



#2010-20

Ashton Pointe Final PUD Amendment

Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	April 7, 2010
<u>Request:</u>	Final PUD Amendment to allow design criteria for home construction rather than approved model plans.
<u>Location:</u>	West side of Pingree Road, north of the Union Pacific Railroad
<u>Acreage:</u>	Approximately 36 acres
<u>Zoning:</u>	R-2 PUD Single Family
<u>Surrounding Properties:</u>	North: R-1 (McHenry County) South: R-3B PUD Attached Residence (Ashton Pointe Townhomes) East: R-1 PUD Single Family West: E Estate
<u>Staff Contact:</u>	Elizabeth Maxwell (815.356.3615)

Background:

On April 20, 2004, the City Council approved the Preliminary & Final Plats of Subdivision and the Subdivision Ordinance Variations for the Church Subdivision. In addition, the Council approved the Preliminary Plat of Subdivision and PUD for Ashton Pointe and the relevant Zoning variations, as well as the Rezoning of 71 single family lots and 5 outlots to R-2PUD and the Rezoning of 49 townhouses and 3 outlots to "R-3bPUD." Through the PUD approval the house model styles and were reviewed and approved. The petitioners are requesting an amendment to their PUD to allow the lots to be sold individually or in groups to different builders. Ashton Pointe has created an Acknowledgement Statement that lists the design criteria for future home construction.

Due to the poor economy and the delay in sales and build-out, Ashton Pointe is looking for alternatives to have the subdivision completed sooner. All the lots would still need to meet all of the approved engineering plans, subdivision lot sizes and all other PUD requirements. Ashton Pointe LLC will also retain a Letter of Credit with the City to be sure all the final lot improvements have been completed.

Land Use Analysis:

Planned Unit Development approvals are typically accompanied with detailed elevation drawings illustrating the future look of the building or buildings. Ashton Pointe is requesting that criteria be approved and no specific drawings or model plans be required to be constructed. Recently another development, Waterford, came forward and provided examples of housing product, but requested only the specific criteria be approved.

Ashton Pointe was approved for 71 single-family lots. Currently 28 lots have been sold or had a permit requested by Ashton Pointe, leaving 43 lots subject to this amendment. The criteria will require all lots to meet:

- The Ashton Pointe approved tree preservation, engineering and landscape plans, adopted CC&R's, and required setbacks.
- Predetermined Exterior Color Packages.
- Anti-monotony criteria.
- Review by Ashton Pointe architectural committee.
- A minimum 1800 square foot living area.
- Brick or masonry on the front elevation for at least 36 of the total 71 homes. 28 permits have been applied for, 26 of those will contain masonry. 10 additional homes would need masonry front elevations.
- Shutters at all possible windows, fypons at front and side gables and cedar trim.
- Minimum 2 car garage, 6/12 roof pitch, Oakridge 30 year architectural shingles and cedar decks.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Plan designates the subject property as Urban Residential, which is defined as: “representing existing and future residential areas including a combination of single-family and multi-family housing types.” Within the Residential Land Use section of the Comprehensive Plan, the following goal and objective is related to the petitioner’s requests:

Goal: Encourage a diversity of high quality housing in appropriate locations throughout the city that supports a variety of lifestyles and invigorates community character.

Objective #1: Encourage a diversity of housing types throughout the city, which satisfy wide-range needs for all persons regardless of age, race, religion, gender, national origin, physical ability and economic level.

Findings of Fact:

Final Planned Unit Development Amendment

The petitioner is requesting approval of an amendment to a Final Planned Unit Development to allow the adoption of an Acknowledgement Statement to dictate home design. A Planned Unit Development is a Special Use and Special Uses require separate review because of their potential to impact surrounding properties and the orderly development of the City.

Section 2-400 B General Standards for all special uses in the Unified Ordinance establishes standards for all special uses in Crystal Lake. Briefly, the criteria are as follows:

1. The use is necessary or desirable, at the proposed location, to provide a service or facility which will further the public convenience and general welfare.
 Meets *Does not meet*
2. The use will not be detrimental to area property values.
 Meets *Does not meet*
3. The use will comply with the zoning districts regulations.
 Meets *Does not meet*

4. The use will not negatively impact traffic circulation.
 Meets *Does not meet*

5. The use will not negatively impact public utilities or municipal service delivery systems. If required, the use will contribute financially to the upgrading of public utilities and municipal service delivery systems.
 Meets *Does not meet*

6. The use will not negatively impact the environment or be unsightly.
 Meets *Does not meet*

7. The use, where possible will preserve existing mature vegetation, and provide landscaping and architecture, which is aesthetically pleasing, compatible or complementary to surrounding properties and acceptable by community standards.
 Meets *Does not meet*

8. The use will meet requirements of all regulating governmental agencies.
 Meets *Does not meet*

9. The use will conform to any conditions approved as part of the issued Special Use Permit.
 Meets *Does not meet*

10. The use will conform to the regulations established for specific special uses, where applicable.
 Meets *Does not meet*

In addition PUDs must also meet the standards in Section 4-500 C. Development Standards and 4-500 D. 1 Additional standards for Planned Unit Developments Residential PUDs.

1. Implements the vision and land use policies of the Comprehensive Plan.
 Meets *Does not meet*

2. Shall not result in substantial adverse effect on adjacent property, natural resources, infrastructure, public sites or other matter of public health, safety and welfare.
 Meets *Does not meet*

3. PUD's must provide transitional uses to blend with adjacent development.
 Meets *Does not meet*

4. PUD phases must be logically sequenced.
 Meets *Does not meet*

5. The density and intensity of a PUD shall be in accordance with the Comprehensive Plan.
 Meets *Does not meet*

6. All dimensional standards shall be listed within the PUD plan if they do not meet the Ordinance minimum standards.
 Meets *Does not meet*

7. The responsible parties for all on-site and other required public improvements shall be established and a utility plan indicating all proposed easements shall be provided.
 Meets *Does not meet*
8. Any private infrastructure shall comply with the city standards.
 Meets *Does not meet*
9. The PUD plan shall establish the responsibility of the applicant/developer.
 Meets *Does not meet*
10. A bond or letter of credit shall be posted to cover required fees or public improvements.
 Meets *Does not meet*

Recommended Conditions:

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

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Ashton Pointe LLC, received 3/23/10).
 - B. Acknowledgement Statement (Ashton Pointe LLC, dated 2-23-10, received 3/23/10)
2. Conditions of Ordinance No. 5845 shall remain in effect, as applicable.
3. The Acknowledgement Statement shall be adopted with the following changes:
 - A. Amend #8. To read, "There exists a Subdivision Bond for public improvements for the subdivision. The City of Crystal Lake has inspected and conditionally approved all street lights, storm sewer, sanitary sewer and water infrastructure streets and curbs within or adjacent to said lots. All storm water detention ponds (north and south), public sidewalks, parkway landscape, curb repairs and street surfacing remain subject to final acceptance by the City of Crystal Lake. Ashton Pointe, LLC shall be responsible for installation and final acceptance of curb repairs, final surface on streets, and north and south detention ponds within three years of approval of this Ordinance. Upon request for final occupancy the buyer shall have the lot and adjacent parkway final graded, improved with sod, parkway trees, lot landscaping and public sidewalk. If final occupancy has not been requested within two years from the purchase date the buyer shall be required to improve the parkway contiguous to the lot. Parkway improvements shall include final grading, public sidewalk, parkway trees and sod. Proof of sale must be provided by Ashton Pointe LLC.
 - B. Amend the signature Date to read Acknowledged this ____ Day of 20__.
4. The Acknowledgement Statement shall only be for the single-family lots, Ashton Pointe LLC shall retain control and development rights of the multi-family lots.
5. The petitioner shall comply with all of the requirements of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.

City of Crystal Lake
Development Application

Office Use Only
File # 2010--29

Project Title: ASHTON POINTE

RECEIVED
MAR 23 2010
BY: _____

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 checked="" type="checkbox"/> Final PUD Amendment | <input type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other |

Petitioner Information

Name: LARRY VITOUS
Address: 191 REGAL DR.
CRYSTAL LAKE, 60014
Phone: 815-477-4939
Fax: 815-477-5949
E-mail: larryvitous@kenar
llc.net

Owner Information (if different)

Name: KEN STRUCK
Address: 1904 WRIGHT BLVD.
SCHAUMBURG, IL 60193
Phone: 847-352-0100
Fax: 847-352-0210
E-mail: kenstruck@kenarllc.net

Property Information

Project Description: 71 SINGLE FAMILY LOTS LOCATED
NORTH OF PINGREE ROAD METRA STATION
AND WEST OF PINGREE ROAD.

Project Address/Location: 191 REGAL DRIVE
CRYSTAL LAKE, IL 60014

PIN Number(s): LOTS 1 THROUGH 71 SEE ATTACHED
PIN NUMBERS

Development Team

Please include address, phone, fax and e-mail

Developer: KENAR LLC 1904 WRIGHT BLVD. SCHAUMBURG,
PHONE: 847-352-0100 FAX: 847-352-0210

Architect: N/A

Attorney: N/A

Engineer: PERSON BROWN 1850 W. WINCHESTER RD. LIBERTYVILLE
PHONE: 847-367-6707 FAX: 847-367-2567

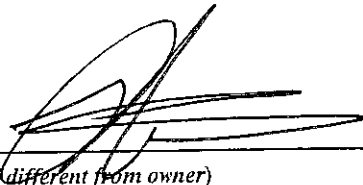
Landscape Architect: JENLAND DESIGN 5517 N. CUMBERLAND CHICAGO,
PHONE: 773-763-3320 FAX: 773-763-3325

