

Ordinance #O.15.14

An Ordinance TO ACCEPT THE OWNERSHIP BY DEDICATION OF THE PUBLIC STREETS, SANITARY SEWER SYSTEM, WATER DISTRIBUTION SYSTEM, AND STORM WATER SYSTEM IN THE COBBLESTONE CROSSING SUBDIVISION IN THE CITY OF GALENA.

Adopted by the City Council of the City of Galena this 14th Day of December 2015.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 14th Day of December 2015.

STATE OF ILLINOIS)
) City of Galena
COUNTY OF JO DAVIESS)

CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, Jo Daviess County, Illinois.

I further certify that on the 14th Day of December 2015, the Corporate Authorities of said municipality passed and approved Ordinance No. O.15.14 entitled **TO ACCEPT THE OWNERSHIP BY DEDICATION OF THE PUBLIC STREETS, SANITARY SEWER SYSTEM, WATER DISTRIBUTION SYSTEM, AND STORM WATER SYSTEM IN THE COBBLESTONE CROSSING SUBDIVISION IN THE CITY OF GALENA** which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.15.14 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 14th Day of December 2015 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 14th Day of December 2015.



Mary Beth Hyde
City Clerk

(Seal)

Ordinance #0-15-14

AN ORDINANCE TO ACCEPT OWNERSHIP BY DEDICATION OF THE PUBLIC STREETS, SANITARY SEWER SYSTEM, WATER DISTRIBUTION SYSTEM, AND STORM WATER SYSTEM IN THE COBBLESTONE CROSSING SUBDIVISION IN THE CITY OF GALENA

WHEREAS, Don Wiener, (the "Developer") is the owner in fee simple of the property comprising the Cobblestone Crossing Subdivision, which tract is more particularly described in the final subdivision plat for said subdivision which was recorded in the Jo Daviess County Recorder's Office in Plan Hold D #317, as document No. 315483, on October 21, 2004 and the Plat of Dedication, dated November 16, 2015; and

WHEREAS, the Developer has completed the construction and installation of Phase 1 of the roadway, including Cobblestone Boulevard from its westerly beginning to the intersection with Woodland Court, and Country View Court in the Cobblestone Crossing Subdivision; and

WHEREAS, the Developer has completed the construction and installation of the public lighting, sanitary sewerage system, potable public water distribution system, and the storm sewerage system in said subdivision and the same have been inspected by the City Engineer or his designee and have been found to have been constructed and installed in compliance with the requirements of the City of Galena, Illinois (the "City") Subdivision Ordinance and other applicable codes and ordinances of the City; and

WHEREAS, the Developer has made and delivered to the City the required Bill of Sale (attached hereto and made part hereof as "Exhibit A"); and

WHEREAS, it is necessary and appropriate that the City Council accept by dedication the ownership of the public infrastructure capital improvements described above for the Cobblestone Crossing Subdivision.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Galena, Jo Daviess County, Illinois, as follows:

SECTION I: The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same if set forth in the Section of this Ordinance verbatim, as findings of the City Council of the City of Galena, Illinois.

SECTION II: The City hereby accepts the ownership by dedication of the street improvements for Cobblestone Crossing from its westerly beginning to the intersection with Woodland Court, and Country View Court in the Cobblestone Subdivision, being the public streets presently constructed and installed in the said subdivision, which street was constructed at the direction of the City by the Developer in the street easement provided therefore which easement is depicted on and was created by the Plat of Dedication for the Cobblestone Crossing Subdivision, dated November 16, 2015 (attached hereto and made part hereof as "Exhibit B"). Said public street pavement, curb and gutter, and lighting has been constructed and installed in accordance with the codes and ordinances of the City pertaining thereto.

SECTION III: The City hereby accepts by dedication the storm sewers installed in the Cobblestone Subdivision for the purpose of the collection, transport and flow of surface waters in said subdivision, which storm sewers have been installed and constructed in the Cobblestone Crossing Boulevard and Country View Court right-of-way as depicted on the Plat of Dedication for the Cobblestone Crossing Subdivision, dated November 16, 2015. Said storm sewers having been constructed and installed in accordance with the codes and ordinances of the City pertaining thereto.

SECTION IV: The City hereby accepts the ownership by dedication and the maintenance responsibility for the sanitary sewerage system constructed and installed in the Cobblestone Subdivision for the collection, transport and treatment of sewerage, which sewerage system was installed and constructed at the direction of the City by the Developer, and was installed in the Cobblestone Boulevard and Country View Court right-of-way as depicted on the Plat of Dedication for the Cobblestone Crossing Subdivision, dated November 16, 2015, with the exception of those lateral pipes, and any associated valves, which transport the sewerage of a single building into a common sewerage main, commonly known as and referred to as a "residential service".

