



November 19, 2007

Cody Gerdes
River City Construction
101 Hoffer Lane
East Peoria, IL 61611

**RE: PRIVATE STREET, PRIVATE STREET NAME, AND PRIVATE STREET
MAINTENANCE AGREEMENT – INVERNESS DRIVE**

Please be advised that on Tuesday, October 23, 2007, the City Council approved the following:

ORDINANCE NO. 16,197 APPROVING THE PRIVATE STREET, PRIVATE STREET NAME, AND PRIVATE STREET MAINTENANCE AGREEMENT FOR PROPERTY LOCATED NORTH OF DETWEILLER DRIVE, SOUTH OF BIRD BOULEVARD, ALONG THE WEST SIDE OF KNOXVILLE AVENUE. THE STREET IS COMMONLY KNOWN AS INVERNESS DRIVE. THE PROPERTY IS IDENTIFIED AS PART OF PARCEL IDENTIFICATION NUMBER 14-05-278-009. (DISTRICT 5)

This request was approved as outlined in the attached approved documents. If you have any questions, please contact me at 494-8667.

Sincerely,

A handwritten signature in cursive script that reads 'Leah Allison'.

Leah Allison, AICP
Senior Urban Planner

LA/ps

Attachments

P:\PGM\COMMISSIONS\PLANNING COMMISSION\MISC. MEMOS\CC RESULTS FOR INVERNESS
DRIVE PRIVATE STREET.DOC

ORDINANCE NO. 16,197

AN ORDINANCE APPROVING THE PRIVATE STREET, PRIVATE STREET NAME, AND PRIVATE STREET MAINTENANCE AGREEMENT FOR INVERNESS DRIVE, LOCATED NORTH OF DETWEILLER DRIVE, SOUTH OF BIRD BOULEVARD, ALONG THE WEST SIDE OF KNOXVILLE AVENUE. THE PROPERTY IS IDENTIFIED AS PART OF PARCEL IDENTIFICATION NUMBER 14-05-278-009.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, AS FOLLOWS:

SECTION 1. That the Private Street Name of Inverness Drive, the Private Street having the following legal description:

See Exhibit A

and the Private Street Maintenance Agreement for Inverness Drive, attached hereto as Exhibit B is hereby approved.

SECTION 2. This ordinance shall be in full force and effect on and after its passage according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS THIS

23rd DAY OF OCTOBER 2007.

APPROVED:



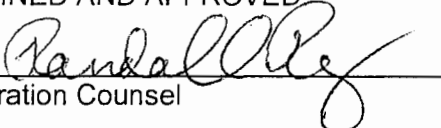
Mayor

ATTEST:



City Clerk

EXAMINED AND APPROVED:



Corporation Counsel

FILED

NOV 05 2007

R. STEVE SONNEMAKER
PEORIA COUNTY CLERK

Prepared by:
Mail to:

AGREEMENT AND COVENANT CONCERNING MAINTENANCE OF NEW PRIVATE STREET

In compliance with the requirement of Appendix A, Section 5-201E of the Code of Ordinances of the City of Peoria, that a maintenance agreement be submitted and approved by the City Council of the City of Peoria for final approval for a private street in a development, and in consideration of such approval of the private street described hereinafter partially within Royal Highlander Mobile Estates (hereafter "RHME"), a private development, and partially within an Illinois Department of Transportation Right of Way (hereafter the "I-DOT ROW"), the undersigned, their heirs, successors and assigns, and any subsequent owner or owners of the private street herein described or a portion thereof, or of the property accessing onto the described private street, hereby agree that the private street hereinafter described shall be constructed of a bituminous surface, concrete, paving brick, cobblestone, or an equal and approved surface that will comply with a minimum structural co-efficient of two, which construction shall be the sole responsibility of Zeller Properties of Peoria, LLC; construction plans shall be submitted for approval to the City Engineer or his successor.

