



**#2016-46**

## **Talon Professional Center – Condominium Plat Project Review for Planning and Zoning Commission**

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<b><u>Meeting Date:</u></b>	October 19, 2016
<b><u>Request:</u></b>	Final Plat of Subdivision to create Condominium for Building #3 in Lot 2 of Talon Professional Center.
<b><u>Location:</u></b>	444 N. Route 31
<b><u>Acreage:</u></b>	Approximately 2 acres
<b><u>Existing Zoning:</u></b>	B-2 PUD General Commercial
<b><u>Surrounding Properties:</u></b>	North: O PUD Office South: B-2 PUD General Commercial East: M Manufacturing and properties within McHenry County West: R-3A PUD Two-Family Residential
<b><u>Staff Contact:</u></b>	Elizabeth Maxwell (815.356.3615)

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### **Background:**

- **Existing Use:** The property was developed as several office buildings with an inline retail building up front.
- **Previous Approvals:**
  - In 2006, the property received a Final Plat of Subdivision for two lots to divide out the retail from the office buildings.

### **Development Analysis:**

#### **General**

- **Request:** Final Plat of Subdivision for a Condominium of Building 3 on Lot 2.
- **Land Use:** The land use map shows the area as Commerce. No changes in the uses are proposed.
- **Zoning:** The site is zoned B-2 PUD General Commercial. This is an appropriate zoning designation for these uses.

#### **Final Plat of Subdivision for a Condominium Plat**

- The petitioner is requesting Building 3 be divided into 3 units.

**Findings of Fact:**

**Final Plat**

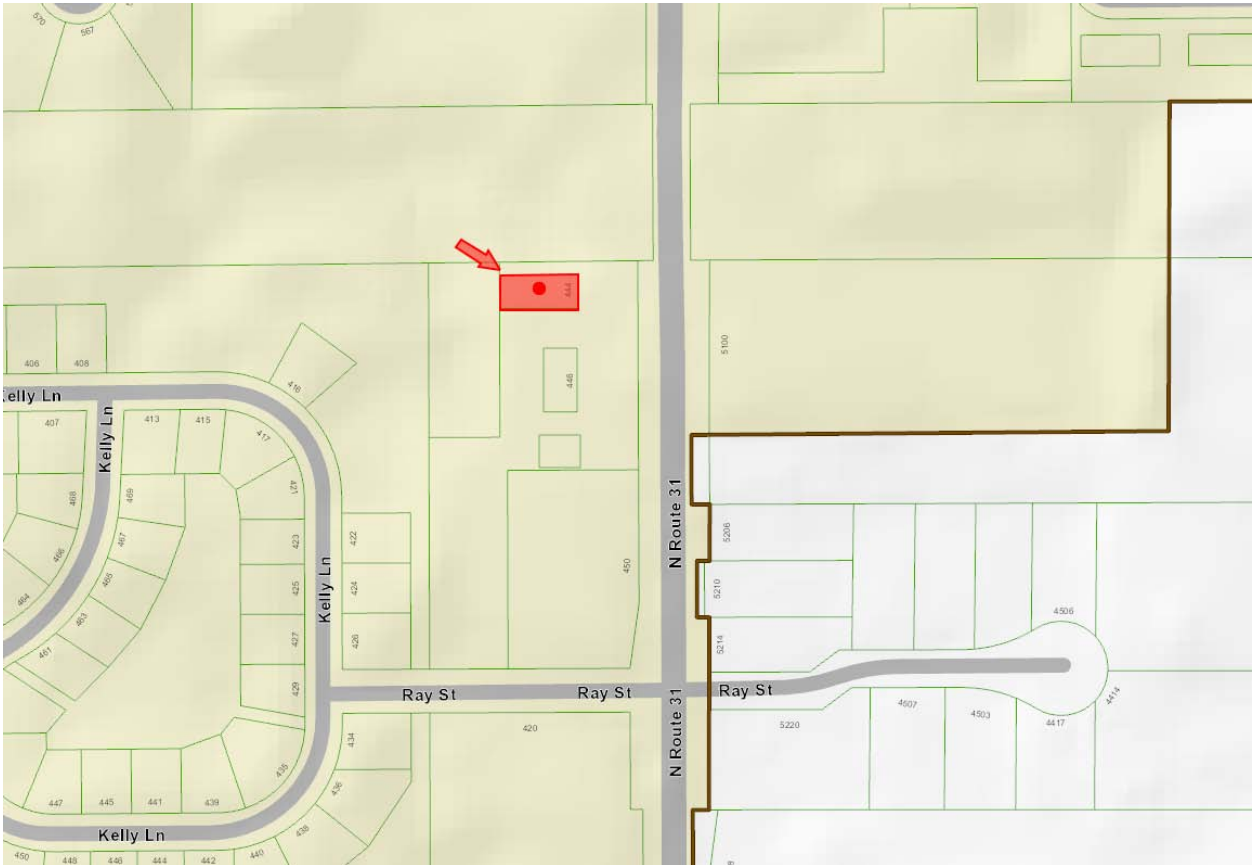
The petitioner is requesting Condominium Plat for Building #3. The UDO sets standards for a condominium plat and requires that the unit area, dimensions and ownership percentage be illustrated. The Condominium Plat and CCRs meet the UDO requirements.

