

**RESOLUTION NO. R-2020-41**

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF  
A PLAT OF RESUBDIVISION FOR THE 1601 SOUTH 5th AVENUE PROPERTY  
(Batelli's 5th Avenue Resubdivision)**

**WHEREAS**, the Village of Maywood is the current Owner of property located at 1601 South 5<sup>th</sup> Avenue (the "Subject Property"), with a current legal description of:

LOTS 1 AND 2 AND THE NORTH ½ OF LOT 3 IN BLOCK 179 IN MAYWOOD, A SUBDIVISION OF PARTS OF SECTIONS 2, 11 AND 14, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS;

COMMONLY KNOWN AS: 1601 SOUTH 5TH AVENUE, MAYWOOD, ILLINOIS 60153;

PERMANENT INDEX NUMBERS: 15-14-152-001-0000, 15-14-152-002-0000 AND 15-14-152-003-0000; and

**WHEREAS**, the President and Board of Trustees of the Village have previously authorized the sale of the Subject Property to Batelli Partners, LLC at the March 5, 2019 Regular Village Board meeting; and

**WHEREAS**, as part of the proposed sale and redevelopment of the Subject Property, the Purchaser has submitted the attached Plat of Resubdivision, which proposes to resubdivide the Subject Property into two (2) separate lots (the "Plat") in a subdivision with a legal description of:

BATELLI'S 5<sup>TH</sup> AVENUE RESUBDIVISION OF LOTS 1 AND 2 AND THE NORTH ½ OF LOT 3 IN BLOCK 179 IN MAYWOOD, A SUBDIVISION OF PARTS OF SECTIONS 2, 11 AND 14, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS; and

**WHEREAS**, the Department of Community Development (the Village Planner and the Zoning Officer) has completed its review of the Plat of Resubdivision and recommends approval of the two-lot subdivision of the Subject Property for the following reasons:

- A. The proposed resubdivision of the Subject Property will create two (2) new non-conforming lots with dimensions of 33.18 feet wide by 125.28 feet deep and 4,157 square feet of lot area;
- B. In order to meet the buildable lot requirements, each lot will require Village approval of variances from the minimum lot area requirement of 4,500 square feet (i.e., 343 square foot variation) and the minimum lot width requirement of 35 feet (i.e., a 1.82 foot variation);
- C. After the resubdivision is approved, except as noted above in subsections A and B, the lots will comply with the other applicable zoning bulk regulations set forth in the Zoning Code; and

- D. Except as noted above in subsections A and B, these newly created lots will conform to all other applicable R-1 Single Family Zoning District regulations and the planning goals and objectives of the Village's Comprehensive Plan; and

**WHEREAS**, in anticipation of the future redevelopment of the Subject Property, the President and Board of Trustees of the Village of Maywood finds it is advisable to subdivide the Subject Property; and

**WHEREAS**, in accordance with the authority set forth in Section 151.03 (Subdivision Plats) of the Maywood Village Code and 65 ILCS 5/11-15-1 (Approval of Maps and Plats; Prerequisite to Recording), the President and Board of Trustees of the Village of Maywood, having reviewed the Plat of Resubdivision for the Subject Property attached hereto as **Exhibit "A"** and made a part hereof, and having found it to be in conformity with the ordinances of the Village, find that approval of the Plat is in the best interests of the Village, its residents, property owners, business owners and the public.

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** Each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

**SECTION 2:** The President and Board of Trustees of the Village of Maywood approve the Plat of Resubdivision for the Subject Property (See, attached Exhibit "A"), subject to the following conditions:

- A. The approval of the Plat of Resubdivision is contingent on the sale of the Subject Property to the Purchaser; and
- B. As a condition of issuance of any building permit(s) for the lots, the Purchaser must first apply for and receive Village approval of variances for each lot to meet the buildable lot requirements, including but not limited to the minimum lot area requirement of 4,500 square feet (i.e., 343 square foot variation) and the minimum lot width requirement of 35 feet (i.e., a 1.82 foot variation); and
- C. The Purchaser has signed the attached Acknowledgement agreeing to this condition of approval of the attached Plat of Resubdivision for the Subject Property. The Acknowledgement is attached hereto as **Exhibit "B"** and made a part hereof.

A copy of the Plat is attached hereto as **Exhibit "A"** and made a part hereof.

**SECTION 3:** The President and Board of Trustees authorize and direct the Village President, the Village Clerk and Village Treasurer, and any other necessary Village official, or their designees, to sign the attached Plat.

**SECTION 4:** A certified copy of this Resolution and the original of the attached Plat of Resubdivision for the Subject Property shall be recorded with the Office of the Cook County Recorder of Deeds by the Village, at the cost and expense of the Purchaser, subsequent to the conveyance deed and as part of the closing on the Property, after all of the required signatures are placed on the Plat.

**ADOPTED** this 4<sup>th</sup> day of November, 2020, pursuant to a roll call vote as follows:

**AYES:** Mayor Perkins, Trustee(s) I. Brandon, M. Jones, A. Sanchez, K. Wellington and N. Booker

**NAYS:** None

**ABSENT:** Trustee M. Lightford

**APPROVED** this 4<sup>th</sup> day of November, 2020, by the Village President of the Village of Maywood, and attested by the Village Clerk, on the same day.

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Edwenna Perkins, Village President

**ATTEST:**

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Viola Mims, Village Clerk

**Exhibit "A"**

**PLAT OF RESUBDIVISION  
FOR THE 1601 SOUTH 5TH AVENUE PROPERTY  
(Batelli's 5th Avenue Resubdivision)**

(attached)

# BATELLI'S 5TH AVENUE RESUBDIVISION

PROPERTY INDEX NUMBERS:  
15-14-152-001  
-002  
-003

LOTS 1 AND 2 AND THE NORTH HALF OF LOT 3 IN BLOCK 179 IN MAYWOOD, A  
SUBDIVISION OF PARTS OF SECTIONS 2, 11 AND 14, TOWNSHIP 39 NORTH,  
RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



BEARING SYSTEM:  
ASSUMED

SEND FUTURE TAX BILLS TO:  
15W 319 CONCORD STREET  
ELMHURST, IL 60128

### OWNER CERTIFICATION

THIS IS TO CERTIFY THAT BP OPPORTUNITY INVESTMENTS LLC IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND THAT AS SUCH OWNER HAS CAUSED THE SAID DESCRIBED PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE HEREON DRAWN PLAT, AS IT'S OWN FREE AND VOLUNTARY ACT AND DEED, I DO CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, SAID PROPERTY IS LOCATED IN SCHOOL DISTRICT NUMBER 89 AND COMMUNITY HIGH SCHOOL DISTRICT NUMBER 209 AND TRITON COMMUNITY COLLEGE DISTRICT NUMBER 300.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

OWNER

### SURFACE WATER DRAINAGE CERTIFICATE

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS RESUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR THE COLLECTION AND DISCHARGE OF SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE RESUBDIVIDER HAS A RIGHT TO USE, AND THAT 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 THE CONSTRUCTION OF THIS RESUBDIVISION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

BY: \_\_\_\_\_  
OWNER

### NOTARY FOR OWNER

STATE OF ILLINOIS)  
COUNTY OF COOK) SS

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT \_\_\_\_\_, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED THE ABOVE CERTIFICATE AS HIS OWN FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

NOTARY PUBLIC

I FIND NO DEFERRED INSTALLMENTS OR UNPAID SPECIAL ASSESSMENTS DUE AGAINST THE LAND DESCRIBED HEREON,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

