
Village of Beecher

625 Dixie Highway
PO Box 1154
Beecher, Illinois 60401
Phone: 708-946-2261
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www.villageofbeecher.org

**President**

Marcy Meyer

Clerk

Janett McCawley

Administrator

Charity Mitchell

Treasurer

Donna Lippelt

Trustees

Todd Kraus
Joe Tieri
Roger Stacey
Erik Gardner
David Weissbohn
Brian Diachenko

**MEETING OF THE BEECHER PLANNING AND ZONING COMMISSION
(THE PZC)**

Thursday, December 12, 2024 at 7:00 p.m.

Beecher Village Hall

625 Dixie Highway

Beecher, Illinois

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL
- III. CONSIDER APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING
- IV. RECOGNITION OF THE PUBLIC
- V. DISCUSSION OF RE-SUBDIVISION OF LOTS 49-51 ON SOMERSET DRIVE IN THE PRAIRIE PARK SUBDIVISION. This item was tabled at a previous meeting to allow the Village Attorney to review the information. The village administrator will provide an update and the developer will be in attendance.
- VI. UPDATE ON ZONING ORDINANCE REVISION.
- VII. THE NEXT PZC MEETING IS SCHEDULED FOR JANUARY 23, 2025 AT 7PM.
- VIII. OLD BUSINESS
- IX. NEW BUSINESS
- X. ADJOURNMENT

**MINUTES OF THE BEECHER PLANNING AND ZONING COMMISSION
(THE PZC)**

***Thursday, October 24, 2024 at 7:00 p.m.
Beecher Village Hall
625 Dixie Highway***

At 7:00 p.m., Chairman George Schuitema called the meeting to order.

All present joined in the pledge to the flag.

ROLL CALL. Members present: Commissioners Barber, Eich, Gardner, Heim, Schuitema and Serviss.
Member absent: Commissioner Hearn.

Staff present: Secretary Patty Meyer, Administrator Charity Mitchell and Pete Iosue of Teska Associates.

Guests: Village President Marcy Meyer, Trustee Erik Gardner, Larry Brogan, Vic Reato and his Attorney James Hess, Dolores Swanson, Joyce Giroux, Kenny Hon and others in support of Silver Screen Vapes.

CONSIDER APPROVAL OF THE MINUTES OF THE SEPTEMBER 26, 2024 MEETING.

Commissioner Heim made a motion to approve the minutes of the September 26, 2024 PZC meeting as written. Commissioner Eich seconded the motion.

AYES: Commissioners Barber, Eich, Gardner, Heim, Schuitema and Serviss.

NAYS: None.

Motion carried.

RECOGNITION OF THE PUBLIC – None.

PUBLIC HEARING: CONSIDER A SPECIAL USE PERMIT REQUEST IN A B-1 HISTORIC DOWNTOWN BUSINESS DISTRICT FOR A VAPE AND SMOKE SHOP AT 759 W. INDIANA AVENUE. Due notice has been published and letters were sent to the adjoining property owners. Commissioner Serviss made a motion to open the public hearing at 7:01 p.m. Commissioner Gardner seconded.

AYES: Commissioners Barber, Eich, Gardner, Heim, Schuitema and Serviss.

NAYS: None.

Motion carried.

Petitioner Vic Reato spoke regarding his special use permit request to continue selling his vape and tobacco products in his store. Attorney James Hess stated that all of the standard requirements for the special use permit have been met. Mr. Reato wants to be in compliance and has no issues with any conditions that may be placed on his special use.

Kenny Hon provided testimony that he is in support of small businesses and has been a customer of Silver Screen since 2008. Mr. Reato continues to help and serve the residents of Beecher. Mr. Hon reported that many people's lives have improved due to use of products sold at Silver Screen. He reported that Godfathers Cigars sells a lot of the same products that Silver Screen does. He stated that Mr. Reato has never given up on Beecher and its residents.

A resident spoke about Vic Reato's character, how he really wants to help people and that his products help many people. He stated that Mr. Reato is deserving of approval of his special use permit request.

Commissioner Schuitema stated that the PZC has no intention of shutting Silver Screen down.

Pete Iosue clarified special use permits and the uses allowed in the Historic Downtown Business District.

Commissioner Barber asked about the current signage. Mr. Reato is willing to update his signage to something similar to the sign at his Manteno store. A picture of that sign was provided for review.

Commissioner Barber read the conditions on the special use:

1. No one under the age of 21 permitted into the establishment unless accompanied by an adult over 21 years of age;
2. The establishment must maintain a video surveillance system, and allow such video surveillance system to be accessible upon request to law enforcement;
3. Minimum of 50% exposed glass on exterior windows for law enforcement;
4. There shall be no flashing string or rope lights - solid colors only. Neon lighting is permitted, but LED is not. Light levels of any signage, window or door dressing cannot exceed normal brightness of neon as determined by the Zoning Administrator;
5. A new sign shall be erected within a reasonable timeframe to replace the existing wall sign on the building, similar to the exhibit presented at the public hearing.

There being no further testimony to be heard, Commissioner Serviss made a motion to close the public hearing at 7:13 p.m. Commissioner Eich seconded.

AYES: Commissioners Barber, Eich, Gardner, Heim, Schuitema and Serviss.

NAYS: None.

Motion carried.