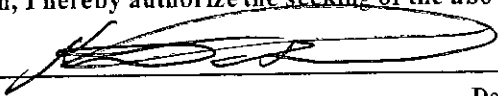
Planner: N/A

Surveyor: TEW SURVEYING 888 E. BEVIDERE RD. GRAYSLAKE
PHONE: 847-548-6600 FAX: 847-548-6699

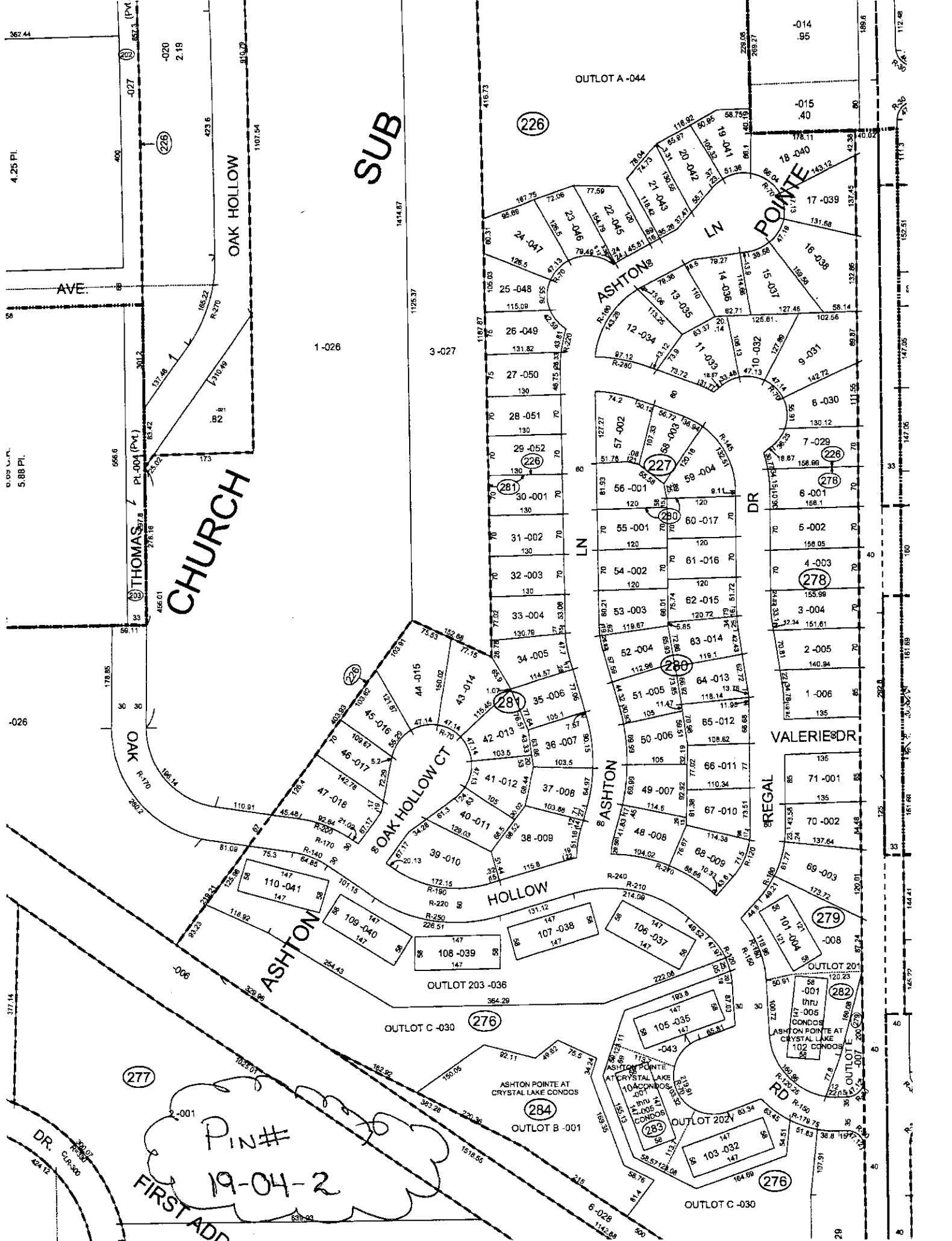
Other: N/A

Signatures

LARRY VITOUS  3-1-10
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.
KEN STRUCK  3-1-10
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.



PUBLIC NOTICE

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF Ashton Pointe, LLC

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the applica-

tion by Larry Vitous, on behalf of Ashton Pointe LLC, for a Special Use Permit Amendment for a Planned Unit Development Amendment relating to the following described real estate commonly known as the Ashton Pointe Subdivision in Crystal Lake, Illinois, 60014.

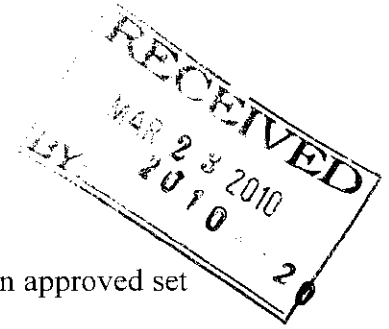
This application is filed for the purposes of seeking an amendment to a Special Use Permit, which granted a Planned Unit Development approval, to allow the establishment of development criteria for the vacant lots if they are sold to other builders, pursuant to Article 4-500 Planned Unit Development Standards B. General Standards and C. Development Standards of the Unified Development Ordinance. Plans for this project can be viewed at the City of Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday April 7, 2010, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
of Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald
March 23, 2010)

ASHTON POINTE PUD
ACKNOWLEDGEMENT STATEMENT

2-23-10



1. Ashton Pointe is a Planned Unit Development (PUD) subject to an approved set of Architectural Plans and regulated by approved ordinances.
2. There exists Final Engineering Plans, including the Tree Preservation/Protection Plans prepared by Pearson, Brown & Associates dated May 17, 2004, latest revision dated September 22, 2006 filed with the City of Crystal Lake. Each owner will be required to strictly conform to all top of foundation elevations and final grading elevations that will be submitted to the City for approval. Each buyer will be issued this set of Final Engineering Plans.
3. A Letter of Awareness exists required to be signed by purchasers of a lot acknowledging they are aware of the fact that easements run with their lot and affect and concern their lot, all which are located on the Plat of Subdivision for Ashton Pointe, last dated January 17, 2005 as recorded at the Office of the Recorder of Deeds of McHenry County, Illinois on February 4, 2005 as Document Number 2005R0009632. Each buyer will be issued this recorded Plat of Subdivision.
4. There exists a Homeowners Association (Ashton Pointe Homeowners Association) that governs the single family lots and all the lots within the subdivision are associated with this Association.
5. There exists a Declaration of Covenants, Conditions and Restrictions for Ashton Pointe, as recorded at the Office of the Recorder of Deeds of McHenry County, Illinois on February 4, 2005 as Document Number 2005R0009633. Each buyer will be issued a copy of the Declaration of Covenants, Conditions and Restrictions for Ashton Pointe Subdivision.
6. The subject properties are zoned R-2PUD (Lots 1 through 71) and are being developed as a Planned Unit Development. Setback lines shown thereon reflect said agreement, all setback lines per Document 2004R0085425 falling within the limits legally described thereon and as drawn and described on recorded Plat of Subdivision Document 2005R0009632. Ashton Pointe Final Plat prepared by TFW Surveying & Mapping Inc.
 - A. Single Family Side Interior = 7 Ft. Minimum (Total building-to-building = 18 Ft. except in 3 Car Garage, then Total building-to-building = 14 Ft.)
7. There exists an approved Landscape Plan that depicts the minimum of the lot and parkway landscape requirements. Landscape plans prepared by JenLand Design Inc. dated September 1, 2004. Each buyer will be issued this set of approved Landscape Plans.

8. There exists a Subdivision Bond for public improvements for the subdivision. The City of Crystal Lake has inspected and conditionally approved all street lights, storm sewer, sanitary sewer and water infrastructure streets and curbs within or adjacent to said lots. All storm water detention ponds (north and south), public sidewalks, parkway landscape, curb repairs and street surfacing remain subject to final acceptance by the City of Crystal Lake. Ashton Pointe, LLC shall be responsible for installation and final acceptance of curb repairs, final surface on streets, and north and south detention ponds. The buyer shall be required to improve the parkway contiguous to the lot within two years of purchase date. Parkway improvements shall include public sidewalk, parkway trees and sod.
9. Exterior color packages have been predetermined by the Architectural Committee that offers a variety of exterior colors to choose from. (See Exhibit A-1)
10. Monotony code exists where there must be three (3) homes between any same color package.
Exception: The same model type can be next to each other as long as it's a different color and elevation.
11. Architectural Control Committee:
There exists an Architectural Control Committee as outlined in the Declaration of Covenants, Conditions and Restrictions for Ashton Pointe which will ensure compliance with any architectural plan submittal and with the criteria as outlined in this document.
If the Architectural Committee and buyer cannot agree, buyer can submit to City of Crystal Lake staff for review.

12. Architectural Requirements Must Include the Following Elements:

Square Footage:

No home shall have a square footage of less than 1,800 square feet of living area. This square footage area does not include garages, basements or decks.

Elevation:

Front or street view elevation must have the entry door and garage door face the street. At least 36 out of the 71 single family homes must have a masonry element (brick or stone) covering approximately 50% of the front or street view (face of garage and face of home, does not include garage returns).

In addition, these elevations shall wrap the masonry around the side elevations by at least one foot creating a pier element. Front brick area must include the following details such as: limestone sills under windows and entry door and must also include one of the following: soldier course above garage door/doors, windows and entry door or quoins at all outside corners.

Stone must have all of same area and percentages of coverage but does not have the same requirements as brick such as the limestone sills, soldiering, and quoins.

Garage:

All homes must have a minimum of a 2-car garage.

Shutters:

All windows on all exterior elevations that will accept shutters are required.

Roof:

Minimum 6/12 roof pitch on main roof, 6/12 roof pitch on gable and hip roofs. The roof lines of each adjacent home must vary with the addition of gables, dormers or hip roof lines to make each home appear different.

Shingles:

15 lb. felt, Owens Corning class "A" Oakridge, 30 year architectural shingle.

Windows and Patio Doors:

(Type: Milgard 6217, White, Low E, Single Hung) or Equal

Fypons:

Fypons are required at gables on both front and side elevations of houses.

Cedar Trim:

Front elevations require cedar trim on roof gable sub-rakes, below fascias, all corners, above windows and at all intersecting masonry to siding elements. Rear elevations require a cedar trim element above all windows. Front, sides and rear elevations require cedar trim band boards at all first to second floor intersections.

Exterior Decks:

Exterior decks are required to have cedar railings and cedar skirt board trim finish at all joist ends and stair stringers.

ACKNOWLEDGED THIS _____ DAY OF _____, 2009.

PURCHASERS: _____

SELLER: ASHTON POINTE, LLC

BY: _____

RECEIVED
MAR 23 2010
BY

SEE SHEET 2 OF 5

SEE SHEET 2 OF 5

FINAL PLAT OF ASHTON POINTE

BEING A RESUBDIVISION OF LOTS 4 AND 5 IN CHURCH SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 2004 AS DOCUMENT 2004R0085425, IN MCHEMRY COUNTY, ILLINOIS.

