



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Kevin Garcia, AICP, Planner II

DATE: August 17, 2018

SUBJECT: Plan Cases 2018-A-01 & 2347-M-18: A proposed Annexation Agreement between the City of Urbana, the Judy Heimburger Trust, and Trinitas Development LLC, to include rezoning of an approximately 8.16-acre parcel from County I-2, Heavy Industry to City R-4, Medium-Density Multiple-Family Residential, located east of North Oak Street between Bradley Avenue and Kenyon Road.

Plan Case 2348-M-18: A request by Trinitas Development LLC to rezone an approximately 11.33-acre parcel from R-3, Single- and Two-Family Residential to R-4, Medium-Density Multiple-Family Residential, located north of Carver Drive and south of Federal Drive.

Plan Case 2349-S-18: Union Gardens Preliminary Plat

Introduction

Trinitas Development LLC (“Trinitas”) has submitted applications that are part of a series of necessary approvals that would allow them to develop 40 acres (four parcels) of farmland into a 406-unit multi-family residential development, part in Urbana and part in Champaign. One of the four parcels is in Urbana and is subject to a rezoning request (PC 2348-M-18); one parcel is in the county and will need to be annexed into Urbana and rezoned (PC 2018-A-01 & 2347-M-18); the remaining two parcels are in Champaign and will require zoning approvals from the City of Champaign in addition to the requested approvals from Urbana. Since the land is currently undeveloped, Trinitas also seeks review and approval of a preliminary plat at this time (PC 2349-S-18).

For the annexation and rezoning requests, the Plan Commission must review the applications, hold a public hearing, and make recommendations to the Urbana City Council. For the preliminary plat request, the Plan Commission must decide whether to approve, approve with conditions, or deny the application.

Background

The entire 40-acre, four parcel site has been farmland for as far back as City records show. Trinitas' market research indicates that the site is suitable for a type of housing aimed at students and young professionals that Trinitas has been successful building and managing in other cities. The proposed development would include duplex and townhouse units, which would provide an alternative to the existing mix of apartment and rental housing currently available in Urbana and Champaign. The proposal includes 406 units and could house more than 1,100 people. The current owner of the land, the Judy Heimburger Trust, is willing to sell it to Trinitas if they are successful in getting the zoning approvals they need for the proposed development.

For the remainder of this memorandum, when necessary the site will be referred to by its component parts, as "Site A", "Site B", and "Site C", as depicted below in Map 1. Site A is the easternmost site. It is already in Urbana and is subject to a rezoning request (R-3 to R-4). Site B is in the county and is subject to the annexation agreement and rezoning (County I-2 to City R-4) requests. Site C is in Champaign.



Land Uses and Zoning Designations

Surrounding the entire site are industrial uses to the north; the Carver Park neighborhood (Champaign) to the south; vacant, residentially-zoned land to the east; and one single-family home to the west along Oak Street, followed by a wide railroad right-of-way. Two churches, the Church of the Living God and the Pilgrim Missionary Baptist Church, are to the south of the site.

	Zoning	Existing Land Use
Site A	R-3, Single- and Two-Family Residential	Agricultural
North	IN-1, Light Industrial/Office	Office, Vacant
East	R-4, Medium-Density Multiple-Family Res.	Vacant
South	SF1, Single-Family District	Single-Family Residential
West	SF1, Single-Family District	Agricultural (Site C), Church
Site B	I-2, Heavy Industrial (County)	Agricultural
North	IN-1, Light Industrial	Construction Equipment Supplier
East	IN-1, Light Industrial	Office, Vacant
South	SF1, Single-Family District	Agricultural (Site C)
West	I-2, Heavy Industrial (County)	Single-Family Res., Office

Proposed Use

The proposed use for the entire 40-acre site is a mixture of duplexes and townhouses, with a total of 406 units and 1,154 beds.

Comprehensive Plan

In 2005, when the Comprehensive Plan was adopted, the entire 40-acre site was being used for farmland. The Comprehensive Plan shows Site A as “Institutional” in Future Land Use Map #3, noting that the site was approved for a church in 2002. The proposed church was never constructed, and both sites have remained agricultural, as they were in 2005. Site B is not shown on any future land map in the Comprehensive Plan. The future land uses of surrounding areas were identified as “Industrial” (to the north) and “Multi-Family” (to the east). The proposed multi-family use would be compatible with these adjacent future land uses.

The following Comprehensive Plan Goals and Objectives also pertain to the requests:

Goal 15.0 Encourage compact, contiguous and sustainable growth patterns.

Objectives

- 15.1 Plan for new growth and development to be contiguous to existing development where possible in order to avoid “leapfrog” development.
- 15.3 Pursue annexation strategies that promote orderly development.
- 15.5 Promote intergovernmental cooperation on development and growth issues.

Goal 16.0 Ensure that new land uses are compatible with and enhance the existing community.

Objectives

- 16.3 Encourage development in locations that can be served with existing or easily extended

infrastructure and city services.

16.5 Consider the impact of new development on public services and the ability to provide those services cost effectively.

Goal 18.0 Promote infill development.

Goal 19.0 Provide a strong housing supply to meet the needs of a diverse and growing community.

Goal 21.0 Identify and address issues created by overlapping jurisdictions in the one-and-one-half mile Extraterritorial Jurisdictional area (ETJ).

Objective

21.2 Work with other units of government to resolve issues of urban development in unincorporated areas.

Goal 28.0 Develop a diversified and broad, stable tax base.

Objective

28.2 Promote appropriate development opportunities through annexation, development agreements, and, where appropriate, economic incentives.

Goal 34.0 Encourage development in areas where adequate infrastructure already exists.

Goal 38.0 Ensure that future annexations or developing municipal territory has adequate municipal services.

Objectives

38.1 Assess the impacts of new development on needed services when considering new areas for development.

38.4 Concentrate new development in locations where adequate fire and police protection and other community services are available.

38.6 Ensure accessibility of all new development to emergency vehicles.

Discussion

Annexation Agreement

Staff created a standard Annexation Agreement (attached as Exhibit E) for Site B that includes rezoning from County I-2, Heavy Industrial to City R-4, Medium-Density Multiple-Family Residential. The parties to the agreement are the City of Urbana, Trinitas Development LLC, and the Judy Heimburger Trust (the current property owner).

Rezoning

Trinitas requests the rezoning of Sites A and B to R-4, Medium-Density Multiple-Family Residential to accommodate their proposed duplex and townhouse development.

Evaluation Criteria

In the case of *La Salle National Bank v. County of Cook* (the “La Salle” case), the Illinois Supreme Court developed a list of factors that are used to evaluate the legal validity of a zoning classification for a particular property. In addition to the six La Salle Criteria, the court developed two more factors in the case of *Sinclair Pipe Line Co. v. Village of Richton Park*. Together, all eight factors are discussed below to compare the current zoning to the proposed zoning.

1. The existing land uses and zoning of the nearby property.

The land is currently used as farmland, which is compatible with the adjacent properties. The proposed use, a multi-family duplex and townhouse development, would also be compatible with the surrounding area. Multi-family uses are suitable for areas where one type of land use transitions to another. In this case, the area to the south is predominantly single-family, while the area to the north is industrial/office. The site is well-suited for the type of lower-density multi-family residential that is proposed, and the requested R-4 zoning is the lowest-intensity zoning district that would allow the proposed development.

2. The extent to which property values are diminished by the restrictions of the ordinance.¹

Rezoning Site A to R-4 from R-3 would likely have little impact on neighboring property values. The majority of Site A is proposed to be developed with duplexes, which are currently allowed under the R-3 zoning. Rezoning to R-4 would allow townhouse units, which are proposed for the northern edge of the site. While the additional units allowed may generate more traffic through the adjacent Carver Park than a duplex-only development, the effect on property values is likely minimal. Rezoning Site A from R-3 to R-4 would likely have no impact on the other surrounding properties.

Rezoning Site B from County I-2 to R-4 would likely have little impact on neighboring property values as well. In general, being next to a heavy industrial parcel is less desirable than being next to a residential parcel. If surrounding residential property values are affected by the rezoning, it will likely be in a positive way. However, for surrounding industrial properties it is possible that rezoning the site to residential will decrease their property values, as being close to residential properties may impose restrictions on the intensity of activities that would be allowed on the industrial parcels, making them less valuable (e.g. there may be noise restrictions or screening requirements if the property is rezoned to residential).

¹ It should be noted that the Urbana City Planning Division staff are not qualified as professional appraisers and that a professional appraiser has not been consulted regarding the impact on the value of the property. Therefore, any discussion pertaining to property values must be considered speculative and inconclusive.

3. The extent to which the ordinance promotes the health, safety, morals or general welfare of the public.

Rezoning to R-4 will not affect the health, safety, morals, or general welfare of the public in any foreseeable way. There is no discernible difference between the current zoning and the proposed rezoning in this regard.

4. The relative gain to the public as compared to the hardship imposed on the individual property owner

There appears to be no relative gain to the public in maintaining the current zoning designations over allowing the rezoning to take place. The proposal for Site A includes mostly duplexes, which is allowed under the current zoning, plus a row of townhouses on the northern edge of the property. As currently zoned, Site B could be developed as a heavy industrial site, which has a greater potential for negative impacts than the proposed rezoning and use of the site.

5. The suitability of the subject property for the zoned purposes.

The site is well-suited to the proposed use. There is excellent access from 4th Street, 5th Street, Carver Drive, and Federal Drive. It is relatively close to the University of Illinois campus, and is close to I-74 and commercial areas on Lincoln Avenue.

6. The length of time the property has been vacant as zoned, considered in the context of land development, in the area, in the vicinity of the subject property.

The property has been in productive agricultural use for decades, so it is not “vacant” in the strictest sense. However, the site is within an urban area and is well-served by public infrastructure. The surrounding area is almost completely developed. Given the surrounding context, the highest and best use for the property in the long-term is likely to be some form of residential or industrial/office development. Site A is currently zoned R-3, Single- and Two-Family residential, and Site C, in Champaign, is similarly zoned, but there have been no plans that staff is aware of to develop the land as single- or two-family homes exclusively. Site B is zoned for heavy industrial use in the county, but it too has only been used for agricultural uses for decades. Rezoning to R-4 would allow the land to be developed into a more productive use, given the context of the land.

7. The community’s need for more of the proposed use.

While students and young professionals have many housing choices in Urbana and Champaign, most of their options are limited to living in apartment buildings or in older rental houses. The developer feels that there is a market for the type of housing that they are proposing and that they have been effective at marketing and managing in other cities. A variety of housing options is desirable, and the proposed development would add to Urbana’s diversity of housing types.

