

ARTICLE 5
SUBDIVISION APPLICATION

ARTICLE 5: SUBDIVISION APPLICATION

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Sec. 5.1 Purpose

- A. The provisions of this Article shall be held to the minimum requirements necessary to promote the health, safety and welfare, to lessen congestion, further the orderly layout and use of land and to facilitate adequate provision for transportation, water, sewage, stormwater, schools, parks, playgrounds and other public requirements.
- B. It is not the intent of this Article to repeal or impair any existing easement, covenant or agreement between parties, or permits previously adopted or issued pursuant to the resolutions of Winnebago County and statutes of the State of Illinois. However, where this Article imposes a greater restriction upon the development of land than required by other rules, regulations or permits, the provisions of this Article shall govern.
- C. Where this Article imposes a greater restriction than imposed or required by the provisions of existing ordinances, resolutions, rules and regulations, this Article shall control. Where provisions of existing ordinances, resolutions, rules or regulations impose greater restrictions than imposed or required by this Article, such provisions shall control. All provisions in existing resolutions, rules or regulations in conflict with this Article are hereby repealed.

Sec. 5.2 Enforcement

- A. Whenever it shall come to the knowledge of any officer or employee of the County that any of the provisions have been violated, it shall be his duty to notify the State's Attorney of the fact, and the State's Attorney shall immediately institute suit, and prosecute the suit to final judgment against the person offending.
- B. The Planning and Zoning Officer shall defer granting zoning permits for improvements on property until such time as the plat for such property has been approved and recorded. Likewise, no building permit shall be granted by the Building Official except for improvements on land for which a plat has been approved and recorded according to the requirements of this Article or on those parcels of property platted or recorded as separate parcels of property prior to the effective date of this Article.
- C. Whenever it shall come to the knowledge of the Recorder of Deeds that any of the provisions of state law governing plats have been violated, it shall be his or her duty to notify the State's Attorney, who shall immediately institute suit and prosecute the suit to final judgment against the person offending.
- D. The County Clerk and the Supervisor of Assessments are hereby instructed not to divide for assessment or taxing purposes any properties that are being subdivided contrary to the rules and regulations set forth in this Article or by State law, until such time as the Plat Officer and the State's Attorney have been notified and authorization to proceed has been granted.

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Sec. 5.3 Penalties for Violation

- A. Anyone who sells, offers for sale, improves by construction of buildings, or leases for any time exceeding five (5) years, any lot, block, parcel, part or division of land in the County before all the requirements of this Article have been complied with, shall be fined fifty dollars (\$50) for each lot, block, parcel, division or part thereof so disposed of, offered for sale, improved or leased.
- B. Anyone who shall lay out, locate, open, widen, extend or alter the location of any highway, road, street, alley, public ground, toll road, railroad or canal and refuses or neglects to cause a plat thereof, showing the width, courses and extent thereof to the Office of the Recorder of Deeds within six (6) months after such shall pay fees as required in the County Code, as amended, and the like sum for every month he/she shall continue in such refusal or neglect after conviction. Such fine shall be recovered before any Justice of the Peace of the County with one-half (½) of the fee for the use of the county and the other half (½) for the use of the person filing the complaint.

Sec. 5.4 Office of Plat Officer

- A. The Planning and Zoning Officer shall serve as the Plat Officer. Should the Planning and Zoning Officer be unavailable for an extended period of time, or the Planning and Zoning Officer office become vacant, then the Planner, or, in the absence of a Planner, the Director of Regional Planning and Economic Development, will serve as the Plat Officer Pro Tem.
- B. Every proposed final subdivision of land within the platting jurisdiction of the County shall be submitted to the County Board for its approval prior to final recording of a map or plat of such subdivision. No such map or plat of subdivision shall be recorded unless it has been so approved.
- C. The Plat Officer shall approve the final plat and execute the certificate required by Section 5.11.4.I only upon approval of the plat by the County Board.
- D. In order to promote the best possible development and use of land, the Plat Officer shall interpret the standards, provisions and specifications contained in this Article. Subdivision variations from these standards (and those set forth in Article 19), provisions and specifications shall be granted when it is demonstrated to the satisfaction of the County Board that such variation will bring about a more logical and desirable result than would be obtained by strict compliance. A request for variation shall be filed by the owner or developer of the proposed subdivision. The request shall be filed with the Plat Officer, who shall refer it, together with his/her report, to the County Board for decision. The application for variation shall state in writing the specific variation sought, the hardship which would result without a variation and the community's interest in granting the variation. Subdivision related variations shall go before the zoning committee for consideration and recommendation and to the County Board for approval. Zoning related variations shall follow the procedures of Article 4.
- E. A final plat shall be filed with the County Recorder not more than ninety (90) days after the Plat Officer signs the plat. Failure to record the plat shall void approval. The Recorder shall provide a copy of the recorded plat for the Township Highway Commissioner and the Plat Officer.

