

ARTICLE 9

MISCELLANEOUS

REQUIREMENTS - STATE PLANE COORDINATE SYSTEM ACT, PLAT CERTIFICATES, TAX SEARCH AND WATER SYSTEM IMPROVEMENTS

901 State Plane Coordinate System Act

All Plats of Subdivision shall be submitted to the Village on a 24" by 36" mylar for recording purposes. It shall also be submitted to the Village Engineer in electronic format on a 3 1/2" or 5 1/4" diskette which can be read by an IBM compatible computer in DWG (AutoCAD) format. All coordinates shall be based upon State Plane Coordinates and shall tie to existing monuments as set by McHenry County and referenced on Control Diagram, dated September 30, 1991 prepared by MSE Surveying. Specific electronic layers are required, and the Village Engineer should be contacted for more information before surveying and Plat preparation takes place.

902 Required Certificates - Tentative Plats

902.1 Plan Commission Approval. The Tentative Plat must be approved by the Plan Commission. A certificate indicating such approval, to be signed by the Chairman, shall be placed on the Plat. The following wording is suggested:

PLAN COMMISSION APPROVAL

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF MCHENRY)

Tentative Plat approved by the Plan Commission of the Village of Johnsburg this

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(signature)

\_\_\_\_\_  
Chairperson

902.2 Village Engineer's Approval. All Tentative Plats must be approved by the Village Engineer. A certificate indicating such approval shall be placed on the Tentative Plat. The following wording is suggested:



**903 Required Certificates - Final Plat**

**903.1 Certificate Indicating Approval by Plan Commission.** The Final Plat must be approved by the Plan Commission. A certificate indicating such approval, to be signed by the Chairman, shall be placed on the Plat. The following wording shall be used:

**APPROVAL BY THE PLAN COMMISSION**

Approval by the Plan Commission of the Village of Johnsburg this \_\_\_\_\_ day of \_\_\_\_\_,

**903.2 Developer Donation School Districts.** In accordance with Article 10 of the Johnsburg Subdivision Regulations, a developer is required to make a land donation (or cash donation in lieu thereof) to the school district in which the proposed subdivision is located. When payment or dedication of land is made to the school district, a document evidencing the donation shall be countersigned by the Regional Superintendent of Schools and recorded with the Recorder. A certificate referencing the signed agreement shall be placed on the Final Plat. The following wording is suggested:

**SCHOOL DONATION**

In accordance with Article 10 of the Johnsburg Subdivision Regulations, a land donation (or cash contribution in lieu of land) has been made. A letter (or signed agreement) confirming this donation, signed by the Superintendent of Johnsburg Community Unit School District 12 and acknowledged by the Regional Superintendent of Schools has been recorded as Document # \_\_\_\_\_ in the Recorder's Office in McHenry County, Illinois.

\_\_\_\_\_  
County Recorder

**903.3 Owner's Certificate and Notary Certificate.** A certificate shall be placed on the Final Plat indicating the ownership of the land being subdivided. A notary certificate shall be placed beneath the owner's certificate in witness of the owner's signature. The following general wording of these two certificates is suggested:

**OWNER'S CERTIFICATE**

STATE OF ILLINOIS                    )  
  )SS  
COUNTY OF MCHENRY                )

This is to certify that the undersigned, \_\_\_\_\_, is [are] the legal owner[s] of the land described on the Plat hereon drawn and shown hereon as subdivided; that he [they] has [have] caused said land to be surveyed, subdivided, staked and platted as shown hereon, for

the purpose of having this Plat recorded as provided by law; and to the best of my [our] knowledge and belief the drainage of surface waters will not be changed by the construction of such subdivision or part thereof, or, that if such surface water drainage will be changed, reasonable provision has been made for the collection and diversion of such surface waters into public areas, or drains which the subdivider 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.

In witness whereof I [we] have hereto set my [our] hand[s] and seal [s] this \_\_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_  
(month) (year)

\_\_\_\_\_  
(Seal)  
\_\_\_\_\_  
(Seal)

NOTARY'S CERTIFICATE

STATE OF ILLINOIS )  
)SS  
COUNTY OF MCHENRY )

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that \_\_\_\_\_ of \_\_\_\_\_ personally known to me to be the same person or persons whose name or names are subscribed to the foregoing instrument as, \_\_\_\_\_ respectively appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act of said company for the uses and purposes therein set forth and said secretary did also then and there affix the said corporate seal of said company to the said instrument as his or her own free voluntary act, and as his or her own free voluntary act, and as the free and voluntary act of said company for the uses and purposes set forth.