CONSIDER A MOTION OF RECOMMENDATION TO THE VILLAGE BOARD ON THE REQUEST FOR A SPECIAL USE PERMIT. Commissioner Barber made a motion of recommendation to the Village Board on the request for a special use permit in a B-1 Historic Downtown Business District for a vape and smoke shop at 759 W. Indiana with five conditions listed above. Commissioner Heim seconded.

AYES: Commissioners Barber, Eich, Gardner, Heim, Schuitema and Serviss.

NAYS: None.

Motion carried.

DISCUSSION OF POTENTIAL SOLAR FARMS LOCATED WITHIN 1.5 MILES OF BEECHER VILLAGE LIMITS. Pedro Rodriguez from Seaboard Solar was present to discuss a few parcels they are looking to purchase and develop into solar farms. Seaboard Solar has no legal interest in any parcels at this time, but are asking for the PZC's input since properties are within the planning jurisdiction. Copies of aerial views of potential properties were provided for review. Mr. Rodriguez stated that most of the properties they are hoping to buy are much larger than what the solar farm will occupy.

Commissioners asked questions regarding maintenance of properties, properties located in flood plain, lifespan of panels, number of poles (versus underground) and fixed versus moving panels.

Pete Iosue's concern was that the solar farms would not block future development.

It was the consensus of the PZC not to support properties #1 and #2 which were the closest to current Village limits.

DISCUSSION OF ZONING ORDINANCE REVISION. The most recent draft was provided for review. Pete Iosue made the changes that were discussed at the final Steering Committee meeting.

The Commission discussed more changes to the provided revision and Pete Iosue made said changes.

Pete Iosue will put together a memo noting major changes made to the Zoning Ordinance.

DISCUSSION OF THE NOVEMBER MEETING DATE. The next regularly scheduled PZC meeting falls on Thursday, November 28th, which is Thanksgiving Day. Commissioner Heim made a motion to hold the next PZC meeting on Thursday, December 12th. Commissioner Serviss seconded.

AYES: Commissioners Barber, Eich, Gardner, Hearn, Heim, Schuitema and Serviss.

NAYS: None.

Motion carried.

OLD BUSINESS.

Administrator Mitchell reported that Lennar Builders obtained a concession that will allow them to comply with the 60% brick requirement. They also want to reverify that the Village owns the pond in Hunter's Chase East and that we will continue to maintain it. Commissioner Heim mentioned that Staff will need to keep an eye on the minimum square footage for homes when plans come in.

NEW BUSINESS. – None.

ADJOURNMENT. Commissioner Serviss made a motion to adjourn the meeting. Commissioner Eich seconded the motion.

AYES: Commissioners Barber, Eich, Gardner, Heim, Schuitema and Serviss.

NAYS: None.

Motion carried.

Meeting adjourned at 8:45 p.m.

Respectfully submitted,

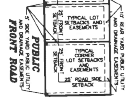
Patty Meyer
Secretary

CONCEPT PLAN of

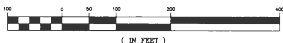
PRAIRIE PARK RE-SUBDIVISION PHASE II

A SUBDIVISION OF LOTS 49 THRU 51 IN PRAIRIE PARK, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 33 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED DECEMBER 13, 2005 AS DOCUMENT NO. R2005-218550, IN WILL COUNTY, ILLINOIS

SETBACK AND TYPICAL EASEMENTS EXHIBIT



GRAPHIC SCALE



CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD	DELTA
01	173.80	310.00	N 81°04'41" E	111.06	127°02'22"
02	60.83	311.00	N 85°03'37" E	88.01	183°12'22"
03	13.45	311.00	N 10°14'51" E	13.45	13°24'51"
04	8.31	311.00	N 88°30'43" E	8.31	1°31'31"
05	8.52	45.00	N 89°58'47" E	8.52	1°00'00"
06	36.85	45.00	N 87°43'43" E	33.22	22°36'52"
07	44.51	45.00	S 89°14'18" E	26.87	107°04'30"
08	26.24	45.00	S 87°14'18" E	26.87	107°04'30"
09	15.34	330.00	N 23°27'24" E	15.37	24°31'31"
10	47.11	220.00	N 78°24'47" E	38.61	8°36'52"
11	64.04	330.00	N 63°37'06" E	63.84	110°20'08"
12	01.63	330.00	N 74°25'24" E	6.24	15°24'00"
13	102.18	210.00	N 42°17'58" E	100.36	21°40'48"
14	49.47	330.00	N 65°01'50" E	48.47	8°28'14"
15	12.97	210.00	N 82°08'58" E	12.97	24°52'22"
16	8.27	210.00	N 82°08'58" E	8.27	1°52'52"
17	12.82	210.00	N 78°34'56" E	11.80	21°52'52"

SURVEYOR'S CERTIFICATE:

STATE OF ILLINOIS)
COUNTY OF WILL)

THIS IS TO CERTIFY THAT I, MATTHEW D. DUNN, ILLINOIS REGISTERED LAND SURVEYOR NO. 3107, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED LOT OR LOTS OF LAND, TO-WIT: LOTS 49 THRU 51 IN PRAIRIE PARK, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 33 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED DECEMBER 13, 2005 AS DOCUMENT NO. R2005-218550, IN WILL COUNTY, ILLINOIS.

