

Ordinance #O.19.20

An Ordinance **TO ACCEPT OWNERSHIP BY DEDICATION OF THE PUBLIC STREETS, SANITARY SEWER SYSTEM, WATER DISTRIBUTION SYSTEM, AND STORM WATER SYSTEM IN UNIT 3 OF THE GALENA SCENIC MEADOWS SUBDIVISION IN THE CITY OF GALENA.**

Adopted by the City Council of the City of Galena this 9<sup>th</sup> Day of December 2019.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 9<sup>th</sup> Day of December 2019.

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

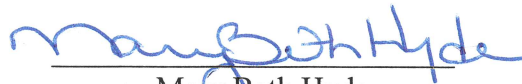
CERTIFICATE

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

I further certify that on the 9<sup>th</sup> Day of December 2019, the Corporate Authorities of said municipality passed and approved Ordinance No. O.19.20 entitled **AN ORDINANCE TO ACCEPT OWNERSHIP BY DEDICATION OF THE PUBLIC STREETS, SANITARY SEWER SYSTEM, WATER DISTRIBUTION SYSTEM, AND STORM WATER SYSTEM IN UNIT 3 OF THE GALENA SCENIC MEADOWS 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.19.20 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 9<sup>th</sup> Day of December 2019 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 10<sup>th</sup> December 2019.



Mary Beth Hyde  
City Clerk

(Seal)

Ordinance #O.19.20

**AN ORDINANCE TO ACCEPT OWNERSHIP BY DEDICATION OF THE PUBLIC STREETS,  
SANITARY SEWER SYSTEM, WATER DISTRIBUTION SYSTEM, AND STORM WATER  
SYSTEM IN UNIT 3 OF THE GALENA SCENIC MEADOWS SUBDIVISION  
IN THE CITY OF GALENA**

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**WHEREAS**, LLC Venture, (the "Developer"), a now dissolved Illinois limited liability company, is the owner of record of the property comprising Unit 3 of the Galena Scenic Meadows Subdivision (the "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 #328, as document No. 316887, on December 21, 2004; and

**WHEREAS**, the area of the Subdivision designated for public right-of-way is fully described in "Exhibit A", attached hereto and made part hereof; and

**WHEREAS**, the Developer has completed the construction and installation of the roadway, including Sproule Lane and Ryan Court in the Subdivision; and

**WHEREAS**, the Developer has completed the construction and installation of the sanitary sewerage system, potable public water distribution system, and the storm sewerage system in the 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 seeks to dedicate to the City the capital infrastructure improvements installed in the Subdivision; and

**WHEREAS**, it is necessary and appropriate that the City Council accept by dedication the ownership of the land designated for public right-of-way described in Exhibit A and the public infrastructure capital improvements for the Subdivision described herein.

**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 land designated for public right-of-way known as Sproule Land and Ryan Court, as fully described in Exhibit A.

**SECTION III:** The City hereby accepts the ownership by dedication of the street improvements for Unit 3 of the Galena Scenic Meadows Subdivision, including Sproule Lane and Ryan Court, being the public streets constructed and installed in the Subdivision. Said streets were constructed at the direction of the City by the Developer in the right-of-way or street easement provided therefore which easement is legally described on Exhibit A, attached hereto and made part hereof. 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 IV:** The City hereby accepts by dedication the storm sewers installed in Unit 3 of the Galena Scenic Meadows Subdivision for the purpose of the collection, transport and flow of surface waters in the Subdivision. Said storm sewers having been constructed and installed in accordance with the codes and ordinances of the City pertaining thereto.

**SECTION V:** The City hereby accepts the ownership by dedication and the maintenance responsibility for the sanitary sewerage system constructed and installed in Unit 3 of the Galena Scenic Meadows 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 in accordance with the codes and ordinances of the City pertaining thereto. Said acceptance does not include those lateral service pipes, and any associated valves or other appurtenances, which transport the sewerage of a building into a common sewerage main, commonly known as and referred to as a "residential sewer service".

