

CITY OF BATAVIA

DATE: January 12, 2017
TO: Plan Commission
FROM: Drew Rackow AICP, Planner
SUBJECT: Approval: Preliminary/Final Plat of Subdivision for Consolidation of Lots 87 and 88 of Batavia Business Park
Southwest Corner of Fabyan Parkway and Louis Bork Drive
Batavia Land Venture, LLC, Applicant

Background & Summary of Information

Batavia Land Venture, owner of lots 87 and 88 in Batavia Business Park requests to consolidate the two lots into one development lot. The property was originally subdivided in 2000 with the Batavia Business Park, and re-subdivided in 2002.

The submitted plat would vacate easements along the line that now separates the lots and that extend to the north and south into the lots. New easements would be established along the south lot line of the consolidated lot, and to extend an existing easement that partially bisects existing lot 87 to encompass an existing water line. The intention is to create one larger development lot with the ability to relocate the existing water main that bisects lot 87 prior to development.

Staff Analysis

Staff has been working with the applicant to place the existing water line under an easement, and to eventually relocate the water line to the south property line. Staff believes that the proposed consolidation plat to create a larger development lot is an appropriate approach to remove easements that would then otherwise impede development of the larger site. The proposed easement for the existing water line will appropriately place the water line in an easement until such time that the main is relocated to the south property line. That easement will then be vacated after the water line is relocated. The plat will create new easements in locations to facilitate future development of the property.

Staff Recommendation

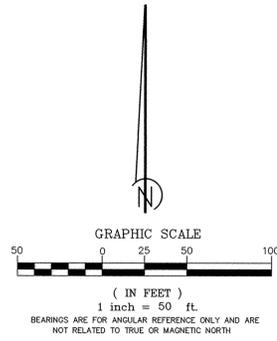
Staff recommends that the Plan Commission recommend approval of the submitted Plat of Subdivision, consolidating lots 87 and 88 of Batavia Business Park.

