

CHAPTER 15

SUBDIVISION OF LAND

ARTICLE I

TITLE

ARTICLE II

GENERAL PROVISIONS

- SEC. 1 Jurisdiction.
- SEC. 2 Policy.
- SEC. 3 Purpose.
- SEC. 4 Rules of Construction.
- SEC. 5 Definitions.
- SEC. 6 Obligation to Comply.
- SEC. 7 Violation Penalties.

ARTICLE III

PROCEDURES

- SEC. 1 Preliminary Plan Submission and Review Procedure.
- SEC. 2 Public Improvement Engineering Plans and Specifications Submission and Review Procedure.
- SEC. 3 Public Improvement Installation and Inspection Procedures.
- SEC. 4 Final Plat Submission and Review Procedures.
- SEC. 5 Final Plat Submission and Review with Exemption of Preliminary Plan Requirements.
- SEC. 6 Payment, Performance and Workmanship Guarantees.
- SEC. 7 Submission of As-Built Plans.
- SEC. 8 Acceptance of Public Improvements for Maintenance.
- SEC. 9 Final Security Release.

Chapter 15

ARTICLE IV

FORM AND CONTENT

- SEC. 1 Preliminary Plans and Supporting Material.
- SEC. 2 Public Improvement Engineering Plans and Specifications.
- SEC. 3 Final Plat and Supporting Material.
- SEC. 4 Assurance for Completion and Maintenance of Improvements.
- SEC. 5 As-Built Plans.

ARTICLE V

DESIGN AND CONSTRUCTION STANDARDS

- SEC. 1 General Standards.
- SEC. 2 Design and Construction Standards for Streets.
- SEC. 3 Design and Construction Standards for Sidewalks and Pedestrian Ways.
- SEC. 4 Design and Construction Standards for Storm Sewers, Drainage Ways and Storm Detention/Retention Facilities.
- SEC. 5 Design and Construction Standards for Water Supply and Distribution.
- SEC. 6 Design and Construction Standards for Street Lights.
- SEC. 7 Design and Installation Standards for Other Utilities.
- SEC. 8 Design and Construction Standards for Sanitary Sewers
 - 8.01 Introduction
 - 8.02 General Requirements
 - 8.03 Design Standards
 - 8.04 Right-of-Way Dedication
 - 8.05 Village's Participation in Cost
 - 8.06 Approval and Acceptance Assignment
 - 8.07 Specifications and special Provisions
 - 8.08 Standard Details
 - 8.09 Exhibit Q
 - 8.10 Validity
 - 8.11 Ordinance in Force

Chapter 15

ARTICLE VI

PUBLIC PARK AND DEDICATION REQUIREMENTS

- SEC. 1 General Applicability of Dedication Requirements.
- SEC. 2 Amount and Location of Land to be Dedicated.
- SEC. 3 Criteria for Requiring a Cash Contribution in Lieu of
Dedication of Land for Park and Recreational Use.

ARTICLE VII

BUILDING PERMITS, OCCUPANCY PERMITS, VARIATIONS, AND SEPARABILITY

- SEC. 1 Building Permits.
- SEC. 2 Variations.
- SEC. 3 Separability.

APPENDIX A

APPENDIX B

Chapter 15

LAND SUBDIVISION CODE

Article I. TITLE

Sec. 1. TITLE

This Chapter of the Village of Downs Municipal Code, known, cited and referred to as the Land Subdivision Code.

Article II. GENERAL PROVISIONS

Sec. 1 JURISDICTION

This Code shall apply to every subdivision occurring within the corporate limits of the Village of Downs, Illinois or occurring in the unincorporated areas within one and one-half (1 1/2) miles from the Village's corporate limits, as those limits exist at the time the owner files a petition with the Village Clerk requesting approval of a subdivision.

Sec. 2 POLICY

It is hereby declared to be the policy of the Village to consider subdivisions and the subsequent development thereof to be subject to the control of the Village in order to promote the orderly, planned, efficient, and economical development of the Village.

Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until proper provision has been made for drainage, water, sewerage, and capital improvements such as schools, parks, recreation facilities, transportation facilities and improvements.

Sec. 3 PURPOSE

Because every subdivision within the jurisdiction of this Code is or may become a part of the Village and because each has or may have an impact on services provided by the Village, as well as on services provided by other governmental units serving the community, this Code is adopted for the following purposes:

- a. To protect, provide, and promote the public health, safety and general welfare of the Village;
- b. To guide the future growth and development of the Village;
- c. To provide for adequate light, air and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land;
- d. To protect the character and the economic stability of all parts of the Village and to encourage the orderly and beneficial development of all parts of the community;
- e. To protect and conserve the value of land throughout the Village and the value of buildings and improvements upon the land;
- f. To guide public and private policy and action in order to provide adequate and efficient transportation, water, schools, parks, playgrounds, recreation and other public requirements and facilities;
- g. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the Village, by providing for the proper location and width of streets and building setback lines;
- h. To establish reasonable standards of design and procedures for subdivisions, and resubdivisions, in order to further the orderly layout and use of land, and to insure proper legal descriptions and monumenting of subdivided land;
- i. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision and other areas reasonably anticipated to be served by such facilities;
- j. To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the Village in order to preserve the integrity, and stability of the community and the value of the land;
- k. To preserve the topography of the Village and to insure appropriate development with regard to these natural features; and
- l. To provide for open spaces through the most efficient design and layout of the land.

Sec. 4 RULES OF CONSTRUCTION

The language set forth in this Code shall be interpreted in accordance with the following rules of construction, unless the context clearly requires a different construction:

- a. The singular includes the plural and the plural the singular;
- b. The present tense includes the past and future tenses and the future includes the present;
- c. When used in connection with an action of the subdivider or owner, the word "shall" is mandatory, while the word "may" is permissive;
- d. Terms connotating a particular gender shall include each and every other gender;
- e. Whenever a word or term defined hereinafter appears in the text of this Code, its meaning shall be construed as set forth in the definition thereof, and any word appearing in the parenthesis between a word and its definition shall be construed in the same sense as that word;
- f. All words and terms not defined herein shall be construed in their generally accepted meanings; and
- g. All provisions of this Code imposing duties upon the Village of Downs its officers or agents are directory, unless the context clearly requires the provision be construed as mandatory.

Sec. 5 DEFINITIONS

The following words and terms, whenever they occur in this Code, shall be interpreted as herein defined.

"Alley" means a public right-of-way less than thirty (30) feet in width affording a secondary access of vehicles and pedestrians to abutting property.

"Back-Up Treatment" means a series of lots so designed as to have frontage along two parallel public streets with vehicular access being provided to only one of said streets.

"Block" means a tract of land bounded by streets or by a combination of one (1) or more streets and parks, cemeteries, shorelines of streams or other waterways, corporate limit lines, railroad rights-of-way, or other lines of demarcation.

"Building" means any structure used or intended for supporting or sheltering any use or occupancy.

"Building Setback Line" means a line within a lot, or other parcel of land, so designated on the preliminary plan, which denotes the area between such line and the adjacent street right-of-way where an enclosed building, or obstructions are prohibited, except those permitting obstruction allowed by the Village of Downs Zoning Ordinance.

"Collector Street" means a street that serves as a connection between a major street and minor streets. Its primary function is to distribute and collect traffic to and from minor streets.

"Corner Lot" means a lot located at the intersection of two (2) or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

"Cul-De-Sac" means a street terminated at one (1) end with a turnaround, the open end being the only means of access to another street.

"Developer" (See "Owner")

"Double Frontage Lot" means a lot which has a pair of opposite lot lines along two (2) substantially parallel streets.

"Driveway" means a compacted surface constructed and maintained for the purpose of providing access to an off-street parking space, or spaces from a public street.

" Dwelling " means a building designed, arranged, used or intended to be used principally for residential occupancy, including single-family dwellings, two-family dwellings and/or multiple-family dwellings.

"Dwelling Unit" means a single unit providing complete, independent living facilities for one (1) family including permanent provisions for living, sleeping, eating, cooking and sanitation.

"Easement" means a quantity of land set aside over or under which a liberty, privilege, or advantage in land without profit; is dedicated and is distinct from ownership of the land; and is granted either to the public, a particular person or a combination thereof.

"Eyebrow" means an expanded street right-of-way and pavement providing for proper lot frontage along the outside dimension of a street that is constructed at an acute angle.

"Erosion Control Plan" means a plan showing a positive means of controlling runoff to preclude siltation in or on sewers, streets, streams, and adjacent property.

"Existing Building" means any building erected prior to the adoption of this Code or one (1) for which a legal building permit heretofore has been issued.

"Exterior Street" means a street on the perimeter of a subdivision.

"Final Plat" means a map, plan or layout showing the subdivision of land and indicating the location and boundaries of individual lots.

"Fire Chief" means the Fire Chief of the fire protection district having jurisdiction or his/her designated representative.

"Frontage" means the measure of lineal contiguity between a lot or a portion thereof and a street, alley or public way.

"Frontage Road" means a street which is parallel to and either contiguous or adjacent to the right-of-way line of a thoroughfare.

"Frontage Lot Line" means that lot line which is abutting a public street.

"Grade" means the rise in elevation of any portion of the earth's surface or any improvement thereon divided by the horizontal distance. The grade shall be specified in percentage (%) and shown on the street profile. It is also a reference plane representing the average of finished grade level adjoining the building at all exterior walls.

"Hereafter" means after the time that this Code becomes effective as to a particular land use or parcel of land.

"Improved Drainageway" ("drainageway, improved") means a portion of a right-of-way used or intended principally for storm, surface, or ground water drainage which meets or exceeds the design and construction standards for public drainage ways.

"Interior Lot" means a lot which faces on one (1) street or with opposite sides on two (2)

streets.

"Interior Street" means a street entirely within the confines of a subdivision or planned unit development.

"Land Improvement" includes any storm sewer system, water supply and distribution system, roadway, parkway, sidewalk, pedestrian way or other improvement which is required by this Code.

"Lot" means a parcel of land of at least sufficient size to meet minimum requirements of the Village of Downs Zoning Ordinance for use, coverage and area, and to provide such yards as are required thereby. Such lot shall have frontage on an improved public street and may consist of:

- a. a single lot of record;
- b. a portion of a lot of record;
- c. a combination of complete lots of record, or of portions of lots of record.

"Lot Area" means the area of a horizontal plane bounded by the vertical planes through front, side, and rear lot lines.

"Lot Depth" means the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

"Lot Frontage" means the lineal distance between side lot lines measured along the public right-of-way.

"Lot Line" means a line dividing one (1) lot from another, or from the street right-of-way lines.

"Lot of Record" means a lot which is part of a subdivision recorded in the office of the McLean County Recorder of Deeds, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

"Lot Width" means the horizontal distance between side lot lines of a lot measured at the required front yard setback line. For corner lots it means the narrowest dimension.

"Major Street" means a public right-of-way with a high degree of continuity which provides for the through traffic movement around and across the Village.

"Minor Street" means a street of limited continuity. Its primary purpose is to serve as access to abutting properties.

"No-access Strip" means a land area at least one (1) foot wide along a lot line within which no vehicular driveways shall be permitted.

"Official Zoning Map" means the map adopted by the Village Board showing all the zoning district boundaries in the Village of Downs, Illinois.

"Outlot" means a lot depicted on a preliminary plan or final plat which does not meet the requirements of this Code for lots of record and which may not be used, developed, built on, or improved except in connection with any abutting lot.

"Owner" means any person, firm, association, partnership, private corporation, public or quasi-public corporation, or a combination of any of them, or other legal entity having sufficient proprietary interest in the land sought to be subdivided or developed to commence and maintain proceedings under the provisions of this Code.

"Parkway" means the land within a street right-of-way which is located between the back of the curb or edge of the pavement and the right-of-way line.

"Pavement" means a portion of the street designated for vehicular use measured from face of curb to face of curb or edge to edge of paved street surface where there are no curbs.

"Pedestrian Way" means a right-of-way across or within a block designated for pedestrian use.

"Person" includes an individual, firm, corporation, association or partnership.

"Preliminary Plan" means a tentative map or plan of a proposed subdivision as described in this Code.

"Premises" includes a lot, plot or parcel of land including the building or structures thereon.

"Property Lines" mean the lines bounding a lot delineating the land in individual ownership.

"Public Improvements" including but not limited to: interior streets, exterior streets, sidewalks, storm sewers, watermains, sanitary waste removal facilities, storm water detention basins, improved drainage ways, bridges, railroad crossings, utility poles and other structures, fixtures or land appurtenances which are or are intended to be dedicated to the Village of Downs, Illinois and or the public.

"Rear Lot Line" means that lot line which is most distant from and is roughly parallel to the front lot line. If the rear lot line is less than ten (10) feet in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten (10) feet in length within the lot, parallel to, and at the maximum distance from, the front lot line.

"Right-of-way" means that strip of land dedicated to or used by the public for vehicular and/or pedestrian passage; storm, surface or ground water drainage; or public utility

placement.

"Side Lot Line" means any lot line which is not a front or rear lot line.

"Sidewalk" means that portion of a right-of-way used or intended to be used principally for pedestrian passage, which meets or exceeds the design standards for public sidewalks as required by this Code.

"Street" means that portion of a public right-of-way used and maintained by the public which afford the principal means of access to adjacent lots of record or premises and meets the design and construction standards for the classification it holds under this Code.

"Street Width" means the shortest distance between the right-of-way lines of a given street.

"Subdivide" means (1.) the division of land containing any number of lots, parcels or tracts or
(2.) the division of land which creates more than one (1) additional lot for transfer of ownership and/or building development, or where a new street is required, or additional utilities, such as sewer or water trunk lines are required.

"Subdivision" means the configuration of lots of record, outlots, public rights-of-way and public improvements which result from subdividing land in accordance with the procedures, requirements, and standards of this Code.

"Through Lot" means a lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.

"Unified Control" means the combination of two (2) or more tracts of land wherein each owner has agreed to allow the use and development of their tracts as a single lot under the provisions of this Code.

"Unimproved Drainageway" ("drainageway, unimproved") means a portion of a right-of-way used or intended principally for storm, surface or ground water drainage which does not meet or exceed the design and/or construction standards for public drainage ways.

"Use" means the purpose or activity for which the land or structure thereon is designed, arranged, or intended, or for which it is occupied, used, or maintained.

"Village" means the Village of Downs, Illinois.

"Village Attorney" means the duly appointed legal counsel for the Village of Downs, Illinois.

"Village Board" means the Board of Trustees of the Village of Downs, Illinois.

"Village Clerk" means the Village Clerk of the Village of Downs, Illinois or a duly appointed representative.

"Walkway" means a portion of a right-of-way used or intended principally for pedestrian passage which does not meet or exceed the design standards for public sidewalks as required by this Code.

Sec. 6 OBLIGATION TO COMPLY

It shall be unlawful for any person, firm, or corporation to subdivide any land within the corporate limits of the Village of Downs, Illinois, or any unincorporated area within one and one half (1 1/2) miles of the Village's corporate limits without following the procedures, satisfying the requirements, and meeting or exceeding the standards specified in this Code, provided however, the provisions of this Code shall not apply in the following instances:

- a. To conveyances of a lot comprising and containing all contiguous property owned by a person, group of persons, firm or entity, as a single parcel, to some other person, group of persons, firm or entity;
- b. To the offer, sale or conveyance of one (1) or more lots of record;
- c. To the sale or exchange or parcels of land between the owners of abutting and contiguous property which, if subject to the requirements of this Code, would not necessitate the dedication of public right-of-way or installation of public utilities.
- d. To conveyances made to correct descriptions in prior conveyances;
- e. To conveyances of parcels lawfully complying with the provisions of the Illinois Condominium Property Act.

Sec. 7 VIOLATION PENALTIES

Any person found guilty of violating, disobeying, omitting, neglecting or refusing to comply with, or resisting or opposing the investigation or enforcement of any of the provisions of this Code, upon conviction thereof, shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars (\$300.00) for each offense; provided, however, that all actions seeking the imposition of fines only shall be filed as quasi-criminal actions subject to the provisions of the Illinois Civil Practice Act. Repeated offenses in excess of three (3) within any one hundred eighty (180) day period may also be punishable as a misdemeanor by incarceration in the County Jail for a term not to exceed six (6) months under the procedure set forth in Section 1-2-1.1 of the Illinois Municipal Code and under the provisions of the Illinois Code of Criminal Procedure in a separate proceeding. A separate and distinct offense shall be regarded as committed each day upon which said person shall continue any such violation, or permit any such violation to exist after notification or knowledge of the existence thereof.

Chapter 15

Article III. PROCEDURES

Sec. 1 PRELIMINARY PLAN SUBMISSION AND REVIEW PROCEDURE

Before subdividing any land within the Village or within one and one-half (1 1/2) miles from the corporate limits of the Village, the owner or developer shall comply with the following Preliminary Plan Submission, Review and Approval Procedure:

- a. **Submission:** The owner or developer of a proposed subdivision shall file a petition for approval of the Preliminary Plan with the Village Clerk. Ten (10) copies of the Preliminary Plan in the form and providing all information required by Article IV, Section 1 of this Code along with the filing fee required by paragraph (b) of this Section shall accompany such petition.
- b. **Filing Fee:** The owner or developer shall pay to the Village Clerk a filing fee in the amount of One Hundred Dollars (\$100.00) plus Fifteen Dollars (\$15.00) per lot in the proposed subdivision. In addition to said filing fee, the owner or developer shall pay to the Village Clerk the cost for the Village to publish a public notice of any hearing on the preliminary plan of the subdivision required to be published in a newspaper of general circulation in the Village. Said cost shall be paid to the Village Clerk prior to said hearing. Failure to pay such cost prior to the hearing shall result in the cancellation of such hearing.
- c. **Scheduling and Notification of Public Hearing:** Upon receipt of such petition, copies of a Preliminary Plan and the filing fee required by paragraph (b) of this Section, the Village Clerk shall cause a notice of the public hearing on such Preliminary Plan to be published at least forty (40) days prior to the date of public hearing thereon, in a daily newspaper of general circulation within the Village. Such notice shall contain:
 1. The name of the proposed subdivision and its address or commonly known location;
 2. A statement of what the petition is requesting the Village Board to approve;
 3. A statement of where copies of the petition, the Preliminary Plan and all other supporting documentation can be inspected by the public; and
 4. A statement that all interested persons have the right to appear at the public hearing on such Preliminary Plan and present evidence.

