

**AN ORDINANCE APPROVING A PLAT OF SUBDIVISION
(Kirchoff Fuel Resubdivision)**

WHEREAS, 3005 Kirchoff Road, LLC ("**Applicant**") is the owner of the property commonly known as 3005 Kirchoff Road, Rolling Meadows, Illinois ("**Subject Property**"), which property is legally described in **Exhibit A** to this Ordinance; and

WHEREAS, Ordinance No. 23-12 ("**SUP Ordinance**") adopted by the City on April 11, 2023, granted a special use and variations to allow the redevelopment of the existing fueling station located upon the Subject Property; and

WHEREAS, the SUP Ordinance required that the Subject Property be platted and that the single platted lot include a utility easement; and

WHEREAS, the owner of the Subject Property has prepared and submitted to the City a proposed plat entitled "Kirchoff Fuel Resubdivision" prepared by United Survey Service, LLC on January 19, 2024 attached as **Exhibit A** ("**Plat**"), which Plat is exempt from the requirements of Division 2 of Chapter 98 of the Rolling Meadows Municipal Code, as the Subject Property is not being divided and the platting of the Subject Property is not considered a subdivision as defined by Chapter 98; and

WHEREAS, the Planning and Zoning Commission reviewed the Plat at its regular meeting on April 2, 2024 and recommended that the City Council approve the Plat; and

WHEREAS, in the exercise of its home rule authority and notwithstanding any contrary provision of the Subdivision Regulations, the Corporate Authorities of the City of Rolling Meadows have determined that it would be in the best interest of the City to approve the Plat in accordance with, and subject to, the conditions, restrictions, and provisions of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois:

Section 1: Recitals. The recitals set forth in the preamble are hereby incorporated herein by reference and made a part of this Ordinance.

Section 2: Approval of Subdivision.

- A. Approval of Final Plat. The Plat, as prepared by United Survey Service, LLC on January 19, 2024 and a copy of which is attached hereto as **Exhibit A**, is hereby approved in substantially the form attached.

- B. Authorization. The Mayor, the Deputy City Clerk, and all other necessary officers of the City are hereby authorized and directed to execute and seal, on behalf of the City, the Plat, following execution by Applicant and any other party with an interest in the Subject Property, and subject to certification by the Office of the Cook County Clerk that there are no property tax delinquencies, as well as all other certifications as necessary.
- C. Recordation. The City Manager is hereby directed to cause the recording of the Plat with the Office of the Cook County Clerk upon satisfactory completion of all administrative details relating thereto.

Section 3: Public Improvements. The construction of sidewalk and curb in the public right-of-way to be performed by Applicant in conjunction with the development of the Subject Property authorized by the SUP Ordinance and this Ordinance shall be considered the Plat's public improvements and shall be subject to all applicable provisions of the subdivision regulations contained in Chapter 98, or any other applicable provisions of the Rolling Meadows Municipal Code.

Section 4: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED AND APPROVED by the City Council of Rolling Meadows, Cook County, Illinois this 23rd day of April, 2024.

AYES: Budmats, O'Brien, Boucher, Reyez, Koehler, McHale

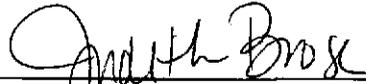
NAYS: 0

ABSENT: Vinezeano



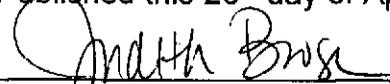
Lara Sanoica, Mayor

ATTEST:



Judith Brose, Deputy City Clerk

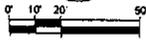
Published this 26th day of April, 2024.



