

RESOLUTION 08-02

**APPROVING THE FINAL PLAT OF SUBDIVISION
FOR LAKE OTIS WOODS SUBDIVISION**

WHEREAS, the applicants, LEE NORTON and NOTTINGHAM BUILDERS, INC., (together the "Applicant") have submitted to the Village of Barrington Hills, Illinois (the "Village") a Final Plat of Subdivision for the Lake Otis Woods Subdivision (the "Final Plat"); and

WHEREAS, on January 14, 2006, pursuant to the provisions of the Subdivision Ordinance, the Plan Commission conducted hearings on the Preliminary Plat, examined exhibits, and heard the testimony of the Applicant and village consultants and staff; and

WHEREAS, at the conclusion of the hearing, a majority of a quorum of the Plan Commission recommended approval of the Final Plat subject to the submittal by the Applicant of an Addendum to the draft Declaration of Covenants, Conditions, Restrictions and Easements ("Declaration") in form and substance acceptable to Special Counsel to the Plan Commission ("Plan Commission Condition"); and

WHEREAS, pursuant to a letter of January 9, 2008 to the Chairman of the Plan Commission, the Village Engineer found that the Final Plat and final engineering plans adhere to the applicable standards of the Village, subject to certain comments including comments relating to the location of an existing septic system and the Equestrian Commission's prospective review; and

WHEREAS, the Village Engineer has directed that the Sheet 2 of the final engineering plans be modified to reflect proper separation between the existing septic system and the high water elevation of the pond; and

WHEREAS, on January 24, 2008, the Equestrian Commission reviewed the Final Plat and recommended that the Final Plat be modified to reflect an equestrian easement along the west 10 feet and the north 10 feet of the Lake Otis Woods Subdivision, which easement would be available for use by the Barrington Hills Riding Club in the event the riding trails adjoining the Lake Otis Woods Subdivision become unavailable for use by the Barrington Hills Riding Club in the future; and

WHEREAS, the Village Board has considered during its regular meeting the recommendations of the Plan Commission, the Equestrian Commission and the Village Engineer.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees 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. Subject to Section 3 below, the Final Plat for the Lake Otis Woods Subdivision is hereby approved.

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 Applicant has revised Sheet 2 of the final engineering plans to reflect proper separation between the existing septic system and the high water level of the pond, as approved by the Village Engineer;
- (c) the Final Plat has been revised to reflect the equestrian easements recommended by the Equestrian Commission, as approved by the Village Engineer;
- (d) the Declaration has been revised to include the provisions that are necessary to address the equestrian easement, as approved by Special Counsel;
- (e) the Applicant has submitted an Addendum to the Declaration, in a form that is acceptable to Special Counsel to the Plan Commission;
- (f) the Declaration and the Addendum to the Declaration have been fully executed and delivered to the Village Clerk;
- (g) the Applicant has delivered a Performance Guarantee in a form acceptable to the Special Counsel to the Plan Commission, an amount acceptable to the Village Engineer, from a financial institution that is acceptable to the Village Board and Special Counsel to the Plan Commission, and in conformance with Chapter 5 of the Subdivision Ordinance; and
- (h) the other requirements of the Village's Subdivision Ordinance and the Illinois Plat Act have been met.

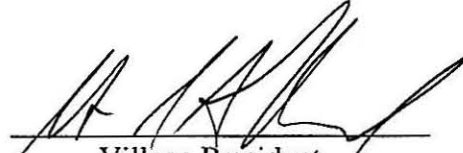
In addition, immediately following the recordation of the Final Plat, the Village Clerk is authorized and directed to record the Declaration and the Addendum to the Declaration.

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 JANUARY, 2008
AYES 7, NAYS: 0, ABSENT: 0
APPROVED THIS 28TH DAY OF JANUARY, 2008

ATTEST:


Village Clerk


Village President