The Village Clerk shall notify the owner or developer of the proposed subdivision as to the time and place of the public hearing thereon at least seven (7) days prior to the date of said hearing.

- d. **Distribution of Preliminary Plan for Review:** The Village Clerk shall distribute the copies of the Preliminary Plan to the Mayor, Trustees of the Village of Downs

and the Zoning Board of Appeals prior to their consideration of the Preliminary Plan.

- e. **Public Hearing:** The Village Board of Trustees shall cause a public hearing to be held on the Preliminary Plan during which the extent to which the preliminary plan conforms or fails to conform with the standards of this code shall be determined. Said public hearing shall be held by the Village of Downs Zoning Board of Appeals following the filing of the Preliminary Plan application and the giving of notice.
- f. **Village Board Approval or Rejection of a Proposed Preliminary Plan:** Within ninety (90) days after its first regular meeting following the public hearing the Village Board shall approve or reject such Preliminary Plan. Failure of the Board to act within the time period prescribed hereinabove shall constitute approval of such Preliminary Plan. Upon approval of the Preliminary Plan, the Village Clerk shall secure from the owner or developer a reproducible mylar copy of the approved Preliminary Plan and shall cause the signatures required on the "Notice of Approval" to be affixed thereon.
- g. **Extension of Time Periods by Mutual Consent:** Time periods for review by the Village Board may be extended by mutual consent of the owner or developer and the Village Board. Any such extension shall stay the running of all subsequent time periods.
- h. **Extension of Preliminary Plans:** Approved Preliminary Plans or portions thereof on which no final plat has been submitted for review and approval shall expire and be of no force or effect three (3) years after their approval, unless the life of the Preliminary Plan or portion thereof is extended by action of the Village Board.

Sec. 2 PUBLIC IMPROVEMENT ENGINEERING PLANS AND SPECIFICATIONS SUBMISSION AND REVIEW PROCEDURE.

Before subdividing any land subject to the requirements of this Code the owner or developer shall comply with the following public improvement plan and specification submission, review, and approval procedure:

- a. Prerequisites: Owner or developer must have had the Preliminary Plan required by Article III, Section 1 of this Code approved by the Village Board.
- b. Submission Requirements: Within three (3) years from the date of Village Board approval of a Preliminary Plan, the owner or developer shall submit two (2) sets of engineering plans and specifications for all public improvements proposed to serve lots depicted in such approval Preliminary Plan or portion thereof, which plans and specifications shall be in the form and include the content required by Article IV, Section 2 of this Code.
- c. Review and Approval or Disapproval:
 1. The public improvement plans and specifications shall be reviewed and approved or disapproved by the Village Engineer.
 2. The Village Engineer may require the owner or developer to submit such additional data, plans, specifications or materials as may be necessary to completely and accurately determine the extent of compliance or non-compliance with improvement design standards and accepted engineering practice and to demonstrate that the proposed manner of construction and installation will meet or exceed all Village Public Improvement Construction Standards.
 3. The public improvement plans and specifications shall be approved by the Village Engineer if they meet or exceed the Village public improvement design standards for subdivisions and otherwise demonstrate good and acceptable engineering design and practice.
 4. Approval or disapproval by the Village Engineer shall be in writing on, or shall make reference to, the public improvement plans and specifications.

Sec. 3 PUBLIC IMPROVEMENT INSTALLATION AND INSPECTION PROCEDURES

- a. Prerequisites to Installation:
 1. For Installations Before Final Plat Approval:
 - a. Approval and continuing validity of an approved Preliminary Plan.
 - b. Approval of public improvement engineering plans and specifications for any and all public improvements which are to be installed or the installation of which is to be commenced prior to the approval of a final plat.
 2. For Installations After Final Plat Approval:
 - a. Approval of a final plat by the Village Board.
 - b. Posting of a Public Improvement Performance bond, Escrow Account, Irrevocable Letter of Credit and security therefore, in the amount and form specified in Article IV, Section 4 of this Code for all public improvements depicted in, adjacent to or necessary to serve lots or outlots depicted in an area for which final plat approval has been obtained.
 - c. Inspection: During the installation of public improvements as required by Article V of this Code either before or after final plat approval, the owner or developer shall notify the Village Engineer who shall make periodic inspections of the installation of such public improvements as work progresses. Failure to make such notification and install or maintain such installations in a manner that permits inspection shall constitute grounds for rejecting or revoking preliminary plan or final plat approval, forfeiting pledged security and, in addition, shall constitute an violation of this Code.
 - d. Plan Review and Inspection Fee: The cost incurred by the Village for review of public improvement plans and specifications as required by Article III, Section 2 of this Code and the inspection of public improvements as required by Article III, Section 3 of this Code shall be paid by the owner or developer. Such cost shall be equal to the actual cost incurred by the Village Engineer including labor, materials, transportation, and overhead for such review and inspection. At the time that such plans and specifications are filed with the Village Engineer, the subdivider shall pay to the Village a fee of two and one half percent (2 1/2%) of the cost, as estimated by the Village Engineer, of such required land improvements - said fee shall be applied as a credit against the actual cost incurred by the Village Engineer for the review of such plans and the inspection of such improvements. The balance of such actual cost shall be paid to the Village by the owner at the time that such review and inspection has been completed by the Village Engineer. All land improvements to be installed under the provisions of this Code shall be inspected by the Village Engineer during the course of construction.

Sec. 4 FINAL PLAT SUBMISSION AND REVIEW PROCEDURES

Before subdividing any land subject to the requirements of this Code, the owner or developer shall comply with the following final plat submission and review procedure:

- a. Prerequisites:
 1. Owner or developer must have had the preliminary plan required by Article III, Section 1 of this Code approved by the Village Board.
 2. Owner or developer must have had the public improvement engineering plans and specifications required by Article III, Section 2 of this Code approved by the Village Engineer.
 3. The owner or developer shall have paid to the Village all fees, as determined by the Village Engineer.
 4. Prior to the recording of the final plat by McLean County Recorder of Deeds, the owner or developer shall:
 - a. Post the public improvement performance bond, escrow account agreement or Irrevocable Letter of Credit and if applicable, file any adjacent street substandard roadway improvement guarantees and reserves as required by Article III, Section 6 of this Code;
 - b. Make any required public land dedication or cash contribution in lieu thereof as required by Article VI, Section 2 or Article VI, Section 3 of this Code; and
 - c. File with the Village any off-site easements or right-of-way for public improvement serving the subdivision.
- b. Submission: Within three (3) years from the date that the Village Board approves a Preliminary Plan or the most recent action extending the life of an approved Preliminary Plan, the owner or developer shall submit to the Village Clerk a petition for approval of a final plat covering all or a part of the land referred to in an approved Preliminary Plan. Such petition shall include two (2) transparent mylar copies of the final plat and ten (10) paper prints thereof, in the form and providing all the information, data, and supporting material required by Article IV, Section 3 of this Code. Such final plat shall retain the design characteristics of the preliminary plan approved by the Village Board and the public improvement engineering plans and specifications approved by the Village Engineer. The Board may require the owner or developer to submit a new Preliminary Plan to the Board if the final plat for an area shown on a Preliminary Plan approved by the Board is submitted to the Board after the third (3rd) anniversary of acceptance of said approved Preliminary Plan.

- c. Distribution of Final Plat for Review and Comment: The Village Clerk shall deliver one (1) paper print copy to the Village Engineer for review and comment prior to Village Board consideration of such final plat. One (1) paper print copy of such final plat shall be provided to each member of the Village Board by the Village Clerk prior to the consideration of such final plat.
- d. Village Board Review, Referral and Approval or Disapproval: Within sixty (60) calendar days from the date of the submission of the final plat and supporting material to the Village Clerk, the Village Board shall review the final plat to determine the extent to which it conforms with the approved preliminary plan and the public improvement engineering plans and specifications approved by the Village Engineer. The Board shall further review the supporting material to determine its conformance with the requirements of this Code. If the Final Plat in every respect conforms with the approved preliminary plan and public improvement engineering plans and specifications and if the supporting material meets all of the requirements of this Code, then the Board shall approve the Final Plat by Ordinance within sixty (60) days from the date of its review. The Board may approve such Final Plat subject to the posting of the Public Improvement Performance Bond, Escrow Account Agreement or Irrevocable Letter of Credit and, if applicable, any Adjacent Street Substandard Roadway Improvement Guarantee, and related security documents and reserves. If the Final Plat does not conform with such approved preliminary plan or if the supporting material does not conform with all of the requirements of this Code, then the Board, within sixty (60) days from the date of its review shall take one of the following actions:
 - 1. Deny the petition requesting approval of the final plat; or
 - 2. By Ordinance approve the final plat with such changes and/or conditions as the Board deems to be in the public interest.
- e. Recording of the Final Plat: Within ten (10) days from the date of adoption by the Board of an ordinance approving the final plat, or within twenty (20) days from the date on which the last event referred by this Code or characterized in such ordinance as a prerequisite to recording the final plat occurs, whichever is later, the Village Clerk shall file for recording of the final plat, a certified copy of the ordinance approving the final plat, and any supporting certificates necessary to accomplish the recording in the Office of the Recorder of Deeds of the County of McLean, State of Illinois.

- f. Distribution of Final Plat after Recording: After the final plat has been recorded by the Recorder of Deeds of McLean County, State of Illinois, the Village Clerk shall secure five (5) paper print copies of the approved final plat and five (5) copies of the approved supporting documents. The Village Clerk shall distribute such copies as follows:
1. One (1) set of such copies shall be delivered to the Village Engineer.
 2. One (1) set of such copies shall be delivered to the Zoning Enforcement Officer;
 3. One (1) set of such copies shall be delivered to the owner or developer; and
 4. Two (2) sets of such copies shall be retained by the Village Clerk for filing.

Sec. 5 FINAL PLAT SUBMISSION AND REVIEW WITH EXEMPTION OF PRELIMINARY PLAN REQUIREMENTS

Notwithstanding the sequential procedure for reviewing proposed subdivisions as specified elsewhere in Article III of this Code, any owner or developer meeting the following prerequisites may request the exemption of the preliminary plan requirements of Article III, Section 1 of this Code and approval of the final plat in accordance with this Section:

- a. Prerequisites:
1. The proposed subdivision shall not consist of more than three (3) lots and/or outlots and not contain more than two (2) acres in area;
 2. The proposed subdivision shall include all contiguous property in common ownership or unified control;
 3. The proposed subdivision shall not necessitate the construction or installation of public improvements required by Article V of this Code; and
 4. The owner or developer shall have paid to the Village any and all applicable fees as determined by the Village Engineer;
 5. Prior to the recording of the final plat by the McLean County Recorder of Deeds, the owner or developer shall:
 - a. File any applicable Adjacent Street Substandard Roadway Improvement Guarantees and Reserves as required by Article IV, Section 4 (b) of this Code;
 - b. Make any required Public Land Dedications or cash contributions in lieu thereof as required by Article VI, Section 2 or Article VI, Section 3 of this code.

- b. Submission: Any owner or developer, upon meeting the prerequisites listed in sub-paragraph (a) of this section may utilize the following Final Plat Submission and Review Procedure by submitting to the Village Clerk a petition requesting approval of a final plat with an exemption or waiver of the requirements of Article III, Section 1 of this Code regarding the submission or Preliminary Plan. Such petition shall include two (2) mylar copies of the final plat and ten (10) paper prints thereof, in the form and providing all the information, data and supporting material required by Article IV, Section 3 of this Code along with a filing fee of twenty-five (\$25.00) plus two dollars (\$2.00) per lot proposed subdivision.
- c. Distribution of Final Plat for Review: The Village Clerk shall retain the two (2) mylar copies and one (1) paper print copy of the final plat for filing and distribute the remaining to the Village Board.
- d. Village Board Review, Approval or Disapproval: Within sixty (60) days after its first regular meeting following receipt of the required material, the Village Board shall review the petition requesting approval of such plat and all accompanying information, data and supporting material to determine the extent to which same conforms with the requirements of this Code. The Board shall approve the Final Plat by ordinance within sixty (60) days from the date of its review. The Board may approve such plat subject to the posting of a Public Improvements Performance Bond, Escrow Account Agreement or an Irrevocable Letter of Credit and if applicable, any Adjacent Street Substandard Roadway Improvement Guarantee, and related security documents and reserves if such posting is required. If the petition and supporting material does not in some way conform to the requirements of this Code, then the Board, within sixty (60) days from the date of its review shall deny the petition and require the submission of a Preliminary Plan as required by Article III, Section 1 of this Code;
- e. Recording and Distribution of approved final plat: After the final plat is approved, it shall be recorded and distributed in accordance with Article III, Section 4 of this Code.

Sec. 6 PAYMENT, PERFORMANCE AND WORKMANSHIP GUARANTEES

Prior to the approval of the final plat, the owner shall post, secure and file with the Village Clerk a Public Improvement Performance Bond, Escrow Account Agreement or Irrevocable Letter of

Credit with appropriate evidence of security and file and establish an Adjacent Substandard Roadway Improvement Guarantee and Reserve in the manner, amount and form described respectively in Article IV, Section 4 of this Code.

Sec. 7 SUBMISSION OF AS-BUILT PLANS

After installation, completion, inspection, testing and receipt of engineering approval, the owner or developer shall submit one (1) complete set of as-built public improvement plans and specifications in the form and with the content required by Article IV, Section 5 of this Code but depicting such public improvements as actually installed.

**Sec. 8 ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR
MAINTENANCE**

After acceptance of the final plat, approval of the erosion and sedimentation control plan, and completion of public improvements and final inspection thereof, the Village Engineer shall notify the owner of the Village's acceptance for maintenance of all public improvements within, adjacent to or serving lots or outlots depicted on a final plat.

Sec. 9 FINAL SECURITY RELEASE

One (1) year after the date on which the Village Engineer has accepted public improvements for maintenance and after submission of as built plans, unless a material or workmanship claim is submitted to the surety company or escrow agent, the security for the Public Improvement Performance Bond or escrow shall expire and may be released without further action by the Village Board.

Chapter 15

Article IV. FORM AND CONTENT

Sec. 1 PRELIMINARY PLANS AND SUPPORTING MATERIAL

- a. General: The owner or developer submitting a Preliminary Plan shall submit all information required by this Section in the form specified. Failure to provide this information in the form required shall be sufficient grounds for the Village to refuse to accept the filing of a Preliminary Plan or to reject the Preliminary Plan at any stage in the review and approval process and, in addition, shall constitute a violation of this Code.

- b. Required Form of a Preliminary Plan: The Preliminary Plan shall be drawn so that clear and legible transparent prints and copies can be made with a minimum size of twenty-four (24") inches by eighteen (18") inches and maximum size of twenty-four (24") inches by thirty-six (36") inches.

- c. Required content of a Preliminary Plan and supporting documents.
 1. Identification and Description.
 - a. Name of the Subdivision, not duplicating the name of any other subdivision which has been submitted to the Village Board or the final plat of which has heretofore been recorded in McLean County, Illinois;
 - b. Legal description of all property included in the Preliminary Plan, including a reference to the Section, Township, and Range;
 - c. Name and address of the owner of record of all the property within the subdivision shown on the Preliminary Plan;
 - d. Name and address of the engineering firm and the registered professional engineer who prepared the Preliminary Plan or supporting material;
 - e. Graphic (engineering) scale;
 - f. Source of all topographical data; and
 - g. Total acreage of the subdivision shown on the Preliminary Plan;
 - h. The following notices shall be typed or stamped on the Preliminary Plan:

NOTICE OF APPROVAL OF PRELIMINARY PLAN BY THE VILLAGE BOARD OF DOWNS, ILLINOIS:

"The Preliminary Plan of the subdivision shown hereon has received approval by the Village Board of Downs, Illinois, subject to the modifications contained in Appendix A which is attached hereto."

The Village Board of Downs, Illinois

Date _____, 20____

By _____

President, Village Board

Attest:

Village Clerk

2. Existing Conditions.

A registered Illinois land surveyor or registered professional engineer shall prepare graphic presentations of the following in each case, with a north point designated as true north and a date of preparation indicated on the survey map, drawing, or plan. Unless otherwise noted, the following shall be drawn to an engineering scale not to exceed one hundred (100) feet equals one (1) inch:

- a. Boundary line survey map with accurate distances and angles with a permissible error of closure of one (1) in five thousand (5,000) prepared and certified accurate by a registered Illinois land surveyor;
- b. Topographic map depicting existing contours within the subdivision and the area within one hundred (100) feet thereof at vertical intervals of not more than two (2) feet, except in unusual topographical conditions such vertical intervals may be increased as determined by the Village Engineer.
Topographic data shall refer to U.S.G.S. datum.
- c. Location and perimeter of any area designated as a flood Hazard Area as defined by the Federal Emergency Management Agency.

- d. Identification, location, and dimension, if applicable, of the following located within the area included in the Preliminary Plan and in the area within one hundred (100) feet thereof:
- (1) Rights-of-way;
 - (2) Streets;
 - (3) Roadways;
 - (4) Improved drainageways;
 - (5) Unimproved drainageways;
 - (6) Walkways;
 - (7) Sidewalks;
 - (8) Public easements;
 - (9) Private easements;
 - (10) Railroad right-of-way;
 - (11) Section lines;
 - (12) Corporate limit lines;
 - (13) Parks, schools, and other public lands;
 - (14) Buildings and structures to remain;
 - (15) Buildings and structures to be removed.
- e. Identification, location, and size of storm sewers, drainage culverts, catch basins, sanitary waste removal facilities, storm
- water
- retention basins and storm sewer manholes located within the area included in the Preliminary Plan, the area within one hundred (100) feet of the perimeter of the area included in the Preliminary Plan or located elsewhere if such constitutes the nearest existing storm sewer, drainage culvert, catch basin, inlet, or storm sewer manhole serving the area included in the Preliminary Plan;
- f. Identification, location of watermains, including all valves, hydrants and any other underground utilities located within the area included in the Preliminary Plan, the area within one hundred (100) feet of the perimeter of the area included in the Preliminary Plan, or located elsewhere if such constitutes the nearest existing water main, valve or hydrant or other underground utility serving the area included in the Preliminary Plan;
- g. Location of and reference to location of existing monuments or survey markers used in preparation and within the boundary of the boundary line survey map and bench marks;
- h. Location map drawn at a scale not less than one thousand (1000) feet to one (1) inch.