Sec. 5.5 Approval Prior to Recording

5.5.1 Subdivisions

Every intended subdivision of land within the platting jurisdiction of the County shall be submitted to the Plat Officer as designated by the County for County Board approval according to the provisions of this Article prior to final recording of a map or plat of such subdivision, except where otherwise permitted by this Article. No such map or plat of subdivision shall be entitled to record or have validity until it has been so approved, except when otherwise permitted by this Article.

5.5.2 Boundary Maps

- A. A boundary map, when authorized by the owner(s) of subject land, shall be made by a professional land surveyor licensed by the State of Illinois and recorded by the County Recorder for any parcel of land divided into two (2) parts, either of which may be less than five (5) acres in area, for the purpose of ownership, transfer or building development. Such boundary map shall bear the signatures of the County Clerk and the

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Director of Environmental Health. The County Clerk certificate shall appear as shown in Section 5.11.1. The Director of Environmental Health certificate shall appear as shown in Section 5.11.4 G.

- B.** Such boundary map shall also bear the signature of the Plat Officer as shown in Section 5.11.1 and shall be drawn with waterproof nonfading black ink on mylar, tracing cloth or tracing paper eight and one-half (8½) inches wide by fourteen (14) inches long. No such boundary map shall be valid until it has been signed by the Plat Officer. The Plat Officer shall keep a record and copy of such boundary maps. After two (2) such boundary maps dividing a tract of land in single ownership at the time of passage of this chapter have been signed by the Plat Officer, he or she shall not sign another boundary map dividing such land. Further division of such land shall be recorded only by means of a map or plat of subdivision, as provided in this Article, which map or plat of subdivision shall include all parcels divided off by such boundary map. Each one-lot boundary map submitted to the Plat Officer shall be accompanied by fees as required by the County Board.

Sec. 5.6 Recommendations to Zoning Committee by Plat Officer

The Plat Officer, with the County Engineer and other staff input, if necessary, shall make recommendations on subdivisions and other proposed new developments to the Zoning Committee based on the following information:

- A.** Whether the proposal is consistent with the need to minimize flood damage.
- B.** Whether public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage.
- C.** Whether adequate drainage is provided so as to reduce exposure to flood hazards.
- D.** Whether the proposal is consistent with codes and adopted land use development policies.
- E.** Whether the proposal meets soil suitability and lot sizing requirements.

Sec. 5.7 Vacation of Recorded Plats or Parts of Recorded Plats

5.7.1 Procedure

The vacation of recorded plats or parts of recorded plats shall follow the procedure required for final plats of subdivision. The Plat Officer of the County Board shall transmit a statement of fact explaining the grounds for its recommendation to the County Board, along with its recommendation on the instrument of vacation.

5.7.2 Standards

A vacation shall not be approved that creates conditions that would not be permitted under the regulations of this Article in newly created subdivisions, unless such vacation would at the same time correct other and more serious conditions detrimental to the public health, safety and welfare.

5.7.3 Form

The instrument of vacation shall consist of the following:

- A.** A written description of the plat, or part thereof, to be vacated, referring to an attached copy of the recorded plat.
- B.** An attached copy of the recorded plat, all or a part of which is to be vacated. If only a part of the plat is to be vacated, such part shall be shaded and outlined with a heavy line.
- C.** The following certificates, duly executed, are required:
- 1.** Certification by the owners, which shall include all of the owners of land in the plat or all of the owners of land in and adjacent and contiguous to the part of the plat to be vacated, which shall appear as shown in Section 5.11.2.A.
 - 2.** Certification by a notary public, which shall appear as shown in Section 5.11.2.B.
 - 3.** Certification by the County Engineer, which shall appear as shown in Section 5.11.2.C.
 - 4.** Certification by the County Clerk, which shall appear as shown in Section 5.11.2.E.

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5. Certification by the County Plat Officer, which shall appear as shown in Section 5.11.2.F.

6. Certification by the County Recorder, which shall appear as shown in Section 5.11.2.G.

D. Fees

Fees for vacation plats shall be paid by the petitioner seeking vacation, and the petitioner shall be subject to same fees established for a Final Plat as required by the County Board. All such vacation fees shall be paid to the County Treasurer before final approval is certified by the Plat Officer.