**Recommended Conditions:**

If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Hellyer, received 09/30/16)
  - B. Plat of Condominium (LUCO Construction, dated 05/25/15, received 09/30/16)
  - C. 5<sup>th</sup> Amendment to the Talon Professional Center CC&Rs (recorded 2015, received 06/15/16)
  
2. The petitioner shall provide a Mylar copy of the recorded Condominium Plat to the City.

Talon Condo Plat – Preliminary/Final Plat of Subdivision



# City of Crystal Lake Development Application

Office Use Only

File # 2016-46

Project Title: 444 RT. 31

### Action Requested

- |   |  |
|---|--|
| <input type="checkbox"/> Annexation                           | <input type="checkbox"/> Preliminary PUD                 |
| <input type="checkbox"/> Comprehensive Plan Amendment         | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review                | <input type="checkbox"/> Rezoning                        |
| <input type="checkbox"/> Final PUD                            | <input type="checkbox"/> Special Use Permit              |
| <input type="checkbox"/> Final PUD Amendment                  | <input type="checkbox"/> Variation                       |
| <input checked="" type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other                           |

### Petitioner Information

Name: WILLIAM HELLYER

Address: 444 RT. 31

CRYSTAL LAKE IL 60014

Phone: 815-459-1700

Fax: 815-455-6011

E-mail: william.hellyer@williamhellyer.com E-mail:

### Owner Information (if different)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

### Property Information

Project Description: CONDOMINIUM PLAT OF SUBDIVISION

Project Address/Location: BUILDING 3 ON LOT 2 IN TALON PROFESSIONAL CENTER

444 RT. 31

PIN Number(s): 14-34-130-804 14-34-130-016; -017; -018

**Development Team**

Please include address, phone, fax and e-mail

Developer: \_\_\_\_\_

Architect: \_\_\_\_\_

Attorney: \_\_\_\_\_

Engineer: \_\_\_\_\_

Landscape Architect: \_\_\_\_\_

Planner: \_\_\_\_\_

Surveyor: \_\_\_\_\_

Other: \_\_\_\_\_

**Signatures**

\_\_\_\_\_  
PETITIONER: Print and Sign name *(if different from owner)* Date

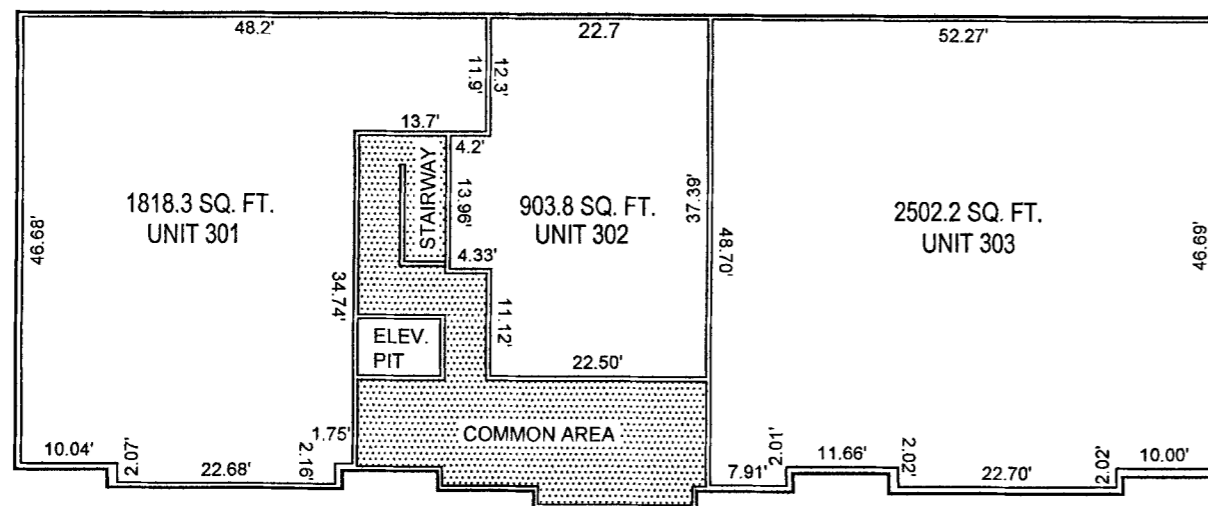
As owner of the property in question, I hereby authorize the seeking of the above requested action.

\_\_\_\_\_  
OWNER: Print and Sign name Date

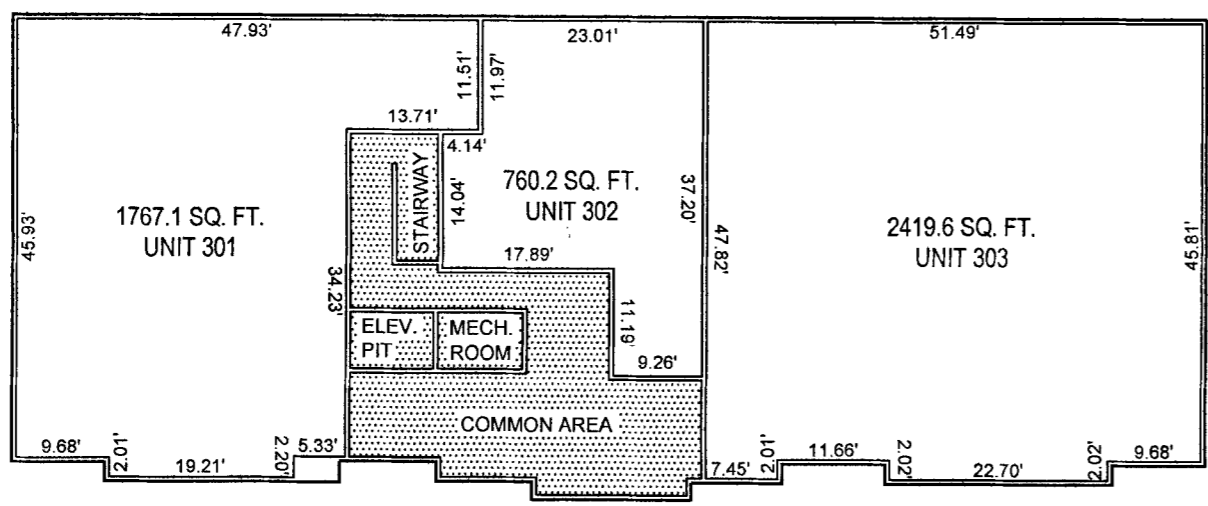
NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