SECTION V: The City hereby accepts the ownership by dedication and the maintenance responsibility for the potable water distribution system constructed and installed in the Cobblestone Subdivision for the transport of potable water, which potable water system was installed and constructed at the direction of the City by the Developer, and was installed in the Cobblestone Boulevard and Country View Court right-of-way as depicted on the Plat of Dedication for the Cobblestone Crossing Subdivision, dated November 16, 2015, with the exception of those lateral pipes, and any associated valves, which transport the potable water of a single building into a common water main, commonly known as and referred to as a "residential service".

SECTION VI: All ordinances or resolutions, or parts of ordinances or resolutions, in conflict herewith, to the extent of such conflict, are hereby repealed.

SECTION VII: This ordinance shall be in full force and effect immediately upon its passage and approval, as provided by law.

SECTION VIII: Passed on this 14th day of December, A.D., 2015, in open Council.

AYES: Fach, Kieffer, Lincoln, Westemeier, Bernstein, Renner

NAYS: None

ABSENT: Hahn



TERRY RENNER, MAYOR

ATTEST:



MARY BETH HYDE, CITY CLERK

"EXHIBIT A"

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that Don Wiene (hereafter referred to as "Owner"), in consideration of One Dollar and other valuable consideration, does hereby grant, sell, transfer, and deliver unto the City of Galena, a Municipal Corporation in Jo Daviess County, Illinois (Hereafter referred to as "City"), the following goods, chattels, and other items of personal property, namely:

ONE: Each and every part and item of the street, including street lighting, platted as Cobblestone Boulevard from its westerly beginning to the intersection with Woodland Court, and Country View Court in the Cobblestone Subdivision, installed at the direction of the City by the Owner for the purpose of vehicle and pedestrian travel. Said street is more particularly described in the Plat of Dedication for the Cobblestone Crossing Subdivision, dated November 16, 2015.

TWO: Each and every part and item of a system of storm sewers, culverts, paved drainage ways, and other items of personalty for the retention or detention of storm and surface waters, located in the right-of-way platted as Cobblestone Boulevard from its westerly beginning to the intersection with Woodland Court, Country View Court, and in any and all drainage easements, as described on the Plat of Dedication for the Cobblestone Crossing Subdivision, dated November 16, 2015, installed at the direction of the City by the Owner, for the purpose of the collection, transport, and flow of surface and storm waters. The fee simple property in the drainage easements is not conveyed to the City in this agreement and shall be privately owned.

THREE: Each and every part and item of a system for the collection, transportation, and treatment of sewage, located in the right-of-way platted as Cobblestone Boulevard and Country View Court, and in easements dedicated for public sewer as described on the Plat of Dedication for the Cobblestone Crossing Subdivision, dated November 16, 2015 and installed at the direction of the City by the Owner, with the exception of those pipes that transport the sewage of a single building into the sewer main, also known as a building's private sewer service.

FOUR: Each and every part and item of a system for the distribution of potable water, located in the right-of-way platted as Cobblestone Boulevard and Country View Court, and in easements dedicated for public sewer as described on the Plat of Dedication for the Cobblestone Crossing Subdivision, dated November 16, 2015 and installed at the direction of the City by the Owner, except the pipe and associated valves that transports water from a single building to the water main, also known as a building's private water service.

The object of this bill of sale is to grant, sell, transfer, and deliver to the City, with the exceptions noted, the ownership in all items of personalty that comprise the street, storm sewer, sanitary sewer, and water distribution system installed by the Owner within the right-of-way platted as Cobblestone Boulevard from its westerly beginning to the intersection with Woodland Court, and Country View Court, and in easements established for the public infrastructure as set forth on the Plat of Dedication for the Cobblestone Crossing Subdivision, dated November 16, 2015.

The Owner does hereby covenant it is the lawful owner of the goods, chattels, and personalty described above; that such items are free from all encumbrances; that the Owner has the right to sell the same as aforesaid; and that the Owner warrants and will defend the same against the lawful claims and demands of all persons; and that the execution of this bill of sale is an authorized act of said corporation, individual, or partnership.

Dated this 2 day of Dec, 2015.