8. The care with which the community has planned its land use development.

When the City adopted its Comprehensive Plan in 2005, it was thought that Site A would be the future site of the Church of the Living God, which had been granted a Special Use Permit in 2002 to build a church on the site. Although the Church of the Living God received permission to build their church on Site A, they eventually built their new church nearby, on Bradley Avenue and Oak

Street in Champaign, just south and west of the 40-acres now under consideration. Since there have been no new plans undertaken for the area since 2005, the future land use designation has not been reevaluated or updated. It is highly unlikely that the future land use would be identified as “Institutional” if the area were reevaluated.

Preliminary Plat

The proposed Preliminary Plat divides the site into 13 lots – which will contain the buildings – and 4 outlots – which will contain private drives to access the buildings. Two public roads, labeled “Road ‘A’” and “Road ‘B’” on the plat, will be dedicated. Road “A” will run west to east, from a Fourth Street extension to Federal Drive. Road “B” will extend Fifth Street onto the site. In addition, a private drive will connect the site to Carver Drive.

The Preliminary Plat contains all of the elements required by the Subdivision and Land Development Code, including existing buildings, topography, elevation, monuments, surrounding developments, streets, utilities, and proposed developments.

At the time of this writing, the plat has been sent to outside agencies for the required 10-day review period, which will end on August 24, 2018. Staff recommends that if the Plan Commission votes to approve the Preliminary Plat, a condition be added that any comments that are received on or before August 24, 2018 must be incorporated into the plat.

Public Outreach

Trinitas held two public meetings about the proposed development at the Church of the Living God on May 3, 2018 and August 6, 2018. A small amount of people showed up to each meeting, but those who attended were generally supportive of the project.

Summary of Findings

1. Trinitas Development LLC has submitted applications to rezone one parcel in Urbana from R-3 to R-4 (PC 2348-M-18); to approve an annexation agreement for one parcel currently in the county, and to rezone that parcel from County I-2 to City R-4 (PC 2018-A-01 & 2347-M-18); and, to review and approve a preliminary plat (PC 2349-S-18).
2. The property is located east of Oak Street, south of Federal Drive, and north of 4th Street, 5th Street, 6th Street, Carver Drive, and Dorie Miller Drive.
3. The requests would allow the conversion of 40 acres of farmland into a residential development with duplexes and townhouses.
4. The zoning change requests generally conform to the LaSalle Criteria.
5. The preliminary plat contains the elements required by the Subdivision and Land Development Code.

Options

The Plan Commission has the following options for recommendations to the City Council in Case Nos. 2018-A-01, 2347-M-18, and 2348-M-18:

1. Forward the cases to City Council with a recommendation to approve the requests as presented; or
2. Forward the cases to City Council with a recommendation to deny the requests.

The Plan Commission has the following options in Case No. 2349-S-18:

1. Approve the Preliminary Plat;
2. Approve the Preliminary Plat with certain conditions; or
3. Deny the Preliminary Plat.

Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends the Plan Commission forward Case Nos. 2018-A-01, 2347-M-18, and 2348-M-18 to the City Council with a recommendation to **APPROVE** the proposed annexation agreement and rezonings. Staff also recommends that the Plan Commission **APPROVE** the Preliminary Plat in Case No. 2349-S-18 **with the following CONDITION:**

1. The petitioner shall address any outstanding comments from City staff or from outside agencies received on or before August 24, 2018.

Attachments: Exhibit A: Location and Existing Land Use Map
Exhibit B: Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Application
Exhibit E: Annexation Agreement
Exhibit F: Preliminary Plat

CC: Kimberly Hansen (Trinitas Development LLC)

Exhibit A: Location & Existing Land Use Map



Case: 2347-M-18 2348-M-18 2349-S-18
 Subject: Annexation Agreement and Rezoning
 Location: East of Oak St., north of Bradley Ave.
 Petitioner: Trinitas Development LLC


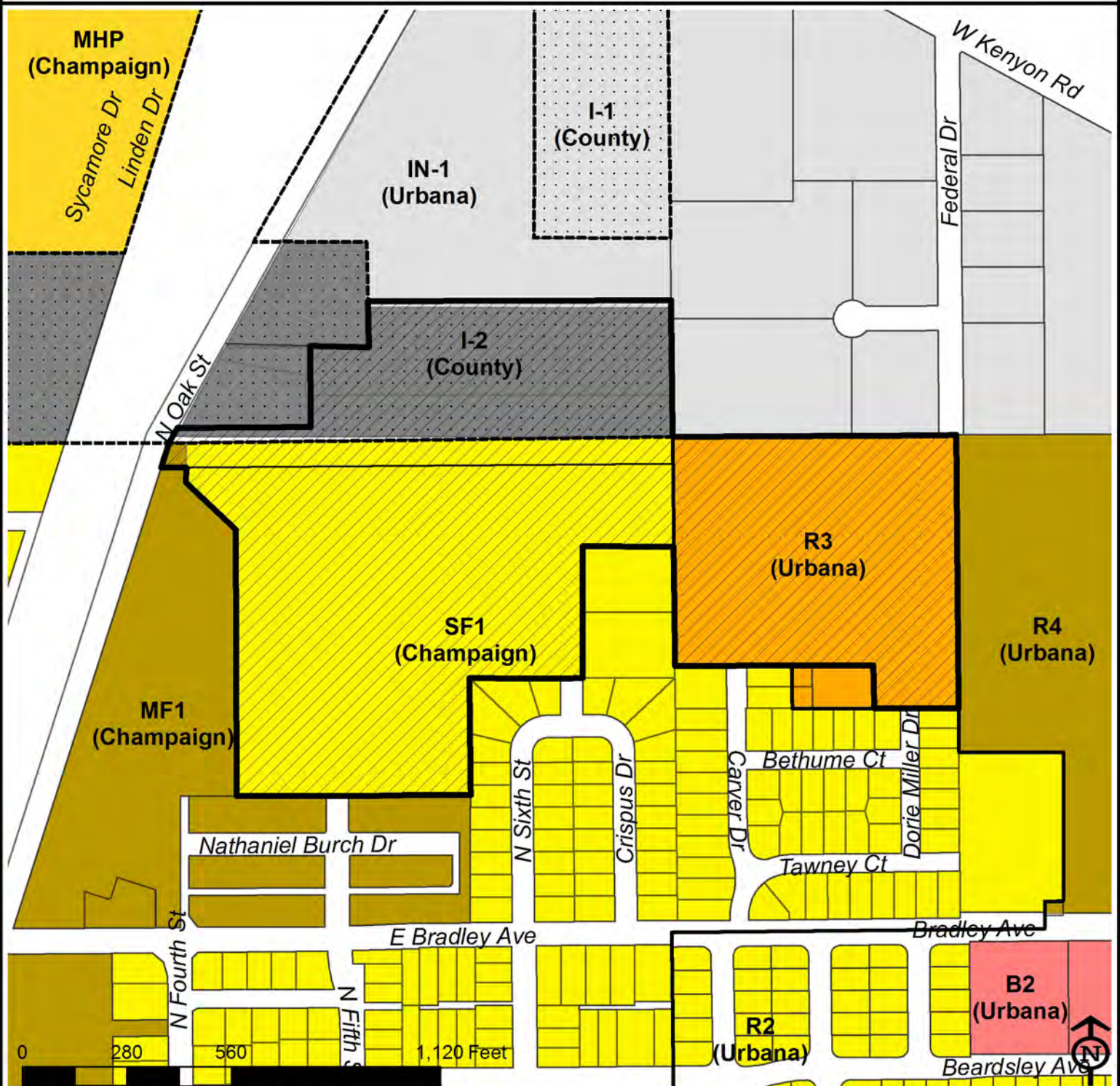
 Subject Property

Exhibit B: Zoning Map



Case: 2347-M-18 2348-M-18 2349-S-18
 Subject: Annexation Agreement and Rezoning
 Location: East of Oak St., north of Bradley Ave.
 Petitioner: Trinitas Development LLC









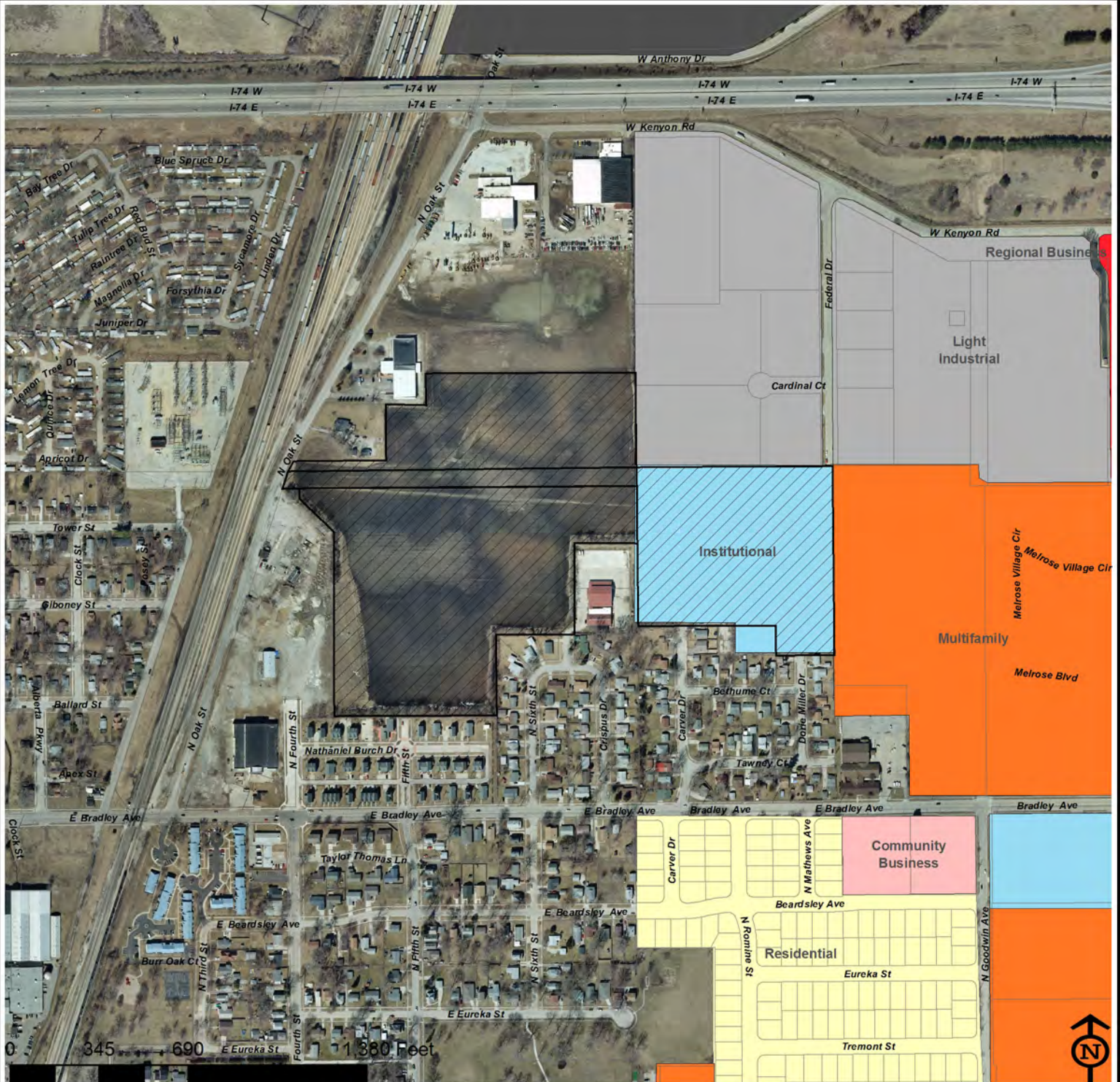
	B2		R4/MF1
	IN-1		I-1 (County)
	R2/SF1		I-2 (County)
	R3		Subject Property

