

**VILLAGE OF MT. ZION  
MACON COUNTY, ILLINOIS**

Ordinance No.  
2018-9

AN ORDINANCE APPROVING THE FINAL PLAT WITH VARIANCES FOR  
CARPENTER'S ADDITION A SUBDIVISION LOCATED WITHIN THE VILLAGE OF MT.ZION, ILLINOIS

**CERTIFICATE**

State of Illinois )  
                          )  
                          )  
County of Macon )

I, Dawn Reynolds, duly appointed Village Clerk of the Village of Mt. Zion, Macon County, State of Illinois, and as such, custodian of all Village records, do hereby certify that the attached Ordinance No. 2018-9, is a true and correct copy of AN APPROVED ORDINANCE OF THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS that was adopted by the Mt. Zion Village Board on June 4, 2018.

In witness whereof, I hereby set my hand and affix the seal of the Village of Mt. Zion on this 4<sup>th</sup> day of June, 2018.



*Dawn Reynolds*

Dawn Reynolds, Village Clerk

ORDINANCE 2018-9

AN ORDINANCE APPROVING THE FINAL PLAT WITH VARIANCES FOR  
CARPENTER'S ADDITION A SUBDIVISION LOCATED WITHIN THE VILLAGE OF MT. ZION, ILLINOIS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. ZION,  
MACON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: On the 8<sup>th</sup> day of May, 2018, the Mt. Zion Planning Commission and Zoning Board of Appeals met to review the Final Plat for Carpenter's Addition Subdivision, presented by owner, Paul Carpenter, and legally described as follows.

Lot Seventeen (17) of Gustin's Subdivision of Lot Three (3) of Assessor's Subdivision of Lot Three (3), Northeast Quarter of Section 4, Township 15 North, Range 3 East, of the 3<sup>rd</sup> P.M., Macon County, Illinois

SECTION 2: The Mt. Zion Planning Commission and Zoning Board of Appeals has reviewed the final plat and requested variance to Section 150.060 – General Lot Area Regulations (D), along with the Owner's Declaration and Surveyor's Certificate.

SECTION 3: The Mt. Zion Planning Commission and Zoning Board of Appeals has recommended the approval of the Final Plat and requested Variance as presented.

SECTION 4: The Final Plat is hereby granted to Paul Carpenter and the requested Variance to Section 150.060 – General Lot Area Regulations (D) is approved and noted on the Final Plat.

SECTION 5: This Ordinance shall be in full force and effect from and after is passage, approval, and publication as required by law.

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS ON THE 4th DAY OF JUNE, 2018.

