

RESOLUTION 17-14

APPROVING THE FINAL PLAT OF SUBDIVISION OF EAGLES LANDING PHASE FOUR (PARTIAL)

WHEREAS, an application for approval of a Final Plat of Subdivision of Eagles Landing Phase Four (partial) has been submitted by Curwick XI, LLC, owner and developer; and

WHEREAS, the Plan Commission of the Village of Manteno, Kankakee County, Illinois at a regular meeting held on the 11th day of July, 2017 reviewed said Final Plat of Subdivision of Eagles Landing, Phase Four (partial); and

WHEREAS, at that time the Plan Commission found as follows:

- A. An irrevocable Letter of Credit in the amount of \$560,697.50 has been posted with the Village; and
- B. That Annexation fees in the amount of \$14,400.00 for 16 lots have been paid to the Village; and

WHEREAS, subsequent thereto the Plan Commission of the Village of Manteno, Kankakee County, Illinois did approve said Final Plat of Subdivision of Eagles Landing Phase Four (partial) and recommends the same to the Village President and Board of Trustees for final approval; and

WHEREAS, the Village of Manteno, acting by and through its President and Board of Trustees finds that it is in the best interests of the Village of Manteno that a Final Plat of Subdivision of Eagles Landing Phase Four (partial), a residential subdivision within the Village of Manteno be approved.

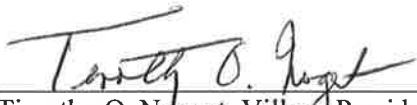
NOW THEREFORE BE IT RESOLVED by the President and Board of Trustees of the Village of Manteno, Kankakee County, Illinois as follows:

Section 1: That a Final Plat of Subdivision of Eagles Landing Phase Four (partial), a residential subdivision within the Village of Manteno, Kankakee County, Illinois be and the same as hereby approved.

Section 2: That the Village President is here by authorized, empowered and directed to execute said Final Plat of Subdivision of Eagles Landing Phase Four (partial) in the form and content of "**Exhibit A**", which is attached hereto and made a part hereof.

Passed by the Board of Trustees of the Village of Manteno, Kankakee County, Illinois at a special meeting thereof held on the 6th day of November and approved by me as President on the same day.

RECORD OF THE VOTE	Yes	No	Abstain	Absent
President Timothy Nugent				
Trustee Timothy Boyce	X			
Trustee Samuel Martin	X			
Trustee Diane Dole	X			
Trustee Todd Crockett	X			
Trustee Joel Gesky	X			
Trustee Wendell Phillips	X			
TOTAL VOTES <i>or</i>				
BY OMNIBUS VOTE	X			


 Timothy O. Nugent, Village President

ATTEST:


 Alisa Blanchette, Village Clerk

PLAN COMMISSION RECOMMENDATION 17-02

APPROVAL OF THE FINAL PLAT OF SUBDIVISION FOR EAGLES LANDING SUBDIVISION, PHASE FOUR (PARTIAL)

WHEREAS, an application seeking approval of the Final Plat of Subdivision for Eagles Landing Subdivision, Phase Four (Partial), a residential subdivision, was filed by Curwick XI, LLC, owner and developer;

WHEREAS, the Plan Commission of the Village of Manteno, Kankakee County, Illinois, considered said application and final plat of subdivision of Eagles Landing, Phase Four (Partial), a residential subdivision consisting of 16 residential lots, at a regular meeting held on the 11th day of July, 2017; and

WHEREAS, said final plat of subdivision has been prepared in accordance with the provisions of the Subdivision Regulations of the Village of Manteno and that the same is in substantial conformity with the preliminary plat and final engineering drawings previously submitted and approved.

NOW THEREFORE BE IT RESOLVED BY THE PLAN COMMISSION OF THE VILLAGE OF MANTENO, KANKAKEE COUNTY, ILLINOIS AS FOLLOWS:

SECTION ONE

That a Final Plat of Subdivision of Eagles Landing, Phase Four (Partial), a residential subdivision in the Village of Manteno consisting of 16 residential lots; and more fully set forth in the form and content of Exhibit "A" which is attached hereto and made a part hereof, be approved.

SECTION TWO

That said approval provided for in Section One of this recommendation is based upon the following finding:

- A. That said plat of subdivision and engineered drawings are properly reviewed and approved by the Village Engineer.
- B. That the village granted Curwick XI, LLC, permission to develop Phase Four in two separate developments.
- C. That said Plat is substantially consistent with the provisions of an existing annexation agreement between the Village of Manteno and First United Bank / Stephens and Hays and the requirements of the Manteno Municipal Code, Title 10, Subdivisions.
- D. That the owner and developer shall pay to the Village an amount equal to \$900 for each residential lot within said subdivision as required, prior to Village Board approval.

- E. That an Irrevocable Letter of Credit will be issued to the Village in the amount of \$1,479,600.00 to cover all the work to be done, or for work completed but not accepted by the village, prior to Village Board approval.
- F. That a reproducible Mylar set and five (5) copies of "record drawings" shall be submitted to the village in a format approved by the village prior to any final acceptance and in an electronic format approved by the village. Said "record drawings" shall indicate the exact final location and layout of all improvements, include verification of all building pad, top of foundation, invert, rim and spot grade elevations, and incorporate all field design changes approved by the village.

SECTION THREE

That the Final Plat of Subdivision of Eagles Landing, Phase Four (Partial) is hereby forwarded to the Village President and Board of Trustees for final review and approval.

Passed by the Plan Commission of the Village of Manteno, at a meeting thereof held on the 11th day of July 2017, and approved by me as Chairman on the same day.



