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THE VILLAGE OF COAL CITY  
GRUNDY & WILL COUNTIES, ILLINOIS

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ORDINANCE  
NUMBER 27-13

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AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION  
ORLY ROUTE 113 SUBDIVISION (O'REILLYS)

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TERRY HALLIDAY, Village President  
PAMELA M. NOFFSINGER, Village Clerk

SARAH BEACH  
ROSS BRADLEY  
TIMOTHY BRADLEY  
DANIEL GREGGAIN  
DAVID SPESIA  
DAVID TOGLIATTI  
Village Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City  
on June 8, 2022

ORDINANCE NO. 22-13

AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION  
ORLY ROUTE 113 SUBDIVISION (O'REILLYS)

WHEREAS, the Village of Coal City (hereinafter, the "*Village*") is an Illinois municipal corporation organized and operated under the laws of the State of Illinois; and

WHEREAS, the Village is a non-home rule municipality and, as such, may exercise delegated statutory and Constitutional powers and such powers as are necessarily implied therefrom; and

WHEREAS, the Village has entered into an Economic Incentive and Tax Increment Allocation Financing Redevelopment Agreement dated May 25, 2021 (the "*RDA*") with 6S ORLY Coal City IL LLC, ("*Owner*"), providing for the Owner's acquisition and redevelopment of certain real property within the Village in order to construct and lease a commercial facility and associated improvements for use as an O'Reilly Auto Parts Store operated by O'Reilly Automotive, Inc. or an authorized franchisee thereof, all as more particularly described in the RDA and exhibits appended thereto (the "*Project*"); and

WHEREAS, the Owner acquired two parcels of real property commonly known as 850 E. Division Street (PIN 06-35-461-015) (the "*West Abutting Property*") and 860 E. Division Street in Coal City, Grundy County (PIN 06-35-461-009) (the "*East Abutting Property*"), which were separated by a public alley at the time of purchase; and

WHEREAS, the Village vacated a portion of public alley bearing PIN 06-35-461-025 ("*Vacated Alley*") to Owner to facilitate the Project pursuant to its obligations under the RDA and Owner now owns the West Abutting Property, East Abutting Property and the Vacated Alley (collectively, the "*Property*"); and

WHEREAS, Owner is seeking to re-subdivide the Property and the proposed lot consolidation does not create any new street dedications or access easements, the Project does not involve any roadway construction or utility extensions and is therefore considered a "minor land division" under Section 155-23 of the Village of Coal City Municipal Code; and

WHEREAS, the Village provides for an expedited procedure for final subdivision plat approval in the case of minor land divisions which skips the review and approval of a preliminary plat of subdivision and simply requires the Planning Commission to review and recommend and the Village Board to ultimately grant final approval to a final plat of subdivision conforming to the requirements of the Village's subdivision regulations set forth in Chapter 155; and

WHEREAS, Owner submitted a final plat of subdivision concerning the Property; and

WHEREAS, the proposed final plat of subdivision was presented to the Planning Commission at its public meeting on June 6, 2022 following review by the Village Engineer and, at the conclusion of its meeting, the Planning Commission recommended that the Village Board approve the final plat of subdivision for the Property; and

**WHEREAS**, the President and Village Board of Trustees find and determine that it is in the best interest of the Village that the Final Plat of Subdivision be approved for the Property, subject to and contingent upon fulfillment of the conditions set forth hereinbelow.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Coal City, Counties of Will and Grundy, Illinois, as follows:

**SECTION 1. Recitals.** The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**SECTION 2. Final Plat of Subdivision Approval.** Subject to the conditions set forth in Section 3 of this Ordinance, the Village Board of Trustees hereby approves the Final Plat of subdivision for the Property, as depicted on the Final Plat attached to this Ordinance as **Exhibit A** (the "**Final Plat**"). The President, Clerk, Treasurer, Planning Commission Chairperson and Village Engineer are authorized to sign the Final Plat as provided herein and any documents necessary to effectuate the terms and intention of this Ordinance.