1. LOTS 49 THRU 51 ARE ALL PARTS OF THE EXISTING PRAIRIE PARK SUBDIVISION RECORDED 12-13-2005 AS DOCUMENT NO. R2005-218550. REFER TO THAT PLAT AND ANY CERTIFICATES OF CORRECTION.
2. FRONT BUILDING SETBACK FOR ALL RESIDENTIAL LOTS ON THIS PLAT (LOTS 94-99) SHALL BE 25 FEET.
3. A FIFTY (50) FOOT PUBLIC UTILITY & DRAINAGE EASEMENT ARE HEREBY DEDICATED ALONG THE SIDE YARD LINES AND TO FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS ARE HEREBY DEDICATED ALONG THE REAR YARD LINES OF ALL LOTS IN THIS PLAT UNLESS DEDICATED IN ANOTHER MANNER.

4. ALL ROADWAYS SHOWN INCLUDING WATERFORD LANE, PRAIRIE PARK (ASHFORD) BOULEVARD, CLIFTON AVENUE AND SOMERSET DRIVE WERE PREVIOUSLY DEDICATED IN THE ORIGINAL PLAT OF PRAIRIE PARK MENTIONED ABOVE. SAID DEDICATED STREETS REMAIN AS DEDICATED ON SAID PLAT AND SUBSEQUENT CERTIFICATES OF CORRECTION.
5. LOT 50 ON THIS PLAT IS (LOT 7) ON THE ORIGINAL PLAT OF PRAIRIE PARK RECORDED 12-13-2005 AS DOCUMENT NO. R2005-218550. PARTS (1) & (2) WITHIN ZONE A & B SPECIAL FLOOD HAZARD AREA PER FLOOD INSURANCE RATE MAP PANEL NUMBER 17152C0222E WITH AN EFFECTIVE DATE OF SEPTEMBER 6, 1995 AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

6. THE SUBDIVISION IS WITHIN THE LIMITS OF THE VILLAGE OF BEECHER.
7. ALL THE LOT CORNERS AND POINTS OF CURVATURE HAVE BEEN MONUMENTED WITH 1/2" REBAR.
8. ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
9. THE ATTACHED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION.
10. THE SUBDIVISION PARCELS CONTAINS 42781 SQ.FT. OR 0.94 ACRES MORE OR LESS.
11. P.U.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT.

DATED THIS _____ DAY OF _____ A.D. 2024

MATTHEW D. DUNN, ILLINOIS PROFESSIONAL SURVEYOR NO. 3107

OWNER'S AND ENGINEER'S SURVEY STATEMENT:

I HEREBY DECLARE THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS ON THE SITE DEPICTED BY THIS PLAT WILL NOT BE CHANGED BY CONSTRUCTION OF IMPROVEMENTS OR BY ANY PART THEREOF SO THAT IF SUCH SURFACE WATERS WOULD BE CHANGED, THAT REASONABLE PREVISIONS WERE PREVIOUSLY MADE FOR COLLECTION AND OVERFLOW OF SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE DEVELOPER HAS THE RIGHT TO USE, AND THAT SUCH SURFACE WATERS WERE PREVIOUSLY PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES WITH THE DEVELOPMENT OF THE PRAIRIE PARK RE-SUBDIVISION AND TO REDUCE THE UNLAWFULNESS OF DAMAGE TO ADJACENT PROPERTIES DUE TO CONSTRUCTION OF THIS DEVELOPMENT.

OWNER OR ATTORNEY IN FACT: ENGINEER: MATTHEW D. DUNN ILLINOIS P.E. #35-047326

OWNER'S CERTIFICATE:

STATE OF ILLINOIS)
COUNTY OF WILL)

THIS IS TO CERTIFY THAT I, THE UNDERSIGNED, IS THE OWNER OF THE LAND DESCRIBED IN THE ATTACHED PLAT AND THAT HE HAS CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED AND PLATTED AS SHOWN BY STYLE AND TITLE THEREON INDICATED.

SCHOOL DISTRICT DECLARATION: THE OWNER UNDERSTANDS AND CERTIFIES THAT THE PROPERTY DEPICTED IN THIS PLAT LIES WITHIN THE FOLLOWING SCHOOL DISTRICTS:
ELEMENTARY SCHOOL DISTRICT: 2004, BEECHER ELEMENTARY
HIGH SCHOOL DISTRICT: 2004, BEECHER HIGH SCHOOL
COMMUNITY COLLEGE DISTRICT: 333, PRAIRIE STATE COMMUNITY COLLEGE

DATED THIS _____ DAY OF _____ A.D. 2024

OWNER:

ADDRESS _____

NOTARY PUBLIC CERTIFICATE:

STATE OF ILLINOIS)
COUNTY OF WILL)

I, _____, NOTARY PUBLIC IN AND FOR THE COUNTY AFORESAID, DO HEREBY CERTIFY THAT _____ IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING CERTIFICATE APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION OF THE ANNEXED PLAT AND ACCOMPANYING INSTRUMENTS FOR THE USES AND PURPOSES THEREIN SET FORTH AS HIS FREE AND VOLUNTARY ACT.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ A.D. 2024

NOTARY PUBLIC:

STATE OF ILLINOIS)
COUNTY OF WILL)

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF WILL COUNTY AFORESAID ON THIS _____ DAY OF _____ A.D. 2024 AT _____ O'CLOCK

AND RECORDED IN BOOK OF PLATS ON PAGE _____

WILL COUNTY RECORDER:

COUNTY CLERK'S CERTIFICATE:

STATE OF ILLINOIS)
COUNTY OF WILL)

THIS IS TO CERTIFY THAT I FIND NO DELINQUENT OR UNPAID CURRENT TAXES AGAINST ANY OF THE REAL ESTATE DESCRIBED IN THE FOREGOING CERTIFICATE.