# Amended Plat of Condominium

OF  
BUILDING NO. 3 REVISION  
AT  
LOT 2 OF TALON PROFESSIONAL CENTER



**FIRST FLOOR**  
FLOOR ELEVATION = 904.0'  
CEILING ELEVATION = 914.1' (LOW)  
919.2' (HIGH)

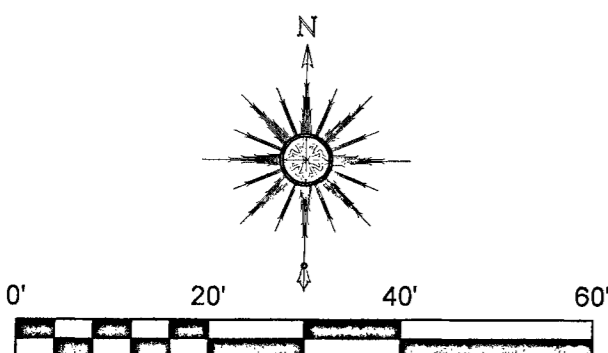


**BASEMENT FLOOR**  
FLOOR ELEVATION = 893.5'  
CEILING ELEVATION = 902.9'

**NOTE!**

REFER TO PLAT OF SURVEY OF TALON PROFESSIONAL CENTER CONDOMINIUMS, RECORDED IN MCHENRY COUNTY AS DOCUMENT NO. 2007R0078219 FOR OVERALL DIMENSIONS BUILDING DIMENSIONS, SETBACKS, EASEMENTS AND LOCATION INFORMATION.

**BENCHMARK INFORMATION:**  
FLANGE BOLT OF F.H. 162' WEST OF W. LINE OF RTE 31 IN SOUTH PARWAY OF RAY STREET. ELEVATION = 902.51' (PER CITY OF CRYSTAL LAKE)



<b>Luco Construction Company</b> Professional Design Firm No. 184.004829	
54 Lou Avenue Crystal Lake, Illinois 60014 phone: 815.526.3974 email: lucoiland@gmail.com	
Common Address: Route 31, Crystal Lake, IL	
Job Number: 16 - 40721	Drawn By: JAC
Client: Hellyer	
Date of Field Work Completion: 5/25/2012	
Revisions:	

Owner's Certificate

STATE OF ILLINOIS )  
COUNTY OF MCHENRY )

This is to certify that the undersigned,

\_\_\_\_\_ are the legal owners of a portion of land described on the plat hereon drawn and shown hereon as subdivided; that they have caused said land to be surveyed, subdivided, staked and platted as shown hereon, for the purpose of having this plat recorded provided by law, and as the Owners, do hereby state that to the best of our knowledge, all of the lots in this Subdivision lie within:  
Crystal Lake Community Consolidated School District \_\_\_\_\_  
Crystal Lake High School District \_\_\_\_\_

Seal(s) this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_

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

Notary Certificate

STATE OF ILLINOIS )  
COUNTY OF MCHENRY )

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that, \_\_\_\_\_ of \_\_\_\_\_ personally known to me to be the same person or persons whose name or names are subscribed to the foregoing instrument as, \_\_\_\_\_ respectively appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act for the uses and purposes set forth. Given under my hand and notarial seal, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

County Clerk's Certificate

STATE OF ILLINOIS )  
COUNTY OF MCHENRY )

I, \_\_\_\_\_ County Clerk in McHenry County, Illinois do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, and no redeemable tax against any of the land included in the attached plat. I further certify that I have received all statutory fees in connection with the plat.

Given under my hand and seal of the County at Woodstock, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, A.D.

\_\_\_\_\_  
McHenry County Clerk

Planning and Zoning Commission Certificate

STATE OF ILLINOIS )  
COUNTY OF MCHENRY )

I, \_\_\_\_\_ Chairman of the Crystal Lake Planning and Zoning Commission, do hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ this plat of subdivision was duly approved by the Planning and Zoning Commission of the City of Crystal Lake.

Chairman

City Council Certificate

STATE OF ILLINOIS )  
COUNTY OF MCHENRY )

Approved by the City Council of Crystal Lake, Illinois this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, A.D.