**SECTION 3. Conditions.** The approval of the Final Plat is conditioned upon and limited by the following requirements, conditions, and restrictions, the violation of any of which shall, in the sole discretion of the President and Board of Trustees, render void all permits and approvals granted pursuant to this Ordinance:

- A. **No Authorization of Work.** This Ordinance does not authorize commencement of any work on the Property, except as may have already been undertaken or in progress pursuant to the issuance of permits by the Village for work requiring permits. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Property pursuant to the approvals granted in this Ordinance unless and until all conditions of this Ordinance precedent to such work have been fulfilled, including without limitation recordation of the Final Plat and approval of final engineering plans, and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law, including any necessary zoning relief and site plan approvals for the proposed use of the Property.
- B. **Compliance with Laws.** The Village's Zoning Code, the Subdivision Code, the Building Code, and all other applicable ordinances and regulations of the Village shall continue to apply to the Property, and the development and use of the Property shall be in compliance with the RDA and all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.

- C. Final Engineering Plans. Final engineering plans must be submitted for approval by the Village prior to any development on the Property.
- D. Improvements. All required public improvements under Section 155-57 of the Village Code, if any, for the Project on the Property (“**Required Improvements**”) shall be installed in accordance with the approved final engineering plans, and shall be subject to the review and approval of the Village Engineer. Before any development may occur on the Property, a completion bond must be posted to secure the construction of the Required Improvements as required by Section 155-25 of the Village’s Subdivision Code.
- E. Other Governmental Approvals. The Final Plat will not be recorded unless and until all required permits and approvals from all governmental bodies having jurisdiction over the Property that are necessary for subdivision approval have been applied for and issued.
- F. Final Plat Signatures. Owner is responsible for securing all required signatures upon the Final Plat before presenting the Final Plat for signature by Village officials.
- G. Recording Costs. Owner is responsible for the costs of recording this Ordinance and the Final Plat.

**SECTION 4. Authorization.** The Village President and Village Clerk are hereby authorized and directed to execute and seal, on behalf of the Village, the Final Plat upon 6S Orly’s presentation to the Village of the Final Plat with all other signatures.

**SECTION 5. Recordation.** The Village Administrator or designee is hereby authorized and directed to record a copy of this Ordinance and the Final Plat with the Recorder of Deeds of Grundy County, Illinois. This Ordinance and all approvals granted herein (including the approval of the Final Plat) will be null and void and of no effect if any lot created by the Final Plat is conveyed, leased, or otherwise transferred or encumbered to any person not signing the Final Plat prior to the recording of the Final Plat and this Ordinance.

**SECTION 6. Resolution of Conflicts.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 7. Saving Clause.** If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

**SECTION 8. Effectiveness.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION  
ORLY ROUTE 113 SUBDIVISION (O'REILLYS)

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SO ORDAINED this 8<sup>th</sup> day of June, 2022, at Coal City,  
Grundy and Will Counties, Illinois.


AYES: 5

NAYS: 0

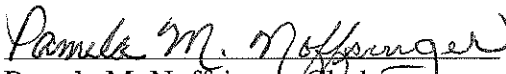
ABSENT: 1

ABSTAIN: 0

VILLAGE OF COAL CITY

  
\_\_\_\_\_  
Terry Halliday, President

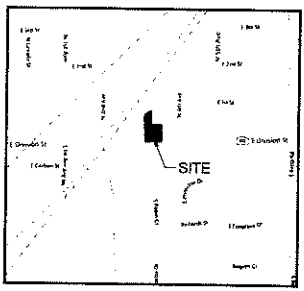
Attest:

  
\_\_\_\_\_  
Pamela M. Noffsinger, Clerk

**EXHIBIT A**

**Final Plat of Subdivision**

*[Appended on following page]*



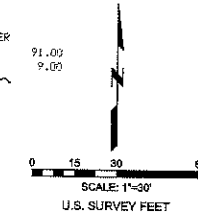
Location Map  
Not to Scale

# ORLY ROUTE 113 RESUBDIVISION

OF LOTS 11, 12, 20, 21, 22 AND PART OF 23 IN BLOCK 18 IN THE VILLAGE OF EILEEN  
BEING A PART OF THE SE 1/4 OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE 3RD PRINCIPAL MERIDIAN  
VILLAGE OF COAL CITY, GRUNDY COUNTY, ILLINOIS