Exhibit C: Future Land Use Map



Case: 2347-M-18 2348-M-18 2349-S-18
 Subject: Annexation Agreement and Rezoning
 Location: East of Oak St., north of Bradley Ave.
 Petitioner: Trinitas Development LLC

- Residential
- Multi-Family Residential
- Regional Business
- Community Business
- Institutional
- Light Industrial/Office
- Subject Property
- Heavy Industrial

①



Application for Zoning Map Amendment

PLAN COMMISSION

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. The Applicant is also responsible for paying the cost of legal publication fees. Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 07-31-2018 Plan Case No. 2347-M-18 Annexation Rezoning
2348-M-18 Union Gardens Develop
Fee Paid - Check No. _____ Amount _____ Date _____ ment Rezoning

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Trinitas Development, LLC Phone: (317) 507-7142
Kimberly Hansen - primary contact
Address (street/city/state/zip code): 201 main street ste 1000 Lafayette, IN 47901
Email Address: khanen@trinitas.ventures
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Contract Buyer

2. OWNER INFORMATION

Name of Owner(s): Judy Heimburger Phone: (217) 898-7265
Address (street/city/state/zip code): 2934 E. Stone Creek Blvd Urbana IL 61802
Email Address: _____

Is this property owned by a Land Trust? Yes No

If yes, please attach a list of all individuals holding an interest in said Trust. Judy is sole Beneficiary.

3. PROPERTY INFORMATION

Address/Location of Subject Site: 1402 N. Fourth Street Champaign, IL
PIN # of Location: 30-21-06-326-015 ; 91-21-06-451-005 (proposed dev address)
Lot Size: 8.16 acres 11.33 acres
Current Zoning Designation: IN-1 (to be annexed) R-3
Proposed Zoning Designation: R-4 R-4
Current Land Use (vacant, residence, grocery, factory, etc.): farmland
Proposed Land Use: multifamily
Present Comprehensive Plan Designation: N/A

How does this request conform to the Comprehensive Plan? N/A

Legal Description (*If additional space is needed, please submit on separate sheet of paper*):

please see attached

4. CONSULTANT INFORMATION

Name of Architect(s): Barry Knechtel Phone: (765) 497-4598

Address (street/city/state/zip code): 527 Sagamore PKway W Ste 101

Email Address: barry@kijgarchitecture.com
W. Lafayette, IN 47906

Name of Engineers(s): Nicholas Varchetto, P.E. Phone: (630) 393-3060

Address (street/city/state/zip code): 35701 West Avenue, Ste 150 Warrenville, IL
60555

Email Address: nvarchetto@eraconsultants.com

Name of Surveyor(s): Timothy B. Martinez Phone: (630) 393-3060

Address (street/city/state/zip code): 35701 West Avenue, Ste 150 Warrenville, IL
60555

Email Address: nvarchetto@eraconsultants.com

Name of Professional Site Planner(s): N/A Phone:

Address (street/city/state/zip code):

Email Address:

Name of Attorney(s): Chris Stoker Phone: (765) 807-2716

Address (street/city/state/zip code): 201 main Street, Ste 600 Lafayette, IN
47901

Email Address: cstoker@trinitas.ventures

5. REASONS FOR MAP AMENDMENT:

What error in the existing Zoning Map would be corrected by the Proposed Amendment?

This is a request for rezoning. There is no existing error.

What changed or changing conditions warrant the approval of this Map Amendment?

We are proposing a new multifamily housing development with a density of approximately 10 units/acre.

Explain why the subject property is suitable for the proposed zoning.

Adjacent properties will be of similar residential uses. Land is currently used as farmland which does not represent the highest and best use of this land.

What other circumstances justify the zoning map amendment

We are seeking a rezone in Champaign for 2 parcels to MF-1 as part of this proposed development.

Time schedule for development (if applicable)

~~Construction start Spring 2019~~
Construction start Spring 2019

Additional exhibits submitted by the petitioner.

N/A

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

Kimberly Hansen
Applicant's Signature

7/30/18
Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

Annexation Agreement

This annexation agreement is made between the City of Urbana, Illinois (“Urbana”), the Judy Heimburger Trust (the “Owner”), and Trinitas Development LLC, an Indiana limited liability company (the “Developer”), each a “party” and together the “parties,” and is effective on the last date signed by a party hereto. The parties agree as follows:

1. **The Property.** The Owner is the owner of record of the real property having permanent index number 30-21-06-326-015, consisting of approximately 8.38 acres in unincorporated Champaign County (the “Property”). The Property is legally described on Exhibit A. Exhibit B is a true and accurate representation of the Property. The Developer proposes to purchase the Property from the Owner for development purposes. Exhibit C is a general area plan showing the Developer’s intended use of the Property.
2. **Annexation.**
 - A. The Owner, Developer, and Urbana shall take all actions necessary or appropriate to cause the Property to be validly annexed to Urbana as provided in this agreement and pursuant to the provisions of 65 ILCS 5/11-15.1-1 *et seq.*, as amended. The Property is contiguous to Urbana and may be immediately annexed.
 - B. The Owner and Developer hereby waive all rights to disconnect the Property from Urbana during the term of this agreement.
3. **Zoning.**
 - A. Classification. Upon passage of the ordinance annexing the Property to Urbana, Urbana shall classify the Property as part of the R-4 Medium Density Multiple-Family Residential zoning district. Urbana shall not rezone the Property during the term of this agreement except upon a written amendment to this agreement.
 - B. Ordinance amendments. Urbana reserves the right to amend the Urbana City Code and the Urbana Zoning Ordinance even if such amendments affect the Property. During the 20 years following the effective date of this agreement, unless the Owner, Developer, or successor or successors in title consent, Urbana shall not enforce any ordinance applicable to the Property relating to subdivision controls, zoning, official plans, or occupancy permits and related restrictions that is more restrictive or that imposes greater obligations than (1) the ordinances of Urbana in force on the effective date of this agreement; or (2) the terms of this agreement.
 - C. Rezoning. Neither the Owner nor the Developer shall petition for Champaign County rezoning of the Property without a written amendment to this agreement.
4. **Owner’s and Developer’s duties.**
 - A. Before annexation. At all times prior to annexation, the Owner and Developer shall have the following duties.
 - (1) Compliance with law. Except as otherwise provided in this agreement, the Owner and Developer shall use the Property in compliance with all applicable federal and state laws and all Urbana zoning and building codes and regulations in effect on the effective date of this agreement or an amendment thereto.

- (2) Annexation petition upon transfer. As a condition of a transfer of ownership of the whole or any part of the Property, the Owner shall require the new owner and all electors who will reside on the Property so conveyed to sign a legally sufficient irrevocable petition for annexation. Not more than 10 days after the transfer occurs, the Owner shall deliver such petition to Urbana's Planning Division Manager. As a condition of any subsequent sale of the whole or any part of the Property, the Owner shall also require the subsequent owner to obtain an irrevocable petition for annexation from succeeding buyers and electors who will reside on the Property and to deliver such petition to Urbana's Planning Division Manager not more than 10 days after the transfer occurs, for as long as this agreement is in effect. If the Owner fails to comply with this subsection, and if annexation of the Property or any part of it is delayed or contested by any subsequent owner as a result, the Owner will be liable to Urbana for all real estate taxes and other taxes that would have been due to Urbana had annexation been completed as provided in this agreement.
- (3) Recording of covenants. If Urbana has not already annexed the Property, the Owner shall record covenants in a form approved by Urbana's Legal Division containing notice that each subsequent owner and elector residing on the Property is required to sign a petition for annexation at Urbana's request. In addition to recording this notice in the covenants applicable to the whole Property, the Owner shall record this notice in the chain of title of each individual permanent index number assigned to any division of the Property.

B. After annexation. At all times after annexation, the Owner and Developer shall have the following duties.

- (1) Zoning designation. The Owner and Developer shall comply with all applicable provisions of the Urbana Zoning Ordinance, including those relating to non-conforming structures and uses. The Owner and Developer shall accept the Urbana R-4 Medium Density Multiple-Family Residential zoning classification, as provided for in the Urbana Zoning Ordinance, as amended.
- (2) Code compliance. The Owner and Developer shall comply with all Urbana ordinances in effect unless expressly waived or varied in this agreement. The Owner and Developer shall cause all new development, construction, or additions on the Property to comply with the approved site plan for the Property, if any, and all codes, rules, regulations, orders, and other requirements of Urbana. The Owner and Developer shall submit all building construction and landscaping plans to Urbana for review and shall pay all building permit fees.

5. **Urbana's duties.** Urbana shall annex the Property in accordance with the terms and conditions set forth in this agreement. Urbana shall enact all ordinances and resolutions necessary to effectuate this agreement.

6. **Owner's and Developer's representations.** The Owner and Developer represent to Urbana as follows.

- A. Consent of lender. If a mortgage or other lien encumbers the Property, the Owner has provided Urbana with a written acknowledgement from each mortgagee, lienholder, and holder of any security interest affecting title to the Property, or any part thereof, that this agreement will at all times inure to the benefit of and be binding upon such mortgagee, lienholder, or other person having an interest in the Property.
- B. Authority. The persons signing this agreement on behalf of the Owner and Developer have been authorized and empowered to enter into this agreement by and on behalf of such

Owner and Developer, and this agreement is a legal, valid, and binding obligation of the Owner and Developer, enforceable against the Owner and Developer in accordance with its terms.

- C. Petition for annexation. The Owner has filed with Urbana a written petition signed by the Owner and all electors residing on the Property requesting annexation of the Property to Urbana and being in proper form to allow annexation of the Property pursuant to the Illinois Municipal Code, as amended.

7. **Urbana's representations.** Urbana represents to the Owner and Developer as follows:

- A. Authority. The person signing this agreement on behalf of Urbana has been authorized and empowered to enter into this agreement by and on behalf of Urbana; and Urbana has taken or will take all actions necessary to authorize the execution, delivery, and performance of this agreement.
- B. Public hearings. Prior to execution of this agreement, Urbana has held all public hearings required by law.