- i. If applicable, data indicating that the soil within the area included in the Preliminary Plan is suitable for the absorption of septic tank effluent without the contamination of any water supply or creating unsanitary conditions. This data shall be obtained by making not less than one (1) percolation test on each lot, but in no event less than one (1) test per acre, in a manner prescribed by the McLean County Health Department and the Illinois Environment Protection Agency.
3. Surveys, Maps, Plan, and Drawings of Proposed Conditions: A Registered Professional Engineer shall prepare and certify as accurate - to the degree of accuracy specified - surveys, maps, plans, and drawings depicting the proposed arrangement of the area included in the Preliminary Plan indicating each of the following and drawn to an engineering scale not to exceed one hundred (100) feet equals one (1) inch:
 - a. Identification, location, and dimensions of any of the following required or proposed:
 1. Rights-of-ways;
 2. Interior streets, exterior streets, and exterior roadways with approximate elevations, proposed gradients, and typical cross-sections;
 3. Street and roadway names, not duplicative of or confusingly similar to the name of any street heretofore used in the Village of Downs, Illinois, or its environs, unless the street is an extension of, or in line with a previously named street, in which event such name shall be used;
 4. Pedestrian-ways, sidewalks, walkways;
 5. Public and private easements;
 6. Lots and outlots;
 7. Minimum front yard setbacks;
 8. Railroad crossings and right-of-ways;
 9. Bridges;
 10. Areas if any, intended to be dedicated or reserved for non-residential purposes;

- b. Identification, location, and size of any of the following required or proposed:
 - 1. Water mains and
 - 2. Street lights in accordance with the requirements of Article V, Section 6 of this Code.
- c. Identification, location, and typical cross-section of any of the following required or proposed in the area included in the Preliminary Plan:
 - 1. Improved drainage ways;
 - 2. Unimproved drainage ways;
 - 3. Storm drains; and
 - 4. Storm water detention and/or retention areas
- d. Identification, location and, if applicable, direction of flow of any storm sewers and manholes proposed in the Preliminary Plan.
- e. Direction of storm water run-off from each lot and outlot proposed or required in the area included in the Preliminary Plan;
- f. Topographic map of all flood route areas - depicting proposed contours at vertical intervals of not more than two (2) feet;
- g. Erosion control plan for the period from the initiation of development to completion of development of the subdivision.

Sec. 2 PUBLIC IMPROVEMENT ENGINEERING PLANS AND SPECIFICATIONS

- a. General: The owner or developer submitting public improvement engineering plans and specifications shall submit all the information required by this Section in the form specified. Failure of an owner or developer to provide this information in the form required shall be sufficient grounds for the Village to refuse to accept the filing of public improvement engineering plans and specifications, to reject the plans and specifications at any stage in the review and approval process, and to reject a Final Plan and/or Final Plan depicting lots or outlots served by such public improvements.
- b. Minimum Material to be submitted: Engineering plans and specifications shall be submitted for all public improvements proposed in or necessary to serve lots depicted in an approved Preliminary Plan or portion thereof. Such materials shall include - without limitation - plans, profiles, standard details, and special detail drawn in sufficient detail and supported with sufficient data to make possible a complete and accurate determination of the extent or compliance or non-compliance with the regulations and sufficient to permit construction and installation of the proposed improvements without additional or supporting engineering data.

- c. Required Form of Public Improvement Engineering Plans and Specifications: Public improvement engineering plans and specifications, drawings, schematics and comparable material shall be drawn on mylar from which clear and legible transparent or contact prints and photostatic copies can be made, with a maximum size of twenty-four (24) inches by thirty-six (36) inches.
- d. Required Content of Public Improvements, Engineering Plans, and Specifications:
 - 1. Identification and Description - the public improvement engineering plans and specification required by this Code shall include a Title Sheet containing the following information:
 - a. The name of the proposed subdivision within which or for which such public improvements are proposed;
 - b. The name and address of the developer;
 - c. the name, address, and telephone number of the engineering firm preparing any part of the engineering plans and specifications and an indication of the part of the plans that such firm prepared;
 - d. Seal of the professional engineer preparing all or any portion of the engineering plans and specifications certifying that the materials so prepared conform with all applicable codes and ordinances of the Village except as specifically noted as a requested variation or exemption.
 - 2. Materials required - A registered professional engineer shall prepare and certify plans showing and depicting the following:
 - a. Standard Details - Typical cross-sections of streets, trenches, and curb and gutter and sidewalks;
 - b. Specific Details - any specially constructed items pertaining to the project;
 - c. Standard details - Storm sewer details;
 - d. Standard details - Water main construction details;
 - e. Storm Sewer Plan and Profile Sheets;
 - f. Drainage Way Plan and Profile Sheets;
 - g. Watermain in Overall Plan
 - h. Storm Sewer, and Drainage Way Overall Plan;
 - i. Street and Sidewalk Plan and Profile Sheets;
 - j. Street Cross-Section Sheets - on fifty (50) foot centers;
 - k. Drainage Way Cross - Section Sheets - on fifty (50) foot centers;

1. Grading Plans of Lots and Blocks which shall show:
 1. The finished elevation at four (4) corners of each lot; and
 2. The finished elevation at four (4) corners of the principal building located on each lot. It shall be the responsibility of the owner of each lot to see that his lot is drained in accordance with said grading plan. It shall be unlawful for the owner to construct or allow the construction of any building or structure which is not in conformity with such grading plan; and
 3. Direction of storm water run-off from each lot and outlot.
- m. Miscellaneous Drawings Showing any other Special Items Required by the Project.

Sec. 3 FINAL PLAT AND SUPPORTING MATERIAL

- a. General: the owner submitting a final plat shall provide all information required by this Section in the form specified. Failure of an owner to provide this information in the form specified herein shall be sufficient grounds for the Village to refuse to accept the filing of a final plat or to reject a final plat in any stage of the review and approval process.
- b. Area Included in a Final Plat.
 1. A final plat shall not include any area that is not included in an approved and then valid Preliminary Plan unless an exemption of the Preliminary Plan requirements of Article III, Section 1 of this Code has been approved in accordance with Article III, Section 5 of this Code.
 2. A final plat shall not depict any public improvements or lots served by or which under this Code require service by public improvements unless the engineering plans and specifications for such public improvements have been submitted, reviewed and approved.
- c. Required Form of Final Plats:
 1. Final plats shall be drawn at a scale of not more than one hundred (100) feet to one (1) inch on mylar, from which clear and legible transparent or contact prints and photostatic copies can be made with a maximum dimension of twenty-four (24) inches by thirty-six (36) inches. The Village Engineer may for good cause waive the maximum size regulations cited hereinabove.
 2. Supporting material shall be typed on paper not exceeding eight and one-half (8 1/2) inches by eleven (11) inches in size.

- d. Required Content of Final Plats:
1. Identification and Description:
 - a. The name of the subdivision not duplicating the name of any other subdivision, the final plat of which has been recorded in McLean County, Illinois;
 - b. The legal description of all property included in the final plat and including a reference to the Section, Township, and Range;
 - c. The name and seal of the registered Illinois Land Surveyor who prepared the final plat and the certificate attesting to the accuracy of the survey and the correct location of all monuments shown;
 - d. The scale of the plat, points of the compass, and the total acreage of the property depicted on the final plat.
 - e. Location of all survey monuments and their descriptions.
 2. Lot, Outlot, and Public Rights-of-Way: A registered Illinois Land Surveyor shall prepare and certify as accurate the angular and lineal dimensions of all lines, angles, and curvatures necessary to accurately depict the location of the following:
 - a. Rights-of-Way, including the names of any streets and roadways depicted;
 - b. Public easements;
 - c. Proposed lots of record consecutively numbered and keyed to the lot numbering system used on the approved Preliminary Plan;
 - d. Outlots, numbered consecutively and keyed to the lot numbering system used on the approved Preliminary Plan;
 - e. Minimum front yard setbacks;
 - f. Other areas dedicated or reserved to the public;
 - g. Railroad rights-of-way;
 - h. Boundaries of the subdivision which shall be drawn to meet or exceed the following standards:
 1. Error of closure of boundary line survey shall not exceed one (1) foot for each five thousand (5,000) feet of perimeter survey;
 2. Angular error shall not exceed plus or minus twenty (20) seconds;
 3. Lot line dimensions shall be shown in feet and hundredths of a foot;
 4. Angles occurring in any lot line between lot corners shall be shown in degrees, minutes and seconds;

- i. The radii, arcs or chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners;
- j. Field references to:
 - 1. the nearest established street lines and official monuments which shall be accurately described in the plat by location, size, and elevation;
 - 2. township and section lines if the same are within the boundary of the final plat or within one hundred (100) feet therefrom, referenced accurately to the lines of the subdivision by distances and angles; and
 - 3. all monuments placed at all block corners, angle points and at intermediate points installed in such a manner that they may be located by a registered land surveyor.
- 3. Certificates: The final plat shall be accompanied by the following certificates duly and appropriately executed substantially in the form of the exhibit specified in Appendix A of this Code:
 - a. Owner's Certificate (with Notary)
 - b. Surveyor's Certificate
 - c. Drainage Acknowledgment
 - d. County Clerk's Certificate
 - e. Village Clerk's Certificate
 - f. Certificate of the Village Engineer
 - g. County Plat Officer's Certificate for final plats of land located outside the corporate limits of the Village but within the jurisdiction of this Code.

Sec. 4 ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

- a. Public Improvements and Performance Bond, Escrow Account, or Irrevocable Letter of Credit.

- 1. Nature of the Obligation: The owner of a proposed subdivision shall submit a Public Performance Bond or provide an escrow account agreement or an irrevocable letter of credit at the time of Board approval within two of the Final Plat obligating the signer to do each of the following (2) years following the approval of the final plat by the Village Board and prior to the acceptance of such improvement by the Village Engineer for maintenance by the Village:
 - a. Install all public improvements depicted on or in an approved preliminary plan or public improvement engineering plans and specifications in accordance with the approved public improvement engineering plans and specifications required by this code;

required
actually
Section 7 of this Code.

- b. Pay all plan review and inspection fees still owed to the Village as this Code; and
- c. Prepare and submit to the Village Engineer one (1) set of plans and specifications showing such required land improvements as installed in the manner described in Article III,

Bond
to

In addition, the execution of the owner's Public Improvement Performance or Escrow Account or Irrevocable Letter of Credit shall obligate the signer to

a period
maintenance by

guarantee the improvements against faulty materials and workmanship for of one (1) year following the acceptance of the improvements for the Village.

2. Penal Amount of Bond or Escrow Account.

a. Surety Bond: Such bond shall be payable to the Village in a sum at least equal to the cost, as estimated by the Village Engineer, of installing all public improvement required by this Code. Such bond shall be in a form with surety and conditions approved by the Village Attorney. The Village Attorney after approving said bond, shall transmit a copy thereof to the Village Engineer. The surety bond shall be acknowledged before a notary public by the principal and surety and shall be in substantially the form indicated in Appendix B of this Code.

b. Escrow Account or Irrevocable Letter of Credit: In lieu of such aforesaid surety bond, the owner shall provide an escrow account or irrevocable letter of credit to be held by a local financial institution conditioned upon the satisfactory completion of the improvements which are required by this Code, the amount of such account to be equal to the estimated cost of said improvements, as estimated by the Village Engineer, and the Village of Downs Board of Trustees plus, at least ten percent (10%) additional for the total of all improvements. All withdrawals from such account shall be made subject to the release of the Village by the Village Engineer and the Village of Downs Board of Trustees and the same may be paid as work progresses and is completed subject to the approval of the Village Engineer and the Village of Downs Board of

Trustees. Upon completion of said improvements and written acceptance thereof by the Village Engineer and the Village of Downs Board of Trustees, the additional amount exceeding the estimated cost at least ten percent (10% over the estimated cost) of the escrow account or irrevocable letter of credit shall remain on deposit until the expiration of one (1) year from the date of completion of such improvement, and until approval and final release by the Village Engineer and the Village of

Downs Board of Trustees. The form of all escrow accounts or agreements or irrevocable letter of credit shall be subject to the approval

of the Village Attorney and the Village of Downs Board of Trustees. The escrow account and or irrevocable letter of credit shall be acknowledged

before a Notary Public by the principal and shall be in substansially the form indicated in Appendix B of this code.

3. Release from Bond or Escrow Account Posted as Security: If, but only if, at the expiration of one (1) year from the date of acceptance of said improvements, said improvements are free of defects, the Village Engineer subject to approval of the Village of Downs Board of Trustees shall release the bond or escrow account or irrevocable letter of credit. If, at the end of said year, said improvements are not free of defects, the Village Engineer shall upon authorization by the Village Board, cause the defects in said improvements to be remedied using the aforesaid bond or escrow account as a source of funds to remedy such defects.
- b. Adjacent Substandard Roadway Improvement Guarantee and Reserve:
1. Nature of the Obligation: Any owner developing a subdivision bordering on one (1) or more roadways shall be obligated to contribute one half (1/2) of the cost of improving such roadway to the standards of Article V, Section 2 of this Code -- such obligation shall endure for ten (10) years from the date that the final plat is recorded in the Office of the McLean County Recorder of Deeds unless the owner builds or pays the cost of building one-half (1/2) of such roadway to the standards of Article V, Section 2 of this Code, in which case the owner shall have no obligation.
 2. Guarantee and Security: The Adjacent Substandard Roadway Improvement Guarantee shall be secured in one (1) of the following ways:
 - a. By posting a corporate surety bond with the owner as principal and an insurance company duly authorized to do business in the State of Illinois as surety in a penal amount not less than that determined by Article IV, Section 4 (a) (2) of this Code. The owner shall keep such bond in full force and effect until one year after official action by the Board accepting the roadway for maintenance or until such later date as any written claim against the surety by the Village is finally resolved. The form of such security is as provided in Appendix B of this Code.
 - b. By posting a cash escrow account with the Village in the amount determined by Article IV, Section 4(a) of this Code - the form of such security as provided in Appendix B of this Code.
 - c. By posting an irrevocable letter of credit in the amount determined by Article IV, Section 4(a) of this Code from a local financial institution naming the Village as beneficiary thereof - the form of such security as provided in Appendix B of this Code.

3. For purposes of this Article IV, Section 4(b), a roadway shall be considered adjacent to the subdivision if:
 - a. any portion of said roadway is contiguous to any portion of said subdivision; or
 - b. said roadway is either necessary to or the most convenient route for ingress to and egress from the subdivision.
4. The length of the roadway for which the owner is responsible for under this Article IV, Section 4(b) shall not be limited to that portion of such roadway which is contiguous to the subdivision; it shall extend to that portion of roadway for which the cost is fairly apportionable to the subdivision, using frontage, area, or other reasonable methods of determination.

Sec. 5 AS-BUILT PLANS

- a. General Requirements: After completion of all required public improvements in a subdivision and after the inspection and approval of such improvements by the Village Engineer, the owner shall submit to the Village Engineer all of the information required by this section in the form specified by this section. Failure of the owner to submit such information in the form required by this section shall be sufficient grounds for the Village Engineer and the Village of Downs Board of Trustees to not release the owner from his Public Improvement Performance Bond or Escrow Account or Irrevocable Letter of Credit and any Adjacent Substandard Roadway Improvement Guarantee or to not release the security for such bond, account or guarantee. Failure of the owner to submit such information in the form required by this Section shall be unlawful.
- b. Required Form: As built plans shall be drawn so that the clear and legible transparent or contact prints and photostatic (photographic) copies (reproductions) can be made with a maximum size of twenty-four (24) inches by thirty-six (36) inches.
- c. Required Content: As built plans shall provide the content required for public improvement engineering plans and specifications, as required by Article IV, Section 2 of this Code, but shall accurately depict the plans, profiles, standard details as actually installed, inspected and approved - rather than as proposed.