E. Resubdivision in Lieu of Vacation

It shall not be necessary to vacate a plat or part thereof in order to proceed with a resubdivision of such plat or part thereof. Resubdivision according to the procedure and standards for subdivision required by this Article shall automatically constitute vacation of a prior plat or part thereof, provided that monetary remuneration shall be paid to the County Treasurer in consideration of the excess of public property vacated over that rededicated in the replat.

F. Cancellation of Bonded Contracts and/or Letter of Credit

Bonded contracts for the improvement of platted streets or alleys shall be canceled upon vacation of such platted streets or alleys upon the approval of the County Engineer.

Sec. 5.8 Subdivision Approval Procedure

Except as outlined in Section 5.5, the following procedure shall be followed by subdividers in order to gain official approval for, and recording of, a subdivision layout.

5.8.1 Zoning

Final approval shall not be granted to a subdivision unless it complies with all requirements of this Unified Development Ordinance, including the off-site improvement requirements of Article 19.

5.8.2 Preliminary Conference

The subdivider shall contact the Department of Planning and Economic Development for a preliminary conference regarding his/her particular intentions and problems. A sketch plan showing the following information shall be brought to preliminary conferences:

- A. The boundaries of the property to be subdivided, existing easements and covenants affecting the property, land characteristics, such as natural drainage, swamp areas, wooded areas, and development characteristics such as surrounding streets, existing buildings, available sewer, water and other utilities.
- B. The subdivider's intentions for dividing the land, including proposed layout of streets, blocks and lots, location and extent of business areas, playgrounds, parks and other public areas.

5.8.3 Tentative (Preliminary) Plat Approval

The subdivider shall submit a tentative plat or map of subdivision and fifteen (15) reproductions thereof to the Department of Planning and Economic Development for tentative approval with a fee as required by the County Board. The tentative plat shall show the proposed layout for the whole tract of land owned or controlled by the subdivider and for any adjacent land, the design of which is dependent upon such tract. The Plat Officer shall submit the tentative plat to the Zoning Committee with a recommendation concerning approval of the plat. Approval or conditional approval of a tentative plat shall be granted by the Zoning Committee upon conformity with all pertinent policies, laws, rules, and regulations and particularly with the technical requirements of this Ordinance. Approval or conditional approval shall be considered approval of the general layout submitted on the tentative plat as a guide to the preparation of the final plat and as assurance to the subdivider that his final plat will be approved if it conforms to the terms and conditions of the approved tentative plat. Should a final plat not be submitted within two (2) years of tentative plat approval, the tentative plat shall become null and void and must be resubmitted for approval per this ordinance. Each final plat submission will automatically extend the remaining preliminary plat portions for four (4) more years provided the prior deadline is met and the submitted final plat is approved. The tentative plat shall be drawn or printed on paper twenty-four (24) inches wide by thirty-six (36) inches long at a scale of one-hundred (100) feet to one (1) inch, unless otherwise approved by the Department of Planning and Economic Development. The tentative plat shall show or be accompanied by the following information:

A. Title and Certificates

Name under which proposed subdivision is to be recorded, location and position by quarter-quarter section, section, township, range, county and state; names and addresses of subdividers; notation stating scale, north

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arrow, and certification by the Plat Officer, which shall appear as shown in Section 5.11.3.

B. Topographic Data and Description of Existing Conditions

Topographic data and a description of existing conditions will be given as follows:

1. Boundary Lines

Approximate angles and distances with reference to a United States land survey corner.

2. Easements

Location, width and purpose of easements and other existing restrictions, reservations or covenants.

3. Streets and Stormwater Facilities

Streets on and adjacent to or extending from the tract, including street names, right-of-way widths, locations, sidewalks, curbs, gutters, culverts, other drainage facilities and building setback lines.

4. Utilities

Utilities existing on and adjacent to the tract, including sanitary and storm sewers; water mains; gas lines, fire hydrants and electric and telephone lines. If water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to, and size of, those in close proximity.

5. Ground Elevations

Ground elevations based on the Rockford datum plane when the tract is within one (1) mile of Rockford or a USGS datum plane benchmark, or based on a located concrete monument from which the datum plane is taken. For land that slopes less than approximately two percent (2%), show spot elevation at all breaks in grade, along all drainage channels or swales, and at selected points not more than one-hundred (100) feet apart in all directions. For land that slopes more than approximately two percent (2%) show contours with an interval of not more than two (2) feet.

6. Other Conditions on Tract

Other conditions on the tract, such as watercourses, marshes, areas subject to inundation, rock outcrop, wooded areas, isolated trees one (1) foot or more in diameter, houses, barns, shacks and other significant features.

7. Other Conditions on Adjacent Land

The approximate direction and gradient of ground slope, including any embankments or retaining walls, character and location of buildings, railroads, power lines, towers, and other nearby non-residential land uses or adverse influences.