Mayor \_\_\_\_\_

Attest: City Clerk \_\_\_\_\_

Surveyor's Certificate

STATE OF ILLINOIS )  
COUNTY OF MCHENRY )

This is to certify that I, JEFFREY A. SPIROK, have surveyed and subdivided the property as described and shown by the plat, which is a correct representation of said survey and subdivision. All distances are shown in feet and decimals thereof. Dimensions shown along curves are arc distances unless otherwise noted.

LEGAL DESCRIPTION: BUILDING 3 IN LOT 2 IN TALON PROFESSIONAL CENTER CONDOMINIUMS, BEING A RESUBDIVISION OF LOT 53 IN KELLY WOODS, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THIRD PRINCIPAL MERIDIAN, IN MCHENRY COUNTY, ILLINOIS.

I further certify that the above described property is located in Zone "X - unshaded" areas determined to be outside 500-year floodplain, as identified by the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel 17111C0220J dated November 16, 2006.

I further certify that this Subdivision lies within the corporate limits of the City of Crystal Lake, Illinois.

Given under my hand and seal this 15<sup>th</sup> day of SEPTEMBER, 2016

Jeffrey A. Spirok

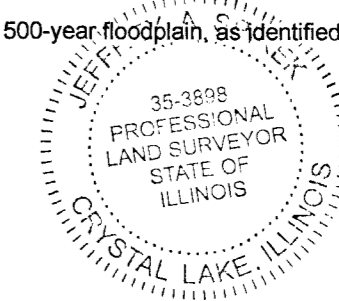
STATE OF ILLINOIS )  
COUNTY OF MCHENRY )

Recorder's Certificate

This instrument filed for record in the Recorder's office of McHenry County, Illinois on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, A.D. at \_\_\_\_ o'clock \_\_\_\_ M. and recorded as document number \_\_\_\_\_.

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

This Plat presented for recording by: \_\_\_\_\_



MV (4)  
1546352mc



Prepared by and ~~mail to~~:

William Hellyer  
444 N. Route 31, Suite 100  
Crystal Lake, IL 60014

PHYLLIS K. WALTERS  
RECORDER-MCHENRY COUNTY, IL

2015R0015703

05/06/2015 04:30PM PAGES 4

RECORDING FEE 28.00

BIS FEE 15.00

RHSPS HOUSING FEE 9.00

~~Mail to:~~

HERITAGE TITLE COMPANY  
4405 Three Oaks Road  
Crystal Lake, IL 60014

### COVER SHEET

Attached

for the purpose of affixing Recording information

HT  
52.-

**FIFTH AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
TALON PROFESSIONAL CENTER CONDOMINIUMS, CRYSTAL LAKE, ILLINOIS**

THIS FIFTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS recorded on the 15th day of September, 2006 as Document No. 2006R0061827 and re-recorded October 12, 2006 as Document No. 2006R0075199 and re-recorded as the Declaration of Condominium for Talon Professional Center Condominiums November 20, 2007 as Document No. 2007R0076850 (hereinafter "Covenants") for TALON PROFESSIONAL CENTER CONDOMINIUMS, CRYSTAL LAKE, ILLINOIS made and entered into by the Board of the TALON PROFESSIONAL CENTER CONDOMINIUMS d/b/a THE WOODS OF CRYSTAL LAKE PROFESSIONAL CONDOMINIUM ASSOCIATION.

WHEREAS, the Covenants have been recorded against the Talon Professional Center Condominiums with the McHenry County Recorder of Deeds Office; and

WHEREAS, Section 9.01(a) of the Covenants allows for the Board to make amendments to the Covenants; and

WHEREAS, at least seventy-five percent (75%) of the total votes have approved such amendments at a meeting of Owners duly called for such purpose; and

WHEREAS, all lien holders of record have been notified by certified mail of such change, modification or rescission, and an affidavit by said Secretary certifying to such change, modification or rescission, and an affidavit by Secretary certifying such mailing is made a part of this instrument; and