Chapter 15

Article V. DESIGN AND CONSTRUCTION STANDARDS

Sec. 1 GENERAL STANDARDS

All subdivisions shall be designed so as to conform with the following principles of planning enumerated in subsection (2) and the layout and design requirements in subsection (b) of this section:

- a. Principles of Planning - Basic principles should be recognized and followed in the design of circulation and access systems within new subdivisions. Such principles concern the design of entire street systems rather than its individual elements and, therefore, must express concepts rather than specific standards. In applying such principles, however, specific standards for pavement widths, intersection design, and related features are essential. Basic consideration in the design of local circulation systems must recognize factors of safety for both vehicular and pedestrian traffic; efficiency of service for all users; livability and/or amenities; and economy of both construction and use of land. Each of the following principles is an elaboration on one (1) or more of these four (4) factors. Such principles are not intended to be absolute criteria, therefore, they should be used as guides to the proper design of subdivisions.
 1. Adequate vehicular and pedestrian access should be provided to all lots;
 2. Street patterns for major streets and collector streets should minimize "out-of-the-way" vehicular traffic;
 3. Minor streets should be designed to minimize through traffic movements;
 4. Street systems should be logical and comprehensible;
 5. Systems of street naming should be simple, consistent and understandable;
 6. Minor street systems and land development patterns should not detract from the efficiency of major streets and collector streets;
 7. Elements in the street system should not have to rely on extensive traffic regulation in order to function efficiently and safely;
 8. Planning and construction of streets in subdivisions should reflect their intended function;
 9. Minor streets should be designed for a relatively low volume of traffic and a relatively low speed limit;
 10. Pedestrian-vehicular traffic conflicts should be minimized;
 11. The number of street intersections should be minimized;
 12. The arrangement of streets should permit economical and practical shapes and sizes for lots;
 13. The design of streets should be related to topography from the

standpoint of economics, drainage and amenities;

14. Access points to major streets and collector streets should be limited to number, given special design consideration, and whenever possible located where other features are not competing for driver attention;
15. Driveway entrances directly to lots designed for residential use shall be prohibited on major streets and restricted on collector streets;
16. Open space areas should be provided as required by this Code; and
17. A satisfactory relationship between proposed and existing development should be established in order to permit efficient and economic continuity of utilities and services.
18. When a proposed Subdivision borders undeveloped properties which could undeveloped property. When a proposed Subdivision borders undeveloped property to the same is needed, a connecting stub street, or right-of-way easement shall be provided to adjacent properties so as to allow for a reasonable interconnecting street pattern, or access to the undeveloped property.
19. When a proposed Subdivision borders a property that has a county approved Board of Trustees to final plat a proposed Subdivision in phase from a proposed preliminary plan, he shall, after final platting fifteen (15) lots or twenty-five percent (25%) of the lots on the approved preliminary plan, whichever is less, provide a second completed connecting entrance to the Subdivision. At the time the plan is being final platted, the developer shall complete all street improvements as approved in the preliminary plan.
20. When a developer has received permission from the Village of Downs

- b. Layout and Design Requirements for Proposed Lots of Record and Outlots.
1. Subdivisions shall consist solely and exclusively of lots of record, outlots, easements, public right-of-way and public improvements;
 2. All proposed lots of record shall front on a public street or public roadway;
 3. All proposed lots of record shall meet or exceed the lot size, dimensions, and area requirements of the Zoning Ordinance;
 4. Outlots may not be used, developed, built on or improved except in connection with a lot;
 5. Easements shall be dedicated to the Village for use by the Village and private utility companies as provided herein;
 6. Where residential lots are abutting a major street, the "back up treatment" shall be used and a "no-access strip" shall be depicted on such lots to prohibit vehicular access directly to such abutting major street;
 7. In general, lots shall be as nearly rectangular in shape as practicable;
 8. If the minimum lot width is less than seventy-five (75) feet, corner lots, shall be thirty (30) percent wider than the typical width of interior lots or seventy-five (75) feet whichever is the lesser width, except in any subdivision corner lots of greater width may be required by the Village Board in order to provide for proper development of street intersection design and traffic safety;
 9. Side lot lines shall be at substantially right angles or radial to the street right-of-way line;
 10. Depth of lots shall not be less than one hundred (100) feet for interior lots except lots fronting on a cul-de-sac where the minimum depth may be not less than ninety (90) feet. The maximum depth of lots shall not be more than four and one-half (4 1/2) times the lot width; and
 11. The lot width for lots abutting the terminus of a cul-de-sac shall be measured at the front yard building setback line.
- c. Layout and Design Requirements for Blocks:
1. Residential Subdivisions. The maximum length of blocks containing any lots less than one hundred (100) feet in width shall be one thousand two hundred (1,200) lineal feet, and the maximum length of blocks containing all lots one hundred (100) feet and over in width shall be one thousand six hundred (1,600) lineal feet. No blocks shall be less than two hundred (200) lineal feet in length.
 2. Business Subdivisions. The maximum length of blocks shall be as approved by the Village Board.

Sec. 2 DESIGN AND CONSTRUCTION STANDARDS FOR STREETS

- a. Design. All subdivisions shall be designed so the proposed street system accomplishes the following:
 - 1. avoids street jogs with centerline off-sets of less than two hundred (200) feet;
 - 2. where the angle of deflection in horizontal centerlines exceeds five (5) degrees, a curve will be inserted with a radius of not less than that required by Design Manual, Publication 1217 State of Illinois Department of Public Works and Buildings, Division of Highways, Bureau of Design;
 - 3. so that not more than two (2) streets intersect at any point and so that the angle of intersection of centerlines is not less than eighty (80) degrees nor more than one hundred (100) degrees;
 - 4. in residential zoning districts cul-de-sacs shall not exceed one thousand two hundred (1,200) feet in length and in other zoning districts cul-de-sacs shall not exceed four hundred (400) feet in length;
 - 5. encourage safe and efficient traffic flow and provide sufficient vehicular storage space for stopping and turning movements so as not to conflict with traffic at intersecting streets or driveway entrances;
 - 6. does not include alleys in any subdivision;
 - 7. provides a minimum curb radius of twenty-five feet (25') at the intersection of all minor streets in residential subdivisions and designed to conform to traffic needs in all other subdivisions;
- b. Right-of-Way Dedication Standards:
 - 1. Generally. All streets and roadways proposed within the confines of a subdivision shall be located in dedicated public right-of-way.
 - 2. Interior Streets - Subdivisions shall be designed so all interior streets are located within dedicated public right-of-ways for the following minimum widths-depending on the street classification.

Major and Collector	80 feet
Minor	60 feet
Cul-de-Sac Turnaround	100 feet
 - 3. Exterior Streets - Subdivisions shall be designed so that the owner provides not less than one-half (1/2) of the right of way dedication required for an interior street of comparable classification.

4. Supplemental Dedication - Where the street design requirements of this Code require the provision of turning lanes, turning radii, center medians, traffic control devices or other installations which cannot be installed with the right-of-way otherwise required by this Code without the elimination of or conflict between such features and other public improvements, the owner shall dedicate such additional right-of-way as is necessary to accommodate all such improvements.
- c. Construction Standards:
1. Generally - All streets shall use materials and be installed in a manner meeting or exceeding the requirements, standards and specifications contained in this Article V, Section 2 (c) including those contained in any documents referred to herein.
 2. Grading:
 - a. All trees that cannot be saved, and similar objects in the street right-of-way shall be removed.
 - b. All streets shall be graded to their full width, including side slopes and the sub-grade of the areas to be paved.
 - c. All excavation under the street pavement and curb and gutter shall be back-filled with granular material approved by the Village Engineer.

3. Width - Pavement width shall be based on street classification:

Type of Street	Residential Subdivisions		Manufacturing or Business Subdivision
	Without Curb	With Curb	With Curb
Major Street:	In accordance with Federal, State, County, or local requirements		
Collector Street:	24 FEET	44 FEET	44 FEET
Arterial:	24 FEET	36 FEET	44 FEET
Land Access:	22 FEET	30 FEET	40 FEET
Minor Street:	22 FEET	30 FEET	40 FEET
Culd-de-Sac:	22 FEET	30 FEET	40 FEET

Roadway Pavements in Cul-de-Sac turnarounds shall have a minimum diameter, measured from the edge of pavement to edge of pavement, of one hundred ten (110) feet for residential, manufacturing, and business subdivisions. Roadway pavements in “Y” or “T” type or other type of turnarounds shall be as approved by the Village Engineer.

Minimum standards shall be determined in accordance with Design Manual, Publication 1217, State of Illinois Department of Public Works and Buildings, Division of Highways, Bureau of Design and assuming California Bearing Ratio is a minimum of three (3). Projected design hourly volumes shall be used in determining minimum pavement width and structural strength and thickness which may exceed the minimum standards cited hereinabove.

4. The owner shall negotiate with the Village to determine the proportionate share of the engineering and construction costs for constructing streets within the subdivision which exceed the minimum width requirements for minor streets as cited in this Article V, Section 2; however, the owner shall be responsible for paying all engineering and construction costs for constructing minor streets and bridges and/or railroad crossings that are required within the subdivision by this Code.
5. Except for higher standard roadway pavement specifications that may be required

for streets in manufacturing and business subdivisions or for major streets adjoining or through any subdivision, the minimum roadway pavement specifications shall be as follows:

Specifications

not
feet

- a. Compacted sub-base in accordance with **The Standard for Road and Bridge Construction**, Illinois Department of Transportation, latest edition.
- b. Aggregate Surface Course Type B having compacted thickness of less than eight (8) inches shall be constructed not less than two (2) wider than the pavement surface;
- c. In residential subdivisions, the minimum roadway pavement specifications shall be an "A-3" bituminous surface treatment in accordance with **The Standard for Road and Bridge**

Construction,

Illinois Department of Transportation, latest edition.

- d. All pavements shall be installed in accordance with the following construction standards and specifications:
 1. **Design Manual, Publication 1217**, State of Illinois, Department of Public Works and Buildings, Division of Highways, Bureau of Design;
 2. **Highway Standards, Publication 1252**, State of Illinois, Department of Public Works and Buildings, Division of Highways, Bureau of Design, and
 3. **Standard Specifications for Road and Bridge**

Construction,

Illinois Department of Transportation, latest edition.

6. Vertical Gradients - Different connecting street gradients shall be connected with vertical curves. The Design Manual, Publication 1217, State of Illinois, Department of Public Works and Buildings, Division of Highways, Bureau of Design, Figure 2.600, "Geometric Requirements" shall govern all vertical curve computations except when the algebraic difference of the gradient is less than one (1) percent, a fifty (50) foot vertical curve length shall be utilized.

7. Curbs, Gutters and Ramp Standards:
 - a. Curbs and gutters shall be Type B-6.18 and installed in accordance with Standard Specifications for Road and Bridge Construction, Illinois Department of Transportation, latest edition.
 - b. All curbs shall be constructed so as to enable persons using wheelchairs to travel freely and without assistance by providing each crosswalk ramp with non-slip surface so that the sidewalk and street blend to a common level. Such ramp shall not be less than thirty-two (32) inches wide and shall not have a slope greater than one (1) inch rise per twelve (12) inches length. Where, because of surrounding buildings or other restrictions, it is impossible to conform the slope with such requirements, the ramp shall have a slope with as shallow a rise as possible under the circumstances. In all ramps, there shall be a gradual rounding at the bottom of the slope.
8. All streets in the subdivision which are not improved with curb or curb gutter roadway pavement edging shall:
 - a. Be paralleled by a side strip (shoulder) on each side of such streets. Such sidestrip shall be three (3) feet wide and shall be constructed of compacted earth for "A-3" surfaced streets and "Aggregate Surface Course, Type B" for bituminous surface course
(Class I) surfaced streets.
 - b. Be paralleled by roadside ditches a minimum of 18" deep with maximum front slopes of 4:1 and backslopes of 3:1.
 - c. Include 12" minimum size entrance culverts on each lot.

**Sec. 3 DESIGN AND CONSTRUCTION STANDARDS FOR
SIDEWALKS AND PEDESTRIAN WAYS**

- a. Design - subdivisions shall be designed so that the sidewalks and pedestrian ways are provided in such locations and in such a manner as to do and accomplish the following:
1. Sidewalks and pedestrian ways shall be not less than four (4) feet in width.
 2. Sidewalks in subdivisions shall be located within dedicated street right-of-way and shall be roughly parallel to the street or roadway surface on both sides of all streets.
 3. Where the street design and parallel sidewalk arrangement does not provide reasonably direct pedestrian access to and from school sites, park sites, or other pedestrian traffic generators, pedestrian ways shall be provided in side yard or other easements or dedicated public right-of-way so as to permit reasonably direct pedestrian access to and from such sites; and
 4. Wheelchair ramps shall be provided at all abrupt changes in grade on sidewalks and/or all locations at which the sidewalk intersects with the curb of a street or roadway at a crosswalk.
 - b. Right-of-Way Dedication Standards - All sidewalks shall be installed within dedicated public right-of-ways. Such dedication shall extend not less than six (6) inches on each side of the sidewalk surface.
 - c. Easements for Pedestrian Ways - All pedestrian ways shall be installed within dedicated public easements. Such easements shall have a minimum width of twelve (12) feet.
 - d. Construction Standards - All sidewalks and pedestrian ways shall be constructed and installed in a manner meeting or exceeding the requirements, standards, and specifications in Standard Specifications for Road and Bridge Construction, Illinois Department of Transportation, latest edition, with a minimum thickness of four (4) inches.

Sec. 4 DESIGN AND CONSTRUCTION STANDARDS FOR STORM SEWER, DRAINAGE WAYS AND STORM DETENTION/RETENTION FACILITIES

a. Design and Construction - In all subdivisions inside the Village and in all subdivisions in the unincorporated area within one and one-half (1 1/2) miles of the corporate limits of the Village, adequate drainage facilities shall be provided to conform to accepted engineering standards and practices. To facilitate the review of the proposed drainage facilities for a subdivision, design calculations prepared by the owner's engineer shall accompany the plans. Calculations shall include computation of the drainage area, the area of the subdivision, the percent of the total drainage basin area occupied by the subdivision, the basis of the internal drainage system including detention and/or retention facilities. Where the drainage from the subdivision connects directly into an existing storm drain or requires drainage to be installed within the right-of-way, the owner's engineer shall submit hydraulic calculations for all storm drain pipelines, ditch cross sections, culverts and bridges which are part of or related to the subdivision. Plans and profiles, drawn to a convenient scale and adequately dimensioned shall be submitted along with the calculations.

1. The design of storm water runoff systems, structures, and facilities shall be based on the following minimum standards which do not preclude the use of higher design standards:

a. Calculation of Runoff:

In calculating runoff, the Rational Formula $Q = ciA$ shall be used where:

Q = Discharge in cubic feet per second;

c = Standard coefficient of runoff;

i = intensity of rainfall in inches per hour, shall be as per Data Technical Letter 4, Water published by Illinois State Water Survey for North Central Section; and

A = Watershed area (in acres) fully developed in accordance with maximum density of land use authorized by such drainage area by the Village Zoning Ordinance, or the County Zoning Ordinance for that portion of watershed located outside the corporate limits of the Village.

In all subdivisions rainfall intensity shall be based on a five (5) year storm frequency of one (1) hour duration where an approved one hundred (100) year flood routing is provided. In subdivisions located in critical flooding areas the Village Engineer may require a design based on a ten (10) year storm frequency of one (1) hour duration subject to

approval

by the Village of Downs Board of Trustees.

b. Open Channels:

The size and shape of open channels shall be designed to meet the requirements of runoff, depth, side slopes, gradient, and velocity limitations in accordance with the site conditions. Runoff shall be based on a twenty-five (25) year storm frequency of one (1) hour duration. Manning's Formula as cited in Manning, Flow of Water in Open Channels and Pipes, Tran. Inst. Civil Engrs. (Ireland), Vol. 20, 1890, and most civil engineering handbooks, shall be used in hydraulic design of open channels. Channel banks shall be protected by use of vegetation, rip-rap, or paving as design velocity dictates subject to the approval of the Village Engineer.

c. Storm Drain Pipes:

1. The hydraulic characteristics of storm drain pipelines shall be calculated by using Manning's Formula.
2. Pipelines shall be designed to carry the maximum runoff when flowing full. Full consideration shall be given to possible future extensions of such systems, and flooding routing for a one hundred (100) year storm shall be shown.
3. A minimum velocity of two and five-tenths (2.5) feet per second shall be used for flowing full condition. Maximum velocity shall not exceed fifteen (15) feet per second.
4. The value of "n" in Manning's Formula for pipeline shall be as follows:
 - a. For concrete or cast iron pipelines: $n = 0.013$
 - b. For corrugated metal pipe: $n = 0.025$ inches
5. Minimum pipe diameter: Twelve (12) inches.
6. A minimum drop of one-tenth (0.1) foot shall be provided for each inlet or manhole between pipe inverts.
7. Transitions in pipe size, changes in slope, alignment, and/or junctions shall be provided with manholes, inlets or structures designed for the purposes cited in this Article V, Section 4 (a)(1)(c).
8. Pipe of thirty (30) inches or larger diameter may be laid in

a

subdivision's

(200)

end of

thirty (30)

radius which would follow the general alignment of streets with a minimum radius of curvature of two hundred feet. Manholes shall be required at the beginning and at the end of all the curves. Bend structures may be used for a pipe thirty (30) inches in diameter or larger provided the suitable access is

- provided for proper maintenance.
9. Ends of pipelines starting or ending in ditches or streams shall have headwalls or end sections as approved by the Village Engineer.
- d. Inlets:
1. Inlets shall be provided for all low points and their spacing shall not exceed four hundred (400) feet, except that the first inlet shall be spaced approximately four hundred (400) feet from the high point or at no greater distance than six hundred (600) feet when approved by the Village Engineer.
 2. Standards approved by the Village Engineer shall be used for all inlets and castings.
- e. Manholes:
All manholes shall be in accordance with the construction details and requirements of the Village Engineer.
2. The owner shall be required to build one (1) or more than one (1) detention and/or retention ponds if dictated by the development and existing drainage facilities. At the option of the Village the owner shall pay a proportionate share of the cost of correcting existing adverse drainage conditions when the Village finds that a subdivision situated in a drainage basin, as above defined, would create an immediate or potential effect on the drainage system or structure and is correctable in a reasonable time span. The proportion of the cost of such facilities to be paid by an owner shall be mutually determined by the Village and the owner. The owner's engineer shall perform all calculations of storm runoff drainage area and other hydraulic elements needed to come up with proportionate costs. Said proportionate costs are subject to review and approval by the Village Engineer and the Village of Downs Board of Trustees.
 3. The design of detention/retention basins shall be based on no less than the minimum standards enumerated herein. The following minimum standards do not preclude higher design standards being used by the owner:
 - a. The minimum storage capacity of the basin shall be to store the excess volume of the runoffs generated by a one hundred (100) year storm frequency in post development conditions of the land in the catchment area and three (3) year storm frequency with predevelopment land characteristics of the catchment area. The release discharge from the proposed development to existing drainage facilities shall not exceed the runoff rate generated by a three (3) year storm frequency on the tributary area with predevelopment land characteristics.

- b. Calculation of runoffs:
 Runoff shall be calculated on the basis of rational or United States Department of Soil Conservation service method. Other reasonable methods may be used if approved by the Village Engineer. The Following guidelines are established for computing required storage and maximum release rate from the proposed development:

- i. For an area of development up to five (5) acres:

<u>Area</u>	<u>Required Storage Rate</u>	<u>Maximum Release Rate Allowed</u>
up to 1 acre	10,700 cubic feet/acre	1.05 cfs/acre
up to 2 acres	9,100 cubic feet/acre	0.90 cfs/acre
up to 3 acres	7,800 cubic feet/acre	0.78 cfs/acre
up to 4 acres	6,900 cubic feet/acre	0.64 cfs/acre
up to 5 acres	6,200 cubic feet/acre	0.60 cfs/acre

The rates shall be pro-rated in case of fractional acreage of an area.

- ii. For an area of development over five (5) acres but less than twenty (20) acres:

Rational method shall be used for computing the peak discharges of three (3) year storm frequency in pre-development land conditions and one hundred (100) year storm frequency in ultimate post development land condition of the drainage basin. The minimum required storage shall be the volume generated by the difference between the two (2) average discharges of the pre-development and post development conditions of the drainage area assuming such difference occurs from one (1) hour. The average discharge being half of the peak discharge calculated by the Rational Method. The release rate shall not exceed the peak discharge generated by a three (3) year storm frequency in predevelopment conditions of the land.

