



July 15, 2005

Roger Paul
706 W. Oakview Drive
Peoria, IL 61615

James R. Franklin
Austin Engineering
8100 N. University Street
Peoria, IL 61615

Other Interested Parties

RE: Case No. CPC 04-M

Please be advised that on Tuesday, July 5, 2005, the City Council approved the following:

ORDINANCE NO. 15,802 APPROVING THE FINAL PLAT AND ORDINANCE NO. 15,803 APPROVING THE PRIVATE STREET, PRIVATE STREET NAME, AND PRIVATE STREET MAINTENANCE AGREEMENT FOR HICKORY OAKS SUBDIVISION, A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED NORTH OF IL ROUTE 6, SOUTH OF MOSSVILLE ROAD, EAST OF KNOXVILLE AVENUE, AND OFF OF SOUTH FOREST TRAIL ROAD.
CPC 04-M [DISTRICT 5]

These requests were approved as outlined in the enclosed approved documents. If you have any questions, please contact me at 494-8667.

Sincerely,

A handwritten signature in cursive script that reads 'Leah Allison'.

Leah Allison, AICP
Urban Planner

LA/ps

Enclosures

ORDINANCE NO. 15,802

AN ORDINANCE APPROVING THE FINAL PLAT FOR THE HICKORY OAKS SUBDIVISION, A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED NORTH OF IL ROUTE 6, SOUTH OF MOSSVILLE ROAD, EAST OF KNOXVILLE AVENUE, OFF OF SOUTH FOREST TRAIL ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, AS FOLLOWS:

SECTION 1. That the final plat of Hickory Oaks Subdivision attached hereto as Exhibit A, and having the following legal description:

Part of the SW ¼ of Section 29 T10N, R8 E of the 4th Principal Meridian, Peoria County, Illinois

is hereby approved subject to the following condition:

1. Connection to public sanitary sewer is required when sewer line becomes reasonably available

SECTION 2. This ordinance shall be in full force and effect on and after its passage according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, THIS

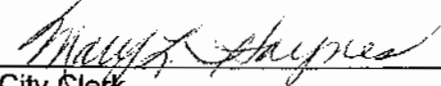
5th DAY OF JULY 2005

APPROVED:



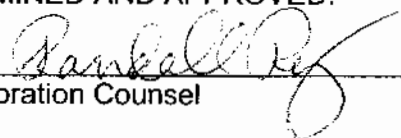
Mayor

ATTEST:



City Clerk

EXAMINED AND APPROVED:



Corporation Counsel

ORDINANCE NO. 15,803

AN ORDINANCE APPROVING THE PRIVATE STREET, PRIVATE STREET NAME, AND PRIVATE STREET MAINTENANCE AGREEMENT FOR HICKORY OAKS SUBDIVISION, A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED NORTH OF IL ROUTE 6, SOUTH OF MOSSVILLE ROAD, EAST OF KNOXVILLE AVENUE, OFF OF SOUTH FOREST TRAIL ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS AS FOLLOWS:


SECTION 1. That the private street name of S. Forest Trail within the Hickory Oaks Subdivision as depicted on the Attachment "A" and the Private Street Maintenance Agreement for such streets attached hereto as Attachment "B" are hereby approved.

SECTION 2. This ordinance shall be in full force and effect on and after its passage according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS THIS

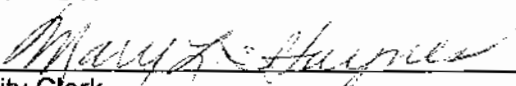
5th DAY OF JULY, 2005

APPROVED:



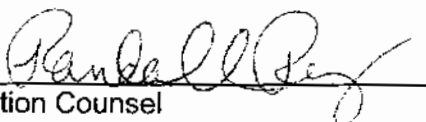
Mayor

ATTEST:



City Clerk

EXAMINED AND APPROVED:



Corporation Counsel

FILED
JUL 07 2005
JOANN THOMAS
PEORIA COUNTY CLERK

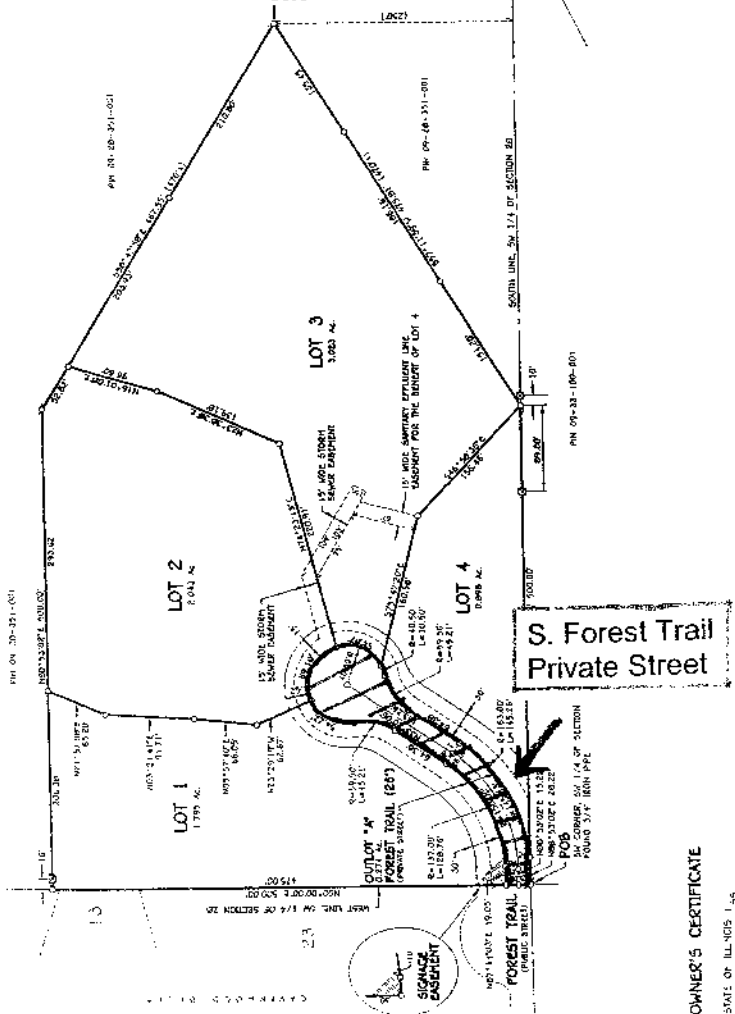
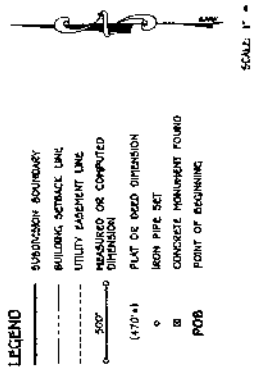
FINAL PLAN OF HICKORY OAKS

A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION TWENTY-EIGHT (28), TOWNSHIP TEN (10) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, CITY OF PEORIA, PEORIA COUNTY, ILLINOIS

AUSTIN ENGINEERING CO., INC.
6100 N. UNIVERSITY ST. PEORIA, ILLINOIS 61615
LICENSE No. 184-001143

GENERAL NOTES:
AREA OF SUBDIVISION - 8.073 ACRES
NO PART OF THIS SUBDIVISION IS WITHIN A SPECIAL FLOOD HAZARD AREA.
BOUNDARIES ARE BASED ON AN ASSUMED SURVEY.

TRACT SUBDIVIDED IS
PIN 09-28-351-002



LEGAL DESCRIPTION OF TRACT TO BE RECORDED AS "HICKORY OAKS"