Mendenhall      YEA

Johnson      YEA

Mose      ABSENT

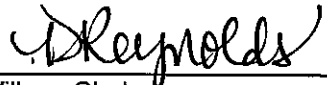
Kernan      YEA

Scales      YEA

Fritzsche      YEA

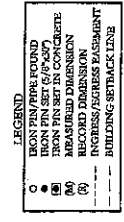
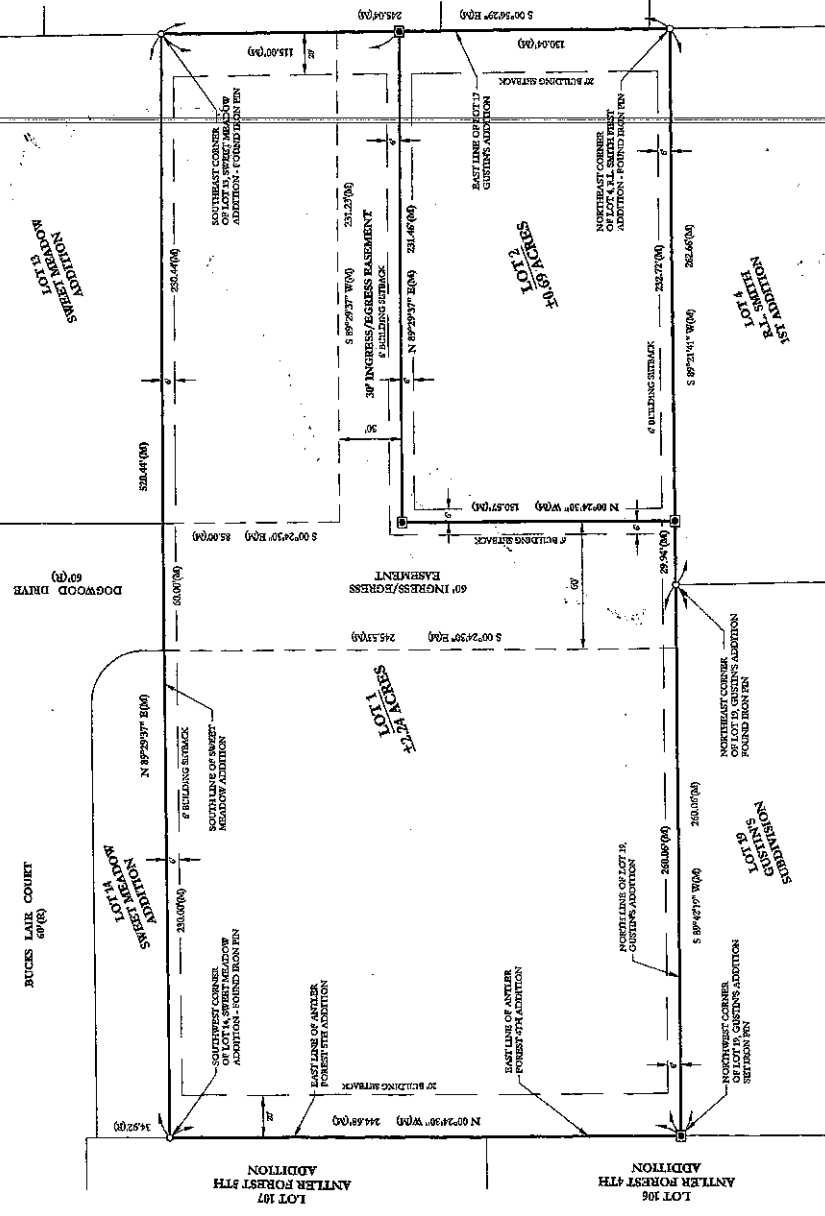
  
\_\_\_\_\_  
Village Clerk

APPROVED:  
  
\_\_\_\_\_  
Village President

ATTEST:  
  
\_\_\_\_\_  
Village Clerk

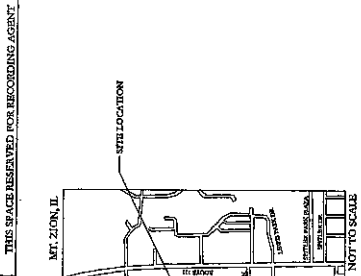
**CARPENTER'S ADDITION**  
OWNER/SUBDIVIDER PAUL CARPENTER

A SUBDIVISION OF LOT 17 OF GUSTIN'S SUBDIVISION (BOOK 683/PAGE 22)



**LEGEND**  
 ○ IRON PIN (PREFOUND)  
 ● IRON PIN SET IN CONCRETE  
 ( ) MEASURED DIMENSION  
 ( ) RECORDED DIMENSION  
 ( ) EGRESS/EASEMENT  
 --- BUILDING SETBACK LINE

SCALE: 1"=40'  
 0' 20' 40'



**LEGAL DESCRIPTION**

Lot Seventeen (17) of Gustin's Subdivision of Lot Three (3) of Assessor's Subdivision of Lot Three (3), Northeast Quarter of Section 4, Township 15 North, Range 3 East of the 3rd E.M., Mason County, Illinois