8. Proposed Public Improvements

Highways or other major improvements planned by public authorities for future construction on or near the tract according to information received from the Department of Planning and Economic Development at the preliminary conference.

9. Location Map

A small-scale drawing of the section in which the subdivision is situated, and showing the location of the subdivision and showing any lake or stream or portion thereof to which access is provided from the subdivision, indicating the relation of the subdivision thereto.

10. Subsurface Conditions

Location and results of tests made to ascertain subsurface soil, rock and groundwater conditions. If any part of the subdivision will not be served by a public sewer system, then, with respect to the proposed sewage disposal systems, the plat must be approved in writing by the Winnebago County Department of Public Health.

C. Standards for Reporting Topographic Data and Description of Existing Conditions

1. Each subdivision, except a minor subdivision as defined in Article 24, shall be required to provide geodetic survey horizontal control values for a minimum of two (2) opposing corners of the permanently monumented subdivision.
2. Horizontal control values must be provided in the Illinois State Plane Coordinate System, North American Datum (NAD) 1983 West Zone and referenced on the subdivision plat.

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3. The positional accuracy for the horizontal control values shall be a minimum order C-1. If differential GPS methods are used to acquire the horizontal control values, vertical control values shall also be required for the two (2) opposing corners.
4. A Winnebago County Geographic Information System (WinGIS) Geodetic Control Network Reference Tie Form must be signed and submitted by a professional land surveyor licensed by the State of Illinois to WinGIS for review. This form shall be submitted to the Plat Officer at the time of plat submittal and recorded in the office of the recorder of the County with the final plat. The final plat shall contain a signature certification by WinGIS.

D. Subdivider Proposals

All proposals of the subdivider shall include the following:

1. Streets, including names; right-of-way and roadway widths and similar data for alleys, if any.
2. Right-of-way easements, including location, width and purpose.
3. Lot lines and approximate dimensions.
4. Development sites and proposed uses.
5. Minimum building setback lines.
6. Site data, including tabulation of gross area, street area, net subdivided areas, total number of lots, average lot size, typical lot dimensions, lineal feet of streets.
7. Sites to be reserved or dedicated for parks, playgrounds or other public uses.
8. Stormwater facilities including but not limited to ditches and detention facilities.
9. A draft of any protective covenants by which the subdivider may propose to regulate land use in the subdivision and otherwise to protect the proposed development.

E. Other Tentative Plans

The tentative plat shall be accompanied by plans and profiles showing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision, typical cross sections of the proposed grading, roadway and sidewalk, street lighting, traffic signals and tentative plan of proposed water mains, sanitary and storm sewers with approximate grade as indicated. The County Engineer may defer any requirement for the preliminary engineering listed above, until the submittal of engineering plans for the first or subsequent final plats within the tentative plat. All elevations shall be based on the United States Geographical System (USGS) datum, consistent with the Winnebago County Geographic Information System (WinGis), unless approved otherwise by the County Engineer.

5.8.4 Final Plat

A. Form and Content

The final plat shall be drawn with waterproof non-fading black ink on mylar or tracing cloth measuring twenty-four (24) inches by thirty-six (36) inches or twenty-four (24) inches by twenty-one and one-quarter (21¼) inches at a scale of one-hundred (100) feet to one (1) inch or larger. Variation in scale may be allowed when agreed to by the County Recorder and where necessary for a proper exhibit of a subdivision. A digital copy of the same plat is required if deemed necessary by County Recorder. When more than one (1) sheet is used for any plat, they shall be numbered consecutively, and each sheet shall contain a notation showing the whole number of sheets in the plat and its relation to other sheets. Linear dimensions shall be given in feet and decimals of a foot. The final plat shall show on the face thereof the following information in accordance with the reporting standards of Paragraph C, above:

1. The name of the plat, not duplicating the name of any plat previously recorded in the County.
2. The location and position of the subdivision indicated in each of the following ways:
 - a. By quarter-quarter section, section, township, range, county and state.