WHEREAS, the Board, in order to submit the Condominiums to the Condominium Act of the State of Illinois must amend the Covenants so as to comply with the requirements contained therein; and

WHEREAS, the Board desires to add Building 4, units 400 and 401 to the Association. The Plat of Condominium of Talon Professional Center Subdivision and Plat of Building 4 is made a part of this instrument;

WHEREFORE, the Board hereby makes the following modifications, additions, and deletions from the Covenants:

I. Section 2.01 (c) shall now read:

(c) All Units and Lots are delineated in the Plat of Subdivision attached as Exhibit "B" and each Unit's percent of ownership of the common elements is identified in Exhibit "D" attached hereto (subject to modification as described below). Except for the retail building which is identified as such, the legal description of each Unit shall consist of the identifying number or symbol of such Unit as shown on the Condominium Survey and shall be in the following format:



UNITS 400 AND 401 IN BUILDING 4 IN TALON PROFESSIONAL CENTER CONDOMINIUM(S), AS DELINEATED ON THE SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF LOT 2 IN TALON PROFESSIONAL CENTER SUBDIVISION, BEING A RESUBDIVISION OF LOT 53 IN KELLY WOODS, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 6, 1995 AS DOCUMENT NUMBER 95R26746, AND CERTIFICATE OF CORRECTION RECORDED FEBRUARY 22, 1996 AS DOCUMENT NUMBER 96R8564 AND RECORDED JULY 15, 1997 AS DOCUMENT NO. 97R33106, ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED JULY 3, 2006 AS DOCUMENT NUMBER 2006R0048378; WHICH SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 2007R0076850, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN MCHENRY COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PARCEL OF LAND TAKEN BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION IN CASE NO. 11ED83 AND RECORDED ON JANUARY 25, 2012, AS DOCUMENT NUMBER 2012R0003363.

II. Section 2.01 (e) shall be added and shall read:

(e) Exhibit "D" shall be modified from time to time by the Declarant and/or the Association to proportionately distribute the ownership of the common elements by percentage of total square feet of each unit. Said modifications shall be effectuated by recording, with the McHenry County Recorder of Deeds Office an amended Exhibit "D" at the time of completion of each and every subsequent condominium building on the Property.

III. Exhibit "D" shall become an attachment to and be made a part of the Covenants in the following form:

EXHIBIT D

TALON PROFESSIONAL CENTER SUBDIVISION CONDOMINIUM PERCENTAGES OF OWNERSHIP IN COMMON ELEMENTS

<b>UNIT IDENTIFICATION</b>	<b>sq ft</b>	<b>PERCENTAGE OWNERSHIP</b>
UNIT 303	3316	13.408
UNIT 302	1338	5.410
UNIT 301	2204	8.912
UNIT 200	2754	11.135
UNIT 201	2754	11.135
UNIT 400	2754	11.135
UNIT 401	2754	11.135

Building 5 Site	6858	27.730
	24,732	100.00%

IV. This Amendment shall be recorded with the office of the Recorder of Deeds in McHenry County, Illinois.

IN WITNESS WHEREOF, THE WOODS OF CRYSTAL LAKE PROFESSIONAL CONDOMINIUM ASSOCIATION, has caused its name to be signed to this Declaration by its President this 28 day of Apr, 2015.

THE WOODS OF CRYSTAL LAKE  
PROFESSIONAL CONDOMINIUM  
ASSOCIATION, an Illinois not-for-profit corporation

By: William Hellyer  
William Hellyer, President

ATTESTED:

By: Mary Miller  
Mary Miller, Secretary

STATE OF ILLINOIS )  
)SS  
COUNTY OF McHenry )

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that William Hellyer, the President and Mary Miller, the Secretary of The Woods of Crystal Lake Professional Condominium Association, an Illinois not-for-profit corporation, personally known to me to be the same person whose name is subscribed to the foregoing as an authorized signature of The Woods of Crystal Lake Professional Condominium Association, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal this 28 day of Apr, 2015.

Wendy Lucich  
Notary Public