DATED THIS _____ DAY OF _____ A.D. 2024

WILL COUNTY CLERK:

TAX MAPPING CERTIFICATE:

STATE OF ILLINOIS)
COUNTY OF WILL)

I, _____, DIRECTOR OF THE TAX MAPPING AND PLATTING OFFICE DO HEREBY CERTIFY THAT I HAVE CHECKED THE PROPERTY DESCRIPTION ON THIS PLAT AGAINST AVAILABLE COUNTY RECORDS AND FIND SAID DESCRIPTION TO BE TRUE AND CORRECT. THE PROPERTY HEREIN DESCRIBED IS LOCATED ON TAX MAP #22-09-0-W AND IS IDENTIFIED AS PERMANENT REAL ESTATE TAX NO. 0000000000

22-09-0-W-007-0000 22-09-0-W-008-0000 22-09-0-W-009-0000

DATED THIS _____ DAY OF _____ A.D. 2024

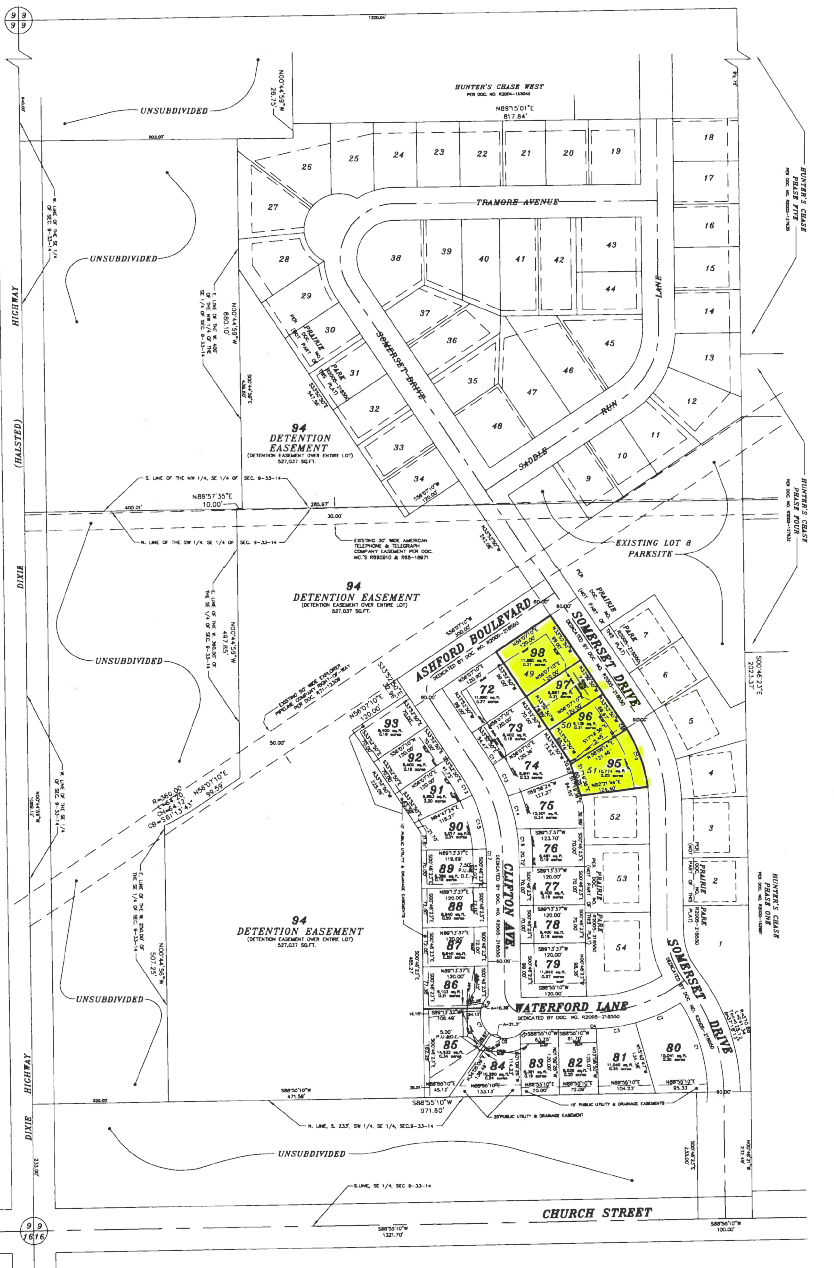
BEECHER PLAN COMMISSION:

STATE OF ILLINOIS)
COUNTY OF WILL)

APPROVED BY THE BEECHER PLAN COMMISSION THIS _____ DAY OF _____ A.D. 2024

CHAIRPERSON:

SECRETARY:



BEECHER VILLAGE BOARD OF TRUSTEES:

STATE OF ILLINOIS)
COUNTY OF WILL)

APPROVED BY THE VILLAGE BOARD OF THE VILLAGE OF BEECHER, WILL COUNTY, ILLINOIS DATED AT _____ ILLINOIS, THIS _____ DAY OF _____ A.D. 2024

WATSON:

CLERK:

EASEMENT PROMISSES:

EASEMENTS FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATIONS SERVICE IS HEREBY RESERVED FOR AND GRANTED TO:
NICHOL GAS CORPORATION
AMERICAN CORPORATION (AT&T) ON THE VILLAGE OF BEECHER DESIGNATED COMMUNICATIONS AND DATA TRANSMISSIONS SUPPLIER

THEIR RESPECTIVE SUCCESSORS OR ASSIGNS, JOINTLY AND SEVERALLY, TO INSTALL, OPERATE, MAINTAIN AND REMOVE, FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF GAS, FUEL, ELECTRICITY AND SIGNALS IN OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED LINES ON THE ATTACHED PLAT OR IN AREAS DESCRIBED OR IMPLICATED AS PUBLIC UTILITY EASEMENTS (P.U.E. OR P.U.L.E.). (PLEASE REFER TO RECORD PLAT OF PRAIRIE PARK SUBDIVISION FOR FURTHER GRANT OF EASEMENT IN PREVIOUSLY DEDICATED PUBLIC ROAD RIGHT-OF-WAYS) USE HEREIN WITH RESPECT TO ALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND OVER OR UNDER THE SURFACE OF THE SUBDIVISION SHALL BE REASONABLY REQUIRED IDENTICAL TO THE RIGHTS HEREIN GIVEN OR REMAINEE THEREIN. BUSINESSES AND ROADS AS MAY BE REASONABLY REQUIRED IDENTICAL TO THE RIGHTS HEREIN GIVEN OR REMAINEE THEREIN. FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED LINES MAINTAINED OR ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF. AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH CABLE TELEVISION AND OTHER COMMUNICATIONS (CABLE TV) SERVICE IS HEREBY GRANTED TO AMERICA TELECOM (AT&T) ON THE VILLAGE OF BEECHER DESIGNATED CABLE TELEVISION SERVICE PROVIDER. THE VILLAGE OF BEECHER, SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE, MAINTAIN AND REMOVE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSIONS AND DISTRIBUTIONS OF CABLE TV AND OTHER COMMUNICATIONS SIGNALS IN, UPON, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED LINES ON THE ATTACHED PLAT OR IN AREAS DESCRIBED OR IMPLICATED AS PUBLIC UTILITY EASEMENTS (P.U.E. OR P.U.L.E.). (PLEASE REFER TO RECORD PLAT OF PRAIRIE PARK SUBDIVISION FOR FURTHER GRANT OF EASEMENT IN PREVIOUSLY DEDICATED PUBLIC ROAD RIGHT-OF-WAYS) USE HEREIN WITH RESPECT TO ALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND OVER OR UNDER THE SURFACE OF THE SUBDIVISION SHALL BE REASONABLY REQUIRED IDENTICAL TO THE RIGHTS HEREIN GIVEN OR REMAINEE THEREIN. BUSINESSES AND ROADS AS MAY BE REASONABLY REQUIRED IDENTICAL TO THE RIGHTS HEREIN GIVEN OR REMAINEE THEREIN. FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED LINES MAINTAINED OR ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

HOMEOWNERS ASSOCIATION AND VILLAGE EASEMENTS:

ALL EASEMENTS DESCRIBED OR IMPLICATED AS PUBLIC UTILITY AND/OR DRAINAGE EASEMENTS (P.U.E. OR P.U.L.E.) ON THIS PLAT ARE HEREBY GRANTED TO THE VILLAGE OF BEECHER FOR THE PURPOSE OF MAINTENANCE, REPAIR AND PERIODIC REPLACEMENT AS NEEDED OF VILLAGE PUBLIC UTILITIES AND FOR THE VILLAGE TO ENSURE THAT SURFACE DRAINAGE IS PROPERLY MAINTAINED AND CONVEYED BY THE HOMEOWNERS ASSOCIATION. IF THE VILLAGE FINDS THAT THE HOMEOWNERS ASSOCIATION IS NOT ATTENDING TO PROPER DRAINAGE MAINTENANCE, THEY MAY INFORM SAID HOMEOWNERS ASSOCIATION AND INDIVIDUAL HOMEOWNERS MAKE THE ISSUE RESOLVED AND GIVE NOTICE THAT THE ISSUE MUST BE RESOLVED WITHIN TEN (10) DAYS BEFORE THE VILLAGE CAN RESOLVE SAID ISSUE AT THE EXPENSE OF THE HOMEOWNERS ASSOCIATION PLUS FEE. IN THE EVENT THAT AN INDIVIDUAL OWNER OR THE HOMEOWNERS ASSOCIATION DOES NOT RESOLVE THE ISSUE WITHIN THE TEN (10) DAY PERIOD, THE VILLAGE MAY TAKE ACTION NECESSARY TO RESOLVE THE ISSUE AND MAKE THE SUBDIVISION CONFORM TO THE VILLAGE SECS FIT. PLEASE SEE THE ASSOCIATED SUBDIVISION COVENANTS FOR MORE EXPLANATION.