A PART OF THE SOUTHWEST QUARTER OF SECTION TWENTY-EIGHT (28), TOWNSHIP TEN (10) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, CITY OF PEORIA, PEORIA COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION TWENTY-EIGHT (28), THENCE NORTH 00°-00'-00" EAST, BEARING, BEING THE INTERSECTION OF THE SOUTHWEST QUARTER OF SAID SECTION TWENTY-EIGHT (28) WITH THE WEST LINE OF SAID SECTION TWENTY-EIGHT (28), THENCE NORTH 89°-59'-59" WEST, BEARING, BEING THE INTERSECTION OF SAID SECTION TWENTY-EIGHT (28) WITH THE WEST LINE OF SAID SECTION TWENTY-EIGHT (28), THENCE SOUTH 89°-59'-59" WEST, BEARING, BEING THE INTERSECTION OF SAID SECTION TWENTY-EIGHT (28) WITH THE WEST LINE OF SAID SECTION TWENTY-EIGHT (28), THENCE SOUTH 89°-59'-59" WEST, ALONG SAID SOUTH LINE, 300.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 8.073 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, THE SURVEYOR, DO HEREBY CERTIFY THAT I HAVE PERSONALLY EXAMINED THE ORIGINAL RECORDS OF THE SURVEY AND THE FIELD NOTES AND THAT THE REPRESENTATION OF SAID SUBDIVISION AS SHOWN ON A SCALE OF ONE (1) INCH EQUALS ONE HUNDRED (100) FEET. I HAVE FURTHER CERTIFIED THAT NO PART OF THIS SUBDIVISION IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL FLOOD PROTECTION AGENCY. I HAVE FURTHER CERTIFIED THAT THIS SUBDIVISION IS LOCATED WITHIN AN INCORPORATED CITY WHICH HAS ADOPTED A CITY PLAN AND IS EXISTING; THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS NOW OR HEREAFTER APPLIED. I HAVE FURTHER CERTIFIED THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. DATED AT PEORIA, ILLINOIS THIS 8TH DAY OF JUNE, 2005.

AUSTIN ENGINEERING CO., INC.
BY: *James R. Frank*
REGISTERED PROFESSIONAL LAND SURVEYOR No. 1842



DIRECTOR OF PLANNING AND GROWTH MANAGEMENT'S CERTIFICATE

STATE OF ILLINOIS) 55
COUNTY OF PEORIA)
I, PATRICIA S. LANDIS, DO HEREBY CERTIFY THAT THIS FINAL PLAN OF "HICKORY OAKS" IS SUBSTANTIALLY IN CONFORMANCE WITH THE APPROVED PRELIMINARY PLAN AND IS APPROVED THIS _____ DAY OF _____, 2005.

PATRICIA S. LANDIS, DIRECTOR
PLANNING AND GROWTH MANAGEMENT

STATE OF ILLINOIS) 56
COUNTY OF PEORIA)
I HEREBY CERTIFY THAT I HAVE THIS DAY EXAMINED THE TAX RECORDS OF THE PROPERTY SHOWN ON THE ATTACHED FINAL PLAN AND FIND NO UNPAID CURRENT TAXES, UNPAID CURRENT GENERAL TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND DESCRIBED IN THE SAID FINAL PLAN OF "HICKORY OAKS".
GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2005.

PEORIA COUNTY CLERK

OWNER'S CERTIFICATE

STATE OF ILLINOIS) 55
COUNTY OF PEORIA)
I, HICKORY OAKS, LLC, OWNER AND PROPRIETOR OF THE LAND SHOWN ON THE ABOVE FINAL PLAN, DO HEREBY CERTIFY THAT WE HAVE CALLED THE SAID SURVEY AND SUBDIVISION TO BE MADE AS SHOWN ON THE ACCOMPANYING FINAL PLAN TO BE KNOWN AS "HICKORY OAKS". WE ACKNOWLEDGE SAID SURVEY TO BE CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
EACH LOT OR PART THEREOF IN THIS SUBDIVISION SHALL BE SUBJECT TO RESTRICTIONS RECORDED IN A "DECLARATION OF RESTRICTIONS" PLACED ON RECORD IN THE PEORIA COUNTY RECORDS OFFICE FOR "HICKORY OAKS".
EACH CONTRACT FOR SALE, CONVEYANCE, OR LEASE OF ANY SUCH LOT OR PART THEREOF, SHALL BE MADE, EXPRESSLY SUBJECT TO THESE RESTRICTIONS, AND EACH PURCHASER OF SAID RESTRICTIONS.