NOTE:
ALL DATA AS SHOWN HEREON, BUT LYING BEYOND THE BOUNDARY LIMITS AS LEGALLY DESCRIBED ABOVE, INCLUDING (BUT NOT LIMITED TO) LOT LINES, EASEMENTS AND SETBACK LINES IS UNOFFICIAL AND INCOMPLETE AND IS SHOWN FOR INFORMATIONAL PURPOSES ONLY. THIS SURVEY DOES NOT INTEND TO VERIFY OR SUBSTANTIATE EASEMENTS OR BUILDING LINES ON ADJOINING PROPERTIES (UNLESS OTHERWISE SPECIFICALLY REFERENCED IN A TITLE COMMITMENT AS BEING BENEFICIAL TO OR AN ENCUMBRANCE ON THE PROPERTY AS LEGALLY DESCRIBED ABOVE). REFER TO A PLAT OF SURVEY BY OTHERS AND / OR SEE PUBLIC RECORD DOCUMENTS FOR COMPLETE DETAILS PERTINENT TO ALL ADJOINING PROPERTIES.

LEGAL DESCRIPTION - OUTLOT C
(HEREBY DEDICATED TO THE CRYSTAL LAKE PARK DISTRICT)

THAT PART OF LOT 5 IN CHURCH SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT OF SAID CHURCH SUBDIVISION RECORDED SEPTEMBER 22, 2004 AS DOCUMENT 2004R0085426, IN MCHEMRY COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST WESTERLY CORNER OF LOT 6 IN SAID CHURCH SUBDIVISION; THENCE NORTH 54 DEGREES 26 MINUTES 06 SECONDS WEST ALONG THE SOUTH LINE OF LOT 5 AFORESAID, 329.96 FEET; THENCE NORTH 35 DEGREES 33 MINUTES 06 SECONDS WEST ALONG THE WEST LINE THEREOF, 93.23 FEET; THENCE SOUTH 64 DEGREES 15 MINUTES 08 SECONDS EAST, 118.92 FEET; THENCE SOUTH 58 DEGREES 07 MINUTES 13 SECONDS EAST, 254.43 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 44 SECONDS EAST, 364.29 FEET; THENCE NORTH 69 DEGREES 39 MINUTES 50 SECONDS EAST, 222.08 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE SOUTHEASTERLY ALONG SAID NORTH LINE, BEING A NON TANGENT CURVED LINE CONCAVE SOUTHWEST, HAVING A RADIUS OF 120.00 FEET, AN ARC DISTANCE OF 25.05 FEET (THE CHORD TO SAID ARC BEARS SOUTH 19 DEGREES 03 MINUTES 49 SECONDS EAST, 25.01 FEET); THENCE SOUTH 69 DEGREES 39 MINUTES 50 SECONDS WEST, 193.80 FEET; THENCE SOUTH 16 DEGREES 55 MINUTES 02 SECONDS WEST, 123.11 FEET; THENCE SOUTH 20 DEGREES 20 MINUTES 10 SECONDS EAST, 155.13 FEET; THENCE SOUTH 61 DEGREES 20 MINUTES 36 SECONDS EAST, 123.08 FEET; THENCE NORTH 69 DEGREES 39 MINUTES 49 SECONDS EAST, 164.69 FEET; THENCE NORTH 05 DEGREES 26 MINUTES 48 SECONDS EAST, 54.51 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE EASTERLY ALONG SAID NORTH LINE, BEING A NON TANGENT CURVED LINE CONCAVE NORTH, HAVING A RADIUS OF 179.75 FEET, AN ARC DISTANCE OF 51.83 FEET (THE CHORD TO SAID ARC BEARS SOUTH 70 DEGREES 02 MINUTES 21 SECONDS EAST, 51.65 FEET); THENCE SOUTH 05 DEGREES 26 MINUTES 48 SECONDS WEST, 107.91 FEET; THENCE SOUTH 00 DEGREES 40 MINUTES 08 SECONDS EAST, 185.00 FEET; THENCE SOUTH 04 DEGREES 02 MINUTES 48 SECONDS WEST, 98.47 FEET TO AN ANGLE POINT IN THE NORTH LINE OF LOT 6 AFORESAID; (THE FOLLOWING 3 COURSES ARE ALONG SAID NORTH LINE) THENCE NORTH 54 DEGREES 33 MINUTES 04 SECONDS WEST, 113.37 FEET; THENCE NORTH 35 DEGREES 26 MINUTES 56 SECONDS EAST, 20.00 FEET; THENCE NORTH 54 DEGREES 33 MINUTES 04 SECONDS WEST, 285.00 FEET; THENCE NORTH 35 DEGREES 26 MINUTES 56 SECONDS EAST, 81.40 FEET; THENCE NORTH 61 DEGREES 20 MINUTES 36 SECONDS WEST, 58.76 FEET; THENCE NORTH 20 DEGREES 20 MINUTES 10 SECONDS WEST, 169.35 FEET; THENCE NORTH 16 DEGREES 55 MINUTES 02 SECONDS EAST, 34.24 FEET; THENCE NORTH 63 DEGREES 09 MINUTES 53 SECONDS WEST, 75.50 FEET; THENCE SOUTH 55 DEGREES 03 MINUTES 43 SECONDS WEST, 49.62 FEET; THENCE NORTH 73 DEGREES 36 MINUTES 18 SECONDS WEST, 92.11 FEET; THENCE SOUTH 54 DEGREES 54 SECONDS WEST, 150.05 FEET TO THE NORTH LINE OF LOT 6 AFORESAID; THENCE NORTH 62 DEGREES 02 MINUTES 49 SECONDS WEST ALONG SAID NORTH LINE, 162.92 FEET TO THE POINT OF BEGINNING, IN MCHEMRY COUNTY, ILLINOIS.

LEGAL DESCRIPTION - OUTLOT D
(HEREBY DEDICATED TO THE CITY OF CRYSTAL LAKE)

THAT PART OF LOT 5 IN CHURCH SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT OF SAID CHURCH SUBDIVISION RECORDED SEPTEMBER 22, 2004 AS DOCUMENT 2004R0085426, IN MCHEMRY COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 88 DEGREES 04 MINUTES 34 SECONDS WEST ALONG THE SOUTH LINE THEREOF, 103.12 FEET TO A POINT, SAID POINT BEING AN ANGLE POINT IN THE NORTH LINE OF LOT 6 IN SAID CHURCH SUBDIVISION; THENCE NORTH 04 DEGREES 02 MINUTES 48 SECONDS EAST, 98.47 FEET; THENCE NORTH 00 DEGREES 40 MINUTES 08 SECONDS WEST, 185.00 FEET; THENCE NORTH 05 DEGREES 26 MINUTES 48 SECONDS EAST, 107.91 FEET TO THE NORTH LINE OF SAID LOT 5; (THE FOLLOWING 4 COURSES ARE ALONG THE NORTH AND EAST LINES OF SAID LOT 5) THENCE EASTERLY ALONG A NON TANGENT CURVED LINE CONCAVE NORTH, HAVING A RADIUS OF 179.75 FEET, AN ARC DISTANCE OF 38.80 FEET (THE CHORD TO SAID ARC BEARS SOUTH 84 DEGREES 29 MINUTES 03 SECONDS EAST, 38.73 FEET); THENCE NORTH 89 DEGREES 19 MINUTES 52 SECONDS EAST, 15.00 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVED LINE CONCAVE SOUTHWEST, HAVING A RADIUS OF 30.00 FEET, TANGENT TO THE LAST DESCRIBED POINT, AN ARC DISTANCE OF 47.12 FEET (THE CHORD TO SAID ARC BEARS SOUTH 45 DEGREES 40 MINUTES 08 SECONDS EAST, 42.43 FEET); THENCE SOUTH 00 DEGREES 40 MINUTES 08 SECONDS EAST, 354.00 FEET TO THE POINT OF BEGINNING, IN MCHEMRY COUNTY, ILLINOIS.

LEGAL DESCRIPTION - OUTLOT E
(HEREBY DEDICATED TO THE CITY OF CRYSTAL LAKE)