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- b. By distances and bearings from true north or angles with reference to a corner or corners established in the United States Public Land Survey.
 - c. By a written legal description of the exterior boundaries of the land as surveyed and divided.
3. An arrow indicating north, a graphic scale and date of preparation.
 4. Notations in their proper places of all monuments erected, corners and other points established in the field and the materials of which such monuments, corners and other points are composed.
 5. Sufficient engineering data to close the survey and to reproduce any line on the ground. The error of linear closure shall be not more than one (1) in five-thousand (5,000).
 6. A graphic presentation of all streets, alleys, blocks, lots, parcels and public grounds into which the land is divided, and of all easements and rights-of-way.
 7. The length of boundary lines of all streets, alleys, blocks, lots, parcels, public grounds, easements and rights-of-way or enough information so that the length of these lines can be derived by simple calculation. Where a boundary line is an arc of a circle, the length of the chord shall be shown.
 8. The widths of all streets, alleys, easements and rights-of-way.
 9. A graphic presentation of the minimum building setback lines on all lots and parcels, and a notation of the distance between such lines and the street right-of-way line.
 10. The area of each lot or parcel.
 11. Consecutive letters on all blocks and consecutive numbers on all lots in each block, or consecutive numbers on all lots throughout the plat.
 12. The name of each street, printed on the graphic representation of each street, and an appropriate label designating all other easements, rights-of-way, setback lines and dedications.
 13. The words "private road" clearly marked on all streets shown on the plat which are not dedicated to public use.
 14. Abutting street lines of adjoining subdivisions, shown in their correct locations by dashed lines.
 15. The water elevation of adjoining lakes or streams at the date of survey and a graphic presentation, as well as a notation of, the high water marks of such lakes or streams; all elevations referring to the Rockford datum plane when within one (1) mile of a Rockford or USGS datum plane benchmark, or to a located concrete monument from which the datum plane is taken.
 16. Location map.
 17. Plat and or easement notes, if applicable.
 18. Illustration of typical lot layout.

B. Final Approval

1. Within one (1) year of approval or conditional approval, or such time as the Zoning Committee may extend to, the subdivider shall submit two (2) reproductions of the approved final plat with revisions, if applicable, to the Department of Regional Planning and Economic Development, and shall submit one (1) reproduction of the same to the Recorder of Deeds so that permanent real estate index numbers can be assigned. The final plat, which may constitute only that portion of the tentative plat which the subdivider proposes to record and develop at the time, shall be accompanied by a fee as required by the County Board. For replats and resubdivisions, the plat shall be accompanied by a fee as required by the County Board. Final approval of a plat shall be granted by the Plat Officer, after County Board approval, on the basis of its conformity with the tentative plat as approved and with conditions of approval, and with all pertinent laws, rules, regulations and particularly with the technical requirements of this Ordinance.

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2. The County Engineer shall also receive for plan review the fee as set forth in the Plan Review Fee Schedule as adopted by the County Board. The applicant shall provide the County Engineer a check payable to the Winnebago County Treasurer as full payment for the amount of the plan review fee prior to any review. Such fee shall be non-refundable.

Sec. 5.9 Certificates and Provisions on Final Plat

The following certificates and affidavits shall appear on the final plat duly signed by the appropriate person before the plat is entitled to record.

- A. Certification by a surveyor, which shall appear as shown in Section 5.11.4.A.
- B. Certification of dedication by the owner of the land as shown in Section 5.11.4.B.
- C. Certification by a notary public as shown in Section 5.11.4.C.
- D. Certification by the County Clerk as shown in Section 5.11.4.D.
- E. Certification of easement provision as shown in Section 5.11.4.E.
- F. Certification by the County Engineer as shown in Section 5.11.4.F.
- G. Certification by the Winnebago County Department of Public Health as shown in Section 5.11.4.G.
- H. Certification by Winnebago County Geographic Information System (WinGIS) as shown in Section 5.11.4.H.
- I. Certification by the County Plat Officer as shown in Section 5.11.4.I.
- J. Certification by the County Recorder as shown in Section 5.11.4.J.

Sec. 5.10 Required Improvements

5.10.1 Generally

After approval or conditional approval has been granted, but before the final plat is recorded, the subdivider shall either install all improvements specified in this section, which may include but need not be limited to, required street scope, subdivision perimeter and/or open space landscaping, and in Article 18 of this Ordinance, or deliver to the County Engineer a signed duplicate contract covering all such improvements and an acceptable irrevocable letter of credit guaranteeing the completion of such improvements contracted for within three (3) years from the date of such contract. Vacation of a plat or of a portion of a plat will dissolve the corresponding bond obligation or portion thereof.

5.10.2 Monuments

Iron pins three-fourths (3/4) inch in diameter and four (4) feet long shall be placed at all block corners, angle points of streets and exterior boundaries, points of tangency of curved lines, points at which street lines intersect the exterior lines of the subdivision, and at such intermediate points as are required by the City Engineer/County Engineer. Iron pins five-eighths (5/8) of an inch in diameter and three (3) feet long shall be placed at all lot corners and at such intermediate points as are required by the County Engineer. Monuments shall be placed at all lake or stream ends of lot lines. Such monuments shall be placed flush with the ground at the point of intersection of such lake or stream lot line with a line which is established along the shore not less than twenty (20) feet from the ordinary high watermark of such lake or banks of such stream.