Said described private street shall be open at all times for public use and the undersigned, their heirs, successors and assigns and any subsequent owner of the private street herein described or a portion thereof, or of the property accessing onto the private street, shall provide for the perpetual maintenance of said street or street(s) in compliance with the standards established by the City of Peoria and "standard specifications for subdivision development" as it may be amended from time to time as follows: The owner of RHME shall be solely responsible for the maintenance of that portion of the described private street that is owned by and falls within RHME; if not maintained by I.D.O.T. the portion of the street that falls within the I-DOT ROW shall be jointly maintained by the owners of Commerce Bank N.A., Zeller Properties of Peoria, LLC, and RHME, all three of whom share such street for access to and from their properties.

In the event that said private street does not conform or is not maintained to the standards as set forth in "standard specifications for subdivision development" (as it may be amended from time to time), or that the condition of the street is such as to endanger vehicular or pedestrian traffic, the City of Peoria may close such private street until such time as the street conforms to such standards and/or is no longer in the condition which endangers vehicular or pedestrian traffic as the case may be.

This Agreement shall be a covenant running with the land binding upon the undersigned private street owners and the owners of the properties set forth below which access said street, their successors and assigns, and all subsequent owners of the property herein described and property herein accessing onto the private street described for the benefit and enforceable by the City of Peoria; and this Agreement and covenant shall be recorded in the Office of the Recorder of Deeds of Peoria County, Illinois and shall run in relation to the following described private street as well as the property accessing onto the described property.

The private street to which this covenant applies is described as follows:

See Exhibit A attached hereto and made part hereof.

The properties accessing onto said private street are described as:

Royal Highlander Mobile Estates; Commerce Bank N.A.; Zeller Properties of Peoria, LLC.

FILED

NOV 05 2007

R. STEVE SONNEMAKER
PEORIA COUNTY CLERK

This Agreement and covenant was approved by the City Council of the City of Peoria on the 23rd day of October 2007.

Property owners/properties that access said private street:

Mobile Estates Investment Partners (owner of RHME)
By: Real Estate Investment Partners, Inc.
Its General Partner

By: [Signature]
Lawrence Fischer, President

Commerce Bank N.A.
By: [Signature]
Title: VP

~~Avanti's Restaurant~~ ZELLER PROPERTIES OF PEORIA, LLC
By: [Signature]
Title: Pres.

CITY OF PEORIA

By: Charles R. Oliver 11/5/07
City Manager

Record this document against: _____

FILED

NOV 05 2007

R. STEVE SONNEMAKER
PEORIA COUNTY CLERK

Property owners/properties that access said private street:

Mobile Estates Investment Partners (owner of RHME)

By: Real Estate Investment Partners, Inc.

Its General Partner

By: [Signature]
Lawrence Fischer, President

Commerce Bank N.A.
By: [Signature]
Title: VP

~~Avanti's Restaurant~~ ZELLER PROPERTIES OF PEORIA, LLC

By: [Signature]
Title: President

CITY OF PEORIA

By: Charles R. Oliver 11/05/07
City Manager

Record this document against: _____

FILED

NOV 05 2007

R. STEVE SONNEMAKER
PEORIA COUNTY CLERK

Property owners/properties that access said private street:

Mobile Estates Investment Partners (owner of RHME)
By: Real Estate Investment Partners, Inc.
Its General Partner

By: [Signature]
Lawrence Fischer, President

Commerce Bank

By: _____
Title: _____

~~Avanti's Restaurant~~ ZELLER PROPERTIES OF PEORIA, LLC

By: [Signature]
Title: Pres.