- iii. For an area over twenty (20) acres, United States Department of Agriculture, Soil Conservation Service method shall be used.
 - 1. The elevation - storage curve for the basin;
 - 2. The elevation - discharge curve for the conduit thru control section and the spillway;
 - 3. Outflow hydrograph giving the rate of flow as a function of time consistent with inflow hydrograph; and
 - 4. Storage curve giving the volume of storage existing in the basin as a function of time consistent with inflow hydrograph.
- c. All basins shall be built in such a manner so as to consider safety, aesthetic, environmental, and maintenance aspects in construction. An emergency spillway shall be provided in a manner acceptable to the Village Engineer. Retention basins shall be provided with adequate facilities to lower the elevation for cleaning purposes.
- 4. When a development occurs which is tributary to a drainage system which has previously been enlarged by the Village, or where the developer cannot provide the adequate storage capacity, the developer will pay a prorated cost in lieu of the storage not provided at a rate established by the Village Engineer using the following criteria:

Rate/acre = (0.05 land cost) + (construction cost per 100 cubic gallons of storage X zoning factor)

Land cost and construction cost per unit shall be determined mutually by the Village Engineer and the Developer.

Zoning factors for a development area of :

	5 Acres or Less	More Than 5 Acres
Residential	90	70
All Commercial and Industrial	110	90
- 5. The owner shall pay the total cost of the installation of storm sewers. The owner may negotiate with the Village to share the cost of the installation of required storm sewer systems which, if requested by the Village of Downs Board of Trustees exceed the normal size requirements for the subdivision; however, all engineering costs for such storm sewer systems shall be borne by the owner.
- b. Right-or-Way and Easement Dedication Requirements - Where a subdivision is traversed by a natural water course, drainage way, channel, stream

or detention/retention basin, the owner shall dedicate a public right-of-way or a drainage easement conforming substantially with the lines of such water course, drainage way, channel, stream, or detention/retention basin and shall include such additional area adjoining both edges of such water course, drainage way, channel, street, or retention/detention basin that has been affected by damaging flood waters as determined by the Village Engineer. All storm sewers shall be located in a dedicated public easement or a dedicated public right-of-way. Such easement or right of way shall be of sufficient width and storm sewer shall be installed at such locations therein as to permit open cut installation, maintenance and repair within the confines of such easement or right-of-way without relocation or other unreasonable interference with other utilities located therein and so as to meet the following standards:

1. Easements shall have a minimum width of five (5) feet along side lot lines as to provide continuity of easement alignment of at least ten (10) feet from block to block.
2. No storm sewers shall be installed in easements along rear lot lines.

Sec. 5 DESIGN AND CONSTRUCTION STANDARDS FOR WATER SUPPLY AND DISTRIBUTION

- a. Design and Construction - All subdivisions shall be designed and constructed so the proposed water supply and distribution system accomplishes the following:
1. Conforms with any plans for the expansion of the water distribution system. The minimum size watermain shall be 6". Watermains shall conform to the standard of PVC SDR -21;
 2. Extends watermains through the proposed subdivision to serve otherwise unserved abutting property;
 3. Provides water service and an individual water service line stub extended to a point not less than two (2) feet inside the property or easement line to each lot which, upon the recording of the final plat, will become a lot of record.
 4. Provides adequate capacity to serve all the lots proposed to be served by the line, plus any additional extensions to the main which may be installed to develop property in the same pressure area.
 5. Loops watermains so as to avoid dead end mains;
 6. Provides standard fire hydrants spaced so that they are not more than five hundred (500) feet apart in residential subdivisions and not more than three hundred (300) feet apart in business and manufacturing subdivisions;
 - a. Fire Hydrant shall be manufactured in accordance with AWWA Standard C502, and be listed by Underwriters Laboratories, Inc. and have Factory Mutual Research approval; **and in accordance with the most recent Village of Downs Water System**

Standards.

7. Permits private wells only if a public water supply is not available in subdivisions located in the unincorporated areas within one and one half (1 1/2) miles of the limits of the Village of

Downs.

- b. Oversizing - The owner may negotiate with the Village to share the cost of the installation of required watermains which exceed the normal size requirements for the subdivision in accordance with accepted engineering design practices; however the owner shall be responsible for all engineering costs for such watermains.
- c. All watermains shall be located in a dedicated public easement or a dedicated public right-of-way. Such easements or right of way shall be of sufficient width and watermains shall be installed at such locations therein as to permit open cut installation, maintenance and repair within the confines of such easement or right-of-way without relocation or other unreasonable interference with other utilities located therein. The minimum width of such easement shall be five (5) feet along side lot lines so as to permit continuity of easement alignment of at least ten (10) feet from block to block.

- d. No watermains shall be installed in easements along rear lot lines.
- e. All watermains that are to remain the maintenance responsibility of the property owner shall be metered at the property line, and an approved backflow device shall be installed at the location of such meter.

Sec. 6 DESIGN AND CONSTRUCTION STANDARDS FOR STREET LIGHTS

- a. Design - The owner shall furnish plans so as to provide that all subdivisions shall be designed so that street lights are provided at such locations and in such a manner as to do and accomplish the following:
 1. Provide a street light at every cross intersection or T-intersection and at the end of every cul-de-sac or eyebrow;
 2. Provide such additional street lights as may be necessary so that street lights are not more than two hundred fifty (250) feet apart when the distance between street intersections exceeds three hundred fifty (350) feet;
 3. Provide an average illumination of 1.0 foot candles on the street surface in commercial or industrial areas and along all major or collector streets;
- b. Construction Standards - Street lights in all subdivisions shall be affixed to wood, concrete, or metal poles and shall meet or exceed the following height and illumination standards:
 1. Mercury Vapor - Along minor streets, seven thousand two hundred (7,200) lumen, one hundred seventy-five (175) watt lamps shall be mounted with an eight (8) foot upsweep arm on a pole in such a way as to allow for a height of twenty-five (25) feet above the street surface. Along major or collector streets, seventeen thousand (17,000) lumen, four hundred (400) watt lamps shall be mounted with an eight (8) foot upsweep arm on a pole in such a way to allow for a height of thirty (30) feet above the street surface.
 2. Sodium Vapor - Along minor streets, eight thousand seven hundred (8,700) lumen, one hundred (100) watt lamps shall be mounted with an eight (8) foot upsweep arm on a pole in such a way to allow for a height of twenty-five (25) feet above street surface. Along major or collector streets, twenty-three thousand (23,000) lumen, two hundred fifty (250) watt lamps shall be mounted with an eight (8) foot upsweep arm on a pole in such a way as to allow for a height of thirty (30) feet above street surface.
 3. Construction and installation of all street lights shall meet or exceed all applicable Illinois Commerce Commission or accepted industrial standards, whichever imposes the more demanding requirement for the protection and preservation of the public health, safety and welfare.

Sec. 7 DESIGN AND INSTALLATION STANDARDS FOR OTHER UTILITIES

- a. All utility lines including electric or telephone lines and other communication or television signal cables shall be laid underground within the proposed subdivision. The methods of construction shall be those commonly used in the utility industry with above ground access points for distribution and maintenance purposes. This paragraph may be waived by the Village Board upon written request and proof that underground construction would not be practicable or feasible due to the nature of the services to be rendered or required, the soil or rock formations in the area, unusual rodent or animal infestation, the presence of existing impending natural or man made features, or because of some other unusual circumstances, other than economic factors. The installation of such lines shall be made in compliance with applicable orders, rules and regulations of the Illinois Commerce Commission pursuant to the Illinois Public Utilities Act as heretofore or hereafter amended.

- b. Public utilities, when located underground shall be placed in easements or dedicated right-of-ways. Electrical lines or cables shall not be placed less than five (5) feet horizontally from any watermain. Electrical services shall not be placed less than five (5) feet horizontally from any water service. No underground public utility shall be placed or located in any manner which would hinder the proper functioning or servicing of any other public utility, or which would endanger any person working on any such public utility.

- c. All underground utility installations which traverse privately owned property shall be located in easements which are dedicated to the Village. Such easements shall be at least ten (10) feet wide along the front lot lines of all lots and at least five (5) feet wide along side lot lines and rear lot lines so as to provide continuity of easement alignment of at least ten (10) feet in width from block to block. At deflection points in these easements, if overhead utility lines are contemplated, additional easements shall be dedicated for pole line anchors. Electrical transformers shall not be located above ground in side yard easements between the front yard building setback line and the rear yard building setback line.

CHAPTER 15 SUBDIVISION OF LAND
ARTICLE V DESIGN AND CONSTRUCTION STANDARDS FOR SEWERS
SECTION 8

8.01 INTRODUCTION

All subdivision construction, water main or sewer line extensions and connections or other public improvements within Village Boundaries, which will be accepted by the Village for operation and maintenance, shall be in accordance with this Ordinance, other Ordinances of the Village of Downs, including Ordinance 8 as revised, the Bloomington and Normal Water Reclamation District (BNWRD) and Village of Downs Wastewater Treatment Agreement and engineering, procedural and administrative requirements of the Village Engineer.

The failure to coordinate the Planning, Design, Construction, Inspection and Approval of Public Improvements with the Village of Downs and its engineer may lead to delays in approval and acceptance, and higher fees.

8.02 GENERAL REQUIREMENTS

All subdivisions shall be designed so the proposed sanitary sewer system does and accomplishes the following:

- A. Conforms to the Village's Sanitary Sewer Service Area Map for Sanitary Sewers;
- B. Extends interceptor sanitary sewers through the proposed subdivision to serve upstream properties in the natural drainage area, or if applicable, allows access to downstream properties at appropriate locations;
- C. Provides sanitary sewer services with separate service connections terminating not less than two feet inside the property or easement line of each proposed lot of record, or at/near the property or easement line of each existing lot of record;
- D. Has adequate capacity to drain the portions of the subdivision proposed to be served by the sewer and any property upstream thereof which drains into or may drain into that sewer, based on the effluent discharge reasonably expected from development of the type and to the maximum density permitted by the then-existing zoning ordinances of the Village for property within the Village limits and the land use element of the Village's Sanitary Sewer Service Area Map;
- E. Maintains separation from public water supply systems, and other potable water supply systems.

- F. Discourages the use of sewage pumping facilities.
- G. Designed to prevent installation of sanitary sewers in rear yard easements and to permit only when necessary, installation in side yard easements.
- H. Meet requirements for Pump Station (if required).
- I. Private sewage disposal systems, including but not limited to septic tanks, holding tanks, distribution boxes, subsurface seepage systems, sand filters, and waste stabilization ponds, which are no longer active shall be emptied and abandoned in accordance with all State, County, McLean County Health Department, BNWRD and Village regulations. The owner of the property shall provide documentation to the Village that the private disposal system has been properly abandoned.

8.03 DESIGN STANDARDS

- A. Design Formula. Sanitary sewers shall be designed to provide adequate capacity without surcharge, using Manning's Formula.

Metric

$$V = \frac{1.486 R^{2/3} S^{1/2}}{n}$$

Where:

V = Velocity of flow in meters
in Feet
per second

n = Roughness Factor

R = Hydraulic Radius (meters)
(feet)

$$\frac{\text{Area}}{\text{Perimeter}} = \frac{\text{Sq.m}}{m}$$

S = slope of energy gradeline for
grade conduit running full (meter per
conduit meter)
running full (feet per

English

$$V = \frac{1.486 R^{2/3} S^{1/2}}{n}$$

V = Velocity of flow
per second

n = Roughness Factor

R = Hydraulic Radius

$$\frac{\text{Area}}{\text{Perimeter}} = \frac{\text{Sq.ft.}}{\text{ft.}}$$

S = slope of energy
line for
foot)

For new smooth walled sewer pipe n = 0.013

Sanitary sewers shall flow with a desired minimum velocity of 2 feet per second (0.6 meters per second). Proposed sanitary sewage flow shall be

based on the population after full development of the area. For undeveloped areas where the details of future development are not known, design population will be estimated based on the zoning classification and expected use conforming to the McLean County Comprehensive Plan, and the Village's Sanitary Sewer Service Area Map.

FLOW CRITERIA:

Sanitary sewers shall be sized to accept the following peak design flows:

Domestic: 400 gallons (1500 liters) per day per capita for lateral sewers. Average flow of 100 gallons (375 liters) per capita peaked by a factor per Exhibit Q attached herewith plus 300 gal/inch/dia/acre (110-liter/mm dia/Hectare) for infiltration.

Commercial 10,000 gallons/acre (95,000 liters/hectare) per day for lateral and/or sewers. 7,000 gallons/acre (66,000 liters/hectare) per day Industrial: for trunk sewers or such specific flows known for the type of facilities served.

- B. Materials. All sanitary sewer pipe shall be Polyvinyl Chloride (PVC) ASTM D 3034 SDR 26; bell and spigot for elastomeric gasket joints, minimum cell class 12454 B for sizes up to 15-inch diameter (380 mm); joints per ASTM D3212 and gaskets per ASTM F 477. Pipe may also be Ductile Iron AWWA C-150, AWWA C-151 with mechanical or push-on joints per AWWA C-111; polyethylene film encasement per AWWA C-105 and fittings per AWWA C-110 or C-153. Pipe may also be Vitrified Clay Pipe ASTM Designation C-700 (extra strength) with pipe joints conforming to ASTM C-425. Use of other materials for sanitary sewers must be approved in writing by the Village prior to their installation.
- C. Minimum Size. All public sanitary sewers shall be a minimum of 8 inches (200 mm) in diameter. All service sewer lines shall be a minimum of 6 inches (150 mm) diameter.
- D. Alignment. All sewers shall be laid straight in both horizontal and vertical planes between manholes unless otherwise approved by the Village.
- E. Sewer Size Changes. When sanitary sewers of different diameters join in a manhole, the invert elevations shall be adjusted to maintain a uniform energy gradient. Alignment of the 0.9 depth points of the sewers shall be implemented to meet this requirement.

F. High Velocity Protection. Where velocities greater than 10 feet per second (3.0 m per second) will occur, in a sanitary sewer when flowing full, special precautions shall be taken to prevent scouring or displacement of the pipe.

G. Manholes.

1. Provide public manholes at the end of each line, at all changes in grade, size or alignment, at all intersections and at distances not greater than 400 feet (120 m). Greater spacing may be permitted by the Village in large sewers and in those carrying a settled effluent.
2. Provide an outside drop pipe for sewers entering a manhole at an elevation of 2 feet (600 mm) or more above the manhole invert. Where the difference in elevation between the incoming sewer and the manhole invert is less than 2 feet (600 mm), the invert should be filleted to prevent the depositing of solids. Drop manhole shall be constructed in accordance with Standard Detail 7.07 B-1.
3. Provide public manholes in improved streets or other public rights-of-way accessible to vehicular access and sewer maintenance equipment, not more than 400 feet (120 m) measured in a straight line along the sanitary sewer.

H. Service Drops in Manholes:

1. New construction: Outside service drops shall be provided as per Standard Detail 7.07 B-1 in new construction when a proposed sanitary service enters a proposed manhole more than 2 feet (600 mm) above the invert of the manhole.

With the permission of the Village for existing manholes an inside drop connection as per Standard Detail 7.07 B-2 may be used. Inside drops are only allowed on existing manholes 5-foot in diameter and larger otherwise outside drops shall be used. See Section 17.03.J.3. for exception to this requirement.

I. Sewer Service Laterals:

1. Location: All services shall terminate at a point at least 2 feet (0.6 m) inside the property line or a minimum of 2 feet (0.6 m) beyond any front yard easement containing a Village or County/Township owned utility. For properties presently occupied/developed, services may terminate at or near property lines at Village's option.

Sewer services to individual lots, which are to be privately maintained, shall not be located in easements across other lots, except for short distances to reach the public sewer main located in an easement immediately adjacent to the lot being served, or to reach the public sewer main located in a front yard easement on the opposite side of, and adjacent to, the street right-of-way from the lot being served.

2. Depth: All services shall terminate at a depth of no less than four (4) feet or more than six (6) feet below the adjacent top of curb unless otherwise approved by the Village.
3. Slope: All services shall be laid at a slope of 1.0% or greater. Changes in slope on services may be made by "breaking joints" provided the joint seal is air tight and the recommendations of the manufacturer are not exceeded. Fittings not greater than a 45° bend may be used where changes in grade dictate.
4. Service tees or wyes over 12 feet (3.6 m) deep shall be encased in concrete as per Standard Detail 7.07 C.
5. All sewer service laterals shall be a minimum of 6 inches (150 mm) diameter.
6. The waste piping from a point five (5) feet outside the building to the Village Sanitary Sewer shall be considered the house sewer (or sewer service lateral) and shall be constructed of the following materials with a minimum diameter of six (6) inches: ductile iron, PVC Schedule 80 with cement joints, PVC Schedule 21 type PSM-SDR slip joint, PVC Schedule 40, Vitrified Clay Pipe ASTM Designation C-700 (extra strength) with pipe joints conforming to ASTM C-425. Cellular core PVC is prohibited.

All material shall be embedded in ¾-inch crushed stone with a minimum of four (4) inches below the sewer pipe and six (6) inches above the top of the sewer pipe.

Cleanouts are required in accordance with the Illinois Plumbing Code.

J. Sewer Connections to Bloomington-Normal Water Reclamation District (BNWRD):

1. All proposed sanitary sewers shall connect to BNWRD interceptor sewers at existing BNWRD manholes wherever possible.
2. Proposed sanitary sewer connection details shall be submitted for approval by BNWRD prior to construction on a case by case basis and shall include a new manhole adjacent to the existing BNWRD manhole, location, and elevation(s) to be approved by BNWRD and the Village.
3. Flow line elevation of proposed sanitary sewer shall be 4 ft.± or as designated above flow line elevation of BNWRD interceptor sewer at point of connection, unless approved otherwise by BNWRD.