Attachments: Plat of Subdivision

C: Mayor & City Council
Department Heads
Stan Carlson, Batavia Land Venture

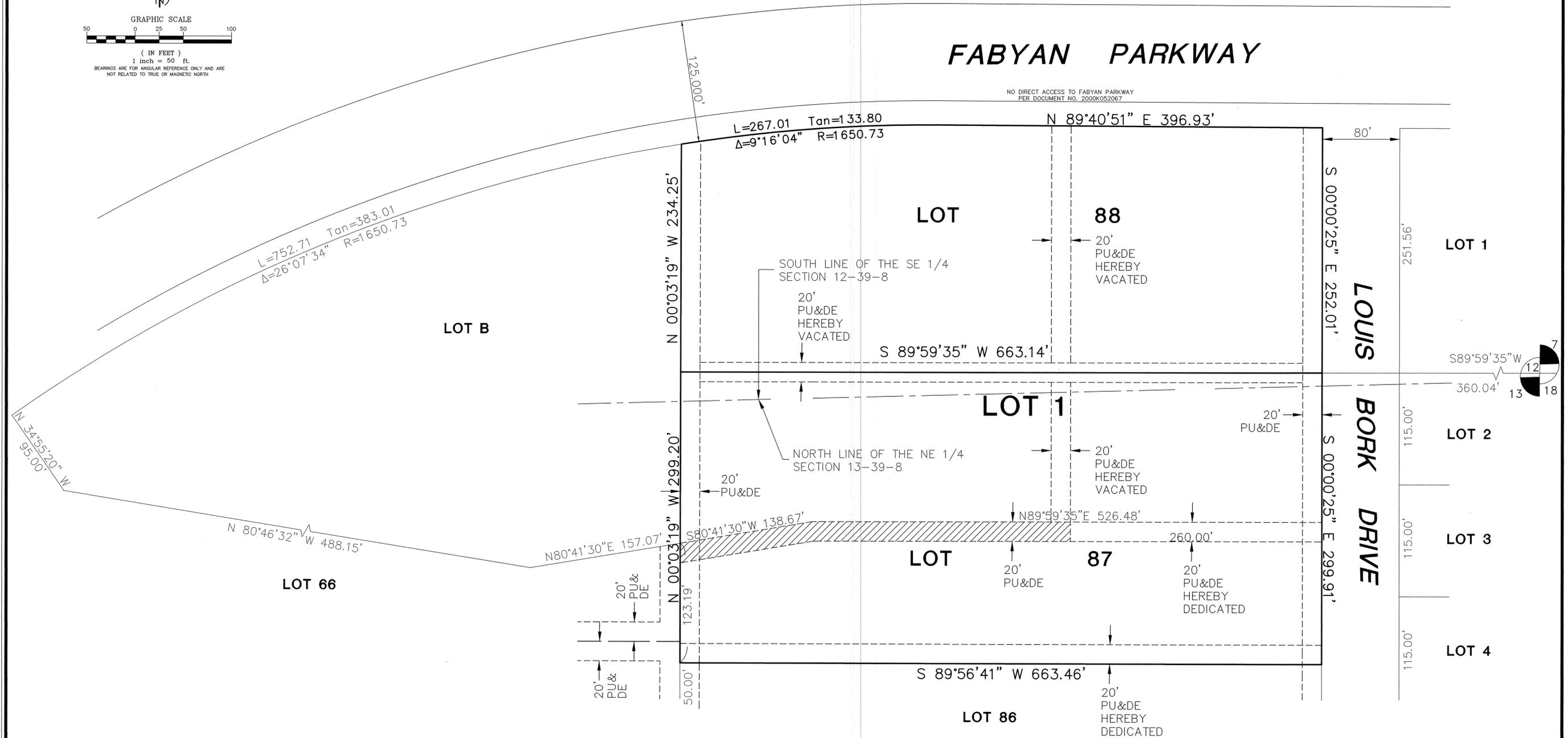
LOT 87, 88 RESUBDIVISION

OF BATAVIA BUSINESS PARK RESUBDIVISION, BEING A RESUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 12 AND PART OF THE EAST HALF OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN KANE COUNTY, ILLINOIS.



FABYAN PARKWAY

NO DIRECT ACCESS TO FABYAN PARKWAY
PER DOCUMENT NO. 2000K052067



LEGEND:
 PU = PUBLIC UTILITY
 DE = DRAINAGE EASEMENT
 = EXISTING EASEMENT PER DOCUMENT NOS. 2000K052067 & R2000099708

P.I.N.'S
 LOT 87, 12-12-226-043, 12-12-226-044
 LOT 88, 12-12-475-005, 12-12-475-006

JLH Land Surveying Inc.
 Land Surveying Construction Services
 7222 Courtwright Drive, Plainfield, Illinois 60586
 (815) 729-4000 E-Mail: www.jlhsurvey.com

DATE	REVISIONS
10/4/16	CITY REVIEW
10/26/16	CLIENT REVIEW

BATAVIA BUSINESS PARK
BATAVIA, ILLINOIS
BATAVIA LAND VENTURE, LLC

PROJ. MGR. JLH
 DRAWN BY. JAH
 CHECKED BY. JLH
 DATE: 9/8/2016
 SCALE: 1"=50'

SHEET
1 OF 2
 16-314-102A

LOT 87, 88 RESUBDIVISION

OF BATAVIA BUSINESS PARK RESUBDIVISION, BEING A RESUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 12 AND PART OF THE EAST HALF OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN KANE COUNTY, ILLINOIS.

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } S.S.

I, JOHN A. CUNNINGHAM, COUNTY CLERK IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THERE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX AGAINST ANY OF THE LAND INCLUDED IN THE PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY AT GENEVA, ILLINOIS,

THIS ____ DAY OF _____, A.D., 20____

KANE COUNTY CLERK

CITY COUNCIL

STATE OF ILLINOIS }
COUNTY OF KANE } S.S.

MAYOR AND CITY COUNCIL OF THE CITY OF BATAVIA, ILLINOIS, HEREBY APPROVE THE FINAL PLAT OF BATAVIA BUSINESS PARK RESUBDIVISION, ATTACHED HERETO THIS ____ DAY OF _____, A.D., 20____

MAYOR

CITY CLERK

MORTGAGEE'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF **DUPAGE** } S.S.

THIS IS TO CERTIFY THAT NICHOLAS J. LOMBARDI IS THE MORTGAGEE OF PART OF THE PROPERTY DESCRIBED HEREON UNDER MORTGAGE DATED NOVEMBER 17, 2015, AND THAT IT HEREBY ACKNOWLEDGES AND CONSENTS TO THE ATTACHED PLAT FOR THE USES AND PURPOSES THEREIN SET FORTH.