8. **Term.** This agreement will be binding upon the parties and their respective successors and assigns for 20 years commencing as of the effective date of this agreement. If any of the terms of this agreement, or the annexation or zoning of the Property, is challenged in any court proceeding, or if Urbana files a court action to enforce this agreement, then, to the extent permitted by law, the period of time during which such litigation is pending will not be included in calculating the term of this agreement. The expiration of the term of this agreement will not affect the continuing validity of the zoning of the Property or any ordinance enacted by Urbana pursuant to this agreement.

9. **Enforcement.** Any party, or the successor or successors in title of any party hereto, may either in law or in equity, by suit, action, mandamus, injunction, or other proceedings enforce, and compel performance of this agreement. Upon breach by the Owner or Developer, or the successor or successors in title of the Owner or Developer, Urbana may refuse the issuance of any permits or other approvals or authorizations relating to development of or construction on the Property.

10. **Indemnification.** The Owner and Developer shall indemnify and defend Urbana, its officers, employees, and agents against all claims, liability, or damage, including without limitation attorney's fees, arising from or in any way related to the performance or failure to perform the provisions of this agreement, except to the extent caused by the gross negligence or willful misconduct of Urbana, its officers, employees, or agents. This section will survive the termination of this Agreement.

11. **Entire agreement; amendments.** This agreement constitutes the entire agreement between the parties, supersedes all other agreements or understandings between them pertaining to the matter of this agreement, and may not be modified or rescinded except by a writing signed by all parties.

12. **Assignment.** The Owner's and Developer's rights and privileges provided pursuant to this agreement are personal to the Owner and Developer and are not assignable or voluntarily transferable by the Owner or Developer without the express written consent of Urbana, which consent shall not be unreasonably withheld. Such consent will not constitute an amendment to this agreement and may be given without the requirement of notice or a public hearing, except as required by the Illinois Open Meetings Act. The Owner's and Developer's obligations, undertakings, and guarantees specifically made in this agreement will continue in full force and effect and will not be affected insofar as Urbana is concerned by any sale, transfer, or assignment of any interest in any portion of the Property. Notwithstanding anything contained herein to the contrary, Developer may assign this agreement to a Developer Affiliate without Urbana's consent so long as such applicable assignee complies with the requirements of Section 4 hereof. For purposes of this Section 12, the term "Developer's Affiliate" shall mean any entity that controls or is controlled by or is under common control with Developer and whose

members have at least a 50% common economic interest (based on projected future cash flows) as Developer.

13. **Notices.** Except where the terms of this agreement expressly provide otherwise, the parties shall give all notices required or permitted by this agreement in writing, addressed as set forth below, unless another address is provided in writing. Notices will be deemed given when personally delivered; deposited in the U.S. mail, postage prepaid, first class; or delivered to a commercial courier.

Urbana: City of Urbana Planning Division Manager, 400 S. Vine Street, Urbana, Illinois 61801

Owner: Judy Heimbürger Trust, 2934 E. Stone Creek Blvd.; Urbana, Illinois 61802

Developer: Trinitas Development LLC, c/o Trinitas Ventures LLC, 201 Main Street, Suite 1000, Lafayette, Indiana 47901

14. **Waiver.** The failure of any party to insist upon the strict and prompt performance of any term, covenant, or condition of this agreement will not be deemed to waive or to relinquish that party's right thereafter to enforce any such term, covenant, or condition unless the party's waiver is in writing.

15. **Severability.** If any court of competent jurisdiction invalidates any provision of this agreement, other than the provisions relating to the requested zoning changes and the ordinances adopted in connection therewith, such provision will be deemed to be excised here from, and the invalidity thereof will not affect any of the other provisions contained in this agreement.

16. **No presumption.** The parties have had full opportunity to review and to participate in the drafting of this agreement and all documents attached as exhibits. Accordingly, the parties shall construe this agreement without regard to any presumption or other rule of construction whereby any ambiguities within this agreement would be construed or interpreted against the party causing the document to be drafted.

17. **City Council approval.** This agreement will be valid only after the Urbana City Council approves it by resolution or ordinance.

18. **Covenant running with the land.** The terms of this agreement constitute a covenant running with the land and will inure to the benefit of and be binding upon the successors in title and assigns of the Owner and Developer and each of them, as to all or any part of the Property, and upon the successor municipalities of Urbana and the successor corporate authorities of each of them.

19. **Recording of agreement.** Not more than 30 days after the effective date of this agreement, Urbana shall record this agreement, or a suitable memorandum hereof, in the Champaign County Office of the Recorder of Deeds at the Owner's sole cost and expense.

20. **Exhibits.** All exhibits and schedules attached to this agreement are incorporated into this agreement and are made a part of this agreement by this reference.

21. **Third-party beneficiaries.** This agreement is made for the mutual benefit of the parties hereto and is not intended to confer any rights to any third party. No third party may bring any action to enforce any of the terms in this agreement.

[Signature page follows]

The duly authorized representatives of the Owner, Developer, and Urbana are signing this agreement on the dates stated below their signatures.

Judy Heimburger Trust

Judy Heimburger, not individually, but as Trustee of the Judy Heimburger Trust

Judy Heimburger, as Trustee aforesaid

Date: _____, 2018

STATE OF ILLINOIS)
)
COUNTY OF CHAMPAIGN) ss.

I, the undersigned, a notary public in and for the said County, in the State aforesaid do hereby certify that Judy Heimburger, not individually, but as Trustee of the Judy Heimburger Trust, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____ 2018.

Notary Public

Trinitas Development LLC

By: _____
Loren P. King
Authorized Representative

Date: _____, 2018

STATE OF _____)
)
COUNTY OF _____) ss.

I, the undersigned, a notary public in and for the said County, in the State aforesaid do hereby certify that Loren P. King, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument in his capacity as the duly Authorized Representative of Trinitas Development LLC as his free and voluntary act, and the free and voluntary act of Trinitas Development LLC for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____ 2018.

Notary Public

City of Urbana, Illinois

By: _____
Diane Wolfe Marlin
Mayor

Date: _____, 2018

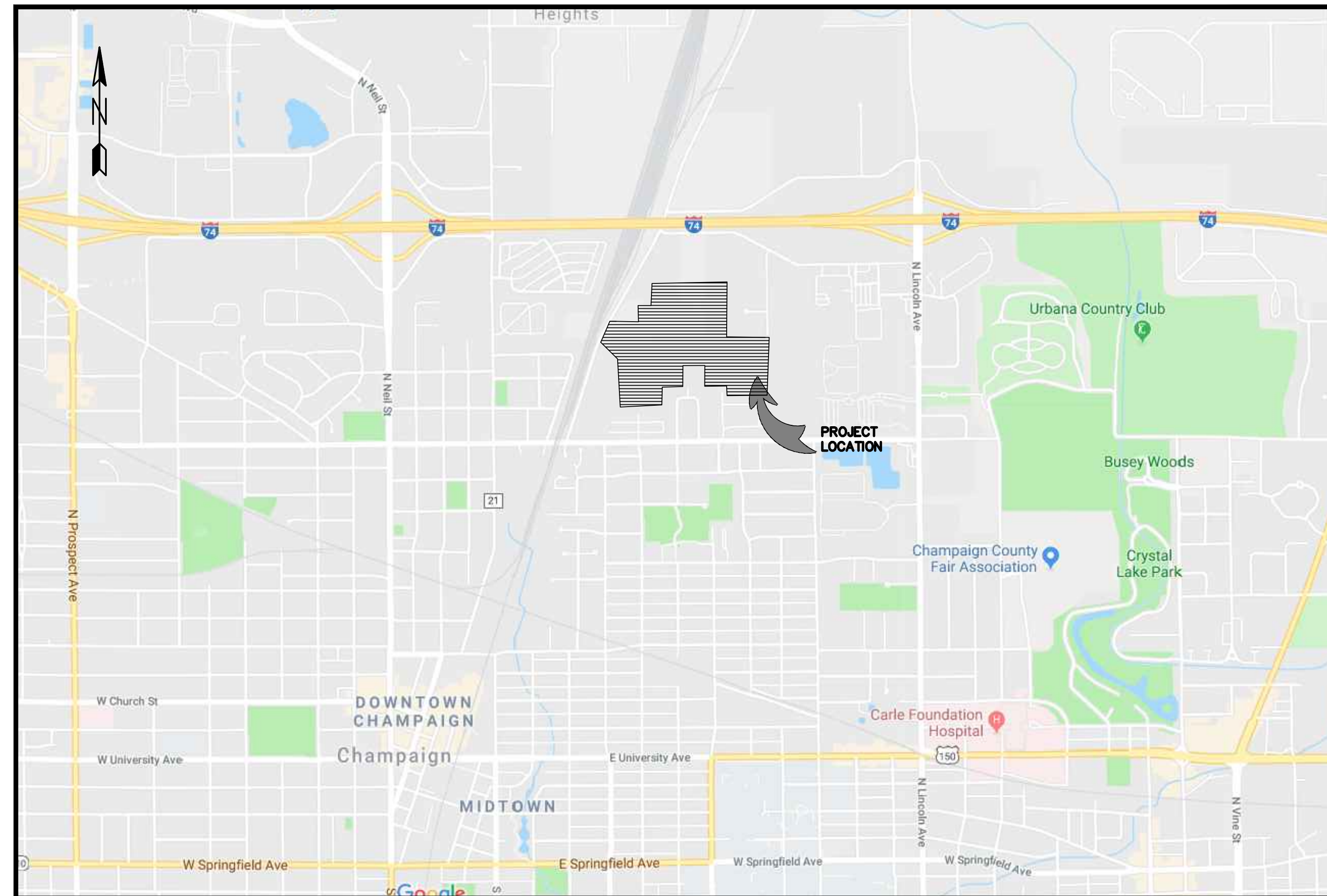
Attest:

Charles A. Smyth
City Clerk

PRELIMINARY ENGINEERING PLANS UNION GARDENS URBANA-CHAMPAIGN, ILLINOIS

INDEX TO DRAWINGS

1. COVER
2. EXISTING CONDITIONS (OVERALL)
3. EXISTING CONDITIONS (TRACT 1)
4. EXISTING CONDITIONS (TRACT 2)
5. EXISTING CONDITIONS (TRACT 3)
6. PRELIMINARY PLAT
7. PRELIMINARY PLAT
8. PRELIMINARY PLAT
9. PRELIMINARY PLAT
10. PRELIMINARY PLAT
11. PRELIMINARY ENGINEERING (OVERALL)
12. PRELIMINARY ENGINEERING (TRACT 1)
13. PRELIMINARY ENGINEERING (TRACT 2)
14. PRELIMINARY ENGINEERING (TRACT 3)
15. PRELIMINARY ENGINEERING DRAINAGE STRUCTURES/PIPES SCHEDULE
16. PRELIMINARY ENGINEERING DRAINAGE STRUCTURES/PIPES SCHEDULE
17. PRELIMINARY ENGINEERING DRAINAGE STRUCTURES/PIPES SCHEDULE
18. PRELIMINARY PLANTING PLAN (OVERALL)
19. PRELIMINARY PLANTING PLAN (TRACT 1)
20. PRELIMINARY PLANTING PLAN (TRACT 2)
21. PRELIMINARY PLANTING PLAN (TRACT 3)
22. PRELIMINARY PLANTING PLAN (UNITS)
23. PRELIMINARY PLANTING PLAN (CLUBHOUSE)
24. PRELIMINARY PLANTING PLAN DETAILS