CITY OF PEORIA

By Charles R. Reine 11/09/07
City Manager

Record this document against: _____

FILED
NOV 09 2007
R. STEVE SONNEMAKER
PEORIA COUNTY CLERK

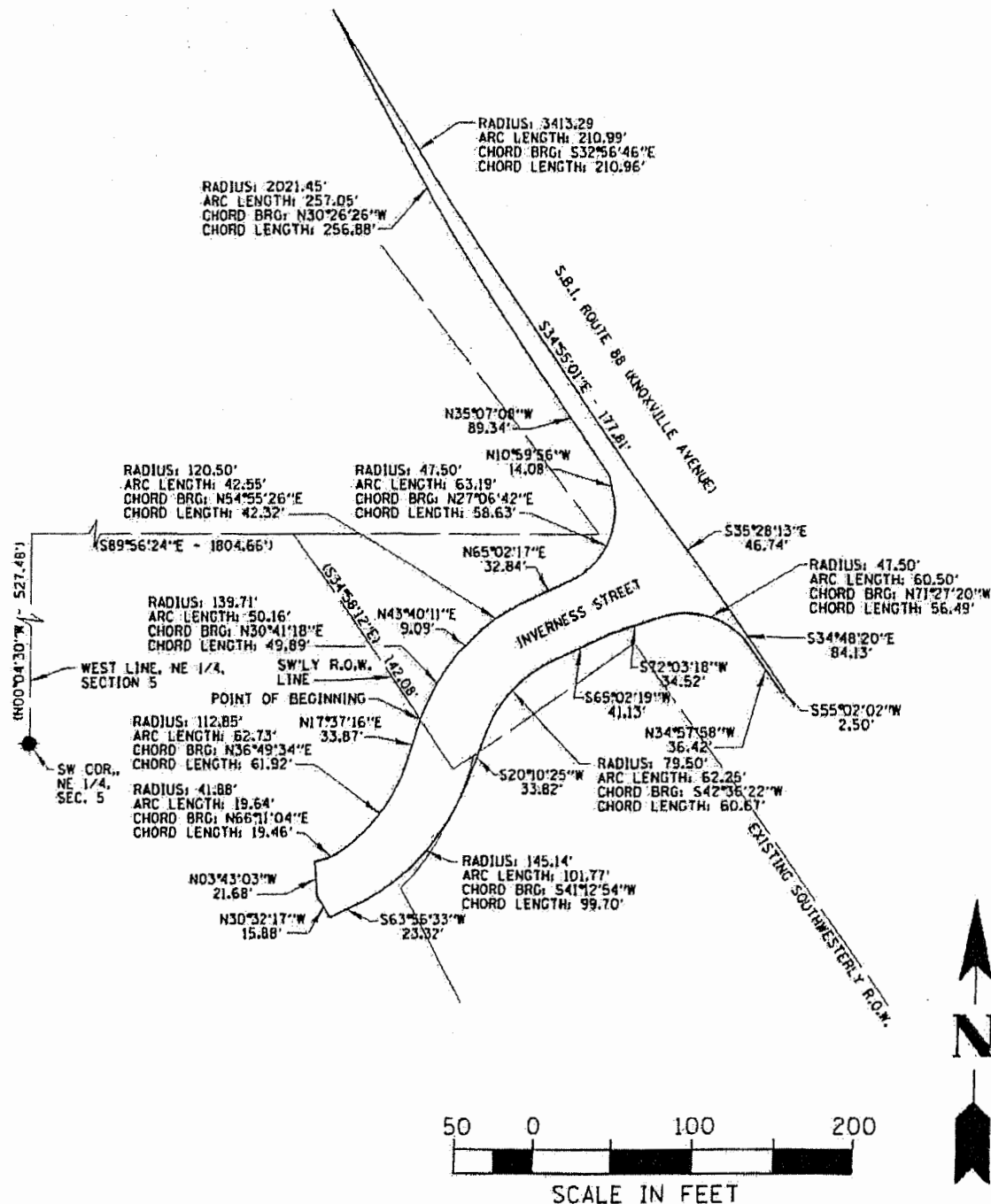
INVERNESS STREET DESCRIPTION

A PART OF NORTHEAST QUARTER OF SECTION 5, TOWNSHIP-9-NORTH, RANGE-8-EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF SECTION 5, THENCE NORTH 00°-04'-30" WEST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF SECTION 5, A DISTANCE OF 527.48 FEET; THENCE SOUTH 89°-56'-24" EAST, A DISTANCE OF 1804.66 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF S.B.L. ROUTE 88 (KNOXVILLE AVENUE); THENCE SOUTH 34°-58'-12" EAST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 120.65 TO THE POINT OF BEGINNING OF THE STREET TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE ALONG A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 139.71 FEET AND AN ARC LENGTH OF 50.16 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 30°-41'-18" EAST AND A CHORD LENGTH OF 49.89 FEET; THENCE NORTH 43°-40'-11" EAST, A DISTANCE OF 9.09 FEET; THENCE ALONG A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 120.50 FEET AND AN ARC LENGTH OF 42.55 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 54°-55'-26" EAST AND A CHORD LENGTH OF 42.32 FEET; THENCE NORTH 65°-02'-17" EAST, A DISTANCE OF 32.84 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 47.5 FEET AND AN ARC LENGTH OF 63.19 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 27°-06'-42" EAST AND A CHORD LENGTH OF 58.63 FEET; THENCE NORTH 10°-59'-56" WEST, A DISTANCE OF 14.08 FEET; THENCE NORTH 35°-07'-08" WEST, A DISTANCE OF 89.34 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2021.45 FEET AND AN ARC LENGTH OF 257.05 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 30°-26'-26" WEST AND A CHORD LENGTH OF 256.88 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 3413.29 FEET AND AN ARC LENGTH OF 210.99 FEET, BEING SUBTENDED BY A CHORD BEARING SOUTH 32°-56'-46" EAST AND A CHORD LENGTH OF 210.96 FEET; THENCE SOUTH 34°-55'-01" EAST, A DISTANCE OF 177.81 