Judith Brose, Deputy City Clerk

Exhibit A

Plat



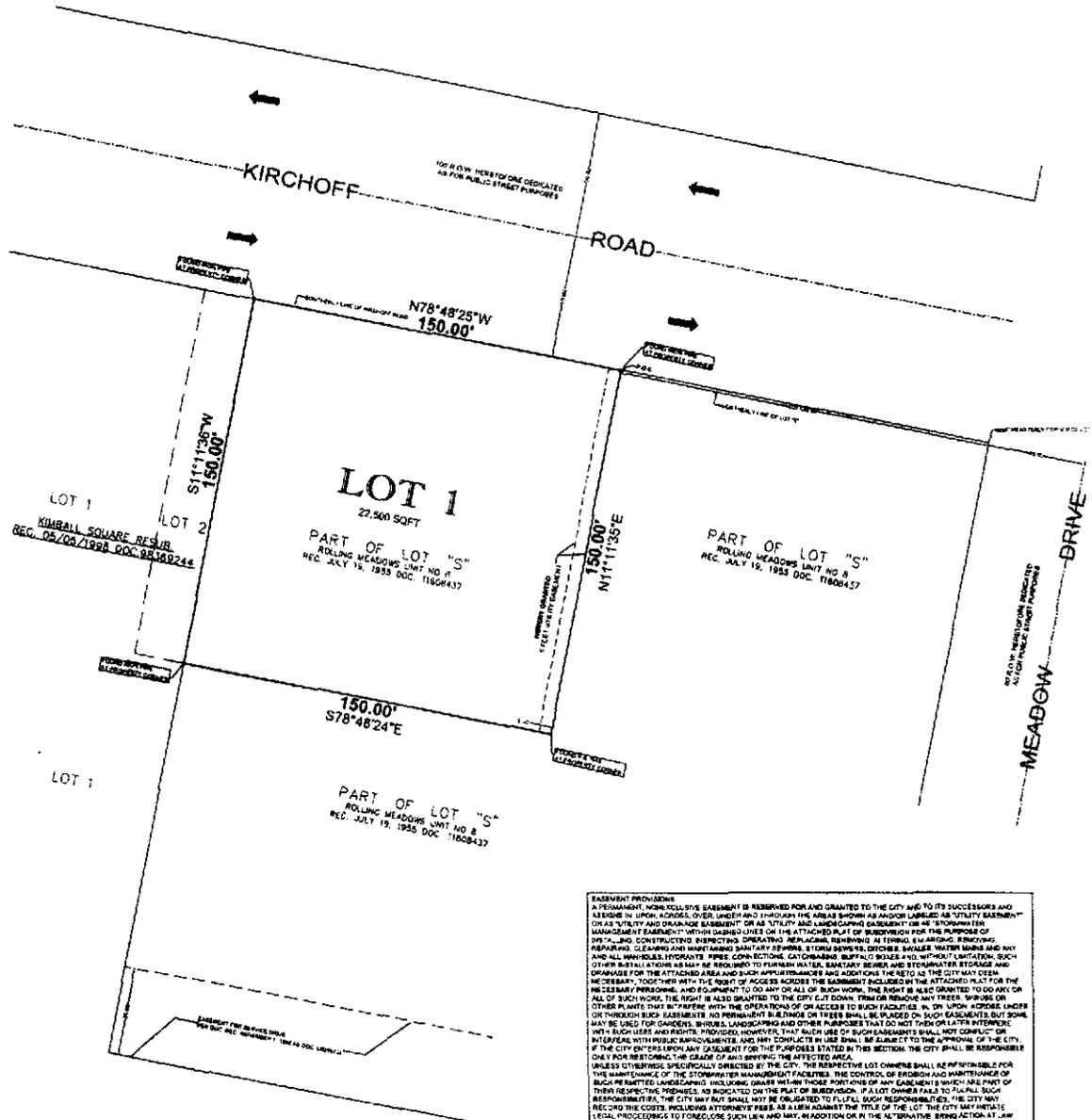
KIRCHOFF FUEL RESUBDIVISION

OF THAT PART OF THE WEST HALF OF SECTION 38, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

