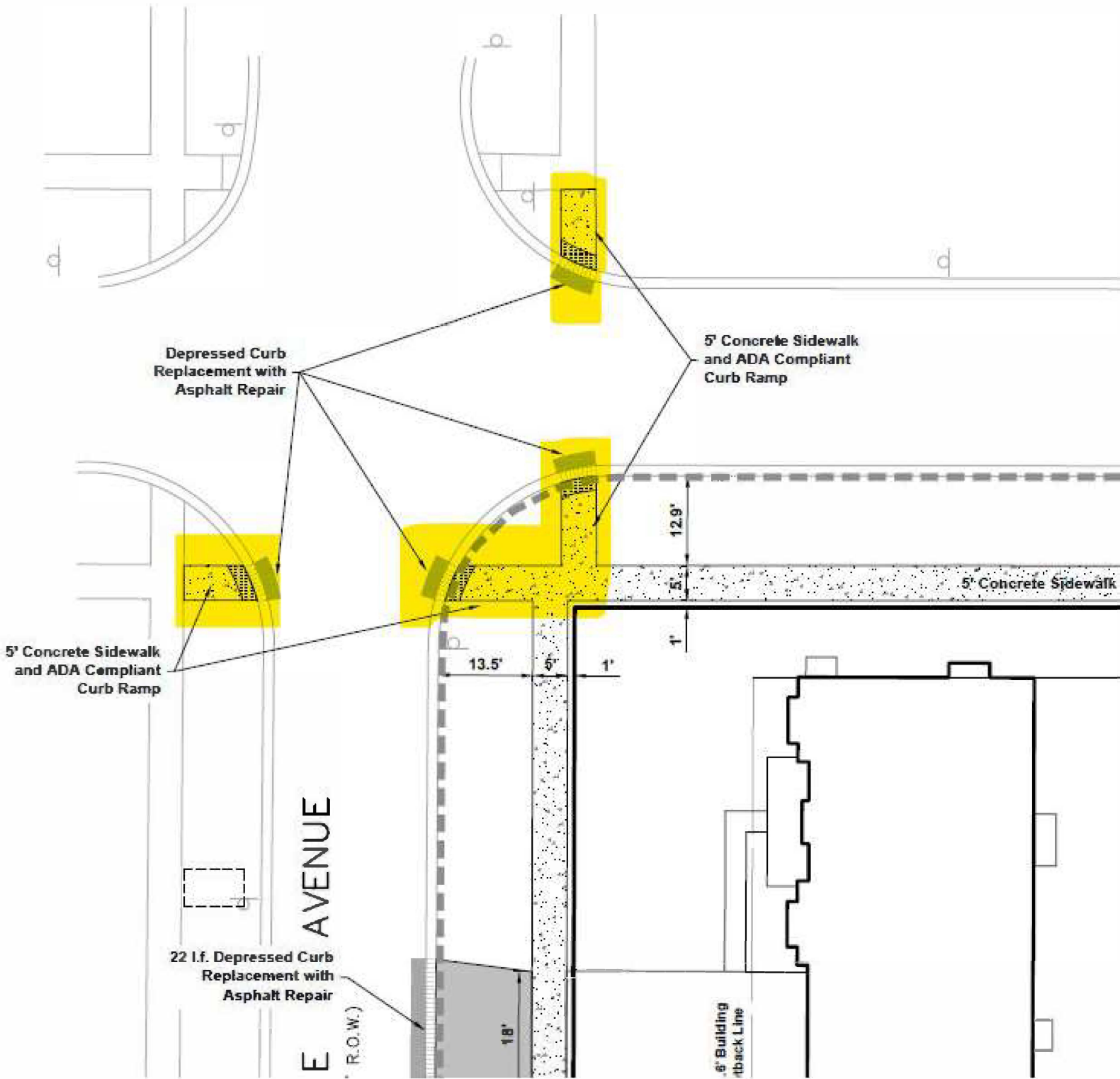


EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Arlington Heights, Illinois (“*Village*”):

WHEREAS, DMDS, LLC (“*Owner*”) is the owner of record and J&B Homes, LLC (“*Petitioner*”) are under contract to purchase of those certain parcels of real property, commonly known as 403 E. Grove Street and 419 S. Pine Avenue, Arlington Heights, Illinois (“*Property*”); and

WHEREAS, Resolution No. 2024-_____, adopted by the Village President and Board of Trustees on _____, 2024 (“*Resolution*”), approves a final plat of subdivision and grants a variation to permit the Owner to resubdivide the Property into two lots; and

WHEREAS, Section 7 of the Resolution provides, among other things, that the Resolution will be of no force or effect unless and until the Owner and Petitioner file, within 30 days following the passage of the Resolution, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Resolution;

NOW, THEREFORE, the Owner and Petitioner hereby agree and covenants as follows:

1. The Owner and Petitioner hereby unconditionally agree to, accept, consent to, and will abide by, each and all of the terms, conditions, limitations, restrictions, and provisions of the Resolution.

2. The Owner and Petitioner acknowledge that public notices and hearings have been properly given and held with respect to the adoption of the Resolution, have considered the possibility of the revocation provided for in the Resolution, and agree not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

3. The Owner and Petitioner acknowledge and agree that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village’s granting of the final plat of subdivision and the variation or its adoption of the Resolution, and that the Village’s approvals do not, and will not, in any way, be deemed to insure the Owner against damage or injury of any kind and at any time.

4. The Owner and Petitioner hereby agree to jointly and severally hold harmless and indemnify the Village, the Village’s corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village’s adoption of the Resolution granting the final plat of subdivision and the variation for the Property.

[SIGNATURES ON FOLLOWING PAGE]

Dated: _____, 2024

ATTEST:

DMDS, LLC

By: _____

By: _____

Its: _____

Its: _____

ATTEST:

J&B Homes, LLC

By: _____

By: _____

Its: _____

Its: _____