Given under my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Seal) \_\_\_\_\_  
Notary Public

**903.4 Surveyor's Certificate.** The surveyor who prepared the Final Plat shall place thereon a certificate of substantially the following wording:

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
)SS  
COUNTY OF MCHENRY )

I, \_\_\_\_\_, an Illinois Registered Land Surveyor do hereby certify that I have surveyed and subdivided the following described property, and that the Plat hereon drawn is a correct representation thereof, all distances are shown in feet and decimal parts thereof.

(Insert Legal Description)

Containing total area, including R.O.W.'s: (in square feet and acres)

This is also to certify that upon completion of construction, concrete monuments, as shown, and iron pipes at all lot corners and points of change in alignment will be set, as required by the Plat Act (765 ILCS 205/0.01 et seq.). This is also to certify that the property, as described in the annexed Plat, lies within the corporate limits of the Village of Johnsburg, Illinois, which has adopted a comprehensive plan.

Given under my hand and seal at \_\_\_\_\_, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
(month) (year)

Illinois Registered Professional Land Survey No. \_\_\_\_\_

**903.5 Certificate Regarding Flood Hazard.** In accordance with the Recorder's Act (55 ILCS 5/3-5001 et seq.) The surveyor shall determine if any part of the proposed subdivision lies within a flood hazard area as identified by the Federal Emergency Management Agency. An appropriate certificate shall be placed on the Plat and signed by the surveyor. The following wording is suggested, depending on which situation exists. (2)

#### FLOOD HAZARD CERTIFICATE

I certify that none of the above described property is located in a flood hazard area as identified by the Federal Emergency Management Agency.

(signature)

\_\_\_\_\_  
Illinois Registered Land Surveyor

OR

I certify that none of the above described property as subdivided is located in a flood hazard area as identified by the Federal Emergency Management Agency except as indicated on FEMA Floodway Map, McHenry County, Illinois, Community Panel Number \_\_\_\_\_, effective date \_\_\_\_\_.

Given under my hand and seal at \_\_\_\_\_, Illinois this \_\_\_\_\_ day of \_\_\_\_\_,  
(month)

\_\_\_\_\_  
(year)

Illinois Registered Professional Land Surveyor No. \_\_\_\_\_

2 Refer to Section 903.14 for wording of a special certificate which is required if the subdivision borders or includes any public waters.

**903.6 McHenry County Health Department Certificate.** The Plat Act, as amended January 1, 1988, requires the local health department, if one exists, to sign a Plat with respect to sewage disposal systems if any part of the platted land will not be a public sewer system. The following wording is suggested:



BOARD OF TRUSTEE'S APPROVAL

STATE OF ILLINOIS )  
 )SS  
COUNTY OF MCHENRY )

This Plat and dedications shown hereon are hereby approved by the Village of Johnsburg, Illinois, at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(month) (year)

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

Attest: \_\_\_\_\_  
Village Clerk

**903.10 Recorder's Certificate.** A certificate shall be placed on the Final Plat to indicate the date and time of recording, and the book and page on which recorded. The following wording is suggested:

RECORDER'S CERTIFICATE

STATE OF ILLINOIS )  
 )SS  
COUNTY OF MCHENRY )

This instrument filed for record in the Recorder's office of McHenry County, Illinois, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M. and recorded as  
(month) (year)  
Document Number \_\_\_\_\_.

\_\_\_\_\_  
County Recorder

**903.11 Easement Crossing Certificate.** A certificate shall be placed on the Final Plat to allow easement crossings. The following wording is suggested:

EASEMENT CROSSING PROVISIONS

All easements indicated as road construction and maintenance easements adjacent to road right-of-ways on this Plat are reserved for and granted to the Village of Johnsburg, their successors and assigns, for road construction and maintenance including maintenance of drainage ditches and slopes. Said easements may be crossed perpendicularly by driveways and utilities and drainage or retention/detention easement with the consent of the grantor. Said grantor reserves the right to cut, trim, or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon said property for all such purposes.

\_\_\_\_\_  
Owner  
Date: \_\_\_\_\_

903.12 **Village Treasurer.** A certificate shall be placed on the Final Plat indicating that there are no delinquent or unpaid obligations to the Village. The following general wording is suggested:

VILLAGE TREASURER'S CERTIFICATE

My signature, as Treasurer of the Village of Johnsbury, certifies that there are no delinquent or unpaid, current or forfeited special assessments or any deferred installment thereof that has been apportioned against the land included in this Plat of Subdivision.

