

**APPROVING THE SUBDIVISION IMPROVEMENTS
AND A MAINTENANCE GUARANTEE
FOR ABBEY WOODS SUBDIVISION**

WHEREAS, on October 23, 2006, the Village of Barrington Hills, Illinois (the "Village") approved the Final Plat of Subdivision for the Abbey Woods Subdivision (the "Final Plat"); and

WHEREAS, as a condition of approval of the Final Plat the Developer, Harris Properties, LLC, (the "Developer") submitted to the Village Barrington Bank & Trust Company Letter of Credit No. 1143 (the "Letter of Credit") pursuant to Section 6-5-1(B)2 of the Village's Subdivision Ordinance to secure installation of certain subdivision improvements (the "Subdivision Improvements"); and

WHEREAS, in addition to the Subdivision Improvements, the Developer was required to complete certain sanitary sewer and potable water improvements (together "Utility Improvements") in connection with the development of the Abbey Woods Subdivision; and

WHEREAS, pursuant to the Intergovernmental Agreement Between the Village of Barrington and the Village of Barrington Hills to Provide Water and Sanitary Sewer Services to Certain Properties Within the Village of Barrington Hills, recorded on July 30, 2007 as Document No. 721131004 in Cook County and Document No. 6219755 in Lake County, the Village is not responsible for the operation, maintenance, preservation, reconstruction, rehabilitation or repair of the Utility Improvements; and

WHEREAS, the Utility Improvements have been completed by the Developer and approved by the Village of Barrington; and

WHEREAS, the Developer has completed the Subdivision Improvements; and

WHEREAS, the Village Engineer has inspected the Subdivision Improvements and has found that they have been completed in accordance with the plans and specifications approved by the Village; and

WHEREAS, Section 6-5-5 of the Subdivision Ordinance requires the Developer to guarantee subdivision improvements against defects in materials and workmanship in the amount of five percent (5%) of the final construction costs of such improvements for a period of two (2) years after the date of approval of completion by the Village ("Maintenance Guarantee"); and

WHEREAS, the Village Engineer has determined that the amount of the Maintenance Guarantee required of the Developer for the Subdivision Improvements is the sum of \$30,300.00.

WHEREAS, the Developer has requested the Village to approve the Subdivision Improvements and to approve the Letter of Credit in the reduced amount of \$30,300.00 as the Maintenance Guarantee under Section 6-5-5 of the Subdivision Ordinance.

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, ("Village Board") 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 Improvements. The Village Board hereby approves the Subdivision Improvements for the Abbey Woods Subdivision.

Section 3. Approval of Maintenance Guarantee. The Village Board hereby approves the reduction of the Letter of Credit to the amount of \$30,300.00, which shall serve as the Maintenance Guarantee, provided that the term of such reduced Letter of Credit shall not expire until a date which is at least two (2) years after the date of this Resolution.

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 22nd DAY OF June, 2009

AYES: 5 NAYS: 0 ABSENT: 2 ABSTAIN: 0

APPROVED THIS 22nd DAY OF June, 2009

ATTEST:


Village Clerk


Village President