LOCATION MAP

PREPARED FOR:
Trinitas Development LLC
 201 Main Street, Layfayette, IN 47901
 PH: (765) 464-2800

It's smart It's free It's the law

Call before you dig
800.892.0123



**ENGINEERING
RESOURCE ASSOCIATES**

2416 GALEN DRIVE
 CHAMPAIGN, ILLINOIS 61821
 PHONE (217) 351-6268
 FAX (217) 355-1902

35701 WEST AVENUE, SUITE 150
 WARRENVILLE, ILLINOIS 60555
 PHONE (630) 393-3060
 FAX (630) 393-2152

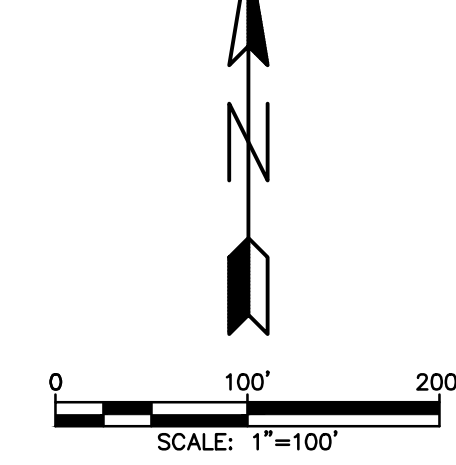
10 S. RIVERSIDE PLAZA, SUITE 875
 CHICAGO, ILLINOIS 60606
 PHONE (312) 474-7841
 FAX (312) 474-6099

ORIGINAL SUBMITTAL: 7-27-2018

NICHOLAS A. VARCHETTO, P.E.
 IL. P.E. NO. 062-068622
 Expires November 30, 2019

ERA JOB NO.: 180306.00

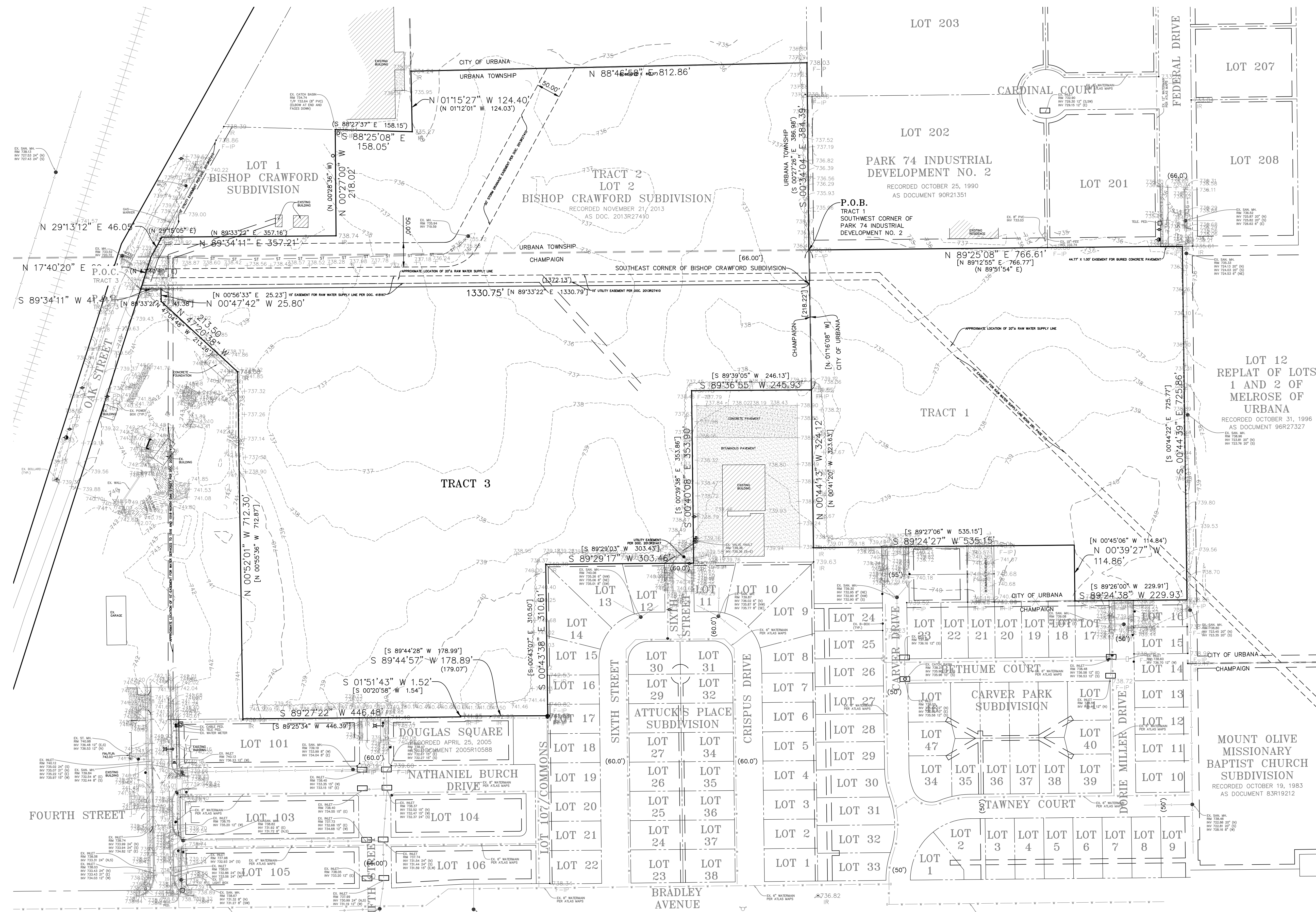
Exhibit F - Preliminary Plat



P.L.N.
 TRACT 1: 91-21-06-451-005
 TRACT 2: 30-21-06-326-015
 TRACT 3: 46-21-06-376-007
 TRACT 3: 46-21-06-376-008

LEGEND		ABBREVIATIONS	
—	EX. PROPERTY LINE	A	ARC LENGTH
- - -	EX. LOT LINE	CH	CHORD
- · - · -	EX. EASEMENT LINE	CONC.	CONCRETE
- - - - -	EX. CORPORATE LIMITS	E	EAST
		FIP	FOUND IRON PIPE
		FR	FOUND IRON ROD
		N	NORTH
		R	RADIUS
		R.O.W.	RIGHT OF WAY
		S	SOUTH
		W	WEST
		B.S.L.	BUILDING SETBACK LINE
		DOC.	DOCUMENT
		(xxx.xx)	RECORD INFORMATION
		[xxx.xx]	DEED INFORMATION
		xxx.xx	MEASURED INFORMATION

SURVEY AREA TABLE	
TRACT 1:	494,043 SQUARE FEET (11.342 ACRES±)
TRACT 2:	455,374 SQUARE FEET (10.454 ACRES±)
TRACT 3:	795,274 SQUARE FEET (18.257 ACRES±)
TOTAL:	1,744,691 SQUARE FEET (40.053 ACRES±)



REVISIONS:					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

DRAWN BY: S.F.
 CHECKED BY: N.V.
 APPROVED BY: N.V.



35701 WEST AVENUE, SUITE 150
 WARRENVILLE, ILLINOIS 60555
 PHONE (630) 393-3060
 FAX (630) 393-2152

10 S. RIVERSIDE PLAZA, SUITE 875
 CHICAGO, ILLINOIS 60606
 PHONE (312) 474-7841
 FAX (312) 474-6099

2416 GALEN DRIVE
 CHAMPAIGN, ILLINOIS 61821
 PHONE (217) 351-6268
 FAX (217) 355-1902

PREPARED FOR:
TRINITAS DEVELOPMENT LLC

TITLE:
**UNION GARDENS
 EXISTING TOPOGRAPHICAL PLAN
 OVERALL**

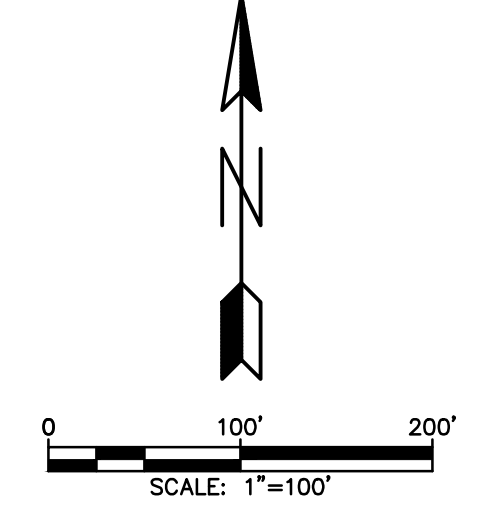
SCALE: 1"=100'
 DATE: 7-27-2018
 JOB NO: 180306
 SHEET 2 of 24

P.L.N.
 TRACT 1: 91-21-06-451-005
 TRACT 2: 30-21-06-326-015
 TRACT 3: 46-21-06-376-007
 TRACT 3: 46-21-06-376-008

PRELIMINARY/FINAL PLAT OF SUBDIVISION OF UNION GARDENS SUBDIVISION

PART OF THE SOUTH HALF OF SECTION 6, TOWNSHIP 19 NORTH, RANGE 9 EAST, OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS

Exhibit F - Preliminary Plat



BASIS OF BEARING
 ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE NAD 83 (2011).

