

VILLAGE OF BIG ROCK

ORDINANCE NO. 2016- _____

**AN ORDINANCE APPROVING A GRANT OF PUBLIC DRAINAGE EASEMENT
FOR A PORTION OF MCCANNON FARM ACRES PROPERTY**

**ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF BIG ROCK
THIS 12TH DAY OF JANUARY, 2016**

Published in pamphlet form by the authority of the Board of Trustees of the
Village of Big Rock, Kane County, Illinois
this 12th day of January, 2016

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WHEREAS, the Village of Big Rock is a municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, Ted A. McCannon and Susan C. McCannon and Melrose Holdings 13, LLC were the previous owners of real property commonly known as McCannon Farm Acres, located along Raymond Road, Big Rock, Illinois, which consisted of approximately 59 acres; and

WHEREAS, on December 15, 2015, the Village of Big Rock Board of Trustees approved ordinances which (1) amended the annexation agreement for McCannon Farm Acres, (2) vacated/voided the previously-approved special use permit for McCannon Farm Acres (excepting a portion of the property retained by Ted A. McCannon and Susan C. McCannon), and (3) approved the vacation of a previously-approved plat of subdivision and plat of resubdivision for McCannon Farm Acres; and

WHEREAS, said prior approvals in December 2015 were made by the Village to enable the McCannons and Melrose Holdings 13, LLC to sell the majority of McCannon Farm Acres to three separate purchasers, and said sales have now occurred; and

WHEREAS, Kris Melvin and Mindy Melvin (“Applicant”) were the purchasers of a portion of McCannon Farm Acres (the “Melvin Lots”), which are legally described in Exhibit “A” attached hereto; and

WHEREAS, the Applicant requests that the Village of Big Rock approve a Grant of Public Drainage Easement (the “Easement”), which creates an easement for stormwater drainage purposes over a portion of the Melvin Lots for the benefit of the Village of Big Rock; and

WHEREAS, the Village of Big Rock Board of Trustees desires to approve this Easement, finding that it will directly benefit the Village and the Melvin Lots, and indirectly benefit surrounding properties and the public by providing overland stormwater drainage.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Big Rock, Kane County, Illinois, as follows:

Section 1: The above-stated Recitals are hereby restated and incorporated into this Section 1 as though fully set forth herein.

Section 2: The Grant of Public Easement for the Melvin Lots, a copy of which is attached hereto as Exhibit “B,” is hereby approved. The Village President is authorized and directed to execute the Easement on behalf of the Village. The Applicant shall record the Easement at Applicant’s expense.

Section 3: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 4: This ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law and as set forth in Section 4.

PRESENTED to the Board of Trustees of the Village of Big Rock, Kane County, Illinois on this 12th day of January, 2016.

Trustee Hanninen ____ Trustee Metzger ____ Trustee Lynch ____

Trustee McCannon ____ Trustee Walsh ____ Trustee Shimkus ____

PASSED by the Board of Trustees of the Village of Big Rock, Kane County, Illinois, this 12th day of January, 2016.

SIGNED by the President of the Board of Trustees of the Village of Big Rock, Kane County, Illinois, this 12th day of January, 2016.

Dean Hummell, President
Village of Big Rock, Illinois

ATTEST:

Tim May, Village Clerk
Village of Big Rock, Illinois

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

CLERK’S CERTIFICATE

I, Tim May, certify that I am the Village Clerk of the Village of Big Rock, Kane County, Illinois, and as such officer I am the keeper of the records, files and proceedings of the corporate authorities of said municipality.

I further certify that:

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was adopted by the President and Board of Trustees of the Village of Big Rock at a meeting held on January 12, 2016 and approved by the Village President on January 12, 2016. I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board complied with all the requirements of the Illinois Open Meeting Act.

I do further certify that the ordinance, of which the attached is a true and correct copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of same.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and the seal of the municipality this 12th day of January, 2016.

(SEAL)

Tim May, Village Clerk
Village of Big Rock, Illinois

EXHIBIT "A"

LEGAL DESCRIPTION OF MELVIN LOTS SUBJECT TO EASEMENT

EXHIBIT "B"

GRANT OF PUBLIC DRAINAGE EASEMENT