FEET; THENCE SOUTH 35°-28'-13" EAST, A DISTANCE OF 46.74 FEET; THENCE SOUTH 34°-48'-20" EAST, A DISTANCE OF 84.13 FEET; THENCE SOUTH 55°-02'-02" WEST, A DISTANCE OF 2.50 FEET; THENCE NORTH 34°-57'-58" WEST, A DISTANCE OF 36.42 FEET; THENCE ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 47.50 FEET AND AN ARC LENGTH OF 60.50 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 71°-27'-20" WEST AND A CHORD LENGTH OF 56.49 FEET; THENCE SOUTH 72°-03'-18" WEST, A DISTANCE OF 34.52 FEET; THENCE

SOUTH 65°-02'-19" WEST, A DISTANCE OF 41.13 FEET; THENCE ALONG A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 79.50 FEET AND AN ARC LENGTH OF 62.25 FEET, BEING SUBTENDED BY A CHORD BEARING SOUTH 42°-36'-22" WEST AND A CHORD LENGTH OF 60.67 FEET; THENCE SOUTH 20°-10'-25" WEST, A DISTANCE OF 33.82 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 145.14 FEET AND AN ARC LENGTH OF 101.77 FEET, BEING SUBTENDED BY A CHORD BEARING SOUTH 41°-12'-54" WEST AND A CHORD LENGTH OF 99.70 FEET; THENCE SOUTH 63°-56'-33" WEST, A DISTANCE OF 23.32 FEET; THENCE NORTH 30°-32'-17" WEST, A DISTANCE OF 15.88 FEET; THENCE NORTH 03°-43'-03" WEST, A DISTANCE OF 21.68 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 41.88 FEET AND AN ARC LENGTH OF 19.64 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 66°-11'-04" EAST AND A CHORD LENGTH OF 19.46 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 112.85 FEET AND AN ARC LENGTH OF 62.73 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 36°-49'-34" EAST AND A CHORD LENGTH OF 61.92 FEET; THENCE NORTH 17°-37'-16" EAST, A DISTANCE OF 33.87 FEET TO THE POINT OF BEGINNING, CONTAINING 0.423 ACRE (18422 SQUARE FEET), MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.



CLIENT:

CITY OF PEORIA

TITLE:

INVERNESS STREET
DESCRIPTION

PROJECT NO.

07-164

SHEET OF

DRAWING NO.



CHRISTOPHER B. BURKE ENGINEERING LTD.
 202 NE Madison Avenue Suite 301 Peoria, Illinois 61602 (309) 676-0000

DSGN.

DWN.

CHKD.

SCALE:

DATE:

PLOT DATE:

H100

9-7-07

9/7/2007

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