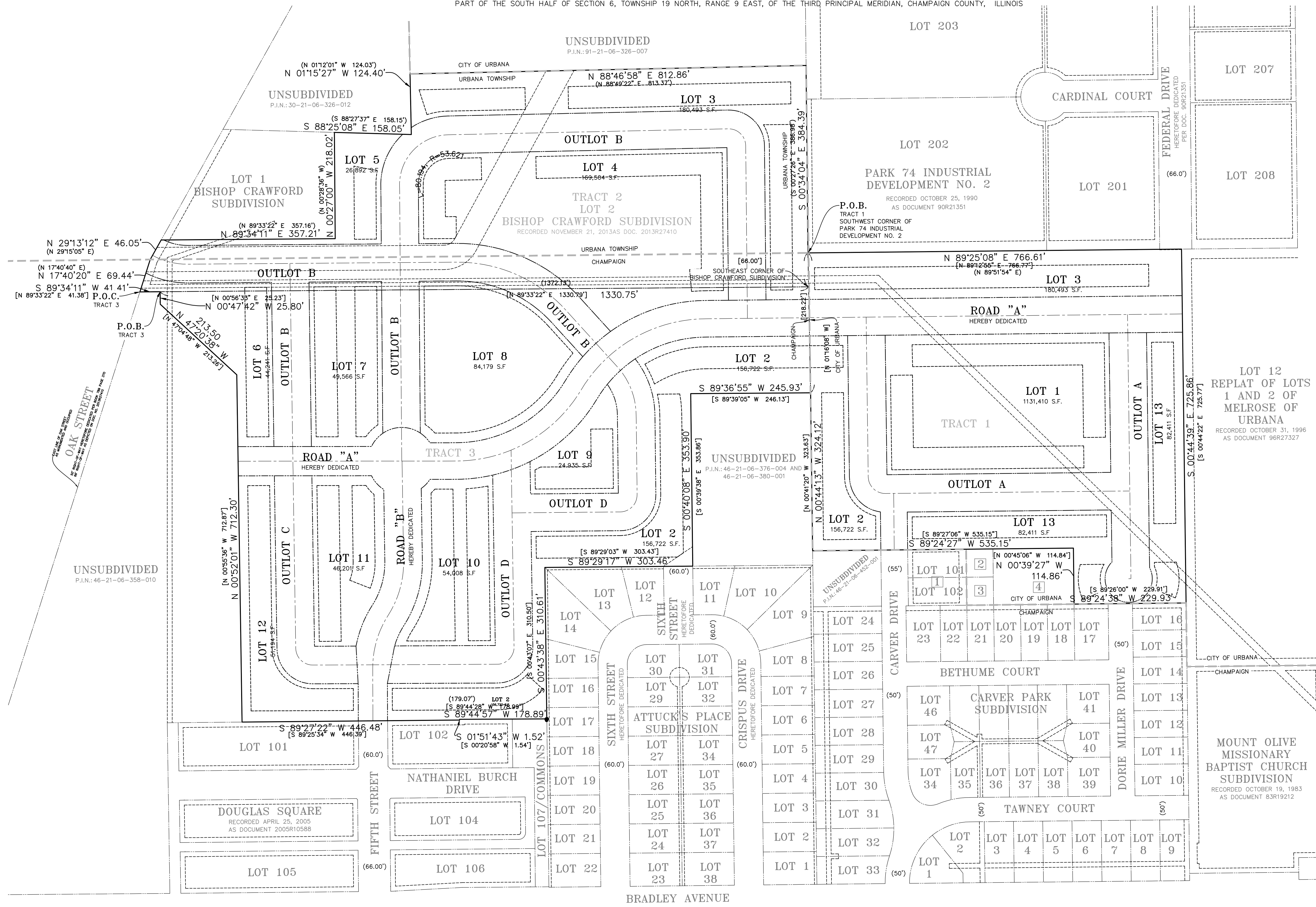
- LEGEND**
- EX. PROPERTY LINE
 - - - EX. LOT LINE
 - - - EX. EASEMENT LINE
 - - - EX. CORPORATE LIMITS
 - - - CENTERLINE
 - - - EASEMENT LINE HEREBY GRANTED

- ABBREVIATIONS**
- | | |
|----------|-----------------------|
| A | ARC LENGTH |
| CH | CHORD |
| CONC. | CONCRETE |
| E | EAST |
| FIP | FOUND IRON PIPE |
| FIR | FOUND IRON ROD |
| N | NORTH |
| N.E.A. | NON-EASEMENT AREA |
| R | RADIUS |
| R.O.W. | RIGHT OF WAY |
| S | SOUTH |
| W | WEST |
| B.S.L. | BUILDING SETBACK LINE |
| DOC. | DOCUMENT |
| (xxx.xx) | RECORD INFORMATION |
| [xxx.xx] | DEED INFORMATION |
| xxx.xx | MEASURED INFORMATION |

- 1 CARVER PARK-HABITAT FOR HUMANITY REPLAT RECORDED OCTOBER 14, 2008 AS DOCUMENT NUMBER 2008R26341.
- 2 OAK TREE SUBDIVISION, OUTLOT 1 RECORDED NOVEMBER 7, 2017 AS DOCUMENT NUMBER 2017R21111.
- 3 OAK TREE SUBDIVISION, OUTLOT 2 RECORDED NOVEMBER 7, 2017 AS DOCUMENT NUMBER 2017R21111.
- 4 UNSUBDIVIDED 91-21-06-451-004

SURVEY AREA TABLE

LOT 1:	131,410 SQUARE FEET	(3.017 ACRES±)
LOT 2:	156,722 SQUARE FEET	(3.598 ACRES±)
LOT 3:	180,493 SQUARE FEET	(4.144 ACRES±)
LOT 4:	169,504 SQUARE FEET	(3.891 ACRES±)
LOT 5:	26,892 SQUARE FEET	(0.616 ACRES±)
LOT 6:	44,241 SQUARE FEET	(1.016 ACRES±)
LOT 7:	49,566 SQUARE FEET	(1.138 ACRES±)
LOT 8:	84,179 SQUARE FEET	(1.932 ACRES±)
LOT 9:	24,935 SQUARE FEET	(0.572 ACRES±)
LOT 10:	54,008 SQUARE FEET	(1.240 ACRES±)
LOT 11:	46,200 SQUARE FEET	(1.061 ACRES±)
LOT 12:	51,194 SQUARE FEET	(1.175 ACRES±)
LOT 13:	82,411 SQUARE FEET	(1.892 ACRES±)
OUTLOT A:	109,411 SQUARE FEET	(2.512 ACRES±)
OUTLOT B:	218,350 SQUARE FEET	(5.013 ACRES±)
OUTLOT C:	38,428 SQUARE FEET	(0.882 ACRES±)
OUTLOT D:	87,572 SQUARE FEET	(2.010 ACRES±)
R.O.W.:	189,174 SQUARE FEET	(4.343 ACRES±)
TOTAL:	1,744,691 SQUARE FEET	(40.053 ACRES±)



REVISIONS:

DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

DRAWN BY: CNB
CHECKED BY: TBM
APPROVED BY: TBM

ENGINEERING RESOURCE ASSOCIATES
 35701 WEST AVENUE, SUITE 150
 WARRENVILLE, ILLINOIS 60055
 PHONE (630) 393-3060
 FAX (630) 393-2152

10 S. RIVERSIDE PLAZA, SUITE 875
 CHICAGO, ILLINOIS 60606
 PHONE (312) 474-7841
 FAX (312) 474-6099

2416 GALEN DRIVE
 CHAMPAIGN, ILLINOIS 61821
 PHONE (217) 351-6268
 FAX (217) 355-1902

PREPARED FOR:
TRINITAS DEVELOPMENT LLC

TITLE:
**UNION GARDENS
 PRELIMINARY/FINAL PLAT OF SUBDIVISION**

SCALE: 1"=100'
 DATE: 7-27-2018
 JOB NO: 180306
 SHEET 6 OF 24

I:\PROJECTS\TRINITAS\180306-00 Champaign-Urbana\CAD\Sheets\SUBDIV\180306 TRINITAS SHEET PRELIMINARY.PLT Updated by: abccan 7/27/2018

PRELIMINARY/FINAL PLAT OF SUBDIVISION OF UNION GARDENS

PART OF THE SOUTH HALF OF SECTION 6, TOWNSHIP 19 NORTH, RANGE 9 EAST, OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS

Exhibit F Preliminary Plat

NAME: CITY OF URBANA ADDRESS: 400 SOUTH VINE STREET URBANA, ILLINOIS 61801 AND/OR NAME: CITY OF CHAMPAIGN ADDRESS: 102 NORTH NEIL STREET CHAMPAIGN, ILLINOIS 61820

OWNER'S CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED ABOVE AND THAT NO OTHER PERSON HAS ANY RIGHT, TITLE, OR INTEREST IN SAID LAND...

DATED THIS ___ DAY OF ___, A.D. 20__

(NAME) (ADDRESS)

NOTARY CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

I, _____, A NOTARY PUBLIC IN AND FOR THE RESIDING IN THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT _____ PERSONALLY KNOWN TO ME TO BE AS SUCH OWNER(S) APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/THEY SIGNED AND DELIVERED THE PLAT AS HIS/THEIR FREE AND VOLUNTARY ACT...

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ___ DAY OF ___, A.D. 20__

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

SCHOOL DISTRICT BOUNDARY STATEMENT

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS OATH DEPOSES AND STATES THE FOLLOWING: THAT HE/SHE IS THE OWNER OF THE PROPERTY LEGALLY DESCRIBED ON A PROPOSED PLAT OF SUBDIVISION SUBMITTED TO THE CITY FOR APPROVAL...

(SCHOOL DISTRICT NAME) (ADDRESS)

DATED THIS ___ DAY OF ___, A.D. 20__

OWNER(S)

ENGINEER'S SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

THIS IS TO CERTIFY THAT I, A REGISTERED PROFESSIONAL ENGINEER, CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF...

DATED THIS ___ DAY OF ___, A.D. 20__

(NAME) (ADDRESS)

STATE REGISTRATION NUMBER

CITY OF URBANA PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

THIS IS TO CERTIFY THAT THE MEMBERS OF THE PLAN COMMISSION OF THE CITY OF URBANA, ILLINOIS HAVE REVIEWED AND APPROVED THIS PLAT.

DATED AT URBANA, CHAMPAIGN COUNTY, ILLINOIS THIS ___ DAY OF ___, A.D., 20__

CHAIRMAN

SECRETARY

URBANA CITY ENGINEER CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

I, _____, CITY ENGINEER OF THE CITY OF URBANA, ILLINOIS, HEREBY CERTIFY THAT THE LAND IMPROVEMENTS DESCRIBED IN THIS PLAT AND THE PLANS AND SPECIFICATIONS THEREOF MEET THE MINIMUM REQUIREMENTS OF THE CITY AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.

DATED AT URBANA, CHAMPAIGN COUNTY, ILLINOIS, THIS ___ DAY OF ___, 20__

CITY ENGINEER

REGISTRATION NUMBER

CITY OF CHAMPAIGN PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

THIS IS TO CERTIFY THAT THE MEMBERS OF THE PLAN COMMISSION OF THE CITY OF CHAMPAIGN, ILLINOIS HAVE REVIEWED AND APPROVED THIS PLAT.

DATED AT CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS THIS ___ DAY OF ___, A.D., 20__

CHAIRMAN

SECRETARY

CHAMPAIGN CITY ENGINEER CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

I, _____, CITY ENGINEER OF THE CITY OF CHAMPAIGN, ILLINOIS, HEREBY CERTIFY THAT THE LAND IMPROVEMENTS DESCRIBED IN THIS PLAT AND THE PLANS AND SPECIFICATIONS THEREOF MEET THE MINIMUM REQUIREMENTS OF THE CITY AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.

