

**AN ORDINANCE APPROVING PRELIMINARY AND FINAL PLATS**

**(Almar First Subdivision)**

WHEREAS, the Almar First Subdivision Preliminary and Final Plats are in compliance with the pertinent ordinances of the City of Urbana, Illinois; and

WHEREAS, the City Engineer has reviewed and approved the preliminary and final plats of the "Almar First Subdivision"; and

WHEREAS, due to the lack of contiguous urban development in the immediate vicinity of the proposed plats, the deferral of required street, curb, gutter, underground drainage and sidewalk improvements otherwise required under the Urbana Code of Ordinances is deemed necessary at this time but provision for the future construction of said improvements should be made along with the approval of the proposed plats; and

WHEREAS, in Plan Case #1332-S-89, the Urbana Plan Commission has recommended approval of the preliminary and final plats of "Almar First Subdivision" subject to the conditions outlined herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS THAT:

Section 1. The preliminary and final plats of the "Almar First Subdivision" as attached hereto are approved as platted, subject to the following conditions:

a. The deferral of sidewalk, street pavement, curb and gutter construction and deferral of posting of bonds for said improvements required under Sections 21-36, 21-37, 21-29 and 21-30 of Chapter 21 of the Code of Ordinances, City of Urbana, Illinois, is granted subject to the terms and conditions stated herein.

b. Waiver of Section 21-37.B.6 of Chapter 21 of the Code of Ordinances, City of Urbana which states that lots shall not derive access from a principal or minor arterial street.

c. Waiver storm water management for Lots 1, 2 and 3 and deferral of storm water for Lot 4 until such time as Lot 4 is developed.

Section 2. The following conditions are hereby imposed on the approval of said waivers and deferrals. The condition of approval shall run with the land and shall be stated on the face of the final plat and within the Owner's Certificate.

The following language shall be recited on the face of the final plat:

a. The property Owner(s) will install the required sidewalks, street pavement, curb and gutter improvements for the west one-half (1/2) of the High Cross Road Subdivision Frontage (444.82 lineal feet) within ninety (90) days of the City of Urbana Engineer's written request to do so or in accordance with arrangement satisfactory to the City Council of Urbana and in compliance with the then current standards of the City of Urbana Code of Ordinances.

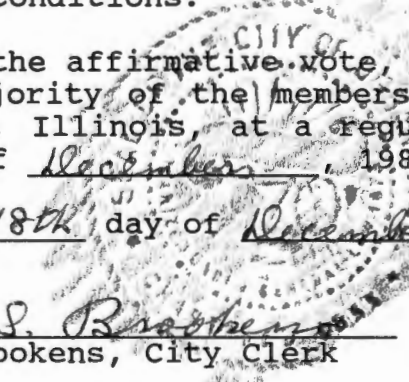
b. Outlot 1 is reserved for future dedication of right-of-way. No buildings shall be constructed within Outlot 1. See Item 14 of the Owner's Certificate for further details.

c. Outlot 1 shall be reserved for future right-of-way purposes only, to serve as right-of-way from Kenneth Street extended to the real estate to the West of Lot 4. At such time as Lot 4 is replatted or the real estate immediately west of Outlot 1 is platted, the owner of Lot 4 shall dedicate Outlot 1 for street purposes. The cost of the pavement improvement on Outlot 1 shall be borne by the owner of the real estate adjacent to and west of Outlot 1 if the real estate adjacent to and west of Outlot 1 is platted prior to the replatting of Lot 4, however said costs shall be borne by the Owner of Lot 4 in the event Lot 4 is replatted prior to the platting of the Real estate adjacent and west of Outlot 1. This condition is binding in accordance with an agreement between the property owners as recorded in the Champaign County Recorder's Office accompanying this plat.

Section 3. The Secretary of the Urbana Plan Commission is hereby directed to record said plat with the Champaign County Recorder upon satisfaction of the above conditions.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 18<sup>th</sup> day of December, 1989.

PASSED by the city Council on this 18<sup>th</sup> day of December, 1989.

  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor the 27<sup>th</sup> day of December, 1989.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor