

**ORDINANCE 2020-075**

**PASSED: DECEMBER 14, 2020**

**APPROVING THE FINAL PLAT OF THE THEISEN RESUBDIVISION (1100 S. SEVENTH STREET, DEKALB, ILLINOIS).**

**WHEREAS**, Kevin Theisen (hereinafter referred to as "Applicant") filed a petition with the City requesting approval of a final plat of resubdivision entitled "Final Plat of Theisen Resubdivision" for property commonly known as 1100 S. 7<sup>th</sup> Street, DeKalb, Illinois, and legally described in Exhibit A; and

**WHEREAS**, the City of DeKalb Planning and Zoning Commission met on December 7, 2020, and recommended approval of the "Final Plat of Theisen Resubdivision" to the City Council; and

**WHEREAS**, the City Council has reviewed the recommendations of the Planning and Zoning Commission of the City of DeKalb and now determines it would be in the best interest of the City to approve said plat.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL** of the City of DeKalb, Illinois as follows:

**SECTION 1:** That the "Final Plat of Theisen Resubdivision" dated December 1, 2020, a copy of which is attached hereto as Exhibit B (the "Plat"), is hereby approved.

**SECTION 2:** That all provisions of the Unified Development Ordinance shall remain in full force and effect.


**SECTION 3:** That the Mayor, Executive Assistant, and City staff are authorized and directed to take all actions as shall be necessary to record and effectuate the Plat.

**SECTION 4:** That the City Clerk or the Executive Assistant shall be authorized and directed to attest the Mayor's Signature to this Ordinance.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a Regular meeting thereof held on the 14<sup>th</sup> day of December 2020 and approved by me as Mayor on the same day. Passed on First Reading by a 7-0-1 roll call vote. Aye: Morris, Finucane (Remote), Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Second Reading waived by a 7-0-1 roll call vote. Aye: Morris, Finucane (Remote), Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre.

**ATTEST:**

  
RUTH A. SCOTT, Executive Assistant

  
JERRY SMITH, Mayor



## **EXHIBIT A**

LOT 3 OF PLAT OF LOT 2 AND LOT 3 OF HAMRICK'S SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN THE COUNTY OF DEKALB AND STATE OF ILLINOIS, SAID PLAT RECORDED IN THE RECORDER'S OFFICE OF SAID COUNTY ON MARCH 28, 1962, IN BOOK "M" OF PLATS, PAGE 18, AS DOCUMENT NO. 310562

# FINAL PLAT OF THEISEN RESUBDIVISION



2021001314

DOUGLAS J. JOHNSON  
RECORDER - DEKALB COUNTY, IL  
RECORDED: 1/29/2021 10:53 AM  
REC FEE: 95.00 RHSPS FEE: 9.00

PAGES: 2

"KEEP IN FILE"

*Plat Cabinet 11  
Slide #15-A*

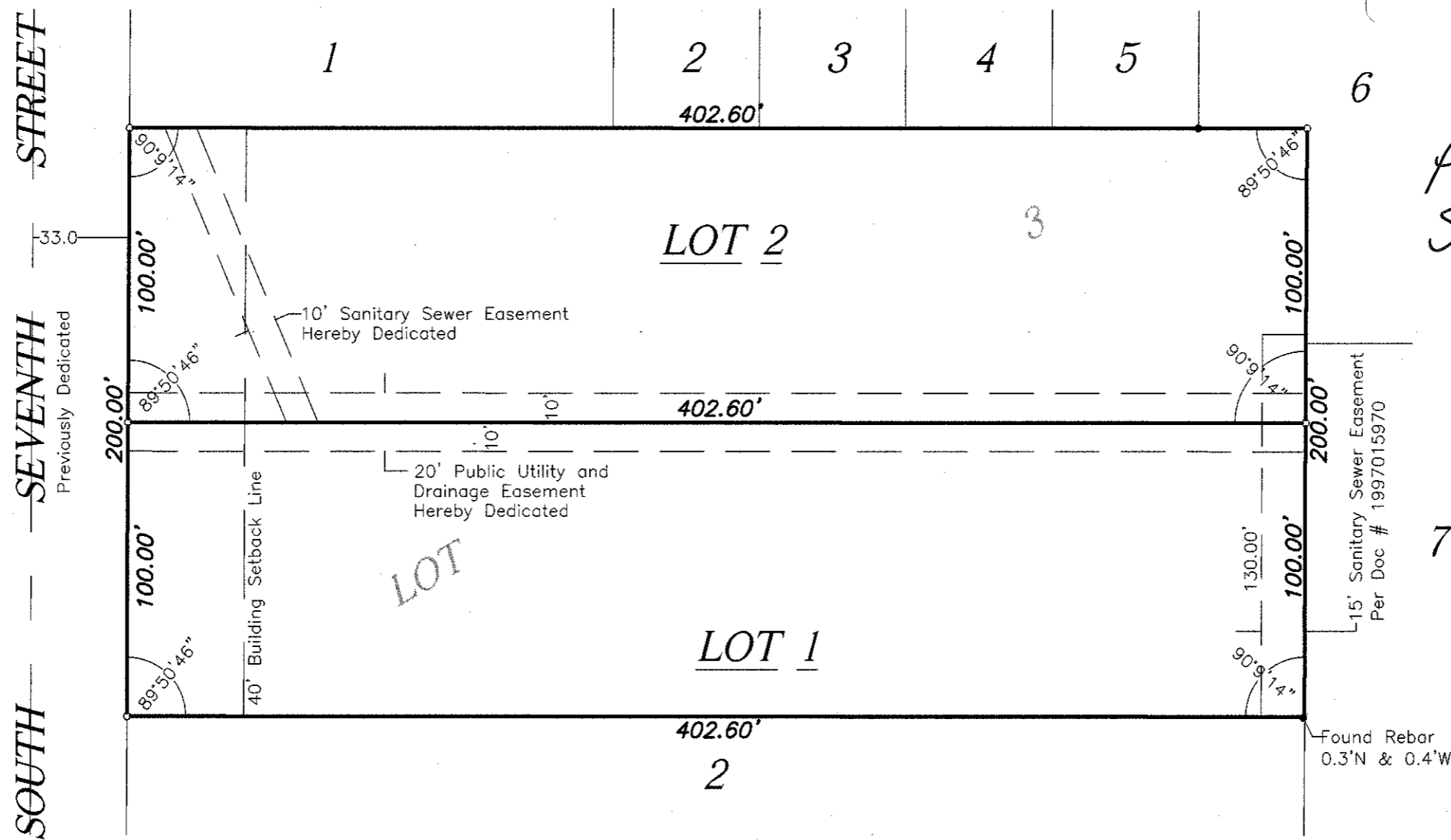
Scale 1"=50'



**LEGEND**

- Boundary of property surveyed
- Indicates found survey marker
- Indicates set iron pipe

LOT 3 OF PLAT OF LOT 2 AND LOT 3 OF HAMRICK'S SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN THE COUNTY OF DEKALB AND STATE OF ILLINOIS, SAID PLAT RECORDED IN THE RECORDER'S OFFICE OF SAID COUNTY ON MARCH 28, 1962, IN BOOK "M" OF PLATS, PAGE 18, AS DOCUMENT NO. 310562



**PUBLIC UTILITY EASEMENT PROVISIONS:**

A 20 FOOT WIDE EASEMENT IS HEREBY RESERVED AND GRANTED TO THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS, AND TO THOSE OTHER ENTITIES OPERATING NOW, OR IN THE FUTURE FRANCHISE FROM THE CITY OF DEKALB (COLLECTIVELY THE "GRANTEES"), INCLUDING, BUT NOT LIMITED TO VERIZON, COMCAST, NICOR, COMMONWEALTH EDISON COMPANY, AND TO THEIR SUCCESSORS AND ASSIGNS IN, ON, UPON, ACROSS, OVER, AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "PUBLIC UTILITY EASEMENT" ON THIS PLAT OF SUBDIVISION, SUCH EASEMENTS GRANTING AND RESERVING FOR THE GRANTEES THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO INSTALL, CONSTRUCT, RECONSTRUCT, INSPECT, OPERATE, REPLACE, RENEW, ALTER, ENLARGE, REMOVE, REPAIR, CLEAN AND MAINTAIN VARIOUS UTILITY AND SIMILAR TRANSMISSION, RECEIVING AND DISTRIBUTION SYSTEMS, INCLUDING, BUT NOT LIMITED TO CABLES, LINES, TRANSFORMERS, COMPUTER DEVICES, STORM SEWERS, AND ANY AND ALL NECESSARY MANHOLES, PIPES, CONNECTIONS, CATCH BASINS, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATION AS MAY BE REQUIRED TO FURNISH UTILITY AND SIMILAR SERVICE TO THE ATTACHED AREA, AND SUCH APPURTENANCES AND ADDITIONS THERETO AS THE GRANTEES MAY DEEM NECESSARY, USEFUL OR CONVENIENT, TOGETHER WITH A PERMANENT RIGHT OF ACCESS ACROSS THE LOTS AND REAL ESTATE SHOWN ON THIS PLAT OF SUBDIVISION FOR THE NECESSARY PERSONS AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK, THE RIGHT IS ALSO HEREBY GRANTED TO THE GRANTEES TO CUT DOWN, TRIM, OR REMOVE AND TREES, SHRUBS, OR OTHER PLANT THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SUCH INSTALLATION IN, ON, UPON, ACROSS, OVER, UNDER, OR THROUGH SUCH EASEMENT AREAS. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SUCH EASEMENT AREAS, BUT THE SAME MAY BE USES FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS WHERE AN EASEMENT IS USED FOR MUNICIPAL-OWNED UTILITIES, OTHER INSTALLATION OF UTILITIES AND OTHER ENTITIES SHALL BE SUBJECT TO THE PRIOR APPROVAL, AS TO LOCATION AND DESIGN OF THE CITY OF DEKALB SO AS NOT TO INTERFERE WITH THE MUNICIPAL UTILITIES UPON COMPLETION OF ANY SUCH WORK, GRANTEES SHALL REASONABLY RESTORE ANY IMPROVEMENTS OR LAND DISTRIBUTED BY ANY GRANTEE WORK TO THE CONDITION EXISTING PRIOR TO SUCH WORK

**STORMWATER MANAGEMENT EASEMENT PROVISIONS:**

A 20 FOOT WIDE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS, AND THEIR SUCCESSORS AND ASSIGNS WITHIN THE AREAS ON THE PLAT MARKED "STORMWATER MANAGEMENT EASEMENT", "STORM WATER EASEMENT", OR "DRAINAGE EASEMENT" TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN DRAINAGE, CONVEYANCE AND DETENTION/RETENTION SYSTEMS, PIPES, STORM SEWERS, MANHOLES AND OTHER APPURTENANCES AND EQUIPMENT REQUIRED FOR THE PURPOSE OF STORM WATER MANAGEMENT AND DRAINAGE TO THE EXTENT ORIGINATING FROM ACCUMULATING ON SOUTH SEVENTH STREET. THE RIGHT IS HEREBY GRANTED TO ENTER UPON THE LOTS AT ALL TIMES TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN, WITHIN SAID EASEMENT AREAS, SAID DRAINAGE SYSTEM AND ALL OTHER EQUIPMENT, AND FINALLY THE RIGHT IS HEREBY GRANTED TO CUT DOWN AND REMOVE OR TRIM AND KEEP TRIMMED ANY TREE, SHRUB OR SAPLINGS THAT INTERFERE OR THREATEN TO INTERFERE WITH SAID DRAINAGE SYSTEM. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SUCH EASEMENT AREAS, BUT THE SAME MAY BE USES FOR GARDENS, SHRUBS, LANDSCAPING, SIGNAGE THAT CONFORMS TO THE CITY OF DEKALB REGULATIONS AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED UPON COMPLETION OF ANY WORK, GRANTEES SHALL REASONABLY RESTORE ANY IMPROVEMENTS OR LAND DISTURBED BY ANY GRANTEE WORK TO THE CONDITION EXISTING PRIOR TO SUCH WORK.

**SANITARY SEWER EASEMENT PROVISIONS:**

A 10 FOOT EXCLUSIVE SANITARY SEWER SERVICE EASEMENT IS HEREBY GRANTED UNDER AND ACROSS LOT 2, AS SHOWN HEREON, FOR THE BENEFIT OF LOT 1 TO PERPETUALLY MAINTAIN SANITARY SERVICE. LOT 1 SHALL HAVE THE RIGHT TO ACCESS FOR INSTALLING, CONSTRUCTING, MAINTAINING AND REPAIRING THIS SERVICE LINE. UPON COMPLETION OF ANY WORK WITHIN THIS EASEMENT, THE AREA SHOULD BE RESTORED TO THE EXISTING CONDITIONS, MATERIALS AND GRADE AT THE EXPENSE OF THE OWNER OF LOT 1.

STATE OF ILLINOIS }  
COUNTY OF DEKALB }SS

THIS IS TO CERTIFY THAT KEVIN M. THEISEN, AS TRUSTEE, UNDER THE PROVISIONS OF A CERTAIN TRUST AGREEMENT DATED MARCH 3, 2015, KNOWN AS THE HARRY W. THEISEN DECLARATION OF TRUST NO. 101 IS THE OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE ATTACHED PLAT FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ADOPT THE SAME UNDER THE STYLE AND TITLE OF "THEISEN RESUBDIVISION" IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS AND TO THE BEST OF HIS KNOWLEDGE AND BELIEF SAID PROPERTY IS WITHIN DEKALB COMMUNITY SCHOOL DISTRICT #428.

DATED AT DEKALB, ILLINOIS, THIS 25<sup>th</sup> DAY OF January, 2021.

*Kevin M. Theisen*  
SIGNATURE

KEVIN M. THEISEN

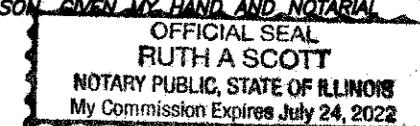
P.O. Box 451 DEKALB IL. 60115

1100 S. 7th St  
DeKalb IL 60115

STATE OF ILLINOIS }  
COUNTY OF DEKALB }SS

I, Ruth A. Scott, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT KEVIN M. THEISEN, TRUSTEE IS PERSONALLY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED IN THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION OF THE ANNEXED PLAT AND ACCOMPANYING INSTRUMENT FOR THE USES AND PURPOSES THEREIN SET FORTH AS HIS/HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID PERSON, GIVEN BY HAND AND NOTARIAL SEAL THIS 25<sup>th</sup> DAY OF January, 2021.

*Ruth A. Scott*  
NOTARY PUBLIC



STATE OF ILLINOIS }  
COUNTY OF DEKALB }SS

THIS IS TO CERTIFY THAT I LESLIE AARON DOOGS, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3833, HAVE SURVEYED AND RESUBDIVIDED LOT 3 OF PLAT OF LOT 2 AND LOT 3 OF HAMRICK'S SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN THE COUNTY OF DEKALB AND STATE OF ILLINOIS, SAID PLAT RECORDED IN THE RECORDER'S OFFICE OF SAID COUNTY ON MARCH 28, 1962, IN BOOK "M" OF PLATS, PAGE 18, AS DOCUMENT NO. 310562

I FURTHER CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY, ALL DISTANCES SHOWN IN FEET AND DECIMALS THEREOF, THAT THE PROPERTY HEREON DESCRIBED IS WITHIN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS AND THAT SAID PROPERTY IS LOCATED IN FLOOD ZONE "X", AREA OF MINIMAL FLOODING, AS SET FORTH ON FLOOD INSURANCE RATE MAP NO. 17037C0275E, HAVING AN EFFECTIVE DATE OF JANUARY 2, 2009

DATED AT DEKALB, ILLINOIS, THIS 19 DAY OF JANUARY, 2021.

*L. A. Doogs*

LESLIE AARON DOOGS  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3833  
LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2022



STATE OF ILLINOIS }  
COUNTY OF DEKALB }SS

THIS IS TO CERTIFY THAT THE ATTACHED PLAT WAS APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS ON THIS 7<sup>th</sup> DAY OF December, 2020

*Max Maxwell*  
MAX MAXWELL  
CHAIRPERSON



STATE OF ILLINOIS }  
COUNTY OF DEKALB }SS

THIS IS TO CERTIFY THAT THE ATTACHED PLAT WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS ON THIS 14<sup>th</sup> DAY OF December, 2020

BY: *Jerry Smith* JERRY SMITH MAYOR  
ATTEST: *Ruth Scott* RUTH SCOTT EXECUTIVE ASSISTANT



STATE OF ILLINOIS }  
COUNTY OF DEKALB }SS

I, DOUGLAS J. JOHNSON, COUNTY CLERK IN AND FOR DEKALB COUNTY, IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS AND HAVE FOUND NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND DESCRIBED AND PLATTED HEREON THIS 29<sup>th</sup> DAY OF January, 2021.

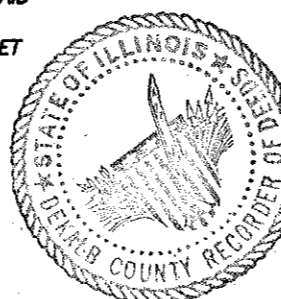
*Douglas J. Johnson*  
DOUGLAS J. JOHNSON  
COUNTY CLERK



STATE OF ILLINOIS }  
COUNTY OF DEKALB }SS

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DEKALB COUNTY, AFORESAID ON THIS 29<sup>th</sup> DAY OF January, 2021, AT 10:53 O'CLOCK A.M. AND RECORDED IN PLAT CABINET 11 AT SLIDE NO. 15-A AS DOCUMENT NO. 2021001314

*Douglas J. Johnson*  
DOUGLAS J. JOHNSON  
COUNTY RECORDER



08-26-176-001

FOR: KEVIN THEISEN  
JOB NO. WES 14900RESUB

JADE Hanna Surveyors  
155 N. 3rd Street  
DeKalb, Illinois 60115  
(815) 756-2189  
info@hannasurveyors.com  
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