DATED AT CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS, THIS ___ DAY OF ___, 20__

CITY ENGINEER

REGISTRATION NUMBER

URBANA CITY COLLECTOR CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

I, _____, COLLECTOR FOR THE CITY OF URBANA, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

DATED AT URBANA, CHAMPAIGN COUNTY, ILLINOIS, THIS ___ DAY OF ___, A.D., 20__

CITY COLLECTOR

CHAMPAIGN CITY COLLECTOR CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

I, _____, COLLECTOR FOR THE CITY OF CHAMPAIGN, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

DATED AT CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS, THIS ___ DAY OF ___, A.D., 20__

CITY COLLECTOR

PRIVATE ACCESS EASEMENT PROVISIONS

AN EASEMENT IS HEREBY GRANTED ACROSS OUTLOTS A, B, C AND D TO THE OWNERS OF ALL LOTS WITHIN TRINITAS SUBDIVISION AS SHOWN HEREON, THEIR SUCCESSORS AND ASSIGNS, VISITORS AND THEIR DESIGNATED PERPETUAL PEDESTRIAN USE, ENJOYMENT, PEDESTRIAN INGRESS AND EGRESS, AND ALSO FOR THE PERPETUAL VEHICULAR ACCESS AND VEHICULAR INGRESS AND EGRESS OVER THE PAVED ROADWAY WITHIN SAID LOTS...

URBANA CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, HAS REVIEWED AND APPROVED THIS PLAT.

DATED AT URBANA, CHAMPAIGN COUNTY, ILLINOIS THIS ___ DAY OF ___, A.D., 20__

MAYOR

ATTTEST: CITY CLERK

CHAMPAIGN CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS, HAS REVIEWED AND APPROVED THIS PLAT.

DATED AT CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS THIS ___ DAY OF ___, A.D., 20__

MAYOR

ATTTEST: CITY CLERK

CITY OF URBANA CLERK CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

I, _____, CITY CLERK OF THE CITY OF URBANA, ILLINOIS HEREBY CERTIFY THAT THE PLAT WAS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE CITY COUNCIL OF SAID CITY AT ITS MEETING HELD ON ___, 20__, AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF THE IMPROVEMENTS BY THE REGULATIONS OF SAID CITY.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF THE CITY OF URBANA, ILLINOIS, THIS ___ DAY OF ___, A.D., 20__

CITY CLERK

CITY OF CHAMPAIGN CLERK CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

I, _____, CITY CLERK OF THE CITY OF CHAMPAIGN, ILLINOIS HEREBY CERTIFY THAT THE PLAT WAS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE CITY COUNCIL OF SAID CITY AT ITS MEETING HELD ON ___, 20__, AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF THE IMPROVEMENTS BY THE REGULATIONS OF SAID CITY.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF THE CITY OF CHAMPAIGN, ILLINOIS, THIS ___ DAY OF ___, A.D., 20__

CITY CLERK

BLANKET EASEMENT PROVISIONS

A PERPETUAL EASEMENT, DESIGNATED FOR OVERHEAD, UNDERGROUND, AND SURFACE PUBLIC UTILITIES AND DRAINAGE, ARE HEREBY RESERVED FOR, AND GRANTED TO, COUNTY OF CHAMPAIGN, AMEREN ILLINOIS, COMCAST CABLE COMMUNICATIONS, INC. (CABLE TV), AND AT&T ILLINOIS (TELEPHONE), THEIR SUCCESSORS AND ASSIGNEES, IN ALL OF LOTS 1-12 EXCEPT WHERE BUILDING STRUCTURES WILL LIE IN NON-EASEMENT AREAS, INCLUDING ALL PLATTED EASEMENT AREAS, STREETS, AND OTHER PUBLIC WAYS AND PLACES SHOWN ON THIS PLAT...

SAID EASEMENT SHALL INCLUDE THE RIGHT TO ENTER THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, AND THE RIGHT WITHOUT LIABILITY TO CUT, TRIM, ALTER, OR REMOVE ANY VEGETATION, ROOTS, STRUCTURES, OR DEVICES WITHIN THE DESIGNATED EASEMENT PROPERTY AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN WITHOUT CONSENT OF GRANTEEES.

SUCH EASEMENT SHALL FURTHER BE FOR THE PURPOSES OF SERVING ALL AREAS SHOWN ON THIS PLAT AS WELL AS OTHER PROPERTY, WHETHER OR NOT CONTIGUOUS THERETO, WITH GAS, ELECTRIC, TELEPHONE, CABLE T.V., WATER MAINS, SANITARY AND STORM SEWERS, AND SHALL INCLUDE THE RIGHT TO OVERHANG ALL LOTS WITH AERIAL SERVICE WIRES TO SERVE ADJACENT LOTS WHERE NECESSARY AND APPROVED BY THE CITY OF URBANA AND THE CITY OF CHAMPAIGN.

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

I, _____, COUNTY CLERK OF CHAMPAIGN COUNTY, ILLINOIS DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF CHAMPAIGN COUNTY, ILLINOIS, THIS ___ DAY OF ___, A.D., 20__

COUNTY CLERK

COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS } COUNTY OF CHAMPAIGN } SS

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF CHAMPAIGN COUNTY, ILLINOIS, ON THE ___ DAY OF ___, A.D., 20__, AT ___ O'CLOCK ___M. AS DOCUMENT NUMBER ___

COUNTY RECORDER

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } COUNTY OF DUPAGE } SS

THIS IS TO CERTIFY THAT I, TIMOTHY B. MARTINEK, AN ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003782, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

TRACT 1: BEGINNING AT AN IRON ROD SITUATED IN THE SOUTH ONE-HALF OF SECTION 6, TOWNSHIP 19 NORTH, RANGE 9 EAST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, SAID IRON PIPE ALSO BEING A PART OF THE BOUNDARY MONUMENTS OF THE CHURCH OF THE LIVING GOD PLAT OF SURVEY, RECORDED AS DOCUMENT NO. 2011R22983, IN THE OFFICE OF THE CHAMPAIGN COUNTY RECORDER...

TRACT 2: LOT 2 OF BISHOP CRAWFORD SUBDIVISION, AS PER PLAT RECORDED NOVEMBER 21, 2013 AS DOCUMENT NUMBER 2013R27410, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

TRACT 3: COMMENCING AT AN IRON ROD BEARING A CAP STAMPED REX 2537 SITUATED ON THE EAST RIGHT OF WAY LINE OF OAK STREET, ALSO BEING SITUATED AT THE SOUTHWEST CORNER OF THE BISHOP CRAWFORD SUBDIVISION SITUATED IN THE SOUTH ONE-HALF OF SECTION 6, TOWNSHIP 19 NORTH, RANGE 9 EAST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF CHAMPAIGN AND THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, AS SAID SUBDIVISION IS RECORDED ON DOCUMENT NO. 2013R27410, DATED NOVEMBER 21, 2013, IN THE OFFICE OF THE CHAMPAIGN COUNTY RECORDER...

AS SHOWN BY THE ANNEXED 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 CITY OF URBANA AND THE CITY OF CHAMPAIGN RELATIVE TO PLATS AND SUBDIVISIONS HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT.

I DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON FALLS IN ZONE X, ZONE X IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN, ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NUMBER 17019C0313D WITH AN EFFECTIVE DATE OF OCTOBER 2, 2013.

I FURTHER CERTIFY THAT PORTIONS OF THIS SUBDIVISION LIE WITHIN THE CORPORATE LIMITS OF THE CITY OF URBANA AND THE CITY OF CHAMPAIGN, WHICH HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE, AS HERETOFORE AND HEREAFTER AMENDED.

I HEREBY GRANT PERMISSION TO THE CITY OF URBANA CLERK AND THE CITY OF CHAMPAIGN CLERK OR AN EMPLOYEE OF THE CITY OF URBANA AND THE CITY OF CHAMPAIGN CLERK'S OFFICES TO RECORD THIS PLAT. THE REPRESENTATIVES SHALL PROVIDE THE SURVEYOR WITH A RECORDED COPY OF THIS PLAT.

GIVEN UNDER MY HAND AND SEAL THIS ___ DAY OF ___, 20__

FOR REVIEW ONLY

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003782 LICENSE EXPIRES NOVEMBER 30, 2018