Donald Wiener
Don Wienen

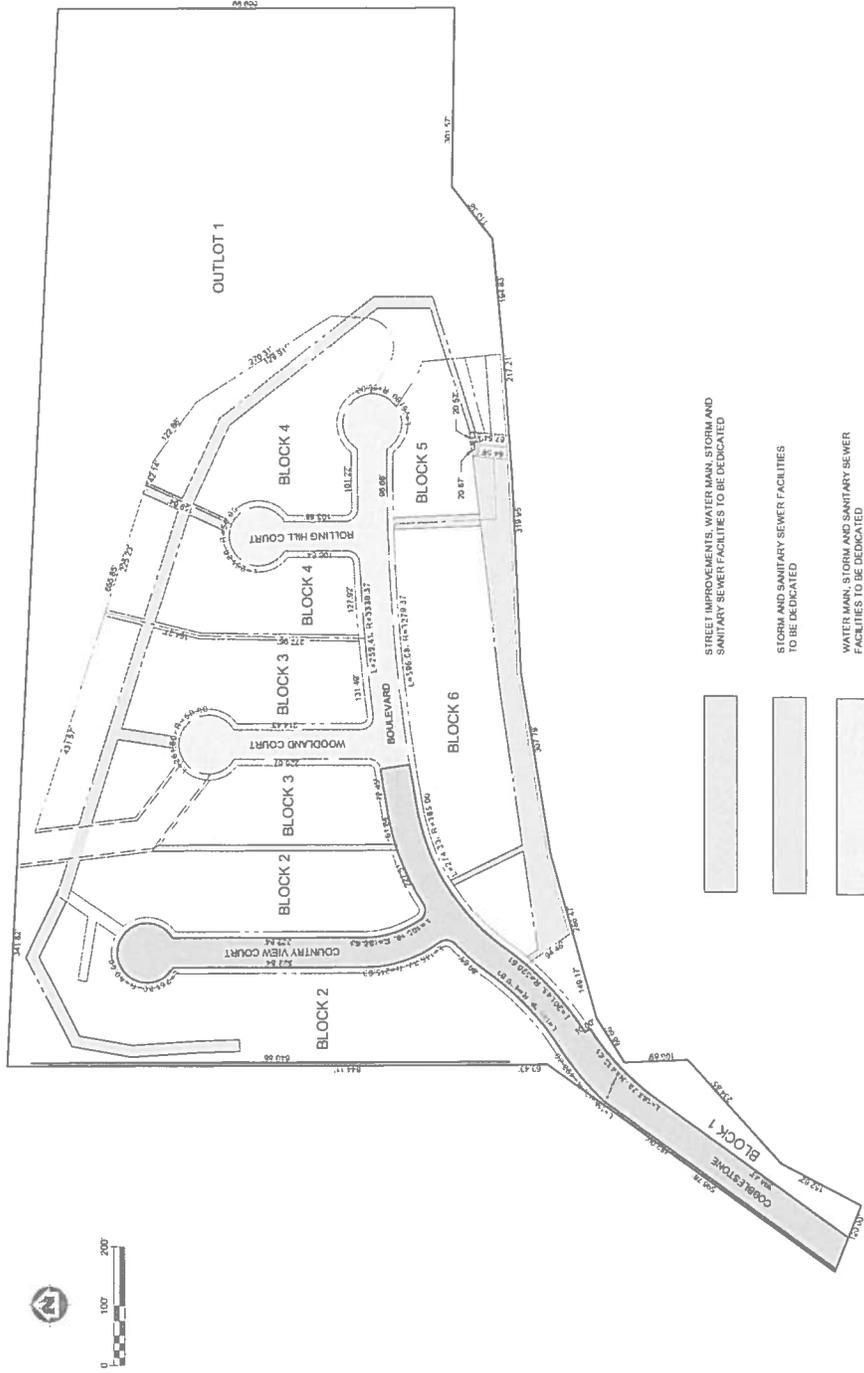
Terry Renner
Terry Renner, Mayor
City of Galena

mtm 2-2-15
ATTEST:

Mary Beth Hyde
ATTEST:

"EXHIBIT B"

COBBLESTONE CROSSING AT GALENA - PLAT OF FACILITIES TO BE DEDICATED TO THE CITY OF GALENA, DECEMBER, 2015



FOR DETAIL OF DIMENSIONS AND BEARINGS OF THE BLOCK BOUNDARIES SEE THE FINAL PLAT FILED FOR RECORD IN PLAN HOLD D AT NUMBER 317 IN THE JO DAVIESS COUNTY RECORDER'S OFFICE.

PROJECT NO.	13945	PROJECT NO.	13945
DATE	11/19/2015	DATE	11/19/2015
DRAWN BY	CS	DRAWN BY	CS
CHECKED BY	CS	CHECKED BY	CS
SCALE	1" = 100'	SCALE	1" = 100'
PROJECT	COBBLESTONE CROSSING AT GALENA	PROJECT	COBBLESTONE CROSSING AT GALENA
OWNER	DSW INVESTMENTS	OWNER	DSW INVESTMENTS
LOCATION	GALENA, IL	LOCATION	GALENA, IL
DESCRIPTION	PLAT FOR THE DEDICATION OF FACILITIES TO THE CITY	DESCRIPTION	PLAT FOR THE DEDICATION OF FACILITIES TO THE CITY
DATE	11/19/2015	DATE	11/19/2015
BY	CS	BY	CS

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