UTILITY EASEMENTS ARE HEREBY RESERVED AS SHOWN, FOR THE USE OF UTILITIES, FOR THE CONSTRUCTION AND MAINTENANCE OF A PRIVATE STREET (FOREST TRAIL), PAVEMENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GRASS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT INTERFERE OR PRETEND TO INTERFERE WITH THE USE OF SAID EASEMENTS.
WE FURTHER CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PROPERTY IS LOCATED WITHIN THE BUNYAP COMMUNITY UNIFORM SCHOOL DISTRICT 323.
IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THIS CERTIFICATE TO BE SUBSCRIBED TO THIS 23rd DAY OF June, 2005.

PROPERTY INTEREST AS "SINGLE EASEMENT" IS GRANTED TO THE HICKORY OAKS HOMEOWNERS' ASSOCIATION FOR THE CONSTRUCTION AND MAINTENANCE OF SUBDIVISION BOUNDARY AND LANDSCAPING.
UNLOT "X" SHALL BE CONVEYED TO THE HICKORY OAKS HOMEOWNERS' ASSOCIATION FOR THE CONSTRUCTION AND MAINTENANCE OF A PRIVATE STREET (FOREST TRAIL).
NO LOT IN THIS SUBDIVISION SHALL BE ELIGIBLE FOR PARTICIPATION IN THE CITY OF PEORIA'S "PRIVATE PROPERTY DAMAGE ASSURANCE PROGRAM".
A) PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GRASS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT INTERFERE OR PRETEND TO INTERFERE WITH THE USE OF SAID EASEMENTS.

WE FURTHER CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PROPERTY IS LOCATED WITHIN THE BUNYAP COMMUNITY UNIFORM SCHOOL DISTRICT 323.
IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THIS CERTIFICATE TO BE SUBSCRIBED TO THIS 23rd DAY OF June, 2005.

HICKORY OAKS, LLC
BY: *Steve Hill*
OWNER



OWNER'S NOTARY CERTIFICATE

STATE OF ILLINOIS) 55
COUNTY OF PEORIA)
I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT STEVE HILL IS PERSONALLY KNOWN TO ME TO BE THE SAID PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE IS ONLY AUTHORIZED TO EXECUTE SAID INSTRUMENT AS HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES SET FORTH, AND ON HIS OATH STATED THAT HE IS ONLY AUTHORIZED TO EXECUTE SAID INSTRUMENT.
GIVEN UNDER MY HAND AND SEAL, THIS 23rd DAY OF June, 2005.

Holly N. Martin
NOTARY PUBLIC
COMMISSION EXPIRES 8-9-08

Prepared by:
Mail to:

**AGREEMENT AND COVENANT CONCERNING MAINTENANCE
OF NEW PRIVATE STREET**

In compliance with the requirement of Appendix A, Section 5-201E of the Code of Ordinances of the City of Peoria, that a maintenance agreement be submitted and approved by the City Council of the City of Peoria for final approval for a private street in the Hickory Oaks Subdivision, and in consideration of such approval of the private street(s) described hereinafter as S. Forest Trail, the undersigned, his heirs, successors and assigns, and any subsequent owner or owners of the private street herein described or a portion thereof, or of the property accessing onto the described private street, hereby agree that all private streets hereinafter described shall be constructed of a bituminous surface, concrete, paving brick, cobblestone, or an equal and approved surface that will comply with a minimum structural co-efficient of two; construction plans shall be submitted for approval to the City Engineer or his successor.

All described private streets shall be open at all times for public use and the undersigned, his heirs, successors and assigns and any subsequent owner of the private street herein described or a portion thereof, or of the property accessing onto the private street(s) shall provide for the perpetual maintenance of said street or street(s) in compliance with the standards established by the City of Peoria and "standard specifications for subdivision development" as it may be amended from time to time.

In the event that said private street does not conform or is not maintained to the standards as set forth in "standard specifications for subdivision development" (as it may be amended from time to time), or that the condition of the street is such as to endanger vehicular or pedestrian traffic, the City of Peoria may close such private street until such time as the street conforms to such standards and/or is no longer in the condition which endangers vehicular or pedestrian traffic as the case may be.

This Agreement shall be a covenant running with the land binding upon the undersigned private street owner, his successors and assigns, and all subsequent owners of the property herein described and property herein accessing onto the private street described for the benefit and enforceable by the City of Peoria; and this Agreement and covenant shall be recorded in the Office of the Recorder of Deeds of Peoria County, Illinois and shall run in relation to the following described private street as well as the property accessing onto the described property.