**SECTION VI:** The City hereby accepts the ownership by dedication and the maintenance responsibility for the potable water distribution system constructed and installed in Unit 3 of the Galena Scenic Meadows 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 in accordance with the codes and ordinances of the City pertaining thereto. Said acceptance does not include those lateral service pipes, and any associated valves or other appurtenances, which transport the potable water from the public water main to the building, commonly known as and referred to as a "residential water service".

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

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

**SECTION IX:** Passed on this 9<sup>th</sup> day of December, A.D., 2019, in open Council.

**AYES:** Kieffer, McCoy, Westemeier, Allendorf, Bernstein, Renner

**NAYS:** None

**ABSENT:** Hahn

  
TERRY RENNER, MAYOR

**ATTEST:**

  
MARY BETH HYDE, CITY CLERK

**EXHIBIT A**

**RIGHT-OF-WAY DESCRIPTION FOR UNIT 3 OF THE  
GALENA SCENIC MEADOWS SUBDIVISION**

THE FOLLOWING PARCEL TO BE DEDICATED FOR RIGHT-OF-WAY PURPOSES:

COMMENCING AT A FOUND IRON ROD SURVEY MONUMENT AT THE NORTH ONE-QUARTER CORNER OF SECTION 13, TOWNSHIP 28 NORTH, RANGE 1 WEST OF THE FOURTH PRINCIPAL MERIDIAN, RALWLINS TOWNSHIP, JO DAVIESS COUNTY, ILLINOIS; THENCE SOUTH 87 DEGREES 15 MINUTES 00 SECONDS EAST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 12 IN SAID TOWNSHIP A DISTANCE OF 70.85 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE NORTH 00 DEGREES 11 MINUTES 11 SECONDS WEST A DISTANCE OF 178.56 FEET TO A SET IRON ROD MONUMENT AT THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG A CIRCULAR CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 79.00 FEET, A CHORD OF 46.55 FEET WHICH BEARS SOUTH 71 DEGREES 19 MINUTES 41 SECONDS EAST, AN ARC LENGTH OF 47.25 FEET TO A SET IRON ROD MONUMENT; THENCE SOUTH 88 DEGREES 27 MINUTES 45 SECONDS EAST A DISTANCE OF 66.95 FEET TO A SET IRON ROD MONUMENT; THENCE NORTHEASTERLY ALONG A CIRCULAR CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 129.00 FEET, A CHORD OF 72.85 FEET WHICH BEARS NORTH 75 DEGREES 08 MINUTES 08 SECONDS EAST, AN ARC LENGTH OF 73.86 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE NORTH EASTERLY BEING A CIRCULAR CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 333.00 FEET, A CHORD OF 194.81 FEET WHICH BEARS NORTH 75 DEGREES 44 MINUTES 31 SECONDS EAST, AN ARC LENGTH OF 197.70 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE SOUTH 87 DEGREES 15 MINUTES 00 SECONDS EAST A DISTANCE OF 497.87 FEET TO A SET IRON ROD MONUMENT; THENCE NORTH 00 DEGREES 11 MINUTES 11 SECONDS WEST A DISTANCE OF 160.21 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE COUNTER-CLOCKWISE ALONG A CIRCULAR CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 50.00 FEET, A CHORD OF 66.00 FEET WHICH BEARS NORTH 89 DEGREES 48 MINUTES 49 SECONDS EAST, AN ARC LENGTH OF 242.08 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE SOUTH 00 DEGREES 11 MINUTES 11 SECONDS EAST A DISTANCE OF 163.60 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE SOUTH 87 DEGREES 15 MINUTES 00 SECONDS EAST A DISTANCE OF 286.74 FEET TO A SET IRON ROD SURVEY MONUMENT ON SAID WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 12; THENCE NORTH 00 DEGREES 11 MINUTES 11 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 160.21 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE CONTINUING NORTH 00 DEGREES 11 MINUTES 11 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 1.05 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE NORTH 89 DEGREES 48 MINUTES 49 SECONDS EAST A DISTANCE OF 66.00 FEET TO A SET IRON ROD MONUMENT; THENCE SOUTH 00 DEGREES 11 MINUTES 11 SECONDS EAST A DISTANCE OF 410.97 FEET TO A SET IRON ROD SURVEY MONUMENT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12; THENCE CONTINUING SOUTH 00 DEGREES 11 MINUTES 11 SECONDS EAST A DISTANCE OF 30.85 FEET TO A SET IRON ROD SURVEY MONUMENT ON THE NORTHERLY RIGHT OF WAY LINE OF PAWNEE COURT; THENCE SOUTH 75 DEGREES 29 MINUTES 48 SECONDS WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 68.88 FEET TO A SET IRON ROD SURVEY MONUMENT AT THE SOUTHEAST CORNER OF THE "LIFT STATION LOT" AS DESIGNATED ON THE PLAT FOR INDIAN RIDGE SECOND

SUBDIVISION; THENCE NORTH 00 DEGREES 04 MINUTES 57 WEST ALONG THE EAST LINE OF SAID LIFT STATION LOT A DISTANCE OF 51.30 FEET TO A SET IRON ROD SURVEY MONUMENT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12; THENCE SOUTH 87 DEGREES 15 MINUTES 00 SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF 0.65 FEET TO A SET IRON ROD SURVEY MONUMENT AT THE SOUTHWEST CORNER OF THE EAST HALF OF SAID SOUTHEAST QUARTER OF SECTION 12; THENCE NORTH 00 DEGREES 11 MINUTES 11 SECONDS WEST A DISTANCE OF 180.24 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE NORTH 87 DEGREES 15 MINUTES 00 SECONDS WEST A DISTANCE OF 854.08 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE SOUTHWESTERLY ALONG A CIRCULAR CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 267.00 FEET, A CHORD OF 156.20 FEET WHICH BEARS SOUTH 73 DEGREES 44 MINUTES 31 SECONDS WEST, AN ARC LENGTH OF 158.52 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE SOUTHWESTERLY ALONG A CIRCULAR CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 195.00 FEET, A CHORD OF 110.13 FEET WHICH BEARS SOUTH 75 DEGREES 08 MINUTES 08 SECONDS WEST, AN ARC LENGTH OF 111.64 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE NORTH 88 DEGREES 27 MINUTES 45 SECONDS WEST A DISTANCE OF 66.95 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE NORTHWESTERLY ALONG A CIRCULAR CURVE CONCAVE TO THE NORTH, HAVING RADIUS OF 145.00 FEET, A CHORD OF 42.74 FEET WHICH BEARS NORTH 79 DEGREES 59 MINUTES 14 SECONDS WEST, AN ARC LENGTH OF 42.90 FEET TO A SET IRON ROD SURVEY MONUMENT; THENCE NORTH 00 DEGREES 11 MINUTES 11 SECONDS WEST A DISTANCE OF 73.45 FEET TO THE POINT OF BEGINNING, CONTAINING 2.96 ACRES, MORE OR LESS, ALL SITUATED IN JO DAVIESS COUNTY, ILLINOIS.

**EXCEPTING THEREFROM:**

DESCRIPTION OF OUTLOT "A" IN GALENA SCENIC MEADOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 73 OF GALENA SCENIC MEADOWS UNIT 3 IN THE CITY OF GALENA, JO DAVIESS COUNTY, ILLINOIS; THENCE NORTH 0 DEGREES 11 MINUTES 11 SECONDS WEST 161.26 FEET ALONG THE EAST LINE OF SAID LOT 73 AND ITS NORTHERLY EXTENSION; THENCE NORTH 89 DEGREES 48 MINUTES 49 SECONDS EAST 66.00 FEET; THENCE SOUTH 0 DEGREES 11 MINUTES 11 SECONDS EAST 164.65 FEET TO THE NORTH RIGHT OF WAY LINE OF SPROULE LANE; THENCE NORTH 87 DEGREES 15 MINUTES 00 SECONDS WEST 66.09 FEET TO THE POINT OF BEGINNING, CONTAINING 10, 755 SQUARE FEET, MORE OR LESS ALL SITUATED IN JO DAVIESS COUNTY, ILLINOIS.