**NOTES**

- 1) ALL MEASUREMENTS ARE ASSUMED.
- 2) FIELDWORK WAS COMPLETED MAY 2011 AND FEBRUARY 2012.
- 3) 1/2" 6" AND 3" FOOT INGRESS / EGRESS EASEMENTS SHOWN ON THIS PLAN ARE FOR THE USE OF THE PROPOSED SUBDIVISION. OTHER EASEMENTS WILL BE HEREBY DEDICATED TO THE PUBLIC ON THE DATE OF THIS PLAT RECORDING.
- 4) THIS SITE LIES WITHIN AN AREA DESIGNATED "ZONE 2" PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 171105040D, EFFECTIVE DATE JUNE 16, 2011. "ZONE 2" IS AN AREA DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN.
- 5) NO EXISTING EASEMENTS, RECORDED OR OTHERWISE, HAVE BEEN INCLUDED WITH THIS SURVEY. CERTAIN STRUCTURES AND OTHER IMPROVEMENTS NOT SHOWN HEREON.
- 6) THIS SURVEY CERTAINS STRUCTURES AND OTHER IMPROVEMENTS NOT SHOWN HEREON.
- 7) SETBACKS AND/OR ENVIRONMENTAL CONDITIONS AND THE EXISTENCE OF ANY EASEMENTS ARE SHOWN AS THEY APPEAR ON RECORDS ON FILE WITH THE TOWN CLERK WITHIN 800 FEET OF A SURFACE DRAIN OR WATERCOURSE SERVING A TRIBUTARY AREA TO SUCH DRAIN OR WATERCOURSE.
- 8) ALL LOT CORNERS ARE TO BE LOCATED WITHIN THE CORNER LIMITS OF THE VILLAGE OF MT. ZION.
- 9) THIS PROJECT IS ZONED (VZ-9) FLD RESIDENTIAL WITH BUILDING SETBACKS SHOWN ON THE FOLLOWING:
  - A. FRONT YARD - 25 FEET
  - B. SIDE YARD - 4 FEET
  - C. REAR YARD - 25 FEET
- 10) LOT CORNERS AND LATERAL MULTI-APARTMENT BUILDINGS LOCATED ON THE SITE WITH STREET ADDRESSES LISTED AS:
  - 451-149 DOGWOOD DRIVE, MT. ZION, ILLINOIS, 62596.
  - 1076 EAST 1ST STREET, MT. ZION, ILLINOIS, 62596.
  - A STREET ADDRESS LISTED AS: 1984 DOGWOOD DRIVE, MT. ZION, ILLINOIS, 62596.

**MOUNT ZION VILLAGE PLAN COMMISSION**

APPROVED BY: \_\_\_\_\_  
 CHAIRMAN  
 ATTESTED BY: \_\_\_\_\_  
 SECRETARY

**MOUNT ZION VILLAGE BOARD**

DATE: \_\_\_\_\_  
 PRESIDENT  
 ATTESTED BY: \_\_\_\_\_  
 VILLAGE CLERK

**DRAINAGE STATEMENT**

WE, THE UNDERSIGNED, RESPECTIVELY A REGISTERED PROFESSIONAL ENGINEER AND THE OWNER OR OWNER OF THE LAND SUBMITTED HEREBY ON THE DAILY AUTHORIZED ATTORNEY OF SUCH OWNER OR OWNER, HEREBY CERTIFY TO THE BEST OF OUR KNOWLEDGE AND BELIEF THAT THE SURFACE DRAINAGE PATTERN HAS NOT CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE IS CHANGED, REASONABLE PROVISION HAS BEEN MADE TO TAKE CARE OF SUCH SURFACE WATER DRAINAGE. WE HEREBY CERTIFY THAT THE AREAS OUTDRAINS WITHIN THE SUBDIVISION OR SUBDIVISIONS HAVE A RIGHT TO THE SURFACE WATER AND THAT SUCH SURFACE WATER WILL BE PLANNED FOR IN ACCORDANCE WITH THE GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF FLOODING AND TO PROTECT THE INTERESTS OF THE CONSTRUCTION OF THE SUBDIVISION.

OWNER: *Paul Carpenter*  
 DATE: 5/15/18  
 REGISTERED PROFESSIONAL ENGINEER No. 5164  
 DANA W. MANN, LICENSE EXPIRES NOV. 30, 2019



DATE THIS PLAN WAS PREPARED: APRIL 2018 A.D.  
 PREPARED BY: *[Signature]*  
 LICENSE EXPIRES NOV. 30, 2018



**HAMMOND & REID**  
**LAND SURVEYING, LTD**  
 508 S. CEDAR STREET  
 MOUNT ZION, ILL. 62566  
 (617) 294-3344  
 (617) 962-1774  
 DESIGN FIRM LIC. # 194-005745 (EXPIRES 04/30/2019)

PREPARED BY	DATE	1 OF 1
CLIENT: CARPENTER	1021.06	
DRAWN BY: T/JH	JRR	
CAD DWG	1021.06.dwg	04/23/2018

**OWNER'S DECLARATION OF CARPENTER'S ADDITION,  
A SUBDIVISION OF LOT 17 OF GUSTIN'S SUBDIVISION OF LOT 3 OF ASSESSOR'S  
SUBDIVISION OF LOT 3; NORTHEAST 1/4 OF SECTION 4, T15N, R3E, OF THE 3RD  
P.M. LOCATED IN THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS**