8.04 RIGHT-OF-WAY DEDICATION

Generally, all sanitary sewers which are to be maintained by the Village of Downs, shall be installed in sanitary sewer easements or dedicated public rights-of-way. Such easements and rights-of-way are to be of sufficient width and the sewers to be installed at such locations as to permit open cut installation, maintenance and repair within the confines of the easement or right-of-way without relocation or other unreasonable interference with other public utilities located therein and so as to meet the following minimum standards:

- A. 15 feet (4.5 m) width plus 5 feet (1.5 m) for each additional utility other than water main and 10 feet (3 m) for a water main.
- B. For sewers exceeding 15 feet (4.5 m) in depth, additional width may be required.

8.05 ADDITIONAL CHARGES FOR SANITARY SEWER UPSIZING VARIOUS TRUNK LINE SANITARY SEWERS

- A. Sanitary Sewers. Where installation of sanitary sewer lines of larger capacity than required to serve land owned by the developer is required by the Village to serve future growth in the vicinity of the development, the developer shall pay for only his portion, based on the Code requirements for his development, of the total cost of installation; the balance to be borne by others.
- B. Engineering Costs. The developer will be responsible for all engineering costs for design of sanitary sewer facilities including pump stations within his/her development.

- C. Inspection Costs. The developer will be responsible for all inspection costs associated with the installation of sanitary sewer facilities including pump stations within his/her development.

8.06 APPROVAL AND ACCEPTANCE/ASSIGNMENT

The Village will only accept public improvements after full compliance with the standards, as set forth by this Ordinance, has been verified by the Village Engineer. The developer, or other party tendering a public improvement for acceptance, must affirmatively state that he/she is unaware of any material defects in the public improvement which could lead to its early deterioration, maintenance or repairs prior to the standard expected maintenance or repairs on similar public improvements, and that developer is also unaware of damage to drainage tiles, other utilities, or septic fields/systems during the construction of the public improvement.

8.07 SPECIFICATIONS & SPECIAL PROVISIONS

All sanitary sewers shall be installed in accordance with all applicable sections of the “Standard Specifications for Water and Sewer Main Construction”, then current edition as modified, supplemented and amended by this Ordinance, or BNWRD specifications whichever is most restrictive. These modifications, amendments and amplifications have been provided in this Ordinance.

Special Provisions for Sanitary Sewer

Granular Cradle: A granular cradle (bedding and haunching) will be required for all sanitary sewers as shown in the Standard Details and in accordance with Section 20-2.20B of the “Standard Specifications for Water and Sewer Main Construction”.

Trench Backfill: All trenches under another sewer or water main, or under or within 2 ft (0.6 meters) of existing or proposed streets, existing sidewalks and driveways shall be backfilled with trench backfill material in accordance with Section 208 of the “Standard Specifications for Road and Bridge Construction”.

Material for Trench Backfill shall comply with Article 1003.04 of the “Standard Specifications For Road and Bridge Construction”, except that the following gradations may be used in addition to FA6: CA6, and CA10, and except that the maximum size shall be 3 inches (75 mm) and that no material over 1/2 inch (13 mm) shall be used below 1 foot (300 mm) over the top of the sewer.

Backfill of Trenches: All sewer trenches under streets, driveways or sidewalks shall be compacted by jetting, mechanical compactor or as directed by the Village.

Leakage Test: The leakage test will be by the low pressure air method. The contractor shall notify the Village when the sewer is ready for testing 48 hours prior to testing operation. The ground shall be leveled and all manholes shall be accessible to the air testing equipment.

All sanitary sewers shall be cleaned and televised by an approved televising company, with a video tape recording provided to the Village.

The video tape or DVD recording shall record a clear picture of the entire periphery of the pipe and shall include recorded locations of all data and features seen on the video tape.

Televising shall occur just prior to final acceptance and/or placement into service by the Village.

Sewer Service Markings: The contractor shall place 2x4's (50 mm x 100 mm) wood studs extending from the bottom of the sewer service to 2 feet (0.6 m) above the ground at the location where each sewer service terminates. A minimum of the upper one (1) foot of each wood stud (2x4) shall be painted green. These markers shall be installed at the time the services are constructed.

Curb Marking of Sewer Mains & Sewer Services: At the time the curb and gutter is poured, the contractor shall mark the top of the curb with a permanent "S" for sewer to mark location of said services.

Adjustment of Manhole And Casting Within Pavement: Final grade for all manhole castings will be determined after the curb and gutter has been poured and the subgrade and/or base has been constructed. Final adjustment of the frame and grate shall be made in the following manner: After the curb and gutter has been poured and the base constructed the final elevation will be determined by the Village. The frame and grate will be adjusted to this elevation in accordance with the Standard Specifications. Any material disturbed while adjusting the frame and grate will be disposed of and all fill made with lean concrete. A maximum of 12 inches (300 mm) of adjusting rings shall be allowed.

Utilities: The Owner or his designee shall notify the utility companies of the impending project and the plans shall indicate the general location of the utility main lines. The Contractor shall have the responsibility before any construction work has begun, of obtaining from all utilities the exact location of any underground facilities in the area of construction, whether indicated on the plans or not. Any facilities disturbed by the Contractor shall be restored by him at his own expense. The Contractor shall coordinate with the proper utility the relocation of any facility designated on the plans or deemed necessary to be relocated by the Village in order to complete construction of the project.

Residents shall be notified a minimum of 48 hours in advance of impending service outages and no residence shall be without service overnight.

Special Provisions Modifying Standard Specifications for
Water and Sewer Main Construction in Illinois

30-3.01 F DUCTILE IRON PIPE

Add:

Inside of all pipes shall have standard cement mortar lining and the inside and outside shall be tar (seal) coated.

31-1.11 A (1) SELECTION OF TEST SECTIONS

Delete paragraphs two, three and four and substitute the following:

All sections of the sewer shall be tested, except for those designated portions of the sewer that are placed into service during the construction process.

32-2.07 CAST IRON FRAMES AND COVERS

Add the following:

Covers shall be Neenah, East Jordan or equal. Neenah numbers are given as examples.

For Sanitary Manholes: Standard Type 1 Frame and Cover – Neenah R-1772 B with Type “B” Lid and NF-9204 pick hole. All lids for sanitary manholes shall be self-sealing.

32-3.05 PRECAST MANHOLES

Add the following to paragraph 3:

No bitumastic material shall be used on the inside of manholes. Inside of all joints shall be finished with non-shrink type grout and rubber gaskets.

32-3.09 PLACING CASTINGS

Change to read:

Castings placed on concrete or masonry surfaces shall be set in a full mortar bed or on approved solid bituminous gaskets.

32-3.09 C MANHOLES NOT WITHIN STREET OR ALLEY AREAS

Change 18 inches (450 mm) to 24 inches (600 mm).

Change second paragraph to read:

Unless otherwise directed, the top of manhole castings shall be at grade of existing surface.

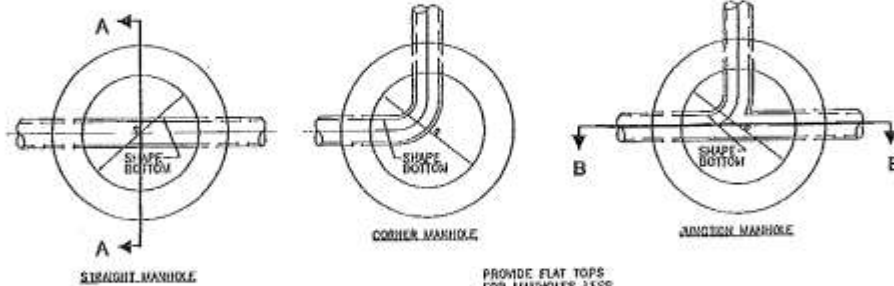
32-3.11 PIPE CONNECTIONS

Add the following sentence:

Bituminous material shall be used on the outside of the manhole only.

8.08 STANDARD DETAILS

<u>Standard Drawing</u>	<u>Title</u>
8.08 A	Standard Sanitary Manhole Details
8.08 B-1	Standard Drop Manhole Details
8.08 B-2	Inside Drop Service Connection
8.08 C	Typical House Connections
8.08 D	Standard Concrete Collar & Pipe Bedding and Excavation Details
8.08 E	Water & Sewer Separation Requirements (Horizontal)
8.08 F-G	Water & Sewer Separation Requirements (Vertical)
8.09 Exhibit Q	

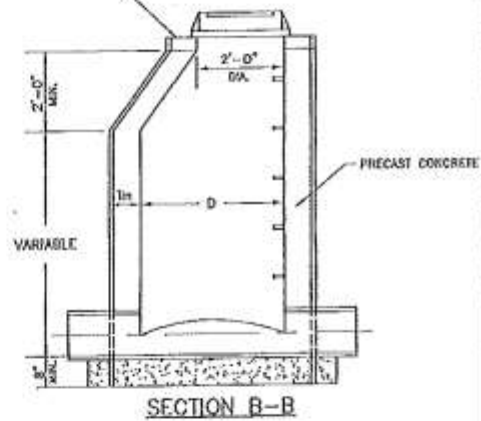
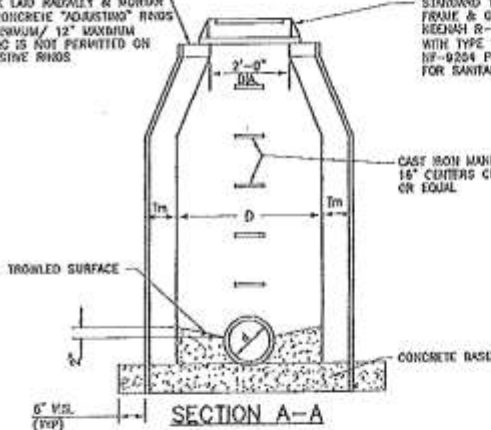


FINAL ADJUSTMENT MADE WITH BRICK Laid RADIALY & MORTAR OR CONCRETE "ADJUSTING" RINGS 4" MINIMUM / 12" MAXIMUM MASTIC IS NOT PERMITTED ON ADJUSTIVE RINGS

STANDARD TYPE I FRAME & GRATE REENAH R-1772-B WITH TYPE 'B' IJD & NF-9204 PICK HOLE FOR SANITARY SEWER

CAST IRON MANHOLE STEPS 16" CENTERS CLOW F-3050 OR EQUAL

PROVIDE FLAT TOPS FOR MANHOLES LESS THAN 6 FT. DEEP



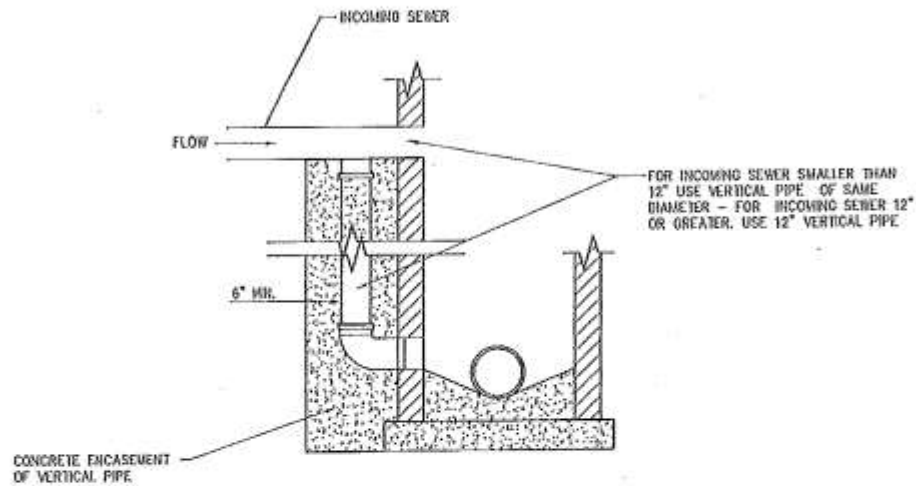
d = DIA. OF SEWER	D = DIA. OF MANHOLE	PRECAST 1m
8" THRU 30"	$D = 48"$	4"
33" THRU 48"	$D = 60"$	5"
54"	$D = 72"$	6"

ALL CAST IN PLACE MANHOLE SHALL BE 1m-6" MIN

NOTE: EXTERNAL CHAINSEAL & JOINT WRAP SYSTEMS ARE REQUIRED ON ALL MANHOLES.

DETAIL OF SANITARY MANHOLE

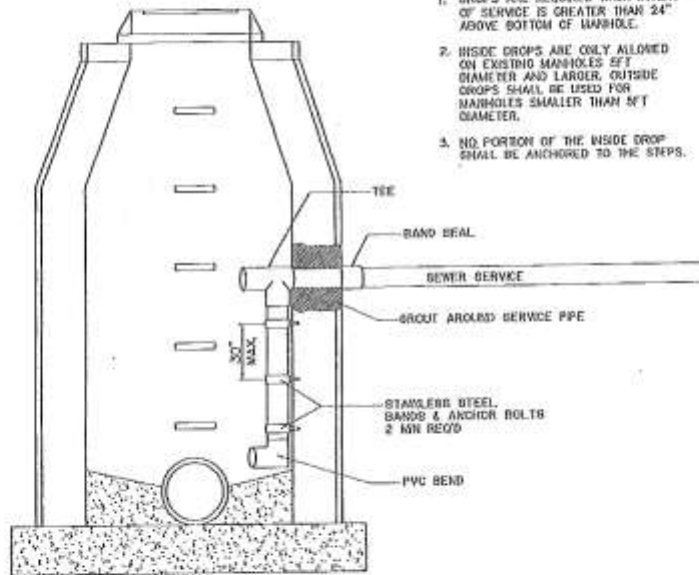
SHEET 1 OF 1	DESIGN BY: FARNSWORTH GROUP	APPROVED BY: VOD	VILLAGE OF DOWNS SEWER ORDINANCE
	STANDARD MANHOLE	DATE: 3/11	
	STANDARD DETAIL 8.08A		



DROP MANHOLE CONNECTION

NOTES
 TO BE USED IN CONJUNCTION WITH MANHOLES WHERE SEWER ENTERS 24" OR MORE ABOVE LOWEST INVERT.
 THIS DETAIL APPLIES TO INCOMING SEWERS OF 18" DIA. OR LESS

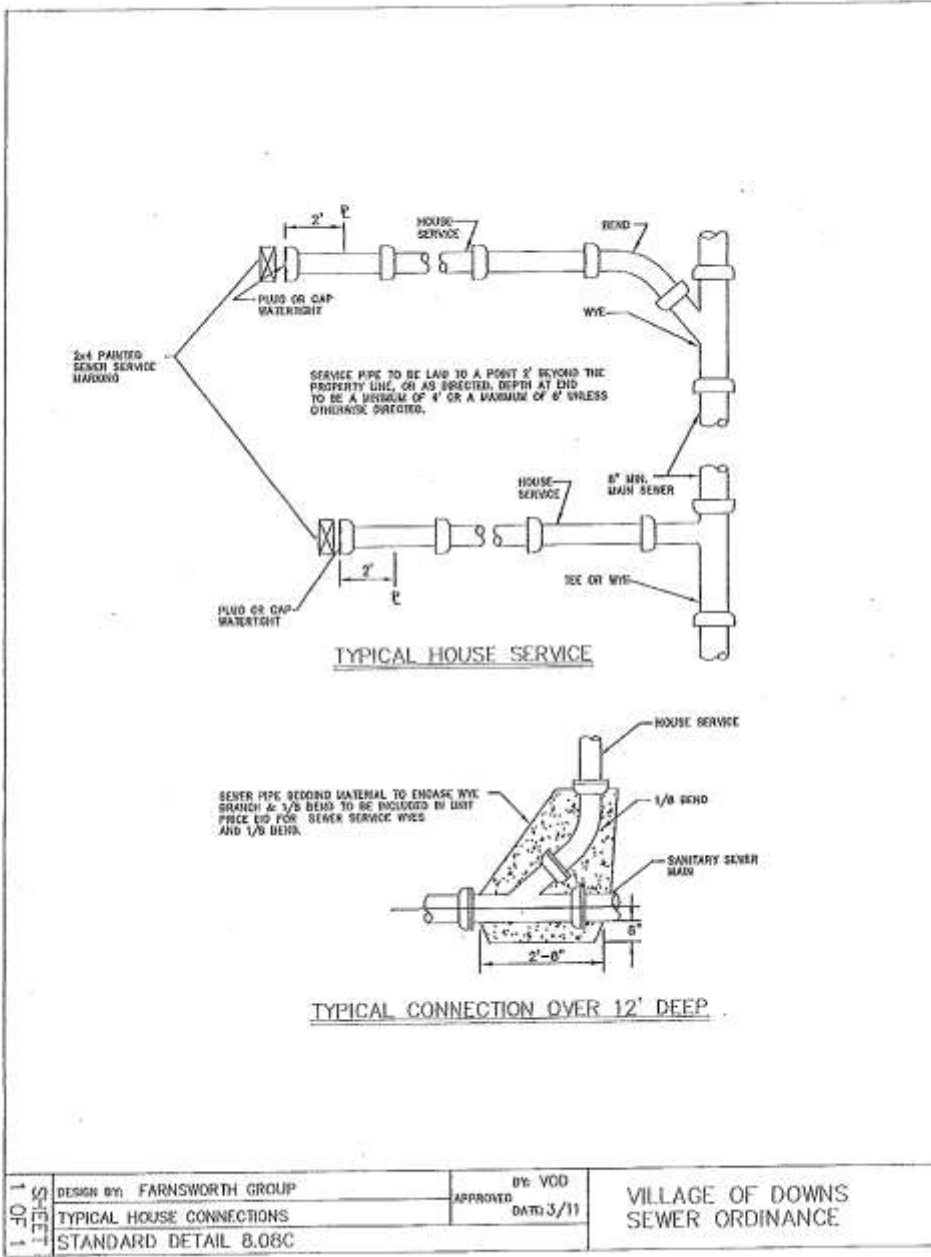
SHEET 1 OF 1	DESIGN BY: FARNSWORTH GROUP	BY: VOD APPROVED	VILLAGE OF DOWNS SEWER ORDINANCE
	DROP MANHOLE CONNECTION	DATE: 3/11	
	STANDARD DETAIL 8.08B-1		



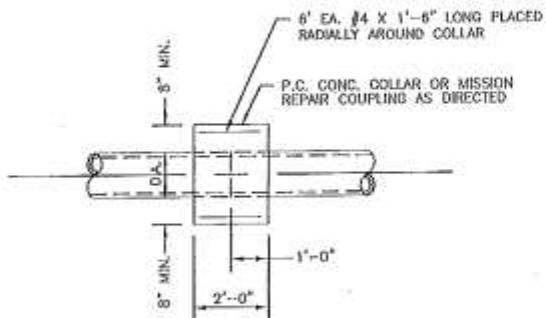
NOTES:

1. DROPS ARE REQUIRED WHEN INVERT OF SERVICE IS GREATER THAN 24" ABOVE BOTTOM OF MANHOLE.
2. INSIDE DROPS ARE ONLY ALLOWED ON EXISTING MANHOLES 36" DIAMETER AND LARGER. OUTSIDE DROPS SHALL BE USED FOR MANHOLES SMALLER THAN 36" DIAMETER.
3. NO PORTION OF THE INSIDE DROP SHALL BE ANCHORED TO THE STEPS.