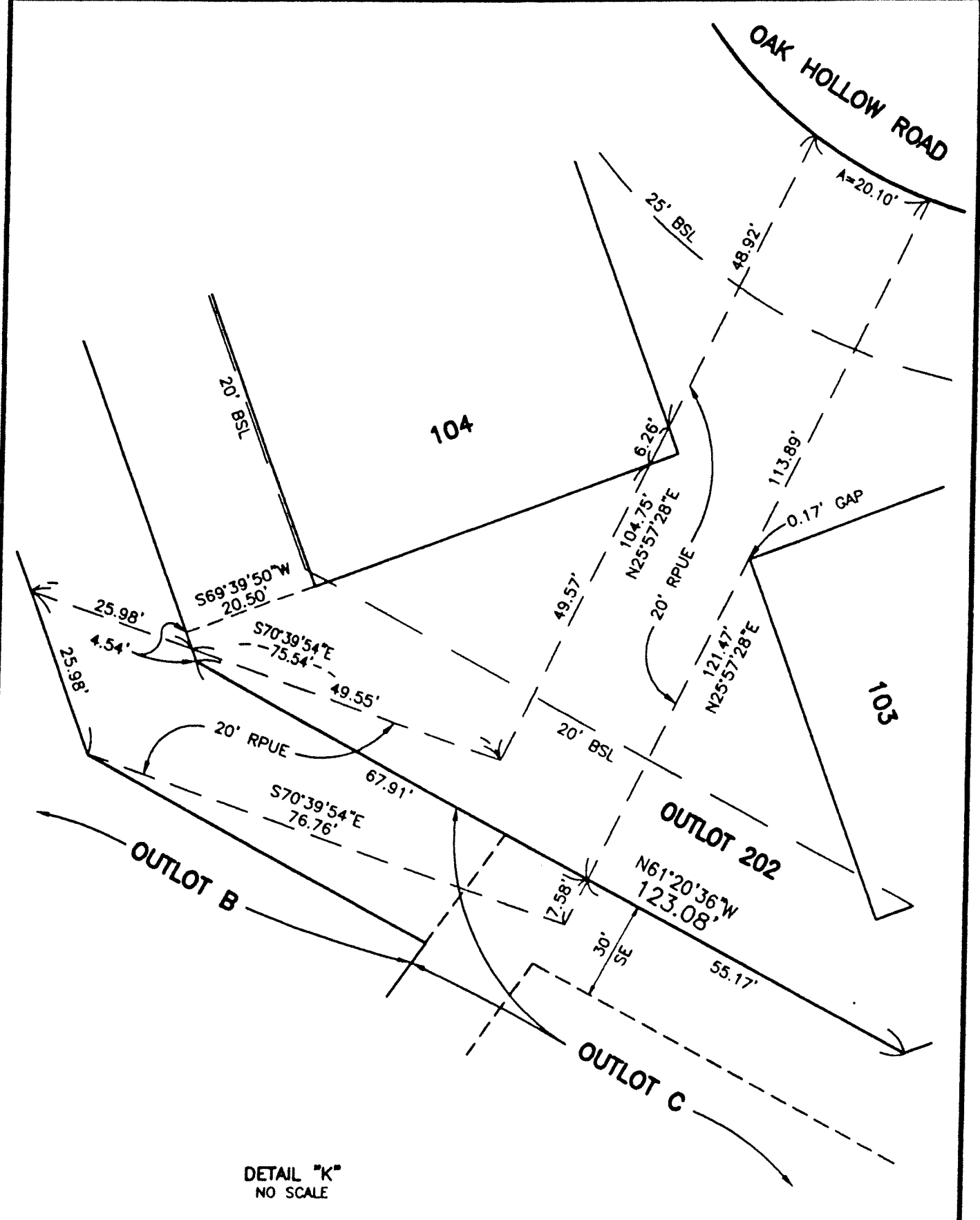
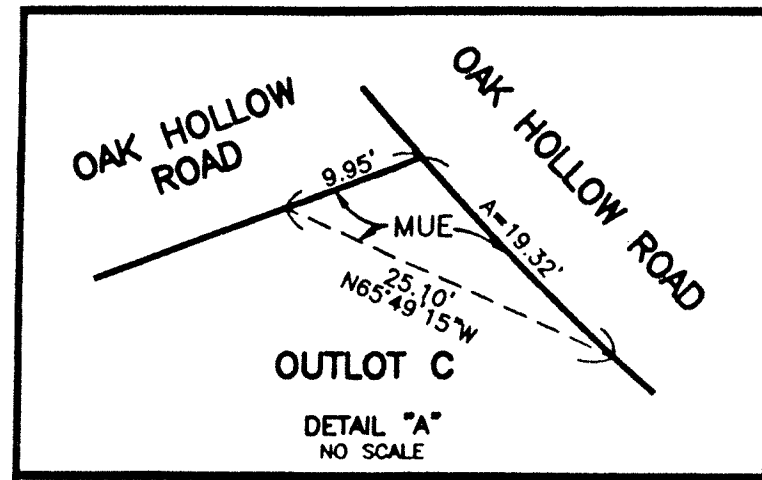
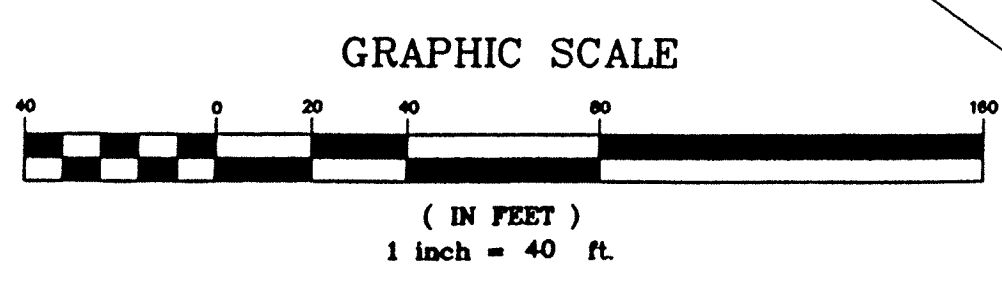
THAT PART OF LOT 4 IN CHURCH SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT OF SAID CHURCH SUBDIVISION RECORDED SEPTEMBER 22, 2004 AS DOCUMENT 2004R0085426, IN MCHEMRY COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF OAK HOLLOW ROAD AND THE WEST LINE OF PINGREE ROAD, BOTH HERETOFORE DEDICATED TO THE CITY OF CRYSTAL LAKE, ACCORDING TO SAID CHURCH SUBDIVISION; (THE FOLLOWING 3 COURSES ARE ALONG THE SOUTH LINE OF LOT 4 AFORESAID, BEING ALSO THE NORTH LINE OF SAID OAK HOLLOW ROAD) THENCE SOUTHWESTERLY ALONG A CURVED LINE CONCAVE NORTHWEST AND HAVING A RADIUS OF SAID OAK HOLLOW ROAD, 47.12 FEET, (THE CHORD TO SAID CURVED LINE BEARS SOUTH 44 DEGREES 19 MINUTES 52 SECONDS WEST, 42.43 FEET); THENCE SOUTH 89 DEGREES 19 MINUTES 52 SECONDS WEST, 15.00 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A CURVED LINE CONCAVE NORTH, HAVING A RADIUS OF 120.25 FEET, TANGENT TO THE LAST DESCRIBED LINE AT THE LAST DESCRIBED POINT, AN ARC DISTANCE OF 22.12 FEET (THE CHORD TO SAID ARC BEARS NORTH 85 DEGREES 23 MINUTES 58 SECONDS WEST, 22.09 FEET); THENCE NORTH 19 DEGREES 37 MINUTES 59 SECONDS EAST, 77.80 FEET; THENCE NORTH 13 DEGREES 48 MINUTES 05 SECONDS EAST, 160.08 FEET TO THE EAST LINE OF SAID LOT 4, BEING ALSO THE WEST LINE OF PINGREE ROAD AFORESAID; THENCE SOUTH 00 DEGREES 40 MINUTES 08 SECONDS EAST ALONG SAID EAST LINE, 200.00 FEET TO THE POINT OF BEGINNING, IN MCHEMRY COUNTY, ILLINOIS.

AREA SUMMARY

LOTS 1-71	716,840 SQ. FT.	16.456 ACRES
LOTS 101-110	83,752 SQ. FT.	1.923 ACRES
OUTLOTS 201-203	165,111 SQ. FT.	3.790 ACRES
OUTLOTS A-E	414,611 SQ. FT.	9.518 ACRES
HEREBY DEDICATED	220,571 SQ. FT.	5.064 ACRES
(OAK HOLLOW ROAD, OAK HOLLOW COURT, ASHTON LANE, VALERIE DRIVE & REGAL DRIVE)		
TOTAL	1,600,885 SQ. FT.	36.751 ACRES

REVISED: JANUARY 17, 2005 (CITY COMMENTS)
REVISED: DECEMBER 28, 2004 (CLIENT / CITY COMMENTS & REVIEW)(041333-1)
REVISED: DECEMBER 3, 2004 (CITY COMMENTS FROM MEETING)
REVISED: OCTOBER 21, 2004 (CLIENT / CITY COMMENTS)(043625-1)
REVISED: AUGUST 31, 2004 (CLIENT / CITY COMMENTS)(043625-1)
REVISED: JULY 19, 2004 (CLIENT / CITY COMMENTS)(042217-1)
DATE: JUNE 4, 2004 (041449-1)
ORDER NO. 050118-1

BEARINGS AND COORDINATES SHOWN HEREON PER ILLINOIS EAST ZONE STATE PLANE COORDINATE PROJECTION (NAD 83)



NOTES:
THE SUBJECT PROPERTIES ARE ZONED R-2PUD (LOTS 1 THROUGH 71, INCLUSIVE, OUTLOTS A, B, C, D & E) AND R-3PUD (LOTS 101 THROUGH 110, INCLUSIVE, 201, 202 & 203) AND ARE BEING DEVELOPED AS A PLANNED UNIT DEVELOPMENT. SETBACK LINES SHOWN HEREON REFLECT SAID AGREEMENT. ALL SETBACK LINES PER DOCUMENT 2004R0085425 FALLING WITHIN THE LIMITS OF THE PROPERTY LEGALLY DESCRIBED HEREON, ARE HEREBY VACATED, ABROGATED AND RELEASED.

SINGLE FAMILY SETBACKS: SIDE INTERIOR = 7 FT MINIMUM (TOTAL BUILDING TO BUILDING = 18' EXCEPT IN 3 CAR GARAGE, THEN TOTAL BUILDING TO BUILDING = 14').
MULTI FAMILY SETBACKS: FRONT = 25 FT MINIMUM, REAR = 20 FT MINIMUM, BUILDING SIDE TO SIDE = 20 FT MINIMUM.

THERE SHALL BE NO DIRECT ACCESS TO PINGREE ROAD FROM LOTS 1 THROUGH 9, INCLUSIVE, LOTS 16, 17, 18, 69, 70, 71 OR OUTLOT 201. THERE SHALL BE NO DIRECT ACCESS TO VALERIE DRIVE FROM LOTS 1 OR 71.

THIS SUBDIVISION CONSISTS OF LOTS 1 THROUGH 71, INCLUSIVE, LOTS 101 THROUGH 111, INCLUSIVE, OUTLOTS 201 THROUGH 203, INCLUSIVE AND OUTLOTS A, B, C, D AND E.

THIS SUBDIVISION IS SUBJECT TO DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ASHTON POINTE BY LAW OFFICES OF IRWIN E. LEITER. RECORDED AS DOCUMENT _____, IN MCHEMRY COUNTY, ILLINOIS.

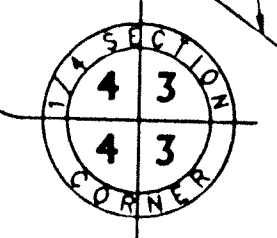
COMMONWEALTH EDISON COMPANY HAS APPROVED KENAR LLC'S DEDICATION OF A 20-FOOT WIDE EASEMENT LOCATED IMMEDIATELY ADJACENT TO THE WESTERN RIGHT OF WAY OF PINGREE ROAD ALONG THE FRONTAGE OF THE ASHTON POINTE SUBDIVISION IN CRYSTAL LAKE FOR THE FUTURE BURIAL OF THE OVERHEAD UTILITIES ALONG PINGREE ROAD. IT IS UNDERSTOOD THAT THIS EASEMENT WILL COEXIST WITH BOTH A 10-FOOT WIDE SIDEWALK EASEMENT AND A 10-FOOT WIDE LANDSCAPE EASEMENT, ACCORDING TO AN ACCEPTANCE OF EASEMENT DEDICATION AS PROPOSED, SIGNED AND ACCEPTED OCTOBER 4, 2004. THE ASHTON POINTE HOME OWNERS ASSOCIATION WILL BE RESPONSIBLE FOR RESTORING THE LANDSCAPING WHEN COMMONWEALTH EDISON COMPANY Buries THEIR OVERHEAD LINES.

MAINTENANCE OF THE LANDSCAPING WITHIN THE CUL-DE-SAC ISLANDS, INCLUDING LAWN MOWING BUT EXCLUDING PARKWAY TREES, ARE THE RESPONSIBILITY OF THE RESPECTIVE HOMEOWNER ASSOCIATIONS.