ALL EASEMENTS DESCRIBED OR IMPLICATED AS PUBLIC UTILITY AND/OR DRAINAGE EASEMENTS (P.U.E. OR P.U.L.E.) ON THIS PLAT ARE HEREBY GRANTED TO THE VILLAGE OF BEECHER FOR THE PURPOSE OF MAINTENANCE, REPAIR AND PERIODIC REPLACEMENT AS NEEDED OF VILLAGE PUBLIC UTILITIES AND FOR THE VILLAGE TO ENSURE THAT SURFACE DRAINAGE IS PROPERLY MAINTAINED AND CONVEYED BY THE HOMEOWNERS ASSOCIATION. NO BUILDINGS SHALL BE PLACED ON SAID LOT 94 BUT THE SAME MAY BE USED FOR OTHER PURPOSES THAT DO NOT ADVERSELY EFFECT THE STORAGE, FILL, FLOW OF STORMWATER. SAID ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTAINING THE DETENTION AREA AND THE ASSOCIATION OR ITS MEMBERS MAY NOT DESTROY OR MODIFY THE GRADES OR SLOPES WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE TOWNSHIP OF WASHINGTON, WILL COUNTY OF ILLINOIS, OR ANY OTHER UNIT OF GOVERNMENT HAVING JURISDICTION OVER DRAINAGE.

IN THE EVENT THAT THE SAID ASSOCIATION OR ITS MEMBERS FAILS TO PROPERLY MAINTAIN THE WATER DETENTION AREA, THE VILLAGE OF BEECHER OR ANY OTHER UNIT OF GOVERNMENT HAVING JURISDICTION OVER DRAINAGE, SHALL UPON TEN (10) DAYS PRIOR WRITTEN NOTICE, RESOLVE THE RIGHT TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE WATER DETENTION AREA/FASEMENT REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE AND FLOW OF STORMWATER THROUGH THE DETENTION EASEMENT AREA.

IN THE EVENT THE VILLAGE OF BEECHER OR ANY OTHER UNIT OF LOCAL GOVERNMENT HAVING JURISDICTION OVER DRAINAGE SHALL BE REQUIRED TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE WATER DETENTION AREA/FASEMENT, THE COST TOGETHER WITH AN ADDITIONAL SUM OF TEN PERCENT (10%) OF THE COST OF COMPLETION OF SUCH WORK SHALL BE PAID BY THE HOMEOWNERS ASSOCIATION OR AGAINST ALL THE HOMEOWNERS IN SAID DETENTION AREA AS SAID VILLAGE OR UNIT SEES FIT IN THE EVENT THAT THE SAID ASSOCIATION MAY BE FORCIBLY STOPPED FROM BRINGING UP ON BEHALF OF THE VILLAGE OR ANY OTHER UNIT OF GOVERNMENT.

THE LOT 94 DETENTION EASEMENTS WERE CREATED WITH THE DEVELOPMENT OF THIS PROPERTY TO PROTECT THIS AREA/FASEMENT, THE VILLAGE OF BEECHER OR ANY OTHER UNIT OF GOVERNMENT HAVING JURISDICTION OVER DRAINAGE AS SHOWN ON LOT 94 ARE PREVIOUSLY AND HERETOFORE RESERVED FOR AND GRANTED TO THE VILLAGE OF BEECHER, THEIR SUCCESSORS AND ASSIGNS.

THE LOT 94 AREA SHALL BE DEEDED TO THE HOMEOWNERS ASSOCIATION THAT SURVIVES FROM THIS DEVELOPMENT ONCE SAID ASSOCIATION IS CREATED. LAWN CARE AND PROPER GRADE MAINTENANCE OF ALL FIELDS IN THIS DETENTION AREA SHALL BE THE RESPONSIBILITY OF SAID HOMEOWNERS ASSOCIATION. NO BUILDINGS SHALL BE PLACED ON SAID LOT 94 BUT THE SAME MAY BE USED FOR OTHER PURPOSES THAT DO NOT ADVERSELY EFFECT THE STORAGE, FILL, FLOW OF STORMWATER. SAID ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTAINING THE DETENTION AREA AND THE ASSOCIATION OR ITS MEMBERS MAY NOT DESTROY OR MODIFY THE GRADES OR SLOPES WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE TOWNSHIP OF WASHINGTON, WILL COUNTY OF ILLINOIS, OR ANY OTHER UNIT OF GOVERNMENT HAVING JURISDICTION OVER DRAINAGE.

IN THE EVENT THAT THE SAID ASSOCIATION OR ITS MEMBERS FAILS TO PROPERLY MAINTAIN THE WATER DETENTION AREA/FASEMENT, THE VILLAGE OF BEECHER OR ANY OTHER UNIT OF GOVERNMENT HAVING JURISDICTION OVER DRAINAGE, SHALL UPON TEN (10) DAYS PRIOR WRITTEN NOTICE, RESOLVE THE RIGHT TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE WATER DETENTION AREA/FASEMENT REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE AND FLOW OF STORMWATER THROUGH THE DETENTION EASEMENT AREA.

IN THE EVENT THE VILLAGE OF BEECHER OR ANY OTHER UNIT OF LOCAL GOVERNMENT HAVING JURISDICTION OVER DRAINAGE SHALL BE REQUIRED TO PERFORM, OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE WORK TO OR UPON THE WATER DETENTION AREA/FASEMENT, THE COST TOGETHER WITH AN ADDITIONAL SUM OF TEN PERCENT (10%) OF THE COST OF COMPLETION OF SUCH WORK SHALL BE PAID BY THE HOMEOWNERS ASSOCIATION OR AGAINST ALL THE HOMEOWNERS IN SAID DETENTION AREA AS SAID VILLAGE OR UNIT SEES FIT IN THE EVENT THAT THE SAID ASSOCIATION MAY BE FORCIBLY STOPPED FROM BRINGING UP ON BEHALF OF THE VILLAGE OR ANY OTHER UNIT OF GOVERNMENT.

