

RESOLUTION 05 – 05

APPROVING THE FINAL PLAT OF SUBDIVISION  
FOR PALOMA POINTE SUBDIVISION

WHEREAS, the applicant, Jerome Untiedt (the “Applicant”) has submitted to the Village of Barrington Hills, Illinois (the “Village”) a Final Plat of Subdivision for the Paloma Pointe Subdivision (the “Final Plat”); and

WHEREAS, on March 14, 2005, the Plan Commission of the Village (the “Plan Commission”), pursuant to the provisions of the Subdivision Ordinance, conducted hearings on said plat, examined numerous exhibits, and heard the testimony of the Applicant’s consultants and the Village’s consultants and staff, all of which culminated with the recommendation of approval of the Final Plat, subject to the following conditions:

1. The Applicant shall comply with the requirements set forth in the Village Engineer’s letter of March 10, 2005 to Engineering Enterprises, Inc.;
2. The Applicant and the Village Engineer shall consult with the Barrington Area Council of Governments (“BACOG”) regarding the Applicant’s proposal to use a dry well on the subject property; and
3. Verification by the Village Engineer of the existence of an easement for stormwater drainage for use of the proposed culvert along Spring Creek Road; and

WHEREAS, the Applicant has submitted a Declaration of Covenants, Conditions, Restrictions and Easements of Paloma Pointe Subdivision (“Declaration”), which is in a form that is acceptable to the Special Counsel to the Plan Commission; and

WHEREAS, on March 23, 2005, the Village’s Board of Health reviewed the Final Plat pursuant to Section 6-3-3(C)(5) of the Village’s Subdivision Ordinance and found and approved such plat to be in accordance with Sections 4-3-7 and 6-4-6 of the Village Code; and

WHEREAS, the Village Board has considered during its regular meeting the conditional recommendation of the Plan Commission and the finding of the Board of Health; and

WHEREAS, the Final Plat is in a form that is acceptable to the Village Board and the Village Engineer; and

WHEREAS, the Village Engineer has confirmed that the Applicant has complied with the requirements set forth in the Village Engineer’s review letter of March 10, 2005; and

WHEREAS, the Applicant and the Village Engineer have consulted with the BACOG regarding the Applicant's proposal to use a dry well on the subject property; and

WHEREAS, the Village Engineer has verified the existence of an easement for stormwater drainage for use of the proposed culvert along Spring Creek Road.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees ("Village Board") of the Village of Barrington Hills, Cook, Kane, Lake and McHenry Counties, Illinois, a home rule municipality, as follows:

**Section 1.** Incorporation of Preambles. The Village Board hereby finds that the recitals contained in the preambles to this Resolution are true and correct and does incorporate them into this Resolution by this reference.

**Section 2.** Approval of Final Plat. The Final Plat for the subdivision known as the Paloma Pointe Subdivision is hereby approved, and the Village President and the Village Clerk are hereby authorized and directed to sign said Final Plat on behalf of the Village, provided that this approval shall be deemed final only after the Final Plat is authorized to be recorded pursuant to Section 3 hereof.

**Section 3.** Recording of Final Plat. The Village Clerk is authorized and directed to record the executed Final Plat only after:

- (a) all fees have been paid;
- (b) the Declaration has been fully executed and delivered to the Village Clerk;
- (c) the Applicant has delivered a Performance Guarantee in a form and an amount acceptable to Village Board and Special Counsel and in conformance with Chapter 5 of the Village's Subdivision Regulations; and
- (d) the other requirements of the Village's Subdivision Ordinance and the Illinois Plat Act have been met.

In addition, the Village Clerk is authorized and directed to record the Declaration immediately following the recordation of the Final Plat.

**Section 4. Superseder and Effective Date.** All resolutions, motions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 28th day of March, 2005

AYES 6, NAYS 0, ABSENT 1

APPROVED THIS 28th DAY OF March, 2005

ATTEST:

  
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Village Clerk

#810104

  
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Village President