The private street to which this covenant applies is described as follows:

See attached Exhibit 1

The property accessing onto said private street is described as:

Hickory Oaks Subdivision

This Agreement and covenant was approved by the City Council of the City of Peoria on the

5th day of JULY 2005

Mark H. Wagon V.P. Hickory OAKS LLC.
Property Owner/Developer

CITY OF PEORIA

By Charles R. Oliver
City Manager

Record this document against: 09-28-351-002

FILED

JUL 07 2005

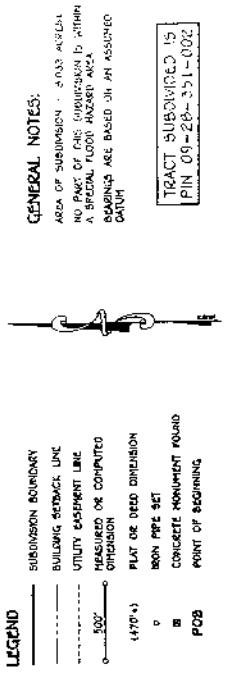
JOANN THOMAS
PEORIA COUNTY CLERK

FINAL PLAT OF

HICKORY OAKS

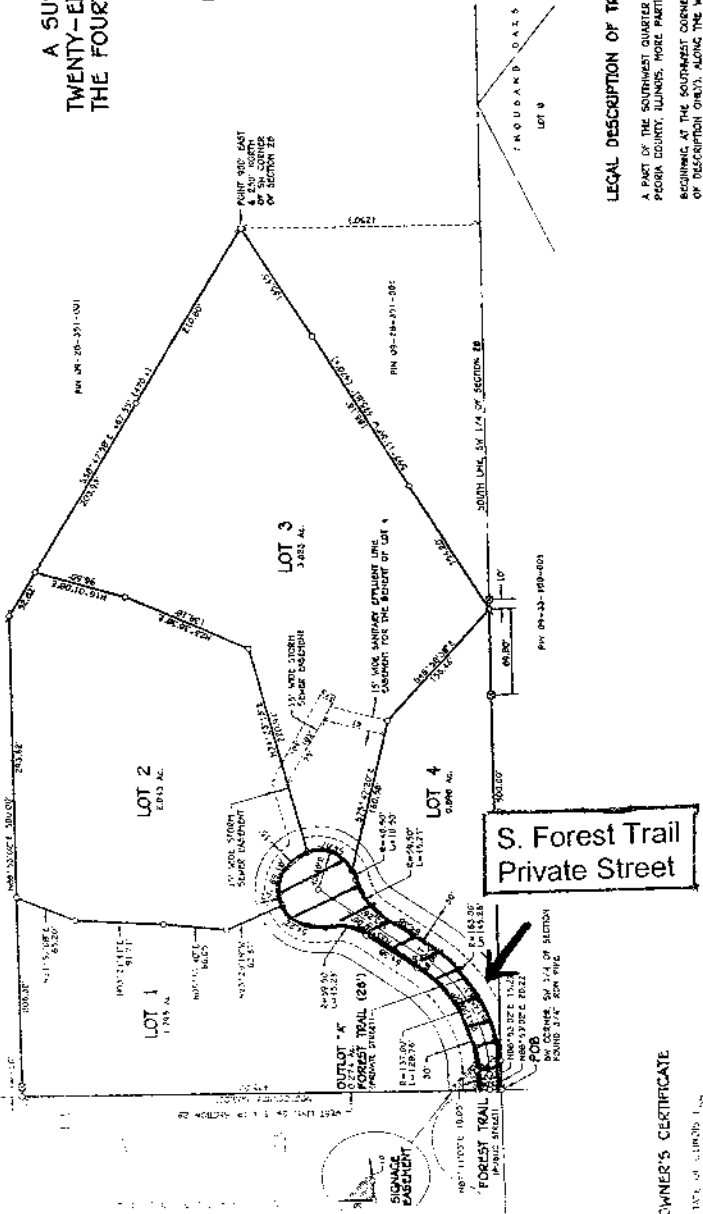
A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION TWENTY-EIGHT (28), TOWNSHIP TEN (10) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, CITY OF PEORIA, PEORIA COUNTY, ILLINOIS