DATED AT **LIBLE**, ILLINOIS, THIS **22nd** DAY OF **NOVEMBER**, A.D. 20 **16**.

BY: Nicholas J. Lombardi

BY: _____

CITY ENGINEER

STATE OF ILLINOIS }
COUNTY OF KANE } S.S.

I, _____, CITY ENGINEER OF THE CITY OF BATAVIA, ILLINOIS, HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE LAND IMPROVEMENTS DESCRIBED IN THE ANNEXED PLAT AND THE PLANS AND SPECIFICATIONS THEREOF MEET THE MINIMUM REQUIREMENTS OF SAID CITY.

DATED AT BATAVIA, ILLINOIS, THIS ____ DAY OF _____, A.D. 20____

CITY ENGINEER

BLANKET EASEMENT PROVISIONS

A BLANKET EASEMENT FOR ELECTRIC IS HEREBY GRANTED TO THE CITY OF BATAVIA ELECTRIC DEPARTMENT OVER ALL OF LOTS 87 AND 88, WHICH SHALL BE REDEFINED AFTER INSTALLATION.

SURVEYORS AUTHORIZATION TO _____ TO RECORD PLAT AND THAT SUCH PERSON SHALL PROVIDE SURVEYOR WITH A RECORDED COPY OF THE PLAT.

PUBLIC UTILITY AND DRAINAGE EASEMENT (PU&DE) PROVISIONS

A perpetual easement is hereby reserved for and granted to the City of Batavia, an Illinois municipal corporation, and those public utility and other companies operating under franchise agreements granting them rights from the City of Batavia, including but not limited to, Commonwealth Edison Company, AT & T, Nicor Gas Company, and Comcast Cable Communication, Inc., together with their respective successors and assigns (the "Grantees"); for the installation, modification, construction, reconstruction, replacement, alteration, enlargement, operation, inspection, repair, maintenance, relocation, renewal and removal of facilities, improvements and appurtenances to serve these and other lands with various public utilities transmission and distribution systems, including without limitation, from time to time, electricity, sounds and signals, cable television, communication, telephone, gas pipelines, water pipelines, storm and sanitary sewers, storm water detention and retention facilities, and storm water drainage, together with any and all necessary lines, cables, mains, manholes, hydrants, catch basins, connections, pipes, appliances, and other structures and appurtenances as may be deemed necessary, in, across, along, over, under, and upon the areas hereon identified as "Public Utility and Drainage Easement" (P.U.D.E.); together with the right to install required service connections under the surface of each lot to serve improvements thereon; and together with the right to enter upon the property with such personnel and equipment as may be deemed necessary for all such uses and purposes.

No obstruction or structure shall be erected or located, nor shall any trees be planted, over said easement areas, nor shall any other activities be undertaken that unreasonably interfere with the Grantees' intended use thereof, but the same may be used for landscaping, fencing, parking or other purposes if such use does not then or later interfere with the aforementioned purposes. The right is also hereby granted to the City of Batavia to remove any fences, buildings or structures and to cut down, trim or remove any trees, shrubs, bushes, roots or other plantings that interfere with the operation of or access to such facilities in, on, upon, across, under or through said Public Utility and Drainage Easement. The City of Batavia shall not be responsible for the replacement or repair of any such fences, buildings, structures, trees, turf, gardens, shrubs, landscaping, or other improvements removed during the exercise of the herein given rights. Replacement and/or repair of said items shall be the responsibility of the then property owner.

Following any work to be performed by the City of Batavia in the exercise of its easement rights herein granted, said City shall have no obligation with respect to surface restoration, including by not limited to, the restoration, repair or replacement of pavement, curb, gutters, fences, sheds, trees, lawn or shrubbery, provided, however, that said city shall be obligated, following such maintenance work, to backfill and mound all trench created so as to retain suitable drainage, to cold patch any asphalt or concrete surface, to remove all excess debris and spoil, and to leave the maintenance area in a generally clean and workmanlike condition. The City has no obligation to repair any improvements that were completed without obtaining the necessary permits prior to installation.