Francis Smith, Chairman

ATTEST:





IRREVOCABLE LETTER OF CREDIT

Village of Manteno
98 E. Third Street
Manteno, IL 60950

Amount: \$560,697.50
Issue Date: November 6, 2017
Issuer: Municipal Trust & Savings Bank
Letter of Credit No. 1037
Customer: Curwick IX, LLC
Subdivision: Eagles Landing – Phase 4

Gentlemen:

We hereby establish and issue this irrevocable letter of credit in favor of the Village of Manteno (the "Village") in the aggregate amount of Five Hundred Sixty Thousand, Six Hundred Ninety-Seven Dollars and 50/100 (\$560,697.50) at the request of Curwick IX, LLC (the "Customer").

This letter of credit is to guarantee Customer's completion of all on-site and off-site work, public improvements, and dedications in or servicing the Eagles Landing Subdivision – Phase 4 (the "Subdivision") in accordance with the hereinbefore or hereinafter approved site improvement plans and final plat of subdivision.

The funds secured by this letter of credit shall be available at the Bank, to be drawn upon by the Village at sight, without notice to, or the consent of, the Customer. All drafts so drawn must be marked drawn under our Letter of Credit No. 1037. We confirm credit and hereby undertake that all drafts drawn and presented will be duly honored by us.

This letter of credit shall be valid and honored until the later of November 6, 2019 (the "Expiry Date") or ninety (90) days after the Village receives prior written notice of its expiration by certified mail, return receipt requested. This letter of credit shall not be cancelled prior to its Expiry Date without the expressed written consent of the Village, which shall be conditioned upon the Village's acceptance of all improvements secured hereby and Customer's delivery of a performance bond securing its two (2) year maintenance warranty of the public improvements in accordance with Section 10-4-6(D)(4) of the Manteno Municipal Code.

This letter of credit, prior to final acceptance by the Village of all improvements secured hereby, may be reduced by an amount equal to the value of such improvements completed, as certified by the Village Engineer, provided that the amount of the letter of credit shall not be reduced to an amount less than 25% of the costs of all improvements secured hereby. Notwithstanding the above, this letter of credit shall not be reduced in the event that, at any time, the funds remaining are insufficient to complete the improvements, as determined by the Village Engineer's estimate, taking into account such increased costs, if any, applicable to the work. All reductions to this letter of credit shall be approved by the Village, in writing.

This letter of credit is not transferable.

Yours truly,

Municipal Trust & Savings Bank

Catherine R. Boicken, President

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Mokenca, Illinois 60954
(815) 472-6444

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720 Main St., NW
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Manteno, Illinois 60950
(815) 468-8100



Geoff Aggen, PE
Direct Line: (815) 464-2664
Email: gaggen@reltd.com

August 8, 2017

Project 17-T0295

Mr. Ryan Marion
Director of Building and Zoning
98 East Third Street
Manteno, IL 60950

RE: Eagles Landing Unit 4
Manteno, Illinois
Final Engineering Approval
Plat of Subdivision Approval

Dear Ryan:

As directed, our office has reviewed the revised supplemental engineering plans (dated 08/04/17) prepared by M. Gingerich, Gereaux & Associates, the revised portions of the original approved engineering plans (dated 08/04/17) that have been marked up by M. Gingerich, Gereaux & Associates to coordinate with the aforementioned supplemental engineering plans, and the revised Plat of Subdivision (dated 06/12/17) for the above referenced project and find them to be in substantial compliance with general engineering practice as well as the Village of Manteno standard practices. Our office recommends approval of the plans and Plat of Subdivision.

Notes/Conditions:

1. Four final sets of the improvement plans signed and sealed by the PE in charge shall be provided to the Village.
2. Approvals from outside agencies are the responsibility of the owner and/or owners' engineer. A copy of the outstanding IEPA Water permit shall be provided upon receipt. Approvals from both Aqua Illinois and the Manteno Fire Protection District shall also be forwarded upon receipt.
3. Record Drawings signed and sealed by a professional engineer shall be submitted. The CAD drawing shall also be submitted.
4. The project guarantee amount to be provided to the Village shall be **\$1,183,679.69** (125% of the construction cost opinion).
5. Tyson Engineering will be performing site observation and material testing services during the construction of the site utilities and right-of-way improvements. The developer shall coordinate the construction schedule each day with our office. The costs associated with site observation and material testing shall be reimbursable to the Village by the Developer.
6. Two (2) original signed copies (bonded paper) of the Plat of Subdivision shall be provided to the Village for signature. At the time of recording, the County will also need an additional 12 copies of the executed plat.

This review is only for general conformance with the design criteria established by the Village and is subject to both the completeness of the information submitted by the developer's professional staff and also the actual ability of the plan to perform in accordance with its intent. Actual field conditions may vary and additional items may arise which are not readily apparent based on the content of the information provided in this submittal. The developer's design professionals are responsible for performing and checking all design computations, dimensions, and details relating to design, construction, compliance with all applicable codes and regulations, and obtaining all permits. Additionally, other bodies of government may have jurisdiction

over various aspects of this development. The developer should be advised that additional measures may be required based on actual field conditions and formal approvals of the other agencies.

Please note that this review does not include all site & landscaping issues as per the zoning Ordinance such as building setbacks, lot coverage, parking dimensions, etc. and the applicant shall refer to the Village Staff and other Village designees for a complete review of such issues.

Should you have any questions or require any further information, please feel free to contact me at (815) 464-2664.

Very truly yours,

TYSON ENGINEERING, INC.



Geoff Aggen, P.E.
Project Engineer

/ga

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cc: Mr. Chris LaRocque, Village of Manteno (via email)
Mr. Jim Hanley, Village of Manteno (via email)
Mr. Joel Greer, MG2A (via email)