NOTE A:
OUTLOT E HEREBY DEDICATED TO THE CITY OF CRYSTAL LAKE.

- LEGEND**
- BSL = BUILDING SETBACK LINE
 - LE = LANDSCAPE EASEMENT
 - MUE = MUNICIPAL UTILITY EASEMENT
 - SE = SIDEWALK EASEMENT
 - PUE = PUBLIC UTILITY EASEMENT
 - PDE = PRIVATE DRAINAGE EASEMENT
 - RPUE = RESTRICTED PUBLIC UTILITY EASEMENT

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847-548-6600 FAX 548-6699



GREENBRIER PARK PHASE 1A RECORDED SEPTEMBER 12, 1989 AS DOCUMENT 89R030198

GRANDVIEW DRIVE

GREENBRIER PARK PHASE 1B RECORDED APRIL 2, 1990 AS DOCUMENT 90R011340

2005R0009632

UNSUBDIVIDED

GREENBRIER PARK PHASE 2 RECORDED MAY 10, 1990 AS DOCUMENT 90R016510

HEREBY DEDICATED PER DOC. 99R030198

HEREBY DEDICATED PER DOC. 99R030198

HEREBY DEDICATED PER DOC. 99R030198

HEREBY DEDICATED TO THE CITY OF CRYSTAL LAKE (SEE DETAIL SHEET 4 OF 5)

HEREBY DEDICATED TO THE CITY OF CRYSTAL LAKE (SEE DETAIL SHEET 4 OF 5)

HEREBY DEDICATED TO THE CITY OF CRYSTAL LAKE (SEE DETAIL SHEET 4 OF 5)

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HEREBY DEDICATED TO THE CITY OF CRYSTAL LAKE (SEE DETAIL SHEET 4 OF 5)

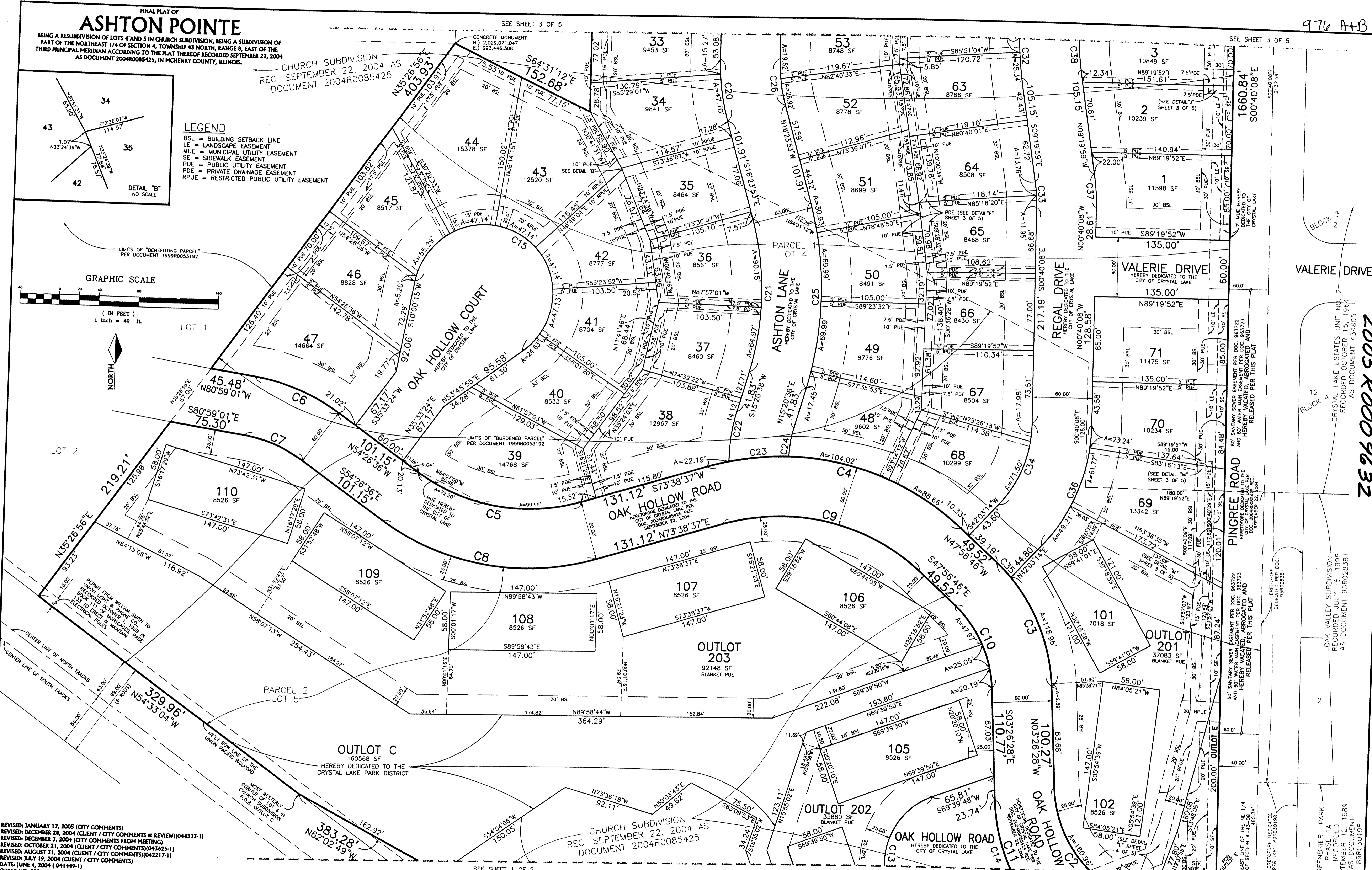
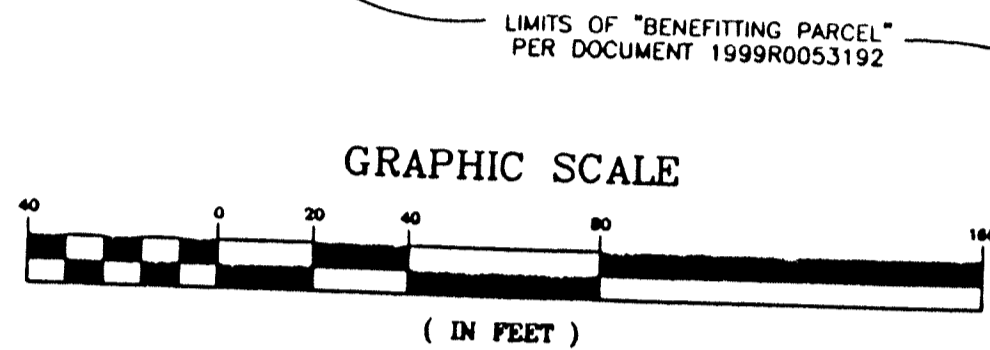
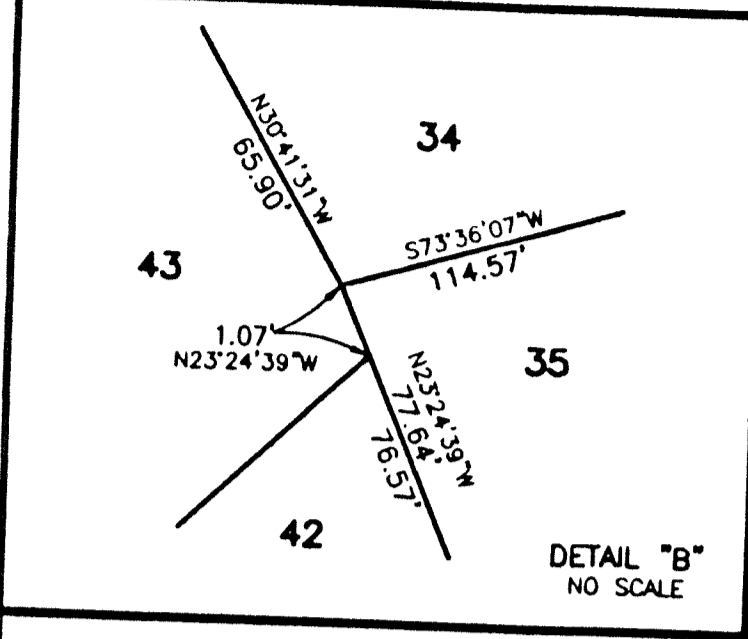
ASHTON POINTE

BEING A RESUBDIVISION OF LOTS 4 AND 5 IN CHURCH SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 2004 AS DOCUMENT 2004R0085425, IN MCHEMERY COUNTY, ILLINOIS.

CHURCH SUBDIVISION
REC. SEPTEMBER 22, 2004 AS
DOCUMENT 2004R0085425

LEGEND

- BSL = BUILDING SETBACK LINE
- LE = LANDSCAPE EASEMENT
- MUE = MUNICIPAL UTILITY EASEMENT
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REVISED: AUGUST 31, 2004 (CLIENT / CITY COMMENTS)(042217-1)
REVISED: JULY 19, 2004 (CLIENT / CITY COMMENTS)
DATE: JUNE 4, 2004 (041449-1)
ORDER NO: 050118-1