I-96

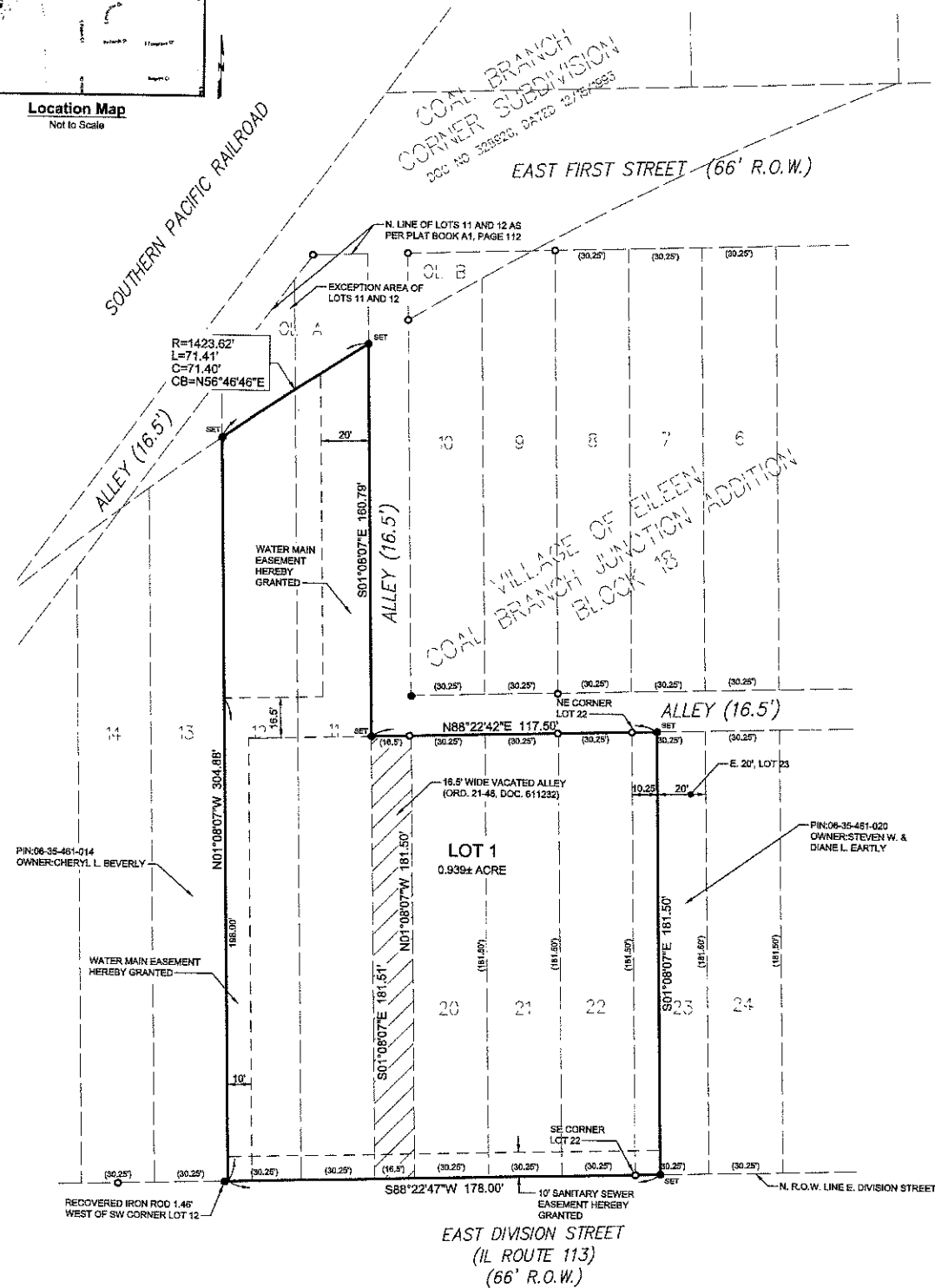
DOCUMENT # 613880  
06/20/2022 11:54 AM  
PAGES RECORDED: 2  
RAY T. OLSON  
GRUNDY COUNTY  
CLERK AND RECORDER  
RECORDING FEE  
RNSP FEE  
91.00  
9.00



BASIS OF BEARINGS IS ILLINOIS STATE PLANE EAST ZONE  
NAD 83 CURRENT ADJUSTMENT

### LEGEND

- SET
- SET MONUMENT WITH CAP STAMPED "FARNSWORTH GROUP"
- IRON PIPE
- IRON ROD
- REBAR
- ALLEY VACATED BY VILLAGE OF COAL CITY ORD. 21-46, DOC. NO. 611232 (2/11/2022)



### SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, PAUL E. BROWN, ILLINOIS PROFESSIONAL LAND SURVEYOR #035-003539, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY TO BE KNOWN AS ORLY ROUTE 113 RESUBDIVISION:

LOTS 11 AND 12 IN BLOCK 18 IN THE VILLAGE OF EILEEN (NOW IN THE VILLAGE OF COAL CITY) ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1880 AT BOOK A1, PAGE 112, AS DOCUMENT NO. 30780 1/2 IN THE GRUNDY COUNTY RECORDERS OFFICE, EXCEPTING THAT PORTION OF SAID LOTS 11 AND 12 LYING IN COAL BRANCH CORNER SUBDIVISION, RECORDED AS DOCUMENT NO. 328920 ON 12/18/1999 IN THE GRUNDY COUNTY RECORDERS OFFICE; AND LOTS 20, 21, 22 AND 23 (EXCEPT THE EAST 20 FEET OF LOT 23) IN BLOCK 18 OF COAL BRANCH JUNCTION ADDITION TO THE VILLAGE OF EILEEN (NOW IN THE VILLAGE OF COAL CITY) AND THAT PORTION OF THE 16.5-FOOT ALLEY LYING WEST OF AND ADJACENT TO THE WEST LINE OF SAID LOT 20, CONTAINING 0.939± ACRE, MORE OR LESS AND ALL BEING LOCATED IN THE VILLAGE OF COAL CITY, GRUNDY COUNTY, ILLINOIS, (EXCEPT COAL AND OTHER MINERALS UNDERLYING SAID PREMISES WITH THE RIGHT TO MINE AND REMOVE THE SAME)

AS SHOWN BY THE PLAT WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION, ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. I FURTHER CERTIFY THAT ALL REGULATIONS ENACTED BY THE VILLAGE OF COAL CITY RELATIVE TO PLATS AND SUBDIVISIONS HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT.

ALSO, I DO FURTHER CERTIFY THAT PART OF THE PROPERTY SHOWN ON THIS PLAT OF SUBDIVISION IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), GIVEN UNDER MY HAND AND SEAL THIS 16TH DAY OF MAY 2022.

*Paul E. Brown*  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
NUMBER 035-003539



DATE: 5-16-2022  
EXP. DATE: 11-30-22  
DESIGN FIRM REGISTRATION  
NO. 154-001856

### NOTES:

- THE BEARINGS FOR THIS SURVEY ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE (1201), NAD 83, CURRENT ADJUSTMENT.
- THE FIELD WORK FOR THIS SURVEY WAS COMPLETED ON MARCH 22, 2021.
- A 5/8" IRON ROD WITH YELLOW CAP LABELED "FARNSWORTH GROUP" WILL BE SET AT ANY CORNER WITHOUT AN EXISTING MONUMENT, IN THE EVENT A CORNER CANNOT BE SET A WITNESS CORNER WILL BE SET.
- AREA OF ORLY ROUTE 113 RESUBDIVISION = 0.939± ACRE.