BE IT KNOWN THAT PAUL CARPENTER (100% shareholder of Shelby County State Bank Land Trust Account #126), being the owner of the following described tract:

Lot Seventeen (17) of Gustin's Subdivision of Lot Three (3) of Assessor's Subdivision of Lot Three (3), Northeast Quarter of Section 4, Township 15 North, Range 3 East, of the 3<sup>rd</sup> P.M., Macon County, Illinois

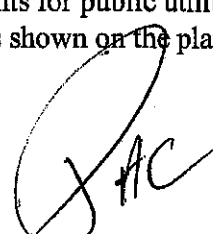
does hereby adopt the following as the Owner's Declaration of Carpenter's Addition and does hereby designate the addition as "**Carpenter's Addition**", and the same shall be so known hereafter; and does hereby dedicate for access purposes for the sole benefit of Lot 2 the various easement strips so designated on the plat as "Ingress/Egress Easement"; hereby waiving in such portions so dedicated all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

The following covenants and restrictions in their entirety shall apply to such addition:

1. Grant and Use of Easements.

(a) Exclusive perpetual private easements are hereby created over and across the areas and may be designated as "INGRESS/EGRESS EASEMENT." Such easements so identified are easements appurtenant to the sole use of Lot 2 of Carpenter's Addition and shall be for the installation, use, maintenance, repair, and replacement of ways of access thereto. No buildings or portions of buildings shall be constructed or maintained on or above any of the easement areas. Cost of maintenance and repairs for the existing traveled way and existing parking areas which are located on Lot 1 shall be the sole responsibility of the owner/owners of Lot 1. However, the cost of any new/proposed construction which is located on Lot 1 and pertains to the ingress/egress of Lot 2, along with future maintenance and repairs of said new/proposed construction, shall be the sole responsibility of the owner/owners of Lot 2.

(b) All lots in Carpenter's Addition shall be subject to existing easements for public utilities lying within the boundaries of any such lot and to the building set back lines as shown on the plat of Carpenter's Addition.



6. Miscellaneous.

(a) If a lot owner transfers all or a portion of its lot, then the transferee shall be bound by and subject to the terms of this Owner's Declaration, and the transferor shall be released from all liabilities accruing hereunder from and after such transfer with respect to all or the portion of such lot transferred.

(b) The terms of this Owner's Declaration shall be binding upon and shall inure to the benefit of all lot owners in the subdivisions, together with their successors, assigns, and personal representatives, and shall run with the land.

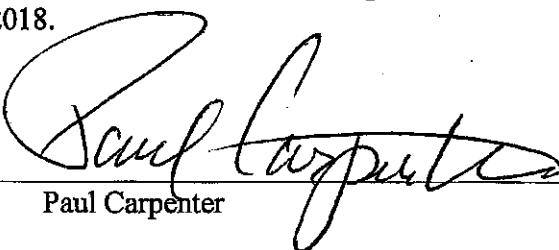
(c) This Owner's Declaration may not be amended, modified, terminated or rescinded except with the approval of two-thirds of the lot owners of the Addition. Notwithstanding, nothing shall preclude a developer or any lot owner from completing a resurvey of any lot in this Addition, and dividing said lot into smaller lots.

(d) If any provision of this Owner's Declaration, or portion thereof, or the application thereof to any person or circumstance shall to any extent be held invalid, inoperative, or unenforceable, then the remainder of this Owner's Declaration, or the application of such provision or portion thereof to any other person or circumstance, shall not be affected thereby. It shall not be deemed that any such invalid provision affects the applicability of all provisions of this Owner's Declaration shall be valid and enforceable to the fullest extent permitted by law.

(e) This Owner's Declaration shall be construed according to the laws of the State of Illinois.

(f) Any notice, demand, request, consent, or approval permitted or desired be given hereunder shall be in writing and delivered by overnight delivery, personal service, or deposited with the US Postal Service, registered and certified mail, return receipt requested, postage prepaid, to the address of the record owner as shown by the records of the Supervisor of Assessments of Macon County, Illinois. Any notice shall be deemed to have been made or given on the date the same is received or receipt declined.

IN WITNESS WHEREOF, Paul Carpenter (100% shareholder of Shelby County State Bank Land Trust Account #126) has executed this Owner's Declaration for Carpenter's Addition this 15<sup>th</sup> day of May, 2018.

By:   
Paul Carpenter