PREPARED BY AND PLEASE RESERVE A RECORD COPY FOR:

LINCOLNWAY

ENGINEERING AND LAND SURVEYING LTD.

LAND SURVEYING - PLANNING

ENGINEERING - PERMITS

LAND DEVELOPMENT SERVICES AND CONSULTING

848 LINCOLN STREET, NEW LENOX, IL 60451

PHONE (815)331-1125

**AMENDMENT TO THE
DECLARATION OF PARTY
WALL RIGHTS, COVENANTS,
CONDITIONS, EASEMENTS
AND RESTRICTIONS FOR
PRAIRIE PARK TOWNHOMES
ASSOCIATION**

R2019045001
KAREN A. STUKEL
WILL COUNTY RECORDER
RECORDED ON
07/15/2019 03:42:59 PM
REC FEE: 42.00
IL RENTAL HSNG: 9.00
PAGES: 6
MSB

THIS DOCUMENT PREPARED BY:
GERALD J. SRAMEK
6446 W. 127TH STREET
PALOS HEIGHTS, IL 60463

AMENDMENT TO DECLARATION

THIS AMENDMENT to the DECLARATION OF PARTY WALL RIGHTS, COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR PRAIRIE PARK TOWNHOMES ASSOCIATION (the "Amendment") is made this 21 day of February, 2019 by the PRAIRIE PARK TOWNHOMES ASSOCIATION (hereinafter "ASSOCIATION" or "DECLARANT")

RECITALS

- (A) The ASSOCIATION is the governing authority created by the DECLARATION OF PARTY WALL RIGHTS, COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR PRAIRIE PARK TOWNHOMES ASSOCIATION (hereinafter "Declaration") dated September 8, 2006 and recorded in the Will County Recorder of Deeds on September 13, 2006 as Document Number R2006153759 for the purpose of owning, maintaining and administering certain portions of the Property (as defined in the Declaration) and the facilities and improvements thereof.
- (B) The Property consists of Lots 1 thru 7 and Lots 49 thru 71 in the Recorded Plat of Prairie Park a subdivision of part of the Southeast Quarter of Section 9, Township 33 North, Range 14 East of the Third Principal Meridian, Will County, Illinois recorded December 12, 2005 as document number R2005218550 in the Office of the Will County Recorder of Deeds. (Exhibit A)
- (C) Lots 1 thru 7 and Lots 49 thru 70 were platted and zoned for Townhome development and Lot 71 is the Detention Easement (hereinafter "Detention Lot").
- (D) Currently, only Lots 1 thru 7 have been developed as Townhomes and the remaining Lots are owned by CastleTown Homes, Inc., an Illinois corporation, the original Developer and Declarant under said Declaration (hereinafter "DEVELOPER").
- (E) Due to current market conditions, both the ASSOCIATION and DEVELOPER agree that it is in the best interest of the ASSOCIATION and DEVELOPER to limit the

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Townhome development to Lots 1 thru 7 and Lots 49 thru 54 with the remaining property to be developed as single-family residences.

- (F) Although the Declaration provides that the Detention Lot shall be deemed a part of the Common Area, the Detention Lot has been exclusively maintained and controlled by the DEVELOPER from the recording of the Declaration to present day. The ASSOCIATION has never exercised any control over the Detention Lot, either directly or indirectly, and has never maintained any portion of the Detention Lot. After the effective date of resubdivision of the Property, the Detention Lot will not be proximate to the Townhome Development and neither the ASSOCIATION nor the Unit Owners will derive any benefit from the Detention Lot.
- (G) The ASSOCIATION and DEVELOPER also agree that because of the diminished number of Townhome Lots to be developed, the ASSOCIATION should not be responsible for the control and maintenance of the Detention Lot and that the ownership, control and maintenance of the Detention Lot should continue to be controlled and maintained by the DEVELOPER with the ultimate ownership, control and maintenance being transferred to the Homeowner's Association to be formed for the single-family residences.
- (A) The proposed rezoning and resubdivision of Lots 55 thru 71 are set forth in the Record Plat of the Prairie Park Re-subdivision of Lots 55 thru 71 in Prairie Park a subdivision of part of the Southeast Quarter of Section 9, Township 33 North, Range 14 East of the Third Principal Meridian, Will County, Illinois recorded December 12, 2005 as document number R2005218550 in the Office of the Will County Recorder of Deeds prepared by Lincolnway Engineering and Land Surveying, LTD, 846 Regent Street, New Lenox, Illinois 60451. Under the proposed re-subdivision, Lots 55 thru 70 are now Lots 72 thru 93 and the Detention Lot 71 is now Detention Lot 94.
- (B) The ASSOCIATION and DEVELOPER agree that it is in the best interest of the ASSOCIATION and DEVELOPER to amend the existing Declaration to allow the rezoning and re-subdivision as set forth above and that the ASSOCIATION relinquish any right to the ownership, control and maintenance of the Detention Lot 71 that may be expressed or implied by the Declaration.