### OWNER'S CERTIFICATE AND SCHOOL DISTRICT CERTIFICATE

STATE OF TEXAS }  
COUNTY OF DALLAS }

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE LEGAL OWNER OF RECORD OF THE LAND DESCRIBED ON THE PLAT HEREON DRAWN AND SHOWN HEREON AS SUBDIVIDED, AND HAS CAUSED SAID LAND TO BE SURVEYED, SUBDIVIDED, STAKED, AND PLATTED AS SHOWN HEREON, FOR THE PURPOSE OF HAVING THIS PLAT RECORDED AS PROVIDED BY LAW. THE UNDERSIGNED HEREBY DEDICATES FOR PUBLIC USE THE LAND SHOWN ON THE PLAT FOR THOROUGHFARES, STREETS AND PUBLIC SERVICES; AND ALSO HEREBY RESERVES FOR AMERITECH, COMED, AND NICOR GAS COMPANY, OR THEIR SUCCESSORS OR ASSIGNS, THE EASEMENT PROVISIONS WHICH ARE STATED ON THEIR STANDARD FORMS ATTACHED HERETO.

AND TO CERTIFY THAT AS OWNERS OF THE PROPERTY HEREIN DESCRIBED IN THE SURVEYOR'S CERTIFICATE, WHICH WILL BE KNOWN AS ORLY ROUTE 113 RESUBDIVISION, TO THE BEST OF OUR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF COAL CITY UNIT SCHOOL DISTRICT #1, AND JULIET JR. COLLEGE SCHOOL DISTRICT, IN GRUNDY COUNTY, ILLINOIS.

DATED THIS 17 DAY OF MAY 2022

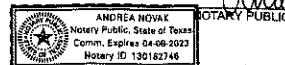
JAMES J. AMYX, PRESIDENT, 85 ORLY COAL CITY ILL LLC

### NOTARY PUBLIC CERTIFICATE

STATE OF TEXAS }  
COUNTY OF DALLAS }

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT JAMES J. AMYX, PRESIDENT, 85 ORLY COAL CITY ILL LLC, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING OWNER'S CERTIFICATE, DID APPEAR BEFORE ME THIS DAY IN PERSON, AND ACKNOWLEDGED AND AFFIRMED THAT HE OR SHE HAS SIGNED AND DELIVERED SAID INSTRUMENT AS HIS OR HER FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSE THEREIN SET FORTH. GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS DAY OF MAY 17 2022

SEAL



### ENGINEER'S AND OWNER'S CERTIFICATE

STATE OF ILLINOIS } STATE OF TEXAS }  
COUNTY OF COOK } COUNTY OF DALLAS }

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE OWNER HAS THE RIGHT TO USE AND THEN SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF CONSTRUCTION OF THE SUBDIVISION. IT IS ALSO CERTIFIED THAT ALL IMPROVEMENTS FOR THIS SUBDIVISION HAVE BEEN DESIGNED IN COMPLIANCE WITH THE VILLAGE OF COAL CITY SUBDIVISION REGULATIONS WITH RESPECT TO DRAINAGE.



*Joseph Mayer*  
PROFESSIONAL ENGINEER #062-089577

OWNER

### VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF GRUNDY }

THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF COAL CITY, COUNTY OF GRUNDY, STATE OF ILLINOIS, HEREBY CERTIFY THAT SAID BOARD HAS DULY APPROVED THE FINAL PLAT OF ORLY ROUTE 113 RESUBDIVISION ON THE 16th DAY OF June, 2022

ATTEST:

*Ray T. Olson*  
VILLAGE CLERK  
*James J. Amyx*  
PRESIDENT

### COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF GRUNDY }

I, *Ray T. Olson* COUNTY CLERK OF GRUNDY 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 IN THIS PLAT, KNOWN AS ORLY ROUTE 113 RESUBDIVISION.