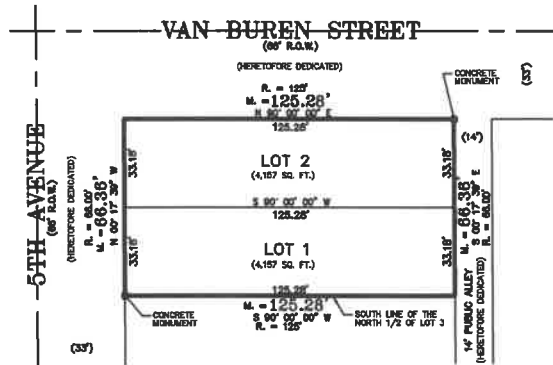
CITY COLLECTOR

NOTE: R. & M. DENOTES RECORD AND MEASURED DISTANCES RESPECTIVELY  
BEARINGS SHOWN HEREON ARE MEASURED

CLIENT: OSG BATELLI  
JOB ADDRESS: 1001 S. 5TH AVENUE MAYWOOD, IL  
JOB NO: 20-10-011

**S.H. CAMPBELL**  
LAND SURVEYING

8432 SOUTH 84TH AVENUE TEL: (708) 594-5370  
HICKORY HILLS, IL 60457 FAX: (708) 594-5369



### VILLAGE BOARD

STATE OF ILLINOIS }  
COUNTY OF COOK } SS

THIS IS TO CERTIFIED THAT THIS PLAT OF RESUBDIVISION WAS SUBMITTED FOR APPROVAL TO THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS. AND WAS REVIEWED AND DULY APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES AT A SPECIAL MEETING.  
HELD ON \_\_\_\_\_

DATED AT \_\_\_\_\_

BY: \_\_\_\_\_  
VILLAGE PRESIDENT

ATTEST: \_\_\_\_\_  
VILLAGE CLERK

STATE OF ILLINOIS }  
COUNTY OF COOK } SS

I, SCOTT H. CAMPBELL, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3132, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBDIVIDED THE ABOVE DESCRIBED TRACT OF LAND AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY

THIS PLAT REPRESENTS SAID SURVEY AND SUBDIVISION. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. I FURTHER CERTIFY THAT THE PROPERTY COVERED BY THIS PLAT OF SUBDIVISION IS SITUATED IN ZONE X AREA OF MINIMAL FLOOD HAZARD AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON THE FLOOD INSURANCE RATE MAP NUMBER 17031C0477J EFFECTIVE AUGUST 19, 2008. I ALSO HEREBY DESIGNATE THE VILLAGE OF MAYWOOD TO RECORD THIS PLAT OF SUBDIVISION.

DATED AT HICKORY HILLS, ILLINOIS, THIS 16TH DAY OF OCTOBER, A.D. 2020



Illinois Professional Land Surveyor No. 3132  
License expires November 30, 2020

Exhibit "B"

**ACKNOWLEDGEMENT REGARDING COMPLIANCE WITH  
CONDITIONS OF APPROVAL OF THE PLAT OF RESUBDIVISION  
FOR THE 1601 SOUTH 5TH AVENUE PROPERTY  
(Batelli's 5th Avenue Resubdivision)**

(attached)

**ACKNOWLEDGEMENT REGARDING COMPLIANCE WITH  
CONDITIONS OF APPROVAL OF THE PLAT OF RESUBDIVISION  
FOR THE 1601 SOUTH 5TH AVENUE PROPERTY  
(Batelli's 5th Avenue Resubdivision)**

I, the undersigned, agree to comply with and fulfill each and every term, condition and obligation set forth above in the Resolution approving and authorizing the Plat of Resubdivision for the 1601 South 5th Avenue Property (Batelli's 5th Avenue Resubdivision), including each of the conditions set forth in Section 2 of the Resolution, above.

**Batelli Partners, LLC**

By: \_\_\_\_\_

Name: \_\_\_\_\_  
Manager / Authorized Corporate Officer

Date: \_\_\_\_\_, 2020

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF COOK     )

**CLERK'S CERTIFICATE**

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, do hereby certify that the annexed and foregoing is a true and correct copy of that certain Resolution now on file in my Office, entitled:

**RESOLUTION NO. R-2020-41**

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF  
A PLAT OF RESUBDIVISION FOR THE 1601 SOUTH 5<sup>TH</sup> AVENUE PROPERTY  
(Batelli's 5<sup>th</sup> Avenue Resubdivision)**

which Resolution was passed by a roll call vote of the Board of Trustees of the Village of Maywood at a Special Village Board Meeting on the 4<sup>th</sup> day of November, 2020, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 4<sup>th</sup> day of November, 2020.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

**AYES:** Mayor Perkins, Trustee(s) I. Brandon, M. Jones, A. Sanchez, K. Wellington and N. Booker

**NAYS:** None

**ABSENT:** Trustee M. Lightford

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 5<sup>th</sup> day of November, 2020.

\_\_\_\_\_  
Viola Mims, Village Clerk

[SEAL]