5.10.3 Topsoil Protection

Topsoil moved during the course of construction shall be salvaged, stockpiled and redistributed evenly, to provide a minimum of four (4) inches of cover.

5.10.4 Street and Utility Protection

All street and utility improvements shall conform to the specifications and requirements of the County Engineer and Township Highway Commissioner. These improvements shall not be accepted for public maintenance until completed in their entirety and approved by the County Engineer. Record drawings showing cross sections and profiles of streets showing grades acceptable to the County Engineer and Township Highway Commissioner and plans and profiles of storm and sanitary sewers, dry wells and water mains, where the installation of these improvements have been completed is required prior to the final release of the irrevocable letter of credit.

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5.10.5 Off-Site improvements

The subdivision shall conform to the off-site improvement requirements of Article 19.

Sec. 5.11 Certificates

5.11.1 Boundary Maps

A. Certificate of County Clerk

I, [Name of County Clerk of Winnebago County], County Clerk of Winnebago County in the State of Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments against the lands described in this boundary map.
[Signature of County Clerk], dated this [Date] day of [Month], [Year].

B. Certificate of the County Plat Officer

State of Illinois, County of Winnebago, Approved by [Signature of County Plat Officer] County Plat Officer, this [Date] day of [Month], [Year].

5.11.2 Vacation of Recorded Plats or Parts of Recorded Plats

A. Certificate of the Owner(s) of Plat to be Vacated

As owner of the following described property: [Description by Reference to Attached Plat] I (we) hereby petition the Winnebago County Board of Supervisors to approve the above described vacation.
[Signature of Owner], [Parcel], this [Date] day of [Month], [Year].

B. Certificate of Notary Public

I, [Name of Notary Public] a Notary Public in and for the County of [County] in the State of [State], do hereby certify that [Applicant] 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 delivered the instrument and (severally) acknowledged that he (they) signed, sealed as his (their) free and voluntary act for the uses and purposes therein set forth.
[Signature of Notary Public], dated this [Date] day of [Month], [Year]. [Seal of Notary Public]

C. Certificate of County Engineer

I hereby certify that this vacation is approved.
[Signature of County Engineer], dated this [Date] day of [Month], [Year].

D. Certificate of County Clerk

I, [Name of County Clerk], County Clerk of Winnebago County in the State of Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments against the land embraced within the annexed vacation.
[Signature of County Clerk], dated this [Date] day of [Month], [Year]. [Seal of Notary Public]

E. Certificate of County Plat Officer

The vacation is hereby approved this [Date] day of [Month], [Year].
[Signature of County Plat Officer], [Date]

F. Certificate of County Recorder

Filed for record this [Date] day of [Month], [Year], at [Hour] o'clock [AM/PM]. Recorded in Book [Book Number] of Plats, page [Page Number] and examined.
[Signature of County Recorder], [Date], [Document Number]

5.11.3 Certificates on Preliminary Plat

Certificate of the County Plat Officer

State of Illinois, County of Winnebago, Approved by [Signature of County Plat Officer] County Plat Officer, this [Date] day of [Month], [Year].

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5.11.4 Certificates and Provisions on Final Plat

A. Certificate of Surveyor

I hereby certify that, at the request of the owners, I have surveyed and subdivided according to the annexed plat [Name] of [Name] subdivision; a part of the [Direction] quarter of the [Direction] quarter of section [Section Number], township [Township Number] north, range [Range Number] east of the [Principal Meridian Number] principal median, bounded and described as follows:

[Legal Description]

Dimensions are given in feet and decimals of a foot. Iron pins three-quarters (3/4) of an inch in diameter and four (4) feet long have been found or set at all points marked on the plat with a [Marker Type], and iron pins five-eighths (5/8) of an inch in diameter and three (3) feet long have been found or set at all other lot corners.

Given under by hand and seal this [Date] day of [Month], [Year] at _____.
[Signature of Surveyor], Professional Land Surveyor Number: [Professional Land Surveyor Number].

B. Certificate of Dedication by Owner

As owner, I hereby certify that I have caused the land described in the foregoing affidavit of the surveyor, to be surveyed, divided, and mapped as presented on this plat. All streets, alleys, walkways, parks, playgrounds and school sites shown on this plat are hereby dedicated to the public for public purposes, and all easements shown are subject to the easement provisions hereon.

[Signature of Owner], this [Date] day of [Month], [Year].