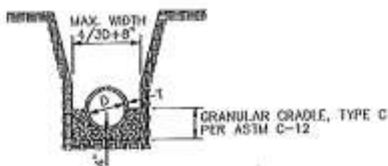
SHEET 1 OF 1	DESIGN BY: FARNSWORTH GROUP	BY: VOD	VILLAGE OF DOWNS SEWER ORDINANCE
	INSIDE DROP SERVICE CONNECTION	APPROVED DATE: 3/11	
	STANDARD DETAIL 8.08B-2		



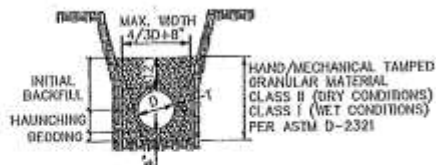
1-10 1-11 1-12	DESIGN BY: FARNSWORTH GROUP	BY: VOD	VILLAGE OF DOWNS SEWER ORDINANCE
	TYPICAL HOUSE CONNECTIONS	APPROVED	
	STANDARD DETAIL 8.08C	DATE: 3/11	



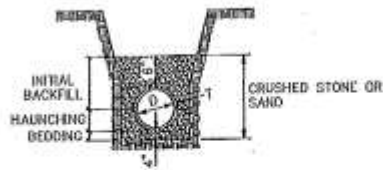
CONCRETE COLLAR DETAIL



RIGID SEWER MAIN BEDDING & EXCAVATION DETAIL



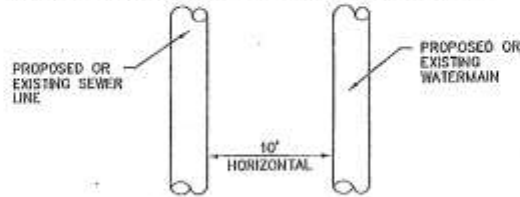
FLEXIBLE SEWER MAIN BEDDING & EXCAVATION DETAIL



SEWER SERVICE BEDDING & EXCAVATION DETAIL

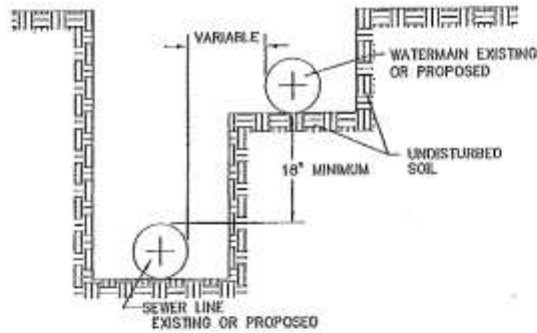
SHEET 1 OF 1	DESIGN BY: FARNSWORTH GROUP	BY: VOD	VILLAGE OF DOWNS SEWER ORDINANCE
	STANDARD CONCRETE COLLAR & PIPE BEDDING & EXCAVATION DETAILS	APPROVED DATE: 3/11	
	STANDARD DETAIL B.080		

WHEN PROPOSED SEWER (OR WATER) IS LOCATED 10 FEET OR MORE FROM EXISTING WATER (OR SEWER), NO SPECIAL CONSTRUCTION IS REQUIRED



PLAN VIEW

WHEN PROPOSED SEWER (OR WATER) IS LOCATED LESS THAN 10 FEET FROM EXISTING WATER (OR SEWER), DETAILS BELOW SHALL APPLY

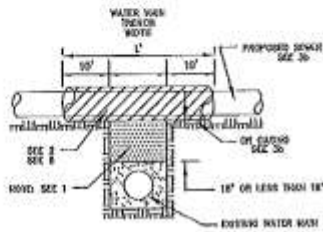


WATER AND SEWER
SEPARATION REQUIREMENTS
HORIZONTAL SEPARATION

NOTE:
SEWER BEDDING DETAILS NOT SHOWN

SHEET 1 OF 1	DESIGN BY: FARNSWORTH GROUP	BY: VOD	VILLAGE OF DOWNS SEWER ORDINANCE
	WATER/SEWER SEPARATION REQUIREMENTS	APPROVED DATE: 3/11	
	STANDARD DETAIL B.OBE		

EXISTING WATERMAIN BELOW PROPOSED SEWER LINE WITH 18" MINIMUM SEPARATION.
EXISTING WATERMAIN BELOW PROPOSED SEWER LINE WITH LESS THAN 18" SEPARATION.
NOTE: CLASS OF MATERIAL TO BE COMPARED TO GCM OF STANDARD PROVIDED MATERIAL DENSITY.

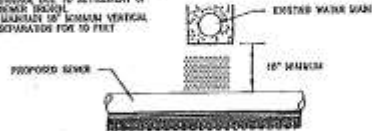


DETAILS

1. IF SELECT GRANULAR MATERIAL, REMOVE MEDIUM WEIGHT OF PROPOSED SEWER TRENCH AND REPLACE WITH SPOUT LEANWATER MATERIAL (CLASS II) AND COURSE.
2. OBTAIN SLOPE EQUAL TO GRADE AND SUBGRADE MATERIAL TO ONE (1) FOOT OVER TOP OF PIPE AND USE SELECT EXHAUSTED MATERIAL (CLASS II) AND CONTACT THE LENGTH OF 1'.
3. COMPRESS TO 10 FEET OF PROPOSED SEWER OF WATERMAIN MATERIAL AND PRESSURE TEST (PSI).
4. USE 1" OF WATER MAIN MATERIAL, FOR CASING FOR PROPOSED SEWER AND SEAL JOINTS OF CASING.
5. POINT LOADS SHALL NOT BE ALLOWED BETWEEN SEWER OR SEWER CASING AND WATER MAIN.
6. PROVIDE ADEQUATE SUPPORT FOR EXISTING WATER MAIN TO PREVENT DAMAGE DUE TO SETTLEMENT OF SEWER TRENCH.

PROPOSED SEWER LINE BELOW EXISTING WATER MAIN WITH 18" MINIMUM SEPARATION.

1. PROVIDE ADEQUATE SUPPORT FOR EXISTING WATER MAIN TO PREVENT DAMAGE DUE TO SETTLEMENT OF SEWER TRENCH.
2. MAINTAIN 18" MINIMUM VERTICAL SEPARATION FOR 10 FEET.



PROPOSED SEWER LINE BELOW EXISTING WATER MAIN WITH LESS THAN 18" SEPARATION.

NOTE: CLASS OF MATERIAL TO BE COMPARED TO GCM OF STANDARD PROVIDED MATERIAL DENSITY.

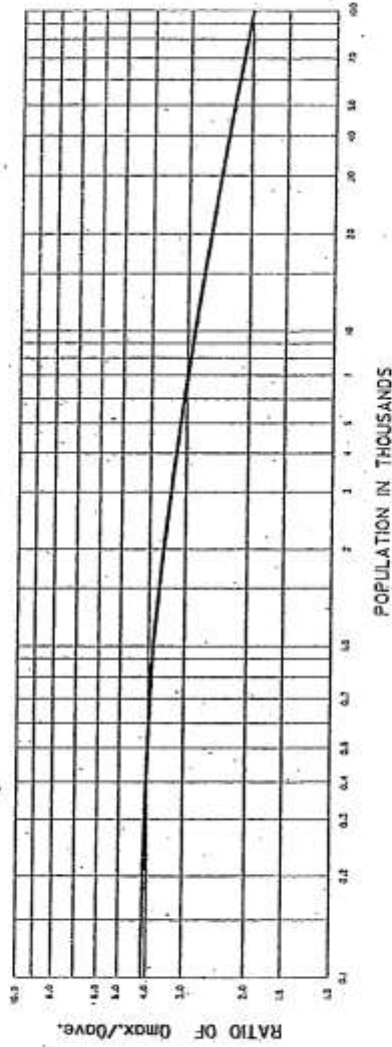
- DETAILS**
1. OBTAIN SLOPE EQUAL TO GRADE AND SUBGRADE MATERIAL TO ONE (1) FOOT OVER TOP OF PIPE AND USE SELECT EXHAUSTED MATERIAL (CLASS II) AND CONTACT THE LENGTH OF 1'.
 2. COMPRESS TO 10 FEET OF PROPOSED SEWER OF WATERMAIN MATERIAL AND PRESSURE TEST (PSI).
 3. USE 1" OF WATER MAIN MATERIAL, FOR CASING FOR PROPOSED SEWER AND SEAL JOINTS OF CASING.
 4. POINT LOADS SHALL NOT BE ALLOWED BETWEEN SEWER OR SEWER CASING AND WATER MAIN.
 5. PROVIDE ADEQUATE SUPPORT FOR EXISTING WATER MAIN TO PREVENT DAMAGE DUE TO SETTLEMENT OF SEWER TRENCH.

**WATER AND SEWER SEPARATION REQUIREMENTS
VERTICAL SEPARATION**

SHEET 1 OF 1	DESIGN BY: FARNSWORTH GROUP	BY: VOD APPROVED DATE: 3/11	VILLAGE OF DOWNS SEWER ORDINANCE
	WATER/SEWER SEPARATION REQUIREMENTS		
	STANDARD DETAIL 8.08F		

EXHIBIT Q

DESIGN OF SEWERS
 RATIO OF PEAK FLOW TO DAILY AVERAGE FLOW
 (REFER TO 35 ILL. ADM. CODE 370.1221b)



Qmax: Maximum Rate of Sewage Flow (Peak Hourly Flow)

Qave: Average Daily Sewage Flow

Sources: $Q_{max}/Q_{ave} = \frac{18 + \sqrt{P}}{4 + \sqrt{P}}$ (P = population in thousands)

Fair, C.M. and Geyer, J.C. "Water Supply and Wastewater Disposal"
 1st Ed., John Wiley & Sons, Inc., New York (1954), p.136

8.10 VALIDITY

That if any section, paragraph, clause or provision of the Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

8.11 ORDINANCE IN FORCE

Sec. 1 This Ordinance shall be in full force and effect from and after its passage and approval and publication as provided by law.

Sec. 2 Passed and adopted by the Village of Downs, of McLean County, State of Illinois on the 4th day of December 2008

Chapter 15

Article VI

PUBLIC PARK AND DEDICATION REQUIREMENTS

Sec. 1 GENERAL APPLICABILITY OF DEDICATION REQUIREMENTS

All subdivisions within the Village and within the unincorporated area within one and one half (1 1/2) miles of the Village's corporate limits shall be designed so that park and recreational areas are dedicated in the manner and to the extent prescribed by this Article, so as to accommodate the open space and recreational needs of those persons living within the confines of the subdivisions. The land and any fees received by the Village under this Article shall be used only for the purpose of providing park and recreational facilities and the location of such land and the amount of such fees shall bear a reasonable relationship to the use of such facilities by the future inhabitants of the subdivision.

Sec. 2 AMOUNT AND LOCATION OF LAND TO BE DEDICATED

As a condition of approval of a final plat of a subdivision, the owner of the subdivision shall be required to dedicate land within said subdivision for park and recreational purposes to serve the immediate and future needs of the residents of said subdivision or shall be required to pay a fee in lieu of said dedication or shall be required to do both at the election of the Village of Downs Board of Trustees in accordance with the following criteria and formula:

- a. Relation of Land Required to be Dedicated to Population Density - It is hereby found and determined that the public interest, convenience, health, welfare and safety requires that two one-hundredths (0.02) of an acre of land in a subdivision for each dwelling unit within said subdivision be dedicated to the Village for park and recreational use.
- b. Location of Land Required to be Dedicated for Park and Recreational Use - A central location which will serve equally the entire subdivision or group of subdivisions is most desirable. Land dedicated pursuant to this Article should, where possible, be combined with such park dedications from abutting subdivisions in order to produce usable recreation areas without hardship on the owners. Land dedicated pursuant to this Article shall be so located in relation to existing or planned streets, residences and parks so as to promote access to and maximum utilization of such land for park purposes. The area of all or a portion of stormwater retention or detention facilities included within a proposed subdivision will not be considered by the Village to satisfy the land dedication requirements contained in this Article, unless otherwise determined by the Village of Downs Board of Trustees.

**Sec. 3 CRITERIA FOR REQUIRING A CASH CONTRIBUTION
IN LIEU OF DEDICATION OF LAND FOR PARK AND
RECREATIONAL USE**

When the amount of land the owner would otherwise be required to dedicate for park purposes is calculated to be less than four (4) acres in size of when a proposed subdivision contains fifty (50) lots or less, the Village Board may determine that such land is inappropriate for park and recreational purposes, and the owner may be required to pay a cash contribution in lieu of such land dedication or may be required to dedicate land and pay a cash contribution as determined by the Village Board. Such cash contribution shall be held in trust by the Village solely for the development of park and recreation land, which may be available to serve the immediate or future needs of the residents of that subdivision or for the improvement of other existing park and recreational land which already serves such areas.

- a. Fair Market Value - The cash contribution in lieu of dedicating land for park and recreational use in the subdivision shall be based on the fair market value of the acres of land in the subdivision that otherwise would have been dedicated as park and recreational sites. The amount of such contribution shall be a sum equal to the fair market value of the amount of land required in accordance with the formula contained in Article VI, Section 2 (a) of this Code. "Fair Market Value" shall be determined as of the time of filing the Preliminary Plan in accordance with the following:
 1. The fair market value as determined by the Village Board, based on the current assessed value adjusted to equal market value in accordance with the current practices of the Supervisor of Assessments of the County of McLean, Illinois; or the per acre price paid by the developer for the land in question.
 2. If the owner objects to such determination by the Village Board as provided in subsection (a) (1) of this Section, the owner may at the owner's expense, obtain an appraisal of said subdivision by a qualified real estate appraiser approved by the Village Board - which appraisal may be accepted by the Board if found reasonable; or
 3. The Village Board and the owner may agree to the fair market value.
- b. Criteria for Requiring Dedication of Land in Combination with Cash Contribution - There may be situations in subdivision when a combination of a dedication of land for park use and a cash contribution in lieu of some such land dedication are both necessary. These situations may arise when:
 1. Only a portion of the land required to be dedicated in accordance with Article VI, Section 2 of this Code is proposed by the owner as the location for a park site. That portion of such land within the subdivision located within the park site shall be dedicated for a park and a cash contribution in lieu of the balance that is required to be dedicated shall be paid to the Village.
 2. A major portion of a park or recreation site has already been

acquired by the Village and a small portion of land from the proposed subdivision is needed to complete such site. The remaining portion shall be required by dedication, and a cash contribution in lieu of the balance of the required dedication shall be paid to the Village.

Chapter 15

Article VII.

BUILDING PERMITS, OCCUPANCY PERMITS, VARIATIONS AND SEVERABILITY

Sec. 1 BUILDING PERMITS AND/OR EXCAVATION PERMITS

No permit shall be issued by any official for the construction of any model home, spec. (specification) home or new house in a new subdivision unless and until a hard, compacted road surface (gravel, portland cement concrete or bituminous concrete) has been constructed in order to provide vehicular access to the site of such model home, spec. (specification) home or new house.

No building permit shall be issued by any official for the construction of any building, structure, or improvement to land, or any lot within a subdivision as defined in this Code until:

- a. The final plat of said subdivision has been submitted and approved as provided in this Code and recorded in the Office of the Recorder of Deeds of McLean County; and
- b. The property for which the building permit is sought has been rough graded consistent with approved drainage plans, or grades for such property have been marked by the subdivider; and
- c. The Village Engineer shall determine that prior to completion of construction and/or occupancy of the building, structure or improvement for which the building permit is sought the following improvements will have been made to serve said property:
 1. Watermains are installed and tested and water is approved;
 2. Storm sewer is installed and approved;
 3. Trenches dug to accommodate storm sewers and watermains have been compacted prior to placement of curb and gutter;
 4. Curb and gutter is installed and approved;
 5. Street surfaces are of Portland Cement Concrete or Bituminous Concrete meeting the standards of this Code to enable them to be used for all necessary traffic including emergency vehicles;
 6. Temporary street signs are installed;
 7. Gas and electricity is available.

Sec. 2 VARIATIONS

After holding a public hearing thereon, the Village Board may grant variations from the requirements of this Code if, but only if:

- a. The requested variation, if granted would not violate the intent of this Code;
- b. Failure to grant the variation would result in a hardship to the owner or future occupants of the subdivision.

Sec. 3 SEVERABILITY

If any part or provision of this Code or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Code or the application thereof to other persons or circumstances. The Village hereby declares that it would have enacted the remainder of this Code even without any such part, provision or application.

LAND SUBDIVISION CODE

APPENDIX "A"

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
) ss
COUNTY OF McLEAN)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached plat of

_____ Subdivision to the Village of Downs, McLean County, Illinois,
and

that we have caused said plat to be made and that it is a true and correct plat of
_____ Subdivision to the Village of Downs, McLean County, Illinois as laid
off in lots and streets by _____ Registered Illinois
Land Surveyor Number _____; and we, the undersigned, hereby dedicate and set
apart to the Village of Downs for general, public, and utility purposes, (and further
dedicate the public use areas as shown on said plat)* the areas shown as dedicated
thereon.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals
this _____ day of _____, 20 ____.

(Seal)

*Where dedication is required under Article VI, Section 2 of this Code.

LAND SUBDIVISION CODE

Appendix "A" cont'd.