GIVEN UNDER MY HAND AND SEAL AT MORRIS, GRUNDY COUNTY, ILLINOIS THIS 16th DAY OF June, 2022

*Ray T. Olson*  
COUNTY CLERK

### VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF GRUNDY }

I, *Ray T. Olson* VILLAGE ENGINEER OF THE VILLAGE OF COAL CITY, ILLINOIS, HEREBY CERTIFY THAT THE LAND IMPROVEMENTS DESCRIBED IN THE ATTACHED PLAT OF ORLY ROUTE 113 RESUBDIVISION, AND THE PLANS AND SPECIFICATIONS THEREOF, MEET WITH THE MINIMUM REQUIREMENTS OF THE VILLAGE OF COAL CITY ORDINANCES AND HAVE BEEN COMPLETED OR A BOND HAS BEEN PLACED ON FILE WITH THE VILLAGE CLERK TO INSURE THAT SAID IMPROVEMENTS WILL BE COMPLETED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS ON FILE WITH THE VILLAGE OF COAL CITY.

DATED THIS 16th DAY OF June, 2022

*Ray T. Olson*  
VILLAGE ENGINEER

### COAL CITY PLANNING COMMISSION APPROVAL

STATE OF ILLINOIS }  
COUNTY OF GRUNDY }

I, THE UNDERSIGNED, CHAIR OF THE PLANNING COMMISSION OF THE VILLAGE OF COAL CITY, COUNTY OF GRUNDY, AND STATE OF ILLINOIS, HEREBY CERTIFY THAT SAID COMMISSION HAS DULY APPROVED THE FINAL PLAT OF ORLY ROUTE 113 RESUBDIVISION, ATTACHED HERETO, ON THE 16th DAY OF June, 2022

ATTEST:

*Linda Sula*  
SECRETARY

*Ray T. Olson*  
CHAIRMAN

EXISTING TAX ID NOS.  
PARCEL: 06-35-461-015  
09-35-461-009  
09-35-461-018  
SE 1/4, SEC 35, T33N, R8E, 3RD PM



Farnsworth  
GROUP

301 WEST WASHINGTON STREET  
PONTIAC, ILLINOIS 61764  
(815) 844-5571 / info@f-w.com

www.f-w.com  
Engineers | Architects | Surveyors | Scientists

ISSUE # DATE DESCRIPTION:

## ORLY ROUTE 113 RESUBDIVISION

850 East Division Street  
Coal City, IL 60415

DATE: 05/16/2022

DESIGNED: PEB

DRAWN: PDM

REVIEWED: KJS

FIELD BOOK NO.: PON 18/61

SHEET TITLE:

## ORLY ROUTE 113 RESUBDIVISION

SHEET NUMBER:

1  
OF 1

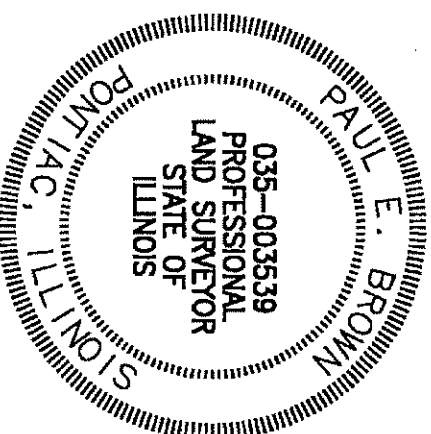
PROJECT NO.: 0210390.00

**SURVEYOR'S STATEMENT TO RECORDER OF DEEDS**

I, Paul E. Brown, Illinois Professional Land Surveyor No. 3539, hereby state that I have prepared a plat of "Orly Route 113 Resubdivision" in the City of Coal City, Grundy County, Illinois. I Authorize GS Development LLC or their agent acting on their behalf to act as my agent in presenting this plat to the Grundy County Recorder for recording.



Paul E. Brown  
FARNSWORTH GROUP, INC.  
Illinois Professional Land Surveyor No. 3539  
May 16, 2022



DATE: 6-15-2022

EXP. DATE: 11-30-22

DESIGN FIRM REGISTRATION  
NO. 184-001856