SHEET 2 OF 5

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CHURCH SUBDIVISION
REC. SEPTEMBER 22, 2004 AS
DOCUMENT 2004R0085425

976 A+B

SEE SHEET 3 OF 5

CRYSTAL LAKE ESTATES UNIT NO. 2
RECORDED OCTOBER 15, 1964
AS DOCUMENT 434805

2005R0009632

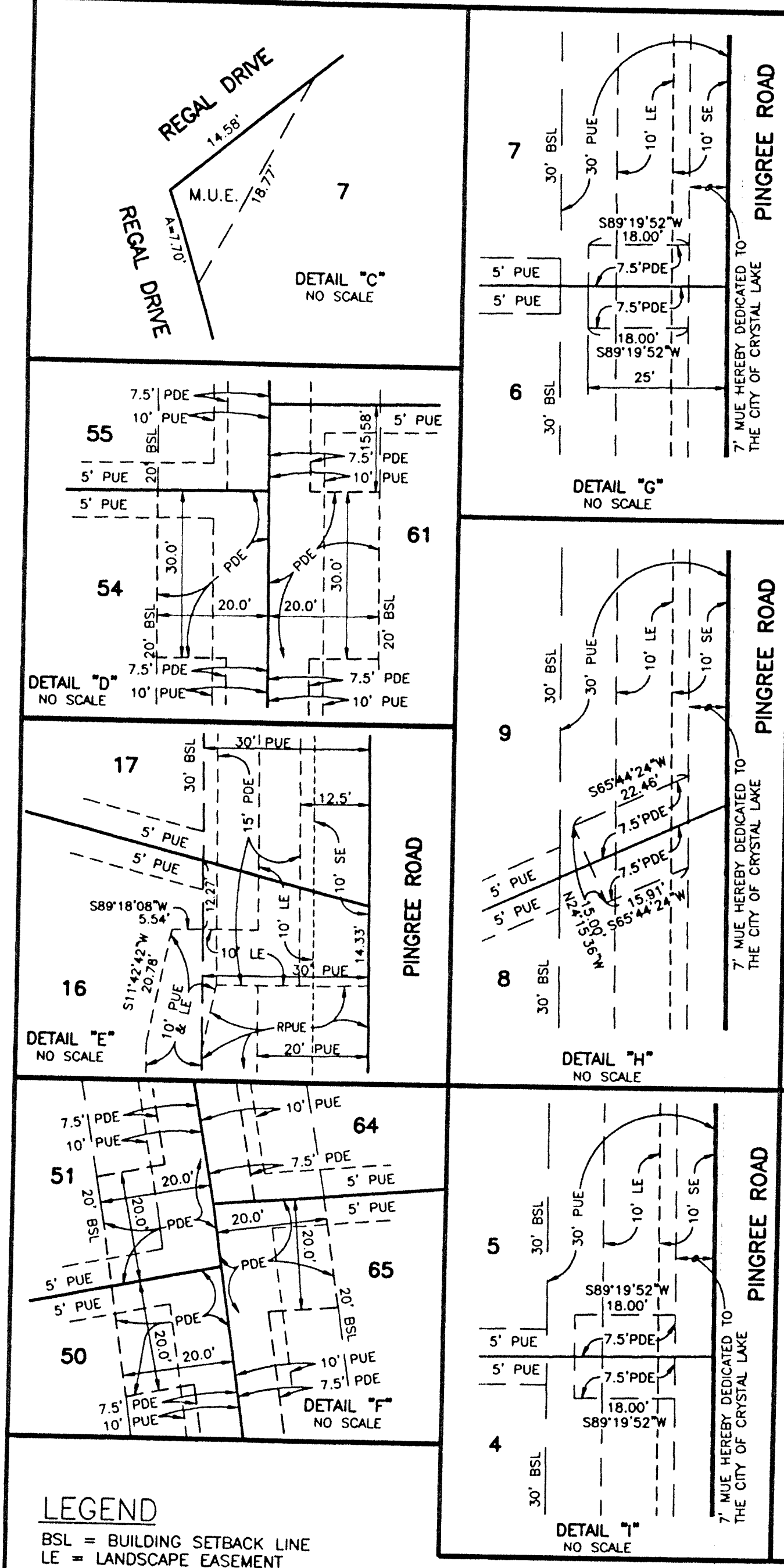
OAK VALLEY SUBDIVISION
RECORDED JULY 18, 1995
AS DOCUMENT 95R023381

GREENBRIER PARK
PHASE 1A
RECORDED
SEPTEMBER 12, 1989
AS DOCUMENT
89R030198

SEE SHEET 1 OF 5

FINAL PLAT OF
ASHTON POINTE
BEING A RESUBDIVISION OF LOTS 4 AND 5 IN CHURCH SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 2004 AS DOCUMENT 2004R0085425, IN MCHEERY COUNTY, ILLINOIS.

ARC	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	30.00'	S44°19'52"W	42.43'	47.12'
C2	120.25'	N47°03'18"W	165.90'	183.08'
C3	180.00'	N25°41'36"W	136.33'	139.82'
C4	270.00'	N77°09'04"W	263.49'	275.25'
C5	190.00'	N80°23'59"W	166.32'	172.15'
C6	200.00'	N67°42'48"W	91.82'	92.64'
C7	140.00'	S67°42'48"E	64.27'	64.85'
C8	250.00'	S80°23'59"E	218.84'	226.51'
C9	210.00'	S77°09'04"E	204.93'	214.09'
C10	120.00'	S25°41'36"E	90.88'	93.21'
C11	179.75'	S47°03'18"E	247.98'	273.65'
C12	30.00'	S45°40'08"E	42.43'	47.12'
C13	70.00'	S20°20'12"E	140.00'	219.91'
C14	179.75'	N22°29'52"W	117.37'	119.57'
C15	70.00'	N57°51'34"W	129.81'	273.67'
C16	70.00'	N27°40'58"W	129.81'	273.67'
C17	220.00'	S58°43'28"W	27.57'	27.59'
C18	70.00'	S34°30'28"W	139.91'	224.97'
C19	220.00'	S08°40'54"W	71.82'	72.14'
C20	230.00'	S08°33'19"E	62.77'	62.97'
C21	280.00'	S00°31'38"E	153.14'	155.12'
C22	180.00'	S07°12'02"W	50.99'	51.16'
C23	270.00'	N84°45'32"E	60.25'	60.38'
C24	120.00'	N08°16'45"E	29.52'	29.59'
C25	340.00'	N00°31'38"W	185.96'	188.36'
C26	170.00'	N08°33'19"W	46.40'	46.54'
C27	160.00'	N34°19'28"E	150.20'	156.34'
C28	205.00'	N63°13'48"W	31.74'	31.77'
C29	280.00'	N77°36'23"W	96.63'	97.12'
C30	220.00'	S77°19'53"E	73.84'	74.20'
C31	145.00'	S34°11'28"E	159.97'	169.45'
C32	280.00'	S05°01'22"E	42.08'	42.13'
C33	170.00'	S05°00'03"E	25.68'	25.71'
C34	120.00'	S20°41'33"W	87.42'	89.48'
C35	180.00'	S44°37'34"E	20.85'	20.86'
C36	180.00'	N20°41'33"E	131.13'	134.22'
C37	230.00'	N05°00'03"W	34.75'	34.78'
C38	220.00'	N05°01'22"W	33.07'	33.10'
C39	205.00'	N09°47'07"W	64.65'	64.92'
C40	70.00'	N38°49'28"W	140.00'	219.91'



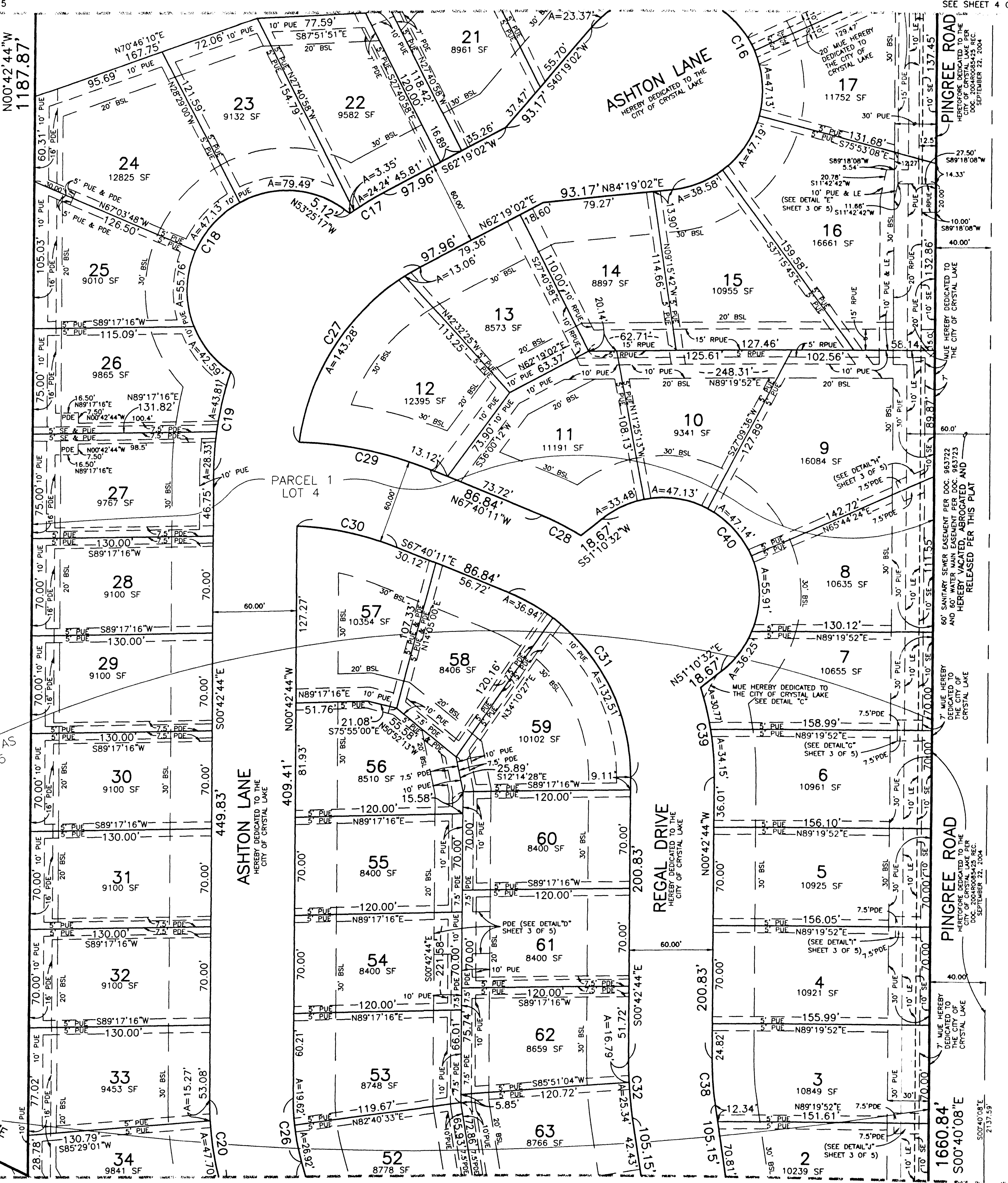
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 DATE: JUNE 4, 2004 (041449-1)
 ORDER NO: 050118-1
 PROJ. NO: 933
 FOR: KENNA, L.L.C.
 PROJ. NAME: ASHTON POINTE - CRYSTAL LAKE
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CHURCH SUBDIVISION
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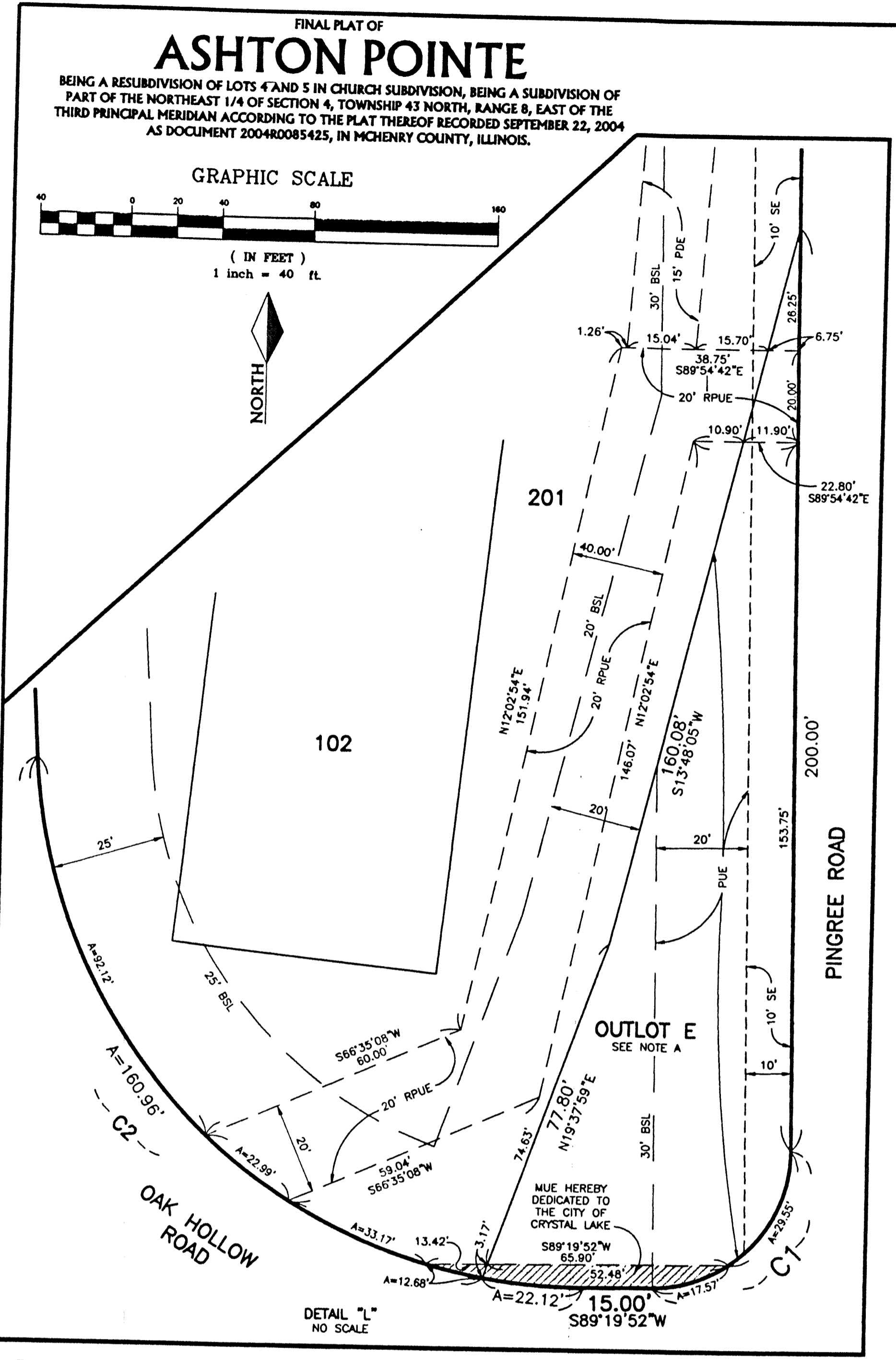
CHURCH SUBDIVISION
 REC. SEPTEMBER 22, 2004 AS
 DOCUMENT 2004R0085425