KNOWN AS: 3005 KIRCHOFF ROAD, ROLLING MEADOWS, ILLINOIS

AFFECTED PERMANENT INDEX NUMBERS:
02 - 36 - 105 - 021 - 0000

AREA = 22,500 SQFT OR 0.518 ACRES



EASEMENT PROVISIONS
 A TRAVEL, NON-EXCLUSIVE EASEMENT IS RESERVED FOR AND GRANTED TO THE CITY AND TO ITS SUCCESSORS AND ASSIGNEES IN UPON, ACROSS, OVER, UNDER AND THROUGH THE AREAS SHOWN AS AFFECTED BY THIS PLAT OF RESUBDIVISION FOR THE PURPOSES OF CONSTRUCTION, MAINTENANCE, REPAIR AND OPERATION OF PUBLIC UTILITIES AND LANDSCAPING EASEMENT FOR THE PURPOSES OF PREPARING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, REMOVING, IMPROVING, CLEANING AND MAINTAINING SANITARY SEWERS, STORM SEWERS, DITCHES, SWALES, WATER MAINS AND ANY AND ALL UNDERGROUND UTILITY LINES, CONDUITS, CABLES, TELEPHONE LINES, AND ALL OTHER UTILITIES, SUCH OTHER UTILITIES AS MAY BE REQUIRED TO FURNISH WATER, SANITARY SEWERS AND STORMWATER STORAGE AND DRAINAGE FOR THE ATTACHED AREA AND SUCH UTILITIES AND ADDITIONS THERE TO AS THE CITY MAY DEEM NECESSARY, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE BOUNDARY INCLUDED IN THE ATTACHED PLAT FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OR ALL OF SUCH WORK. THE RIGHT IS ALSO GRANTED TO DO ANY OR ALL OF SUCH WORK, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE BOUNDARY INCLUDED IN THE ATTACHED PLAT FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OR ALL OF SUCH WORK, IN OR UPON ANY CROSSING UNDER OR THROUGH SUCH EASEMENTS. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SUCH EASEMENTS, BUT SOME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEM OR LATER INTERFERE WITH SUCH USES AND RIGHTS. PROVIDED, HOWEVER, THAT SUCH USE OF SUCH EASEMENTS SHALL NOT CONFLICT OR INTERFERE WITH PUBLIC APPROVED USES AND NOT CONFLICT WITH USES THAT ARE SUBJECT TO THE APPROVAL OF THE CITY. IF THE CITY ENTERS UPON ANY EASEMENT FOR THE PURPOSES STATED IN THIS SECTION, THE CITY SHALL BE RESPONSIBLE ONLY FOR RESTORING THE GRADE OF AND SENSITIVE THE AFFECTED AREA.

UNLESS OTHERWISE SPECIFICALLY DIRECTED BY THE CITY, THE RESPECTIVE LOT OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES. THE CONTROL OF STORMWATER AND HANDLING OF SUCH PERMITTED LANDSCAPING, INCLUDING GRASS, SHALL BE THE RESPONSIBILITY OF ANY EASEMENT'S WHICH ARE PART OF THEIR RESPECTIVE PREMISES, AS INDICATED ON THE PLAT OF RESUBDIVISION. IF LOT OWNER FAILS TO FULFILL SUCH RESPONSIBILITIES, THE CITY MAY NOT BE OBLIGATED TO FULFILL SUCH RESPONSIBILITIES. THE CITY MAY RECOVER THE COSTS, INCLUDING ATTORNEY FEES AS A LIEN AGAINST THE TITLE OF THE LOT THE CITY MAY INITIATE LEGAL PROCEEDINGS TO FULFILL SUCH USES AND MAY, IN ADDITION OR IN THE ALTERNATIVE, BRING ACTION AT LAW AGAINST THE OWNER OF RECORD OF THE DELINQUENT LOT.

LEGEND

- PART-OF-WAY LINE
- PROPOSED LOT LINE
- EXISTING LOT LINE
- EASEMENT LINE
- LOT - PROPOSED LOT NUMBER
- LOT - EXISTING LOT NUMBER
- ← TRAFFIC FLOW DIRECTION
- (R) RECORD DATA
- (M) MEASURED DATA
- (D) DEED

PROJECT NO.: 2023-29755-1
 ISSUE DATE: 08/31/2023
 SCALE: 1"=20'
 SHEET NUMBER: 2 OF 2

PLAT PREPARED FOR:
AXOS ARCHITECTS & CONSULTANTS, LTD.
 188 N. WELLS ST. CHICAGO, ILLINOIS 60606
 (P) 312-750-1333

PLAT PREPARED BY:
UNITED SURVEY SERVICE, LLC
 CONSTRUCTION AND LAND SURVEYORS
 7710 CENTRAL AVENUE, RIVER FOREST, ILLINOIS, 60305
 TEL: (847) 299-1010 FAX: (847) 299-5887
 E-MAIL: USURVEY@USANDCS.COM

NO.	REVISIONS	DATE
1	REVISED	1/18/23
2	REVISED	1/19/24
3		
4		
5		
6		