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that _____ (and) _____, personally known to me to be the same person(s) whose name(s) (is/are) subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (he/she/they) signed, sealed and delivered the said instrument as (his/her/their) free and voluntary act for the uses and purposes therein set forth, including the release and waiver of Homestead, and also including the dedication of all streets and highways to the Village of Downs for the use of the general public forever, and including the grant of certain general utility easements to the Village of Downs, Illinois (and including the grant of public service areas to the Village of Downs).*

Given under my hand and notarial seal this _____ day of _____, 20____.

Notary Public

*Where dedication is required under Article VI, Section 2 of this Code.

LAND SUBDIVISION CODE

Appendix "A" cont'd

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

I, _____, Registered Illinois Land Surveyor No. _____, do hereby certify that I have surveyed, in accordance with the laws of the State of Illinois, and the Ordinances of the Village of Downs, for _____ the following-described property to-wit:

I further certify that I have subdivided the same into _____ lots and the streets as shown on the attached plat.

Iron pins identify all lot corners as shown on said plat and all measurements are given in feet and decimals thereof. All streets and easements designated on said plat are dedicated for public use.

Said subdivision is to be known as _____, Downs, Illinois.

I further certify that the foregoing plat accompanying this certificate accurately represents the above described property as subdivided.

I further certify that (said subdivision lies within) (no portion of said subdivision lies within) 500 feet of any surface drain or water course serving a tributary area of 640 acres or more.

Name of Firm of Surveyor: _____ Registered Land Surveyor No.: _____

_____ Address

Date: _____

SUBDIVISION CODE

Appendix "A" cont'd.

VILLAGE ENGINEERS CERTIFICATE

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

I, _____, Village Engineer for the Village of Downs, Illinois, hereby certify that the land improvements described in the annexed plat and the plans and specifications therefore meet the minimum requirements of said Village.

Dated at Downs, Illinois, this _____ day of _____, 20____.

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
)ss
COUNT OF McLEAN)

I, _____, County Clerk of McLean County,
State of Illinois, do hereby certify that on the _____ day of _____, 20____,
there were no delinquent general or special taxes unpaid, special assessments or
delinquent special assessments unpaid against the tract of land shown on the plat of the
_____ Subdivision attached to this certificate and described
in the Certificate of the Surveyor attached hereto and to said plat.

County Clerk
McLean County, Illinois

(SEAL OF SAID COUNTY)

LAND SUBDIVISION CODE

Appendix "A" cont'd.

PLAT CERTIFICATION*

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

 Approved by the McLean County Board of McLean County, Illinois, this
_____ day
of _____, 20_____.

County Plat Officer

*For plats outside corporation limits - form as required by McLean County Subdivision Regulations.

VILLAGE CLERK'S CERTIFICATE

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

I, _____, Village Clerk of said Village, do hereby certify that the foregoing is a true and complete copy of an original _____ presented, passed and approved at a regular meeting of the Village Board held on the ____ day of _____, 20____ by an affirmation vote of the majority of all members selected to said Board, the vote having been taken by yeas and nays and entered on the record of the proceedings of said Board.

Witness my hand and seal of said Village of Downs, this _____ day of _____, 20,_____.

Village Clerk

(Seal)

LAND SUBDIVISION CODE

Appendix "A" cont'd.

DRAINAGE ACKNOWLEDGMENT

_____, Registered Professional Engineer, and

_____ being the owner(s)
of
the premises heretofore platted by _____, Registered
Illinois Land Surveyor No. _____ to be and become
_____ to the Village of Downs, McLean County, Illinois,
do hereby acknowledge that to the best of their knowledge and belief, the drainage of
surface waters will not be changed by the construction of said Subdivision or any part
thereof; or that if such surface water drainage will be changed, reasonable provisions
have been made for collection and diversion of such surface waters into public areas or
drains which the owner has a right to use and that such surface waters will be planned for
in accordance with generally accepted engineering practices so as to reduce the likelihood
of damage to the adjoining property because of the construction of the Subdivision.

I further acknowledge that all or portions of Lots _____ are within
the Special Flood Hazard Area, as defined by the Federal Emergency Management
Agency.

Registered Professional Engineer

OWNER(S):

LAND SUBDIVISION CODE

APPENDIX "B"

SUBDIVISION BOND

KNOW ALL MEN BY THESE PRESENTS, That _____, as Principal, and _____, hereinafter referred to as Surety, are held and firmly bound unto the Village of Downs, a municipal corporation, hereinafter called the Obligee, in the penal sum of _____ (\$_____) lawful money of the United States, for which we, and each of us, hereby bind ourselves as Principal and as Surety to be truly made by us, our heirs, executors, administrators, successors and assigns, jointly and severally, by the following presents:

Sealed and dated this _____ day of _____, 20____, at the Village of Downs, McLean County, Illinois.

WHEREAS, A Petition has heretofore been filed with the Village Board of the Village of Downs for the acceptance of a tract of land as a subdivision to the Village of Downs, under the name and title of "_____ to the Village of Downs, McLean County, Illinois" per plat of _____, Registered Illinois Land Surveyor No._____, consisting of _____ lots and streets, dated _____, 20____ and the plan of which Plat has received preliminary approval by the Village Board of the Village of Downs, and which plat will be finalized upon the Principal's meeting the further requirements of the subdivision and Code of the Village of Downs.

The legal description of the property sought to be subdivided, and for which a final plat will be presented, and for which property this Bond is given, is described as follows, to-wit:

LAND SUBDIVISION CODE

Appendix “B” cont’d.

WHEREAS, said Principal is required by Ordinance of the Village of Downs to provide water conduits, curb and gutter, street base and surface, sidewalks, storm water conduits, street lights and pay all inspection fees and other costs set forth in said Subdivision and Code, and said work is to be done per exact specifications and plans furnished as required by said Code and as heretofore established by the Village of Downs and

WHEREAS, said Principal and Surety promise and guarantee that all construction on said proposed improvements shall be done in a workmanlike manner and in compliance with the ordinances of the Village of Downs, and subject at all times to the inspection and approval by said Oblige and its authorized officers and employees, shall be completed on or before _____, 20____, and further guarantees that all damage or liability incurred by the Village of Downs, its officers and/or employees, which damage or liability is caused or results from defects in the construction, operation or repair of said improvements made by the said Principal to said improvements will be repaired and the Oblige herein, its officers or employees saved harmless from any and all claims whatsoever arising from the operations of the Principal for and during the period from the acceptance by said Oblige of all matters and things required by said Ordinance and herein bonded to be done.

NOW, THEREFORE, the condition of this obligation is such that if the above bonded Principal shall well and truly keep, do and perform each and every, all and singular, the matters and things in said plans and specifications required and set forth and specified to be done by said Principal and performed by said Principal at the time and in the manner in said ordinance specified, or shall pay over, make good, reimburse and save the above-named Oblige harmless from all loss and damage which said Oblige may sustain by reason of failure or default on the part of said Principal so to do, or from defects in the aforesaid improvements, appearing within one (1) year after their acceptance by the Village, then this obligation shall be null and void; otherwise, same shall remain in full force and effect.

PRINCIPAL: _____

SURETY: _____

LAND SUBDIVISION CODE

Appendix "B" cont'd.

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that _____, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed the above instrument as their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____, 20 ____.

Notary Public

NOTE: Such agreements, as set forth herein, shall not be required for subdivisions located in the unincorporated areas within one and one-half miles beyond the Village limits when there is evidence that agreements are entered into between the owner or subdivider and McLean County, however, when the Village standards of public improvements are of higher quality than McLean County standards, such agreements shall be required by the Village.

LAND SUBDIVISION CODE

Appendix "B" cont'd.

ADJACENT ROADWAY IMPROVEMENT GUARANTEE SECURED BY CORPORATE SECURITY

KNOW ALL MEN BY THESE PRESENTS, that ___(Owner and/or subdivider of the property)___ hereinafter called the Principal, and ___(the corporation serving as surety and guaranteeing the obligation of the Principal)___, hereinafter called Surety, are held and firmly bound unto the Village of Downs, McLean County, Illinois, a Municipal Corporation, hereinafter called the Obligee, in the penal sum of \$_____, (amount of bond) lawful money of the United States, for which they hereby bind themselves to be truly made by them, their heirs, executors, administrators, successors and assigns, jointly and severally, by the following presents:

Sealed and dated this ____ day of _____, 20 ____, at Downs, McLean County, Illinois.

Whereas, a Petition has heretofore been filed with the Village Board of said Village of Downs for the acceptance of a tract of land described in Appendix A as a subdivision in said Village of Downs under the name and title of _____ (name of subdivision), McLean County, Illinois, per plat of _____ (name of Registered Land surveyor) Registered Illinois Land Surveyor No. _____ consisting of _____ (number of lots in subdivision) lots and streets, dated _____ (date of final plat) and the plan of which Plat has received preliminary approval by the Village Board and which Plat will be finalized upon the Principal's meeting the further requirements of the Subdivision Code of said Village of Downs; and

WHEREAS said owner is required to contribute one-half of the cost of improving any and all substandard roadway or roadways abutting or bordering on said subdivision thereof; and

WHEREAS the _____ Subdivision borders and abuts portions of the following standard roadways:

LAND SUBDIVISION CODE

Appendix "B" cont'd.

WHEREAS the undersigned promises and guarantees to make such a contribution for each such roadway upon receipt of a Certificate of Completion signed by the Village Engineer of said Village of Downs certifying that one or more of the above listed adjacent substandard roadways has been improved to meet or exceed the applicable street standards of said Village of Downs; and

WHEREAS the undersigned has secured this obligation by posting a corporate surety bond with said Village of Downs,

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that if the undersigned Principal contributes 1/2 the cost of improving all such adjacent substandard roadways, and I am notified at the address listed below in writing of that completion, this obligation shall be null and void as to such substandard roadways. Otherwise, the same shall remain in full force and effect.

PRINCIPAL:

SURETY:

SUBDIVISION CODE

Appendix "B" cont'd.

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that _____, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed the above instrument as their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this ____ day of _____.

Notary Public

Receipt of surety bond acknowledged this ____ day of _____, 20 ____.

VILLAGE OF DOWNS, ILLINOIS

By: _____

Its _____

Appendix A will contain the legal description of the property sought to be subdivided and for which the final plat will be presented and for which this guarantee is provided is as follows, to wit:

SUBDIVISION CODE

Appendix "B" cont'd.

**ADJACENT SUBSTANDARD ROADWAY IMPROVEMENT GUARANTEE
SECURED BY CASH RESERVE**

KNOW ALL MEN BY THESE PRESENTS: That _____, owner and/or subdivider of the property herein after called the "Principal" is/are held and firmly bound unto the Village of Downs, McLean County, Illinois, a Municipal Corporation, hereinafter called the "Obligee" in the penal sum of _____ (amount of cash reserve) lawful money of the United States, for which _____ he _____ hereby binds _____ (himself/herself/itself/themselves) to be truly made by _____ (him, her, them) and (his, her, their) heirs, executors, administrators, successors and assigns jointly and severally by the following presents:

SEALED AND DATED this _____ day of _____, 20____ at Downs, McLean County, Illinois.

WHEREAS a Petition has heretofore been filed with the Village Board of said Village of Downs for the acceptance of a tract of land as a subdivision or planned unit development in the Village under the name and title _____ (name of the subdivision) McLean County, per plat of _____ (name of Registered Land Surveyor) Registered Land Surveyor No. _____, consisting of _____ (number of lots in the subdivision) lots and streets, dated _____ (date of the final plat) and the plan of which plat has received preliminary approval by the Village Board of the Village of Downs and which plat will be finalized upon the meeting of further requirements of the Subdivision Code of said Village.

The legal description of the property sought to be subdivided and for which the final plat will be presented and for which this guarantee is provided is as follows, to wit:

; and

LAND SUBDIVISION CODE

Appendix "B" cont'd.

WHEREAS said owner is required by ordinance to contribute one-half of the cost of improving any and all substandard roadway or roadways abutting or bordering on said subdivision.

WHEREAS the _____ subdivision borders and abuts portions of the following substandard roadways:

; and

WHEREAS the undersigned promises and guarantees to make such a contribution for each such roadway upon receipt of a Certificate of Completion signed by the Village Engineer of said Village of Downs certifying that one or more of the above listed adjacent substandard roadway, has been improved to meet or exceed the applicable street standard of said Village of Downs; and

WHEREAS the undersigned has secured this obligation by posting _____ (\$ _____) with said Village of Downs.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that if the undersigned contributes 1/2 the cost of improving any of such adjacent substandard roadways which are improved, this obligation shall be null and void. Otherwise, the same shall remain in full force and effect.

In the event that one or more of such adjacent substandard roadways are improved to meet or exceed all Village street standards and I am notified at the address listed below in writing of that completion, and fail to make the contribution described in this Guarantee and required by said Village Subdivision ordinance within 60 days from the date of mailing, said Village may utilize all or such portion of the reserve account established as security for this guarantee plus accumulated interest thereon for the purpose of making the required contribution.

PRINCIPAL:

LAND SUBDIVISION CODE

Appendix "B" cont'd.

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

I _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that _____, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed the above instrument as their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____, 20____.

Notary Public

Receipt of _____ (\$_____) as a reserve for subdivider's adjacent substandard roadway improvement guarantee acknowledged this _____ day of _____, 20____.

VILLAGE OF DOWNS, ILLINOIS,

By: _____
Its _____

LAND SUBDIVISION CODE

Appendix "B" cont'd.

**ADJACENT SUBSTANDARD ROADWAY IMPROVEMENT GUARANTEE
SECURED BY IRREVOCABLE LETTER OF CREDIT**

KNOW ALL MEN BY THESE PRESENTS, that _____
(owner and/or subdivider of the property) hereinafter called the Principal, is/are held and
firmly bound unto the Village of Downs, McLean County, Illinois, a Municipal
Corporation, herein after called the Obligee, in the penal sum of
_____ (amount of bond) lawful money of the United
States, for which _____ he _____ hereby bind
_____ (himself/herself/itself/themselves) to be truly made by
_____ (him, her, their) and (his, her, their) heirs, executors, administrator,
successors and assigns, jointly and severally, by the following presents:

SEALED AND DATED this _____ day of _____, 20 ____, at Downs, McLean
County, Illinois.

WHEREAS, a Petition has heretofore been filed with the Village Board of said
Village of Downs for acceptance of a tract of land as a subdivision in the Village of
Downs under the name and title of _____
(name of subdivision or planned unit development), McLean County, Illinois, per plat of
_____ (name of Registered Land surveyor) Registered Illinois
Land Surveyor No. _____, consisting of _____ (number of lots in
subdivision) lots and streets, dated _____ (date of final plat) and the plan
of which Plat has received preliminary approval by the Village Board of the Village of
Downs and which plat will be finalized upon the Principal's meeting the further
requirements of the Subdivision Code of said Village of Downs.

WHEREAS the legal description of the property sought to be subdivided, and for
which a final plat will be presented, and for which property this guarantee is given is
described as follows, to wit:

; and

LAND SUBDIVISION CODE

Appendix "B" cont'd.

WHEREAS said owner or subdivider is required by ordinance of said Village of Downs to contribute one-half of the cost of improving any and all substandard roadway or roadways abutting or bordering on said subdivision; and

WHEREAS the _____ Subdivision borders and abuts portions of the following substandard roadways:

; and

WHEREAS the undersigned promises and guarantees to make such a contribution for each such roadway upon receipt of a Certificate of Completion signed by the Village Engineer of said Village of Downs certifying that one or more of the above listed adjacent substandard roadways has been improved to meet or exceed the applicable street standards of said Village of Downs; and

WHEREAS the undersigned has secured this obligation by posting an irrevocable letter of credit with said Village of Downs.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that if the undersigned contributes 1/2 the cost of improving any of such adjacent substandard roadways which are improved, this obligation shall be null and void. Otherwise the same shall remain in full force and effect.

In the event that one or more of such adjacent substandard roadways are improved to meet or exceed all Village street standards, and I am notified at the address listed below in writing of that completion, and fail to make the contribution described in this Guarantee and required by said Village's subdivision ordinance within 60 days from the date of mailing, the Village may utilize all or such portion of the letter of credit established as security for this guarantee plus accumulated interest thereon for the purpose of making the required contribution.

PRINCIPAL:

LAND SUBDIVISION CODE

Appendix "B" cont'd.

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that _____, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed the above instrument as their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____, 20 ____.

Notary Public

Receipt of _____ (\$_____) as a reserve for subdivider's adjacent substandard roadway improvement guarantee acknowledged this _____ day of _____, 20 ____.

VILLAGE OF DOWNS,

BY: _____

Its _____

LAND SUBDIVISION CODE
Appendix "B" cont'd.
IRREVOCABLE LETTER OF CREDIT

THE _____ (Name of financial institution) _____
DATE: _____

TO: The Village of Downs

We hereby authorize you to draw from our financial institution up to an aggregate amount of _____ (\$_____) United States Dollars (amount of security required) from the account of _____ (name of the subdivision).

This Letter of Credit is available to you upon your presentation of a request for payment, accompanied by: a signed statement by the Village Engineer of the Village of Downs that _____ (name of the owner or subdivider) has failed to complete the required construction of the adjacent substandard roadway improvement guarantee for the _____ Subdivision in accordance with the Subdivision Code and the Subdivider's Adjacent Substandardized Roadway Improvement Guarantee dated the _____ day of _____ 20 _____.

We hereby agree to honor each draft drawn under and in compliance with the terms of this letter, if and when duly presented at this office in _____, Illinois until the expiration of one year after the approval and acceptance by the Village of all required public improvements adjacent to said subdivision, or until such later date as any written claim by the Village against the owner or subdivider or his financial institution is finally resolved.

The irrevocable credit established by us shall remain in effect without regard to any default in payments of sums owed by us the owner and/or developer and without regard to other claims which we may have against the owner and/or developer. Sixty (60) days prior to the expiration of this irrevocable credit we shall notify the Village Board, by registered letter return receipt requested, of the impending expiration date. This commitment shall not terminate without such notice. It is recognized that the municipality is according the owner and/or developer the permission to proceed with the development project expressly upon the guarantee of the irrevocable nature of this commitment. It is further acknowledged that the consideration for this irrevocable commitment is provided by agreements between this financial institution and the developer. The sum of this credit shall, however, be reduced in the amount of disbursements made from time to time in accordance with the terms under which this credit is extended as set out above.

ATTEST: _____
Its _____

By: _____
Its _____