BURMAN DRIVE

DANIE

2005R0009632



TITLE COMMITMENT NOTES
 NO CURRENT TITLE COMMITMENT PROVIDED TO THIS SURVEYOR TO AID IN THE PREPARATION OF THIS SURVEY.

TITLE COMMITMENT NOTES: (PART OF PARCEL 1)
 THIS SURVEY REFLECTS CERTAIN MATTERS OF TITLE AS INDICATED WITHIN PATRIOT REAL ESTATE TITLE SERVICES, INC. COMMITMENT FOR TITLE INSURANCE FILE NO. PT 3871-1, EFFECTIVE DATE: JANUARY 22, 2004. (PIN AS LISTED WITHIN TITLE COMMITMENT: 19-04-276-002-0000)

TITLE COMMITMENT NOTES: (PART OF PARCEL 1)
 THIS SURVEY REFLECTS CERTAIN MATTERS OF TITLE AS INDICATED WITHIN PATRIOT REAL ESTATE TITLE SERVICES, INC. COMMITMENT FOR TITLE INSURANCE FILE NO. PT 3871-2, EFFECTIVE DATE: JANUARY 22, 2004. (PIN AS LISTED WITHIN TITLE COMMITMENT: 19-04-276-023-0000)

TITLE COMMITMENT NOTES: (PART OF PARCEL 1 AND PARCEL 2)
 THIS SURVEY REFLECTS CERTAIN MATTERS OF TITLE AS INDICATED WITHIN PATRIOT REAL ESTATE TITLE SERVICES, INC. COMMITMENT FOR TITLE INSURANCE FILE NO. PT 3871-3, EFFECTIVE DATE: JANUARY 22, 2004. (PIN'S AS LISTED WITHIN TITLE COMMITMENT: 19-04-276-008-0000 & 19-04-276-017-0000)

NOTES CORRESPONDING TO NUMBERED EXCEPTIONS IN SCHEDULE B SECTION C. SPECIAL EXCEPTIONS OF SAID TITLE COMMITMENT

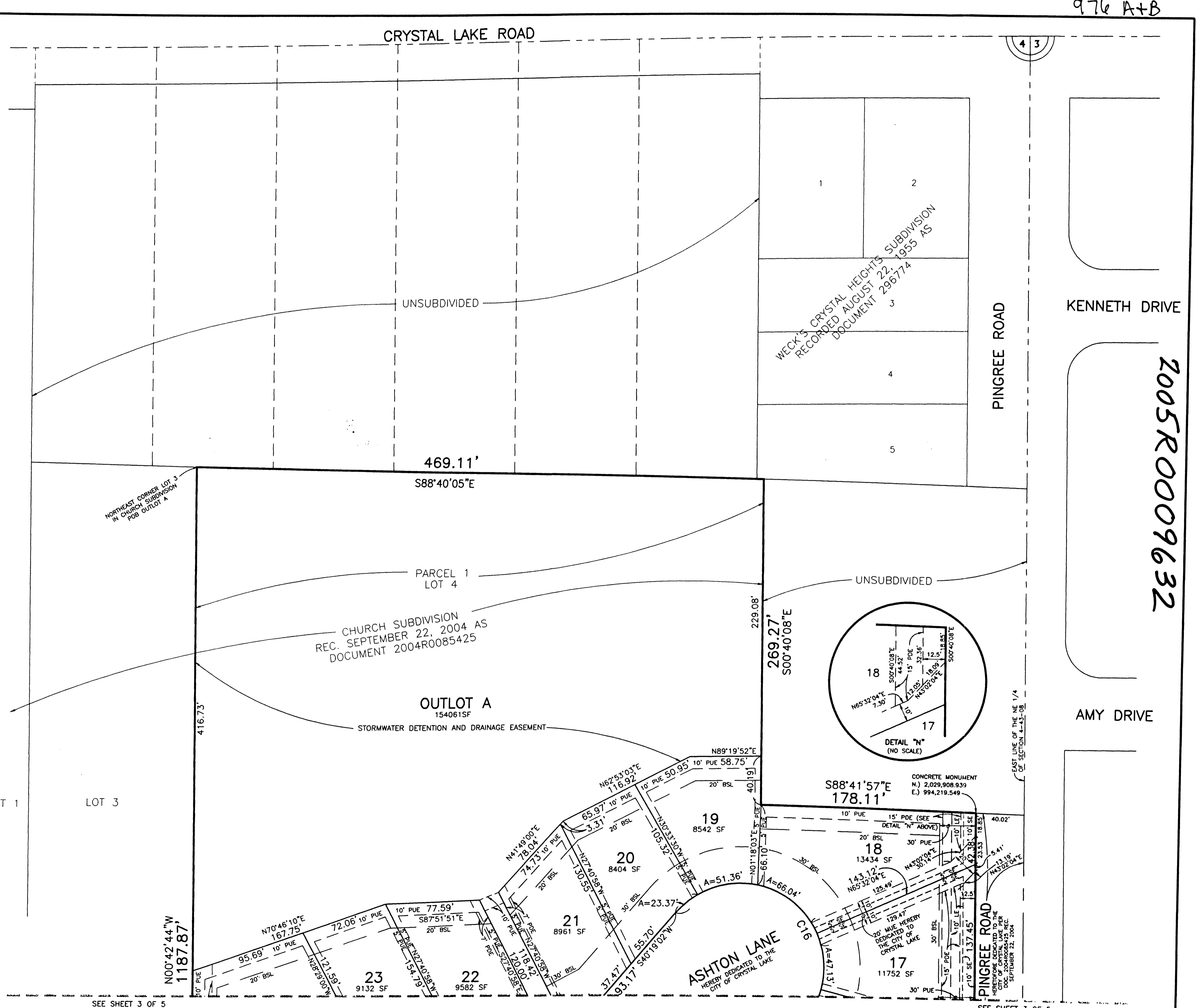
15. TERMS AND PROVISIONS OF MEMORANDUM OF SPECIAL COVENANT RECORDED JULY 26, 1999 AS DOCUMENT 1999R53192 PROVIDING IN PART THAT SELLER INSTALL CERTAIN PUBLIC IMPROVEMENTS ON THE LAND. (SURVEYOR'S NOTE: "BURDENED PARCEL" AS LEGALLY DESCRIBED WITHIN SAID MEMORANDUM PLOTTED HEREON)

TITLE COMMITMENT NOTES: (PART OF PARCEL 1)
 THIS SURVEY REFLECTS CERTAIN MATTERS OF TITLE AS INDICATED WITHIN PATRIOT REAL ESTATE TITLE SERVICES, INC. COMMITMENT FOR TITLE INSURANCE FILE NO. PT 3871-4, EFFECTIVE DATE: JANUARY 22, 2004. (PIN AS LISTED WITHIN TITLE COMMITMENT: 19-04-276-019-0000)

NOTES CORRESPONDING TO NUMBERED EXCEPTIONS IN SCHEDULE B SECTION 2c. SPECIAL EXCEPTIONS TO SAID TITLE COMMITMENT

10. TERMS AND PROVISIONS OF MEMORANDUM OF SPECIAL COVENANT RECORDED JULY 26, 1999 AS DOCUMENT 1999R53192 PROVIDING IN PART THAT SELLER INSTALL CERTAIN PUBLIC IMPROVEMENTS ON THE LAND. (SURVEYOR'S NOTE: "BURDENED PARCEL" AS LEGALLY DESCRIBED WITHIN SAID MEMORANDUM PLOTTED HEREON)

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 ORDER NO: 050118-1
 PROJ. NO: 933
 FOR: KENAR, L.L.C.
SHEET 4 OF 5
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SEE SHEET 3 OF 5
 SEE SHEET 3 OF 5
LEGEND
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CITY OF CRYSTAL LAKE ENGINEERING DEPARTMENT NOTE:
 LOTS 19 THROUGH 24, INCLUSIVE, WILL NOT BE ISSUED BUILDING PERMITS UNTIL ACTUAL INFILTRATION RATES CAN BE CONFIRMED BY ACTUAL USE, AS EXPANSION OF THE RETENTION POND ONTO THOSE LOTS MAY BE REQUIRED.