NOW THEREFORE, the DECLARANT, amends the Declaration in the following respects,

1. Detention Easements shall be eliminated from the Common Area in Article 3, Section 3.01, and the ASSOCIATION shall have no further interest in, nor responsibility for said Detention Lot (Lot 71).
2. The legal description of the property subject to the Declaration shall be amended as follows: Lots 1 thru 7 and Lots 49 to 54 in Prairie Park Subdivision, a subdivision of part of the Southeast Quarter of Section 9, Township 33 North, Range 14 East of the Third Principal Meridian, Will County, Illinois recorded December 12, 2005 as document number R2005218550 in the Office of the Will County Recorder of Deeds.

FURTHER, the DECLARANT, agrees to:

1. Agrees and consents to the proposed Re-subdivision of Lots 55 thru 71 in Prairie Park a subdivision of part of the Southeast Quarter of Section 9, Township 33 North, Range 14 East of the Third Principal Meridian, Will County, Illinois recorded December 12, 2005 as document number R2005218550 in the Office of the Will County Recorder of Deeds prepared by Lincolnway Engineering and Land Surveying, LTD, 846 Regent Street, New Lenox, Illinois 60451.
2. Agrees to cooperate with DEVELOPER to obtain approval of said re-subdivision and rezoning by the appropriate units of local government.
3. Agrees to quit-claim to the DEVELOPER any and all interest in Lots 55 thru Lot 71 in the Prairie Park Subdivision.

This Amendment to Declaration shall insure to the benefit of and be binding upon the successor and permitted assigns of the DECLARANT and DEVELOPER and all persons which may have or hereafter obtain any interest in the Property.

Signed as of the day and year first written above.

PRAIRIE PARK TOWNHOMES ASSOCIATION

By: Chris Cornell - President

Chris Cornell, President

Attest: Peggy Boccia, Secretary

Peggy Boccia, Secretary

CASTLETOWN HOMES, INC.

By: John McDonnell

John McDonnell, President

Attest: Ann Bell

Ann Bell, Secretary

State of Illinois)
) SS.
County of Will)

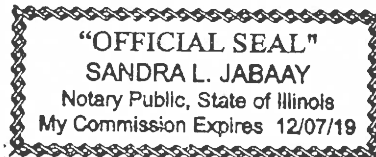
I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Chris Cornell, personally known to me to be the President of PRAIRIE PARK TOWNHOMES ASSOCIATION, and Peggy Boccia, personally known to me to be the Secretary of said Association, and personally known to me to be the same person who's names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Secretary, they signed and delivered the said instrument as President and Secretary of said Association, and caused the corporate seal of said Association to be affixed thereto, pursuant to authority given by said Association as their free and voluntary act, and as the free and voluntary act and deed of said Association, for the uses and purposes therein set forth.

Given under my hand and official seal, this 12th day of March, 2019, ~~1994~~.

Commission expires 12-7-19

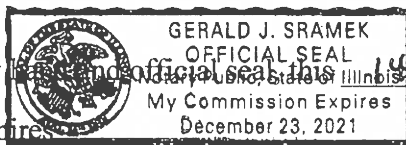
Sandra L. Jabaay
NOTARY PUBLIC

State of Illinois)
) SS.
County of Will)



I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that John McDonnell, personally known to me to be the President of CASTLETOWN HOMES, INC., and Ann Bell, personally known to me to be the Secretary of said Corporation, and personally known to me to be the same person who's names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Secretary, they signed and delivered the said instrument as President and Secretary of said Corporation, and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority given by said Corporation as their free and voluntary act, and as the free and voluntary act and deed of said Corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 14th day of March, 2019, ~~1994~~.
Commission expires December 23, 2021



Gerald J. Sramek
NOTARY PUBLIC

MAIL TO: Gerald J. Sramek, 16531 Catawba Rd., Homer Glen, Illinois 60491

EXHIBIT A

Lots 1 thru 7 and Lots 49 thru 71 in the Prairie Park Subdivision, a subdivision of part of the Southeast Quarter of Section 9, Township 33 North, Range 14 East of the Third Principal Meridian, Will County, Illinois recorded December 12, 2005 as document number R2005218550 in the Office of the Will County Recorder of Deeds.

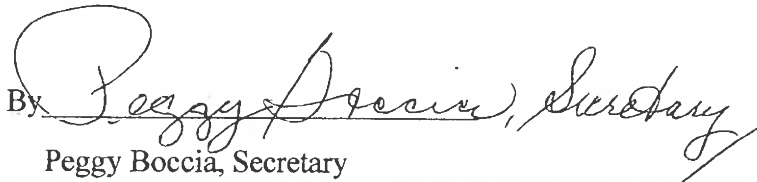
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CERTIFICATE OF COMPLIANCE

The undersigned, Peggy Boccia, is the Secretary of the Prairie Park Townhomes Association, and certifies as to the following:

1. Section 13.05 of the DECLARATION OF PARTY WALL RIGHTS, COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR PRAIRIE PARK TOWNHOMES ASSOCIATION (hereinafter "Declaration") dated September 8, 2006 and recorded in the Will County Recorder of Deeds on September 13, 2006 as Document Number R2006153759 provides that any Amendments to the Declaration must be by an instrument executed by Owners of not less than seventy-five (75%) of the Units then subject to the provisions of the Declaration.
2. As of this date, there are 25 Owners.
3. The Association is in possession of the consents and approvals of more than 75% of the Owners to this Amendment to Declaration.

Prairie Park Townhomes Association

By  Secretary
Peggy Boccia, Secretary