The occupation and use of the perpetual easement herein granted and reserved for the Grantees by each of such entities shall be done in such a manner so as not to interfere with or preclude the occupation and use thereof by other entities for which such easements are granted and reserved. The crossing and re-crossing of said easements by the Grantees shall be done in such a manner so as not to interfere with, damage, or disturb any transmission and/or distribution systems and facilities appurtenant thereto existing within the easements being crossed or re-crossed.

Where the easement areas are also used for electric, telephone, cable TV, gas distribution systems or their appurtenances, such other utility installations shall not interfere with the maintenance of gravity or subsurface flow and stabilization of vegetative ground cover on the above-mentioned drainage facilities, or cause any change in grade, or impair or change the surface drainage patterns of the property.

EASEMENTS APPROVED AND ACCEPTED

ACCEPTED: [Signature] DATE: 11-11-16

ACCEPTED: [Signature] DATE: 11/21/16

ACCEPTED: [Signature] DATE: Nov 9, 2016

ACCEPTED: _____ DATE: _____

ACCEPTED: _____ DATE: _____

OWNER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } S.S.

THIS IS TO CERTIFY THAT **BATAVIA LAND VENTURE, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY,** IS THE OWNER OF THE PROPERTY DESCRIBED IN THE FOREGOING SURVEYORS CERTIFICATE, AND THAT IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AS SHOWN ON THE PLAT HEREON DRAWN.

THE UNDERSIGNED, OWNER OF THE PROPERTY DESCRIBED AS LOT 87, 88 RESUBDIVISION AND LEGALLY DESCRIBED ON THE PLAT OF THE SAME NAME LIES WITHIN THE BOUNDARIES OF BATAVIA SCHOOL DISTRICT 101.

ALSO, TO THE BEST OF OUR KNOWLEDGE, THE SUBJECT PROPERTY LIES WHOLLY WITHIN THE GENEVA SCHOOL DISTRICT 304 AND THE WAUBONSEE COLLEGE DISTRICT 516.

DATED THIS 22nd DAY OF NOVEMBER, A.D., 2016

BY: [Signature]
OWNER

KANE COUNTY RECORDER CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } S.S.

THIS INSTRUMENT _____ AS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, ON THE ____ DAY OF _____, A.D., 20____, AT _____ O'CLOCK ____M, AND WAS RECORDED IN BOOK _____ OF PLATS ON PAGE _____

RECORDER OF DEEDS

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KENDALL } S.S.

WE, JLH LAND SURVEYING, INC., DO HEREBY DECLARE THAT THE FOLLOWING DESCRIBED PROPERTY HAS BEEN SURVEYED AND SUBDIVIDED AT AND UNDER THE DIRECTION OF THE UNDERSIGNED:

LOTS 87 AND 88 IN BATAVIA BUSINESS PARK RESUBDIVISION, BEING PART OF THE SOUTHEAST QUARTER OF SECTION 12 AND PART OF THE EAST HALF OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED IN KANE COUNTY ON JUNE 30, 2000 AS DOCUMENT NO. 2000K052067.

WE FURTHER DECLARE THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF.

THE PROPERTY DESCRIBED HEREON IS SITUATED WITHIN THE LIMITS OF THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

WE FURTHER DECLARE THAT NO PART OF THE LAND HEREON DESCRIBED IS SITUATED WITHIN THE 100 YEAR FLOOD BOUNDARY AS SET FORTH BY THE NATIONAL FLOOD INSURANCE PROGRAM, CITY OF BATAVIA, ILLINOIS, COMMUNITY PANEL NUMBER 17089C03324, WITH AN EFFECTIVE DATE OF AUGUST 3, 2009.

GIVEN UNDER MY HAND AND SEAL AT PLAINFIELD, ILLINOIS THIS 7th DAY OF November, A.D. 2016

[Signature]
ILLINOIS PROFESSIONAL LAND SURVEYOR #3190
EXPIRES 11-30-2018



JLH Land Surveying Inc.
Construction Services
Land Surveying
7222 Courtwright Drive, Plainfield, Illinois 60586
(618) 729-4000 E-Mail: www.jlhasurvey.com

DATE	BY	REVISIONS
10/4/16	JAH	CITY REVIEW
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BATAVIA BUSINESS PARK
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BATAVIA LAND VENTURE, LLC

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16-314-102A