C. Certificate of Notary Public

I, [Name of Notary Public], a notary public in and for the County of [County] in the State of [State], do hereby certify that [Name of Applicant(s)] personally known to me to be the same person(s) whose names(s) is (are) subscribed to the foregoing instrument, appeared before me this day in person and (severally) acknowledged that he (they) signed, sealed and delivered said instrument as his (their) free and voluntary act for the uses and purposes therein set forth.

[Signature of Notary Public], dated this [Date] day of [Month], [Year]. [Seal of Notary Public]

D. Certificate of County Clerk

I, [Name of County Clerk], County Clerk of Winnebago County in the State of Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments against the land embraced within the annexed plat of [Name of Subdivision] Subdivision.

[Signature of County Clerk], dated this [Date] day of [Month], [Year]. [Seal of Notary Public]

E. Easement Certificate

An easement is hereby reserved for and granted to the designated governmental bodies and public utilities or cable television companies with the necessary authorization and/or franchises and their respective successors and assigns within the area as shown by dotted lines on the Plat and marked "Easement," to install, lay, construct, renew, operate and maintain storm and sanitary sewers, pipes, conduits, cables, poles and wires, overhead and underground, with all necessary braces, guys, anchors and other equipment for the purpose of serving the subdivision and other properties with telephone, electric and other utility service or cable television service; also is hereby granted the right to use the streets for said purposes, the right to overhand lots with aerial service wires to serve adjacent lots, the right to enter upon the lots at all times to install, lay, construct, renew, operate and maintain within the easement area said storm and sanitary sewers, pipes, conduits, cables, poles, wires, braces, guys, anchors, and other equipment; and finally the right is hereby granted to cut down and remove or trim and keep trimmed any trees, shrubs or saplings that interfere or threaten to interfere with any of said public utility equipment or cable television equipment installed on said easement. No permanent buildings or trees shall be placed on said easement, but same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights herein granted.

If the grade of the subdivision property must be so altered or if storm and sanitary sewer facilities require that the underground utility or cable television equipment be moved or otherwise altered, the owners, their respective successors and assigns shall reimburse the utility company or cable television company for the necessary expense involved.

F. Certificate of County Engineer

All streets shown herein have been graded, drained and surfaced and all drainage structures have been built, as required, or have been provided for by an irrevocable letter of credit to my approval.

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[Signature of County Engineer], dated this [Date] day of [Month], [Year].

G. Certificate of Winnebago Department of Public Health

As Director of Environmental Health of the Winnebago County Department of Public Health, I hereby certify that no public sewer system exists to serve this subdivision. This plat is approved with respect to onsite sewage disposal, and the acreage involved has been reviewed in accordance with established soil and suitability evaluation procedures.

[Signature of Director of Environmental Health], dated this [Date] day of [Month], [Year].

H. Certificate of Winnebago County Geographic Information System (WinGIS)

I hereby certify that the ties to the Winnebago County Geodetic Control Network for the property contained within this plat have been reviewed and are approved. The Geodetic Control Network Tie Form has been submitted and it is approved.

[Signature of WinGIS Agent], dated this [Date] day of [Month], [Year].

I. Certificate of County Plat Officer

This is to certify that the Plat Officer has reviewed the attached subdivision, and finding substantial conformity with all pertinent laws, rules, and regulations including this chapter and the tentative plat of this subdivision as conditionally approved, this plat is given final approval.

[Signature of County Plat Officer] dated this [Date] day of [Month], [Year].

J. Certificate of County Recorder

Filed for record this [Date] day of [Month], [Year], at [Hour] o'clock [AM/PM], recorded in Book [Book Number] of Plats, page [Page Number] and examined.

[Signature of County Recorder]

Sec. 5.12 Guarantee for Completion

- A.** In lieu of constructing the improvements prior to approval by the County Engineer, a construction guarantee in the amount of one-hundred twenty percent (120%) of the cost of the improvements is required. The cost for each improvement shall be itemized in a list prepared, signed and sealed by the design engineer and approved by the County Engineer. Such guarantee is to:
1. Assure the satisfactory installation of said improvements in accordance with the approved plans and specifications according to good engineering and construction practices.
 2. Assure the satisfactory completion of said improvements within the prescribed time limit.
- B.** Such guarantee shall be done in one (1) of the following formats and the form, amount and conditions, subject to approval of the County Engineer:
1. A certificate of deposit with, or an escrow account at, a federally insured financial institution which shall be located no more than ninety (90) miles outside of Winnebago County.
 2. Sufficient funds to pay for the construction and repairs of all public improvements inclusive of any required streetscape, open space and/or perimeter landscaping shall be guaranteed in the form of an irrevocable letter of credit prior to the start of any construction by the developer/owner. This irrevocable letter of credit shall be used as a guarantee for any repairs which may be required to township or county roads that have been identified or designated during the review process by the County Engineer as having been damaged as a result of any construction vehicle or equipment used during the construction by the developer/owner. Such irrevocable letter of credit shall be in the amount of one hundred twenty percent (120%) of the cost of all public improvements inclusive of any required streetscape, open space and/or perimeter landscaping as approved by the County Engineer. The irrevocable letter of credit shall be drawn listing the County of Winnebago, c/o The Winnebago County Highway Department, as a beneficiary and shall be delivered to the County Engineer prior to the start of any construction. The term shall be for a minimum of the estimated project schedule in addition to a one-year performance period. The developer/owner shall be responsible for renewing the irrevocable letter of credit as needed throughout the duration of the project and a one-year performance period. The irrevocable letter of

