

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

Ordinance No.  
2021-15

AN ORDINANCE APPROVING THE REZONING AND FINAL PLAT  
OF RESUBDIVISION KNOWN AS MT. ZION VILLAGE WEST – A SUBDIVISION  
LOCATED WITHIN THE VILLAGE OF MT. ZION, MACON COUNTY, 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. 2021-15, 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 21, 2021.

In witness whereof, I hereby set my hand and affix the seal of the Village of Mt. Zion on this 21<sup>st</sup> day of June, 2021.

Seal

  
\_\_\_\_\_  
Dawn Reynolds, Village Clerk

**ORDINANCE 2021-15**

**AN ORDINANCE APPROVING THE REZONING AND FINAL PLAT OF RESUBDIVISION  
KNOWN AS MT. ZION VILLAGE WEST - A SUBDIVISION  
LOCATED WITHIN THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS**

**WHEREAS**, the Village of Mt. Zion, Macon County, Illinois (the "Village" is a duly organized and validly existing non-home rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and

**WHEREAS**, the Village of Mt. Zion has heretofore adopted Subdivision Regulations, as amended from time to time as Title XV: Land Usage – 152 Land Subdivision; and

**WHEREAS**, the petitioner, Steven A. Lewis, has filed an application to resubdivide the property containing ten (10) existing lots as described in Section 1 of this Ordinance into thirty-five (35) new conforming commercial and residential lots; and

**WHEREAS**, the petitioner, Steven A. Lewis, has requested to rezone the newly created lots 5-35 from VR-2 Residential to V-PUD Planned Unit Development to develop a 55 plus senior housing community; and

**WHEREAS**, the subdivision regulations provide in Section 152 for an Administrative Plat Approval Procedure and the Plat Officer has determined that the proposed subdivision is eligible for administrative plat approval and the final plat of subdivision meets the requirements for administrative approval and is recommended for approval to the President and Board of Trustees; and

**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 1st day of June 2021 the Mt. Zion Planning Commission and Zoning Board of Appeals met to review the Final Plat for the Mt. Zion Village West Subdivision, presented by owner Steven A. Lewis and legally described as follows:

Lots One (1), Two (2), Three (3) and Four (4) of R.L. Smith First Addition, as per Plat recorded in Book 1832, page 820 of the Records in the Recorder's Office of Macon County, Illinois. Situated in Macon County, Illinois.

AND

Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9) and Ten (10) of Gustin's Subdivision of Lot Three (3) of the Assessor's Subdivision of Lot Three (3) of the Northeast Quarter (NE. 1/4) of Section Four (4), Township Fifteen (15) North, Range Three (3) East of the Third (3rd) Principal Meridian, as per Plat recorded in Book 683, page 22 of the records in the Recorder's Office of Macon County, Illinois, except that portion of the above described Lots which has been taken by the State of Illinois as right-of-way for State Highway 121. Situated in Macon County, Illinois.

All of the above being more particularly described as follows:

Beginning at an existing iron pin marking the Southwest corner of said R.L. Smith First Addition, also being the Southwest corner of Lot 4 of said R.L. Smith First Addition; thence N.0°46'17"W.-979.96 feet along the West line of said R.L. Smith First Addition, also being the West line of said Lot 4 to an existing iron pin marking the Northwest corner thereof; thence N.89°22'00"E.-262.79 feet along the North line of said R.L. Smith First Addition, also being the North line of said Lot 4 to an existing iron pin marking the Northeast corner thereof; thence N.0°54'39"W.-9.80 feet along the West line of Lot 10 of said Gustin's Subdivision to an existing iron pin marking the Northwest corner of said Lot 10; thence N.89°15'12"E.-415.17 feet along the North line of said Lot 10 to an existing iron pin on the West right of way line of Illinois Route 121; thence S.0°56'49"E.-599.48 feet along said West right of way line to an existing iron pin on the South line of Lot 5 of said Gustin's Subdivision; thence S.89°15'43"W.-415.48 feet along the South line of said Lot 5 to an existing iron pin marking the Southwest corner thereof; said iron pin being on the East line of said R.L. Smith First Addition; thence S.0°57'29"E.-389.79 feet along said East line to an existing iron pin marking the Southeast of said R.L. Smith First Addition, also being the Southeast corner of Lot 1 of said R.L. Smith First Addition; thence S.89°14'44"W.-265.56 feet along the South line of said R.L. Smith First Addition to the point of beginning, containing 11.65 acres, more or less.

**SECTION 2:** The Mt. Zion Planning Commission and Zoning Board of Appeals has reviewed the final plat for conformance with the preliminary plat, along with the Owners Declaration, Surveyor's Certificate, Tax Certificate, and School District Certificate.

**SECTION 3:** The Mt. Zion Planning Commission and Zoning Board of Appeals has recommended the approval of the Final Plat for the Mt. Zion Village West Subdivision.

**SECTION 4:** The Final Plat for the Mt. Zion Village West Subdivision is hereby approved and granted to Steven A. Lewis subject to the provisions and regulations of the Zoning and Building Code of Ordinances in the Village of Mt. Zion, and the laws of the State of Illinois.