FINAL PLAT OF ASHTON POINTE

BEING A RESUBDIVISION OF LOTS 4 AND 5 IN CHURCH SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN...

OWNER'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF COOK) ASHTON POINTE, LLC DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED AND THAT IT HAS CAUSED THE SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON...

BY: Robert Schmuide TITLE: DIRECTOR

NAME: ASHTON POINTE, LLC ADDRESS: 1904 WRIGHT BLVD CITY: SCHAUMBURG, IL 60193

NOTARY CERTIFICATE

STATE OF ILLINOIS) COUNTY OF COOK) I, JANICE BIERER, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT ROBERT SCHMUIDE AND ASHTON POINTE, LLC...

MY COMMISSION EXPIRES: 2/10/07 OFFICIAL SEAL JANICE BIERER

MORTGAGEE'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF COOK) HEREBY CERTIFIES THAT AS MORTGAGEE OF THE PROPERTY DESCRIBED HEREON UNDER MORTGAGE DATED May 26, 2004 AND RECORDED IN THE RECORDER'S OFFICE OF McHenry County, Illinois...

BY: Vice President TITLE: Vice President

NOTARY CERTIFICATE

STATE OF ILLINOIS) COUNTY OF COOK) I, Amanda M. Comsa, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT ROBERT SCHMUIDE AND ASHTON POINTE, LLC...

MY COMMISSION EXPIRES: 12/18/06 OFFICIAL SEAL Amanda M. Comsa

RETURN PLAT TO: SEND TAX BILL TO: PIN'S AFFECTED NAME: ASHTON POINTE, LLC...

REVISED: JANUARY 17, 2005 (CITY COMMENTS) REVISED: DECEMBER 28, 2004 (CLIENT / CITY COMMENTS) REVISED: DECEMBER 8, 2004 (ADD MORT CERT & REVISE FEMA-SHEET 5 ONLY)

MUNICIPAL UTILITY EASEMENT PROVISIONS

AN EXCLUSIVE EASEMENT, EXCEPT AS SET FORTH BELOW, FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH SEWER AND WATER, IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF CRYSTAL LAKE, ILLINOIS...

STORMWATER DETENTION & DRAINAGE EASEMENT PROVISIONS

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE ASHTON POINTE HOME OWNER'S ASSOCIATION (HEREINAFTER THE "GRANTEE")...

NO BUILDINGS, STRUCTURES OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO FENCES, WALLS, PATIOS, SHEDS OR POSTS SHALL BE INSTALLED, CONSTRUCTED, ERECTED OR PLACED IN SAID DRAINAGE EASEMENT...

THERE SHALL BE NO DREDGED OR FILL MATERIAL PLACED UPON SAID DRAINAGE EASEMENT, AND THE RIGHT IS ALSO HEREBY GRANTED TO THE GRANTEE TO REMOVE ANY BUILDINGS, STRUCTURES OR IMPROVEMENTS...

THE GRANTEE SHALL NOT BE RESPONSIBLE FOR REPLACEMENT OF ANY SUCH BUILDINGS, STRUCTURES, IMPROVEMENTS, TREES, SHRUBS OR OTHER PLANTS REMOVED DURING EXERCISE OF THE HEREIN GIVEN RIGHTS...

WHERE DRAINAGE EASEMENT AREAS ARE ALSO USED FOR ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS DISTRIBUTION SYSTEMS OR COMPONENTS, SUCH OTHER UTILITY INSTALLATIONS SHALL BE SUBJECT TO THE APPROVAL...

SIDEWALK EASEMENT PROVISIONS

OWNER HEREBY GRANTS TO THE ASHTON POINTE HOME OWNER'S ASSOCIATION (HEREINAFTER THE "GRANTEE"), THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, ON THE AREA IDENTIFIED ON THIS PLAT AS THE "SIDEWALK EASEMENT" OR "SE"...

LANDSCAPE EASEMENT PROVISIONS

A NON-EXCLUSIVE LANDSCAPE EASEMENT IS HEREBY RESERVED FOR THE BENEFIT OF AND GRANTED TO THE ASHTON POINTE HOME OWNER'S ASSOCIATION, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS OVER ALL THE AREAS MARKED "LANDSCAPE EASEMENT" OR "LE" ON THE PLAT...

SCHOOL DISTRICT NOTATION

THE ABOVE DESCRIBED PROPERTY FALLS ENTIRELY WITHIN THE FOLLOWING SCHOOL DISTRICTS: CRYSTAL LAKE COMMUNITY CONSOLIDATED SCHOOL DISTRICT 47...

ASHTON POINTE, LLC - OWNER

BY: Robert Schmuide TITLE: DIRECTOR

NOTARY CERTIFICATE

STATE OF ILLINOIS) COUNTY OF COOK) I, JANICE BIERER, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT ROBERT SCHMUIDE AND ASHTON POINTE, LLC...

MY COMMISSION EXPIRES: 2/10/07 OFFICIAL SEAL JANICE BIERER

THIS PLAT SUBMITTED BY: LARRY NITOUS NAME: ROBERT SCHMUIDE ADDRESS: 1904 WRIGHT BLVD CITY: SCHAUMBURG ILLINOIS 815-471-5536

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS) COUNTY OF MCHENRY) REVIEWED BY THE PLAN COMMISSION OF THE CITY OF CRYSTAL LAKE, ILLINOIS, ON THIS 22nd DAY OF September, 2005...

COUNTY RECORDER CERTIFICATE

STATE OF ILLINOIS) COUNTY OF MCHENRY) THIS INSTRUMENT NO. 2005R0009632 WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF MCHENRY COUNTY, ILLINOIS, ON FEBRUARY 2005 AT 2:24 O'CLOCK P.M. THE 4th DAY OF FEBRUARY 2005...

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS) COUNTY OF MCHENRY) I, Katherine C. Schultz, COUNTY CLERK OF MCHENRY COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED...

PUBLIC UTILITY EASEMENT PROVISIONS

COMMONWEALTH EDISON COMPANY COMCAST NI-COR AND SBC, (HEREINAFTER THE "GRANTEES"), THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY TO INSTALL, OPERATE, MAINTAIN AND REMOVE...

THEIR RESPECTIVE SUCCESSORS AND 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 ELECTRICITY AND SIGNALS...

PRIVATE DRAINAGE EASEMENT PROVISIONS

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE ASHTON POINTE HOME OWNER'S ASSOCIATION (HEREINAFTER THE "GRANTEE")...

THE GRANTEE SHALL NOT BE RESPONSIBLE FOR REPLACEMENT OF ANY SUCH BUILDINGS, STRUCTURES, IMPROVEMENTS, TREES, SHRUBS OR OTHER PLANTS REMOVED DURING EXERCISE OF THE HEREIN GIVEN RIGHTS...

THE TOPOGRAPHY OR ELEVATIONS OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED, MODIFIED OR CHANGED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF...

DECLARATION OF COVENANTS RECORDED: AS DOCUMENT NUMBER:

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS) COUNTY OF MCHENRY) THIS SUBDIVISION AND THE VACATION, ABROGATION & RELEASE OF THE SANITARY SEWER AND WATER MAIN EASEMENTS SHOWN, AND THE VACATION, ABROGATION AND RELEASE OF THE BUILDING SETBACK LINES AS NOTED ON SHEET 1, ARE APPROVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, ILLINOIS, AT A MEETING HELD THIS 5th DAY OF October, 2004...

RESTRICTED PUBLIC UTILITY EASEMENT PROVISIONS

A PERMANENT EXCLUSIVE EASEMENT, EXCEPT AS SET FORTH BELOW, FOR SERVING THE SUBDIVISION WITH SEWER AND WATER, IS HEREBY RESERVED FOR AND GRANTED TO THE ASHTON POINTE HOME OWNER'S ASSOCIATION (HEREINAFTER THE "GRANTEE")...

DRAINAGE STATEMENT

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS DEVELOPMENT OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS...

SURVEYOR'S DESIGNATION OF RECORDING

STATE OF ILLINOIS) COUNTY OF LAKE) I, THOMAS F. WASILEWSKI, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, HEREBY DESIGNATE Mr. Robert Schmuide of ASHTON POINTE, LLC - 1904 WRIGHT BLVD IN SCHAUMBURG, IL 60193 TO RECORD THIS SUBDIVISION PLAT WITH THE MCHENRY COUNTY RECORDER OF DEEDS...

SURVEYOR CERTIFICATE

STATE OF ILLINOIS) COUNTY OF LAKE) I, THOMAS F. WASILEWSKI, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTIES TO-WIT: PARCEL 1: LOT 4 IN CHURCH SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 4...

AND THAT THE PLAT HEREON DRAWN IS A REPRESENTATION OF SAID SURVEY AND SUBDIVISION DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. I FURTHER CERTIFY THAT THE LAND INCLUDED BY SAID SURVEY IS WITHIN THE CORPORATE LIMITS OF THE CITY OF CRYSTAL LAKE, ILLINOIS...

I FURTHER CERTIFY THAT THE PROPERTY SHOWN HEREON FALLS ENTIRELY WITHIN FLOOD ZONE "X" - (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN), AS PER MY REVIEW OF THE NATIONAL FLOOD INSURANCE PROGRAM - FLOOD INSURANCE RATE MAP: COMMUNITY PANEL NUMBER 170732 0335 C, EFFECTIVE DATE: JANUARY 21, 1998...

2005R0009632