Date: \_\_\_\_\_

\_\_\_\_\_  
Village Treasurer

903.13 **Road Certificate(s).** If interior subdivision streets or roads access upon a county, township or state road, the following certificate(s) shall be included on the Final Plat:

ROAD CERTIFICATE

STATE OF ILLINOIS )  
 )SS  
COUNTY OF MCHENRY )

Approved this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, as to roadway access to  
(month) (year)  
\_\_\_\_\_ Highway No. \_\_\_\_\_ also known as \_\_\_\_\_  
(County/State/Township)

(signature)

\_\_\_\_\_  
County Superintendent of Highways  
and/or  
Illinois Department of Transportation  
And/or  
Township Highway Commissioner

903.14 **State of Illinois Certificate.** In accordance with an Act in Relation to the Regulation of Rivers, Lakes and Streams (615 ILCS 5/7), if a subdivision borders upon or includes any public waters in which the State of Illinois has any property rights or property interests, it must have a boundary line indicated between the private interests and the public interests.

The proposed boundary line must be reviewed and approved by the Illinois Department of Transportation, Division of Water Resources for the special certificate that must be placed on the Final Plat to indicate that the boundary line has been approved.

STATE OF ILLINOIS CERTIFICATE

STATE OF ILLINOIS )  
 )SS  
COUNTY OF MCHENRY )



Approved by the Department of Transportation of the State of Illinois insofar as this Subdivision Plat, showing lands bordering upon or including public waters of the State of Illinois, relates to the provisions of Section 7 of An Act in Relation to the Regulation of Rivers, Lakes, and Streams of the State of Illinois approved June 10, 1911, as amended, requiring review and approval by said Department as to the boundary line between private interests and public interests.

Dated at Springfield, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
(month) (year)

Approval recommended: \_\_\_\_\_  
Director, Division of Water Resources

State of Illinois, by its Department of Transportation  
By: \_\_\_\_\_  
Secretary

#### 904 Tax Search

Before a Final Plat may be submitted to the Board of Trustees, the owner shall make all payments of any and all taxes and special assessments levied against the property being platted by him. In vacating subdivisions previously platted, the petitioner shall submit evidence of the payment of all taxes and special assessments levied against the property in the same manner as is required for subdividing (See Section 903.7).

#### 905 Water System Improvements

All water system improvements shall meet the requirements of the Standard Specifications for Water and Sewer Main Construction in Illinois, the American Water Works Association (AWWA) and the Village Engineer. All systems shall be sized properly to allow for future expansion.

#### 906 Underground Utilities

- A. All electric, telephone, television and other communication lines, both main and service connections servicing new developments, shall be provided by underground wiring within easements or dedicated public rights-of-way, installed in accordance with the prevailing standards and practices of the utility or other companies providing such services.
- B. Lots that abut existing easements or public rights-of-way, where overhead electric or telephone distribution supply lines and service connections have previously been installed, may be supplied with electric and telephone service from those overhead lines, but the service connections from the utilities' overhead lines shall be installed underground. In the case of existing overhead utilities, should a road widening, or an extension of service, or other condition occur as a result of the subdivision and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground.

- C. Whenever overhead lines are permitted, consistent with or as an exception to the above standards, the placement and alignment of poles shall be designed to lessen the visual impact of overhead lines. Alignments and pole locations shall be carefully routed to avoid locations along horizons; clearing swaths through wooded areas shall be avoided by selective cutting and a staggered alignment; trees shall be planted in open areas and at key locations to minimize the view of the poles and the alignments; and alignments shall follow rear lot lines and other alignments.

## **907 Plan Consistency**

**907.1 Comprehensive Plan.** The official map is the Future Land Use Map in the Village of Johnsburg, 2010 Comprehensive Land Use Plan. The policies in that Plan are a clarification, refinement and explanation of that map. Developments shall be consistent with the maps and policies in that Plan. Without limiting the above, streets and greenways shall be aligned, located and designed consistent with the 2010 Land Use Map in that Plan. Areas classified as Public/Semi-Public on the aforementioned map should be set aside for school and park sites provided the "set aside" would not constitute a taking of land in violation of the 5th Amendment to the United States Constitution. Areas classified as "Natural Resources" should similarly be left or improved in open space and non-structural uses.

**907.2 Zoning Ordinance.** Every development shall meet all applicable standards of the Village of Johnsburg Zoning Ordinance. Such standards are incorporated in this Ordinance by reference and shall have the same effect as if fully set out herein.

## **908 Retained Personnel Fee**

In the event the Village Clerk determines that it is necessary for the Village to obtain professional services including, but not limited to, attorneys, engineers, planners, architects, surveyors, traffic or drainage experts, or other consultants in connection with the review of a plat or plan subject to review under this Ordinance. Then the owner or petitioner shall jointly and severally be liable for the payment of such fees plus 5 % to cover the Village Administration expenses. The owner or petitioner shall file a deposit in an amount as required by the Village Clerk as a credit against fees and costs incurred for these services.