**SECTION 5:** The Construction Agreement Between the Village of Mt. Zion and Steven A. Lewis attached hereto marked Exhibit A and hereby incorporated by reference, be and the same is hereby authorized and approved.

**SECTION 6:** That the Mayor of the Village Mt. Zion, Illinois, be and the same is hereby authorized to execute and deliver to the Village Clerk of Mt. Zion, Illinois, be and the same is

authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the Village of Mt. Zion, Illinois.

**SECTION 7:** This Ordinance shall be in full force and effect from and after its 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 21st DAY OF JUNE 2021.**

Mose                  yea      

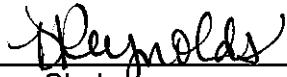
Siudyla              yea      

Kernan              absent   


Fritzsche           yea      

Scales              yea      

Ritchie             yea      

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

APPROVED:

  
\_\_\_\_\_  
Village President

ATTEST:

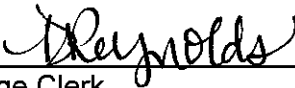
  
\_\_\_\_\_  
Village Clerk

EXHIBIT A

CONSTRUCTION AGREEMENT  
MT. ZION VILLAGE WEST

This Agreement between the VILLAGE OF MT. ZION, (hereinafter the "VILLAGE"), and STEVEN A. LEWIS, (hereinafter the "DEVELOPER") sets forth certain responsibilities of each as a part of the approval of the subdivision of MT. ZION VILLAGE WEST, an addition in the Village of Mt. Zion, Illinois..

RECITALS:

Whereas the DEVELOPER is the owner of the property commonly known as MT. ZION VILLAGE WEST, of which is the subject of this Agreement; and

Whereas the DEVELOPER has submitted through his Engineer, Steven M. Baumann, P.E., OnSite Engineering, LLC, a Preliminary Plat for MT. ZION VILLAGE WEST, which plat shows all improvements to be constructed and 35 lots to be platted, and that said Preliminary Plat has been submitted to the Village, and:

WITNESSETH:

THEREFORE, IN CONSIDERATION of the mutual promises set forth herein, the parties agree as follows:

A. This Construction Agreements shall cover only those improvements required to serve the 35 Lot subdivision of MT. ZION VILLAGE WEST as shown on the attached Plans designated as Exhibit A;

B. This Agreement is executed pursuant to Section 152.084 (C) of the Village of Mt. Zion Ordinances.

C. The DEVELOPER agrees:

1. That all improvements required shall be constructed at his expense in accordance with the approved Preliminary Plat, pursuant to the Village Code of Ordinances, and as per limits shown in Exhibit A.

- a. Street construction including concrete curb and gutter.
- b. Watermains
- c. Sanitary sewers
- d. Storm sewers
- e. Street lighting

2. That the improvements made are for the benefit of the lots within the subdivision and shall be available for their use as well as future extensions for public use.

3. That all improvements shown on Exhibit A shall be made within 24 months of the date of this Agreement.

4. If DEVELOPER elects to sell lots prior to completion of the improvements for MT. ZION VILLAGE WEST, DEVELOPER shall post a Subdivision Bond with the Village to cover the estimated cost of the improvements not yet complete for an amount as approved by the Village Engineer.

5. That no change in the improvements shown on the Preliminary Plat and Exhibit A shall be made until approved by the Village and/or its Engineer.

6. That any extension of the subdivision improvements beyond the 35 Lot MT. ZION VILLAGE WEST as shown on Exhibit A shall be made in accordance with a new Construction Agreement covering those improvements.

D. THE VILLAGE AGREES:

1. To Allow the DEVELOPER to make said improvements as shown on the approved Preliminary Plat and Exhibit A.

2. That the minimum lot width and building setbacks shall be as per the approved Planned Unit Development for the residential Lots 5 - 35 as stated herein:

- a. Lots 5 - 35: Minimum Lot Width = 50 feet
- b. Lots 5 - 35: Front Yard Setback Minimum = 20 feet
- c. Lots 5 - 35: Side Yard Setback Minimum = 6 feet
- d. Lots 5 - 35: Rear Yard Setback Minimum = 20 feet

3. The DEVELOPER shall be allowed to construct the West Village Parkway and Shea Court roadway with a 75' center line radius.

4. The DEVELOPER shall be allowed to construct the West Village Parkway and Shea Court cul-de-sacs with a right of way radius of 45 feet.

5. To accept all improvements for ownership and maintenance after approval of said improvements by the Village Engineer.

6. To direct its Village Engineer to inspect the improvements being made by the DEVELOPER as he proceeds so that the DEVELOPER does not experience any work slow down or work stoppage.

Dated this 21<sup>st</sup> day of June, 2021.

VILLAGE OF MT. ZION

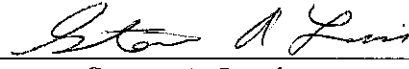
By:

  
\_\_\_\_\_  
President of Village Board

ATTEST:

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

DEVELOPER:

  
\_\_\_\_\_  
Steven A. Lewis