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credit shall be from a financial institution located no more than ninety (90) miles outside of Winnebago County.

- C.** A construction guarantee shall be reduced, only by authorization of the County Engineer, as follows:
1. Partial releases will be considered only upon written request by the developer/owner. A partial release of an irrevocable letter of credit may be approved by the County Engineer and shall be based upon the difference of the cost of the public improvements and/or landscaping completed to date as determine by the County Engineer and the original amount of the irrevocable letter of credit. Any partial release shall not exceed ninety percent (90%) of the original amount of the irrevocable letter of credit. The final release of any remaining amounts shall be made by the County Engineer one year after the acceptance of the public improvements. This one-year period will act as a performance guarantee for the public improvements inclusive of any required streetscape, open space and/or perimeter landscaping.
 2. If the developer/owner fails to complete or construct the public improvements and/or landscaping as originally planned and as approved by the County Engineer or if there has been unsatisfactory installation of the required public improvements and/or landscaping, the County Engineer will proceed to draw the full irrevocable letter of credit amount from the financial institution and will deposit the funds with the Winnebago County Treasurer. The County Engineer shall use the aforementioned funds for the purpose of paying for the construction and engineering associated with the completion of the public improvements and/or landscaping as originally planned and approved. The cost of such engineering will be charged at a rate of fifteen percent (15%) of the cost of the remaining improvements to be completed. After all improvements have been completed and all outstanding amounts owed for the completion of such improvements have been paid in full, any remaining funds shall be refunded to the financial institution.
- D.** The County Engineer shall not release a construction guarantee prior to the satisfactory installation of all required improvements, as determined by the following:
1. One (1) year after the completion of all improvements required for the approved Final Plan.
 2. After the submission of the project engineer's certification that the project installation has been observed in the field and completed in substantial compliance with the plans and specification and with all applicable ordinances and laws.
 3. After the submission of one (1) reproducible print and four (4) copies of record drawings which shall be drawings prepared by the project engineer who shall show improvements, and shall clearly designate any and all changes from the approved plans and specifications.
- E.** After acceptance of the improvements, the applicant shall be responsible for the maintenance of all improvements until the release of the construction guarantee. Where a development has been improved in phases, the applicant shall be responsible for the proper functioning of drainage improvements for the entire development site. The applicant shall be responsible for the plowing of snow on roads until the final acceptance of the completed road improvements.
- F.** The developer/owner shall be responsible for the cost of construction, inspection and/or material testing of the public improvements inclusive of any required streetscape, open space and/or perimeter landscaping by an engineering firm to be selected and hired by Winnebago County through the County Engineer.
1. The developer/owner shall be required to pay three percent (3%) of one hundred and twenty percent (120%) of the cost of all public improvements inclusive of any required streetscape, open space and/or perimeter landscaping as approved by the County Engineer. Any sidewalk inspections that are needed on an individual lot basis or subsequent to the major public improvements shall be paid by the developer/owner at the individual rate according to the County's agreement with the engineering firm referenced above. The developer/owner shall provide the County Engineer a check payable to the Winnebago County Treasurer for payment of these fees. Such payment shall be non-refundable. The County Engineer shall order the inspection. The individual sidewalk inspection fee shall be for any individual lot or any grouping of up to five (5) adjacent lots.
 2. The Winnebago County Building and Zoning Divisions of the Regional Planning and Economic Development Department may withhold issuing any construction and/or zoning permits until notification from the County Engineer that all applicable fees have been paid. If during the course of construction,

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any unforeseen issues arise which will require expenditure for additional testing and/or inspection fees, the developer/owner shall submit the additional funds as determined by the County Engineer to cover the additional cost. In the event that the developer/owner does not provide sufficient funds for the required inspection work, the County Engineer shall be authorized to draw upon the funds available in the irrevocable letter of credit posted by the developer/owner pursuant to Section 5.12 (B) of this Ordinance.