AUSTIN ENGINEERING CO., INC.
8100 N. UNIVERSITY ST. PEORIA, ILLINOIS 61615
LICENSE NO. 184-001143



SCALE: 1" = 100'

TRACT SUBDIVIDED IS
PIN 09-28-351-002



LEGAL DESCRIPTION OF TRACT TO BE RECORDED AS "HICKORY OAKS"

A PART OF THE SOUTHWEST QUARTER OF SECTION TWENTY-EIGHT (28), TOWNSHIP TEN (10) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, CITY OF PEORIA, PEORIA COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION TWENTY-EIGHT (28), THENCE NORTH 00°-00'-00" EAST, BEARING ASSUMED FOR PURPOSES OF THIS PLAT, 487.00 FEET TO THE POINT OF BEGINNING OF THE SOUTHWEST QUARTER OF SAID SECTION TWENTY-EIGHT (28); THENCE SOUTH 89°-59'-00" WEST, BEARING SOUTH 77°-11'-58" WEST, 479.91 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION TWENTY-EIGHT (28); THENCE SOUTH 89°-59'-00" WEST, ALONG SAID SOUTH LINE, 500.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 6.034 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF PEORIA)
I, JAMES E. FRANKLIN, a duly licensed Professional Land Surveyor in the State of Illinois, do hereby certify that the above plat of "Hickory Oaks" was prepared by me or under my direct supervision and that I am a duly licensed Professional Land Surveyor in the State of Illinois. I have examined the original survey and the plat and find that the same is correct and that the same conforms to the requirements of the laws of the State of Illinois. I have also examined the original survey and the plat and find that the same is correct and that the same conforms to the requirements of the laws of the State of Illinois.

AUSTIN ENGINEERING CO., INC.
BY: [Signature]
JAMES E. FRANKLIN
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 1842

DIRECTOR OF PLANNING AND GROWTH MANAGEMENT'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF PEORIA)
I, PATRICIA S. LARSON, do hereby certify that this final plat of "Hickory Oaks" is substantially in compliance with the applicable preliminary plat and is approved this 23rd day of June, 2005.

PEORIA COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF PEORIA)
I, HEZEBY CERTIFY THAT I HAVE THIS DAY EXAMINED THE TAX RECORDS OF THE PROPERTY SHOWN ON THE ATTACHED FINAL PLAT, AND FIND NO UNPAID CURRENT GENERAL TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND DESCRIBED IN THE SAID FINAL PLAT OF "HICKORY OAKS".
GIVEN UNDER MY HAND AND SEAL THIS 23rd day of June, 2005.

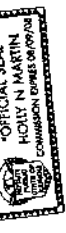
OWNER'S CERTIFICATE

I, the undersigned, owner of the above described property, do hereby certify that I have caused the said survey and plat to be made and that the same is correct and that the same conforms to the requirements of the laws of the State of Illinois. I have also examined the original survey and the plat and find that the same is correct and that the same conforms to the requirements of the laws of the State of Illinois.

THE HICKORY OAKS HOMEOWNERS ASSOCIATION (HOA) HAS BEEN FORMED AND IS BEING ORGANIZED FOR THE CONSTRUCTION AND MAINTENANCE OF SUBDIVISION STREETS AND UTILITIES. THE HOA IS BEING FORMED AS A NOT-FOR-PROFIT CORPORATION UNDER THE LAWS OF THE STATE OF ILLINOIS. THE HOA IS BEING FORMED AS A NOT-FOR-PROFIT CORPORATION UNDER THE LAWS OF THE STATE OF ILLINOIS.

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HICKORY OAKS, LLC
[Signature]
GEORGE PAUL



OWNER'S NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF PEORIA)
I, HOLLY N. MARTIN, a duly licensed Notary Public in the State of Illinois, do hereby certify that I have examined the original survey and the plat and find that the same is correct and that the same conforms to the requirements of the laws of the State of Illinois. I have also examined the original survey and the plat and find that the same is correct and that the same conforms to the requirements of the laws of the State of Illinois.