DESIGN FIRM PROFESSIONAL LICENSE NO. 184.001186 LICENSE EXPIRES APRIL 30, 2019

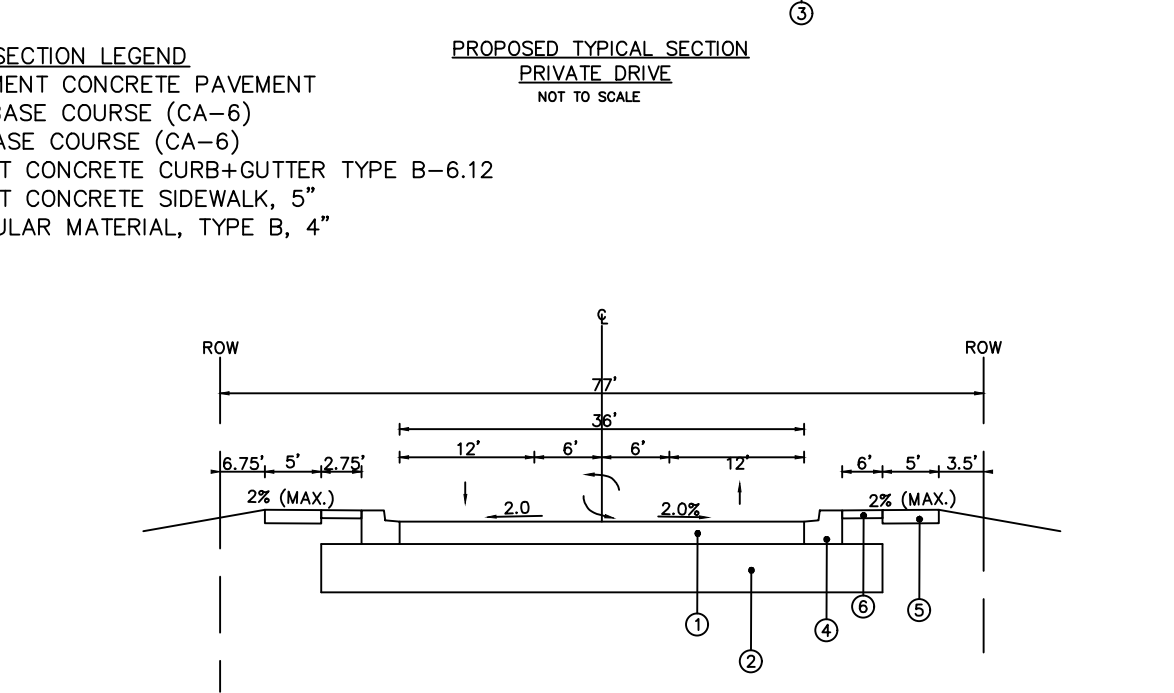
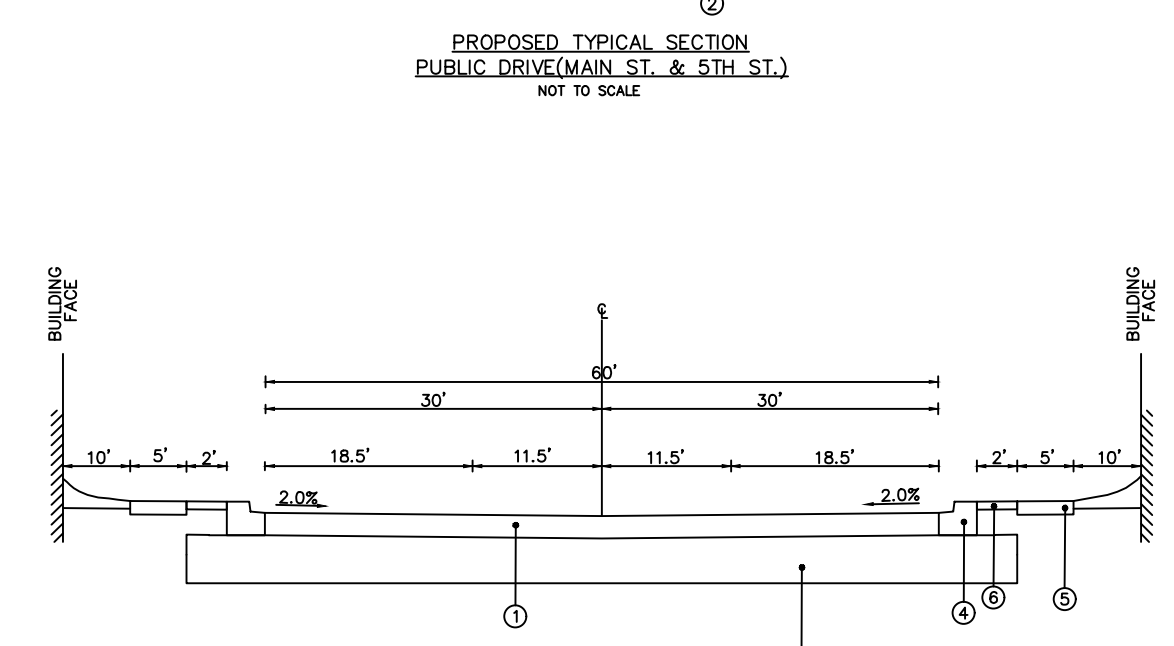
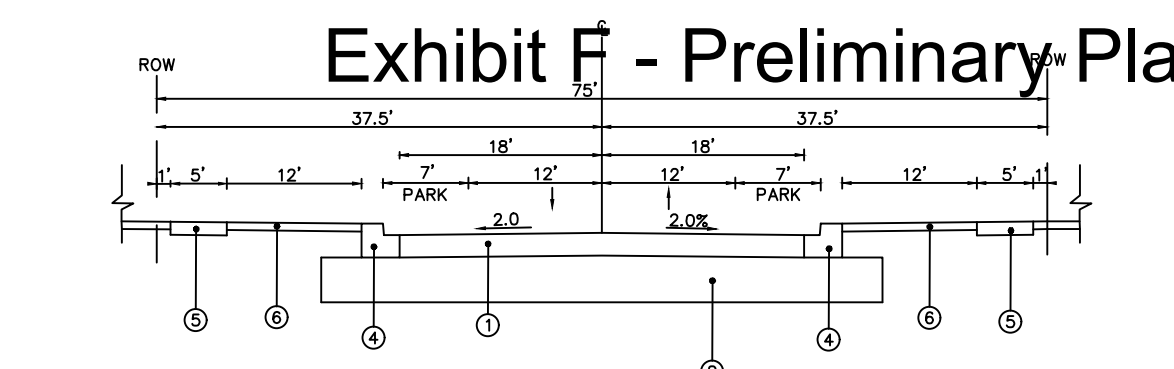
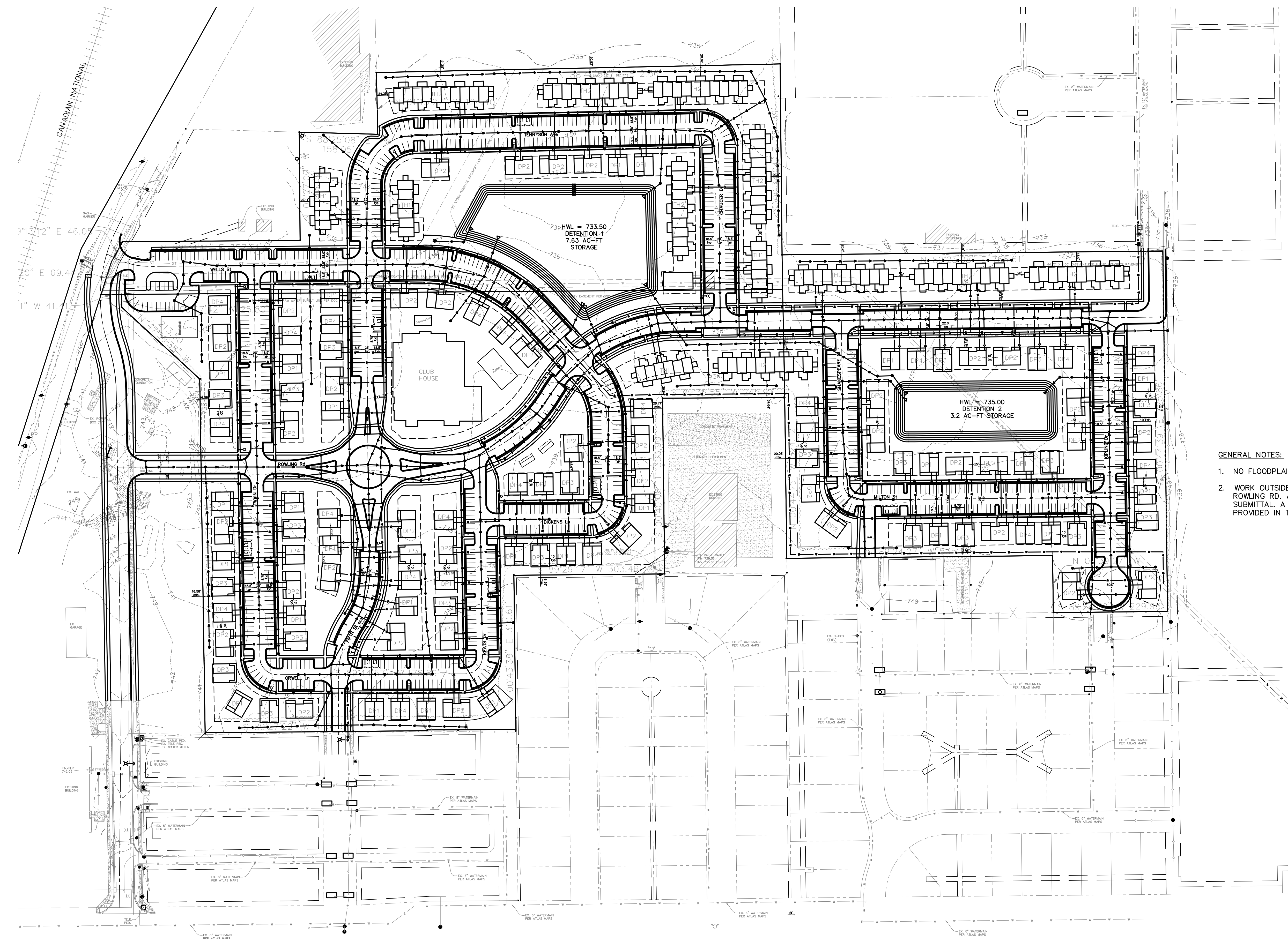
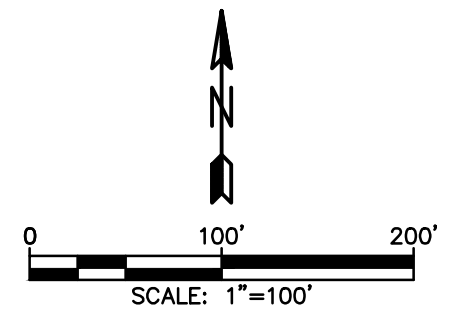
DATE OF FIELD SURVEY: MAY 7, 2018 THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.



Table with columns: REVISIONS, DATE, BY, DESCRIPTION. Includes rows for checked and approved by.

Project information including Drawn by: CNB, Checked by: TBM, Approved by: TBM, Engineering Resource Associates, 35701 West Avenue, Suite 150, Warrenville, IL 60555, 10 S. Riverside Plaza, Suite 875, Chicago, IL 60606, 2416 Galen Drive, Champaign, IL 61821, Prepared for: Trinitas Development LLC, Title: Union Gardens Preliminary/Final Plat of Subdivision, Scale: N/A, Date: 7-27-2018, Job No: 161210, Sheet: 10 of 24.

Exhibit F - Preliminary Plat



- PROPOSED TYPICAL SECTION LEGEND**
- 1) 7" PORTLAND CEMENT CONCRETE PAVEMENT
 - 2) 10" AGGREGATE BASE COURSE (CA-6)
 - 3) 4" AGGREGATE BASE COURSE (CA-6)
 - 4) PORTLAND CEMENT CONCRETE CURB+GUTTER TYPE B-6.12
 - 5) PORTLAND CEMENT CONCRETE SIDEWALK, 5"
 - 6) SUB-BASE GRANULAR MATERIAL, TYPE B, 4"
 - 7) 4" TOPSOIL+SEED

- GENERAL NOTES:**
1. NO FLOODPLAIN IS LOCATED WITHIN PROPOSED BOUNDARY.
 2. WORK OUTSIDE OF THE BOUNDARY LIMITS, AS SHOWN FOR ROWLING RD. AND FOURTH ST. IS NOT INCLUDED IN THIS SUBMITTAL. A SEPARATE PLAT OF DEDICATION SHALL BE PROVIDED IN THE FUTURE.

PROJECT DATA

PROPERTY AREA:	40.053 Acres
TRACT 1:	11.342 Acres
TRACT 2:	10.454 Acres
TRACT 3:	18.257 Acres
ZONING:	CHAMPAIGN: MF1 URBANA: R-4
SETBACKS:	PUBLIC ROAD: BUILDING: FRONT YARD: 20' SIDE YARD: 6' REAR YARD: 10'
PRIVATE ROAD:	BUILDING: FRONT YARD: 10' SIDE YARD: 6' REAR YARD: 10'
PARKING:	FRONT YARD: 10' SIDE YARD: N/A REAR YARD: N/A
BUILDING AREAS:	DP-1 (2,029.83 SF) X (30 UNITS) 60,894.76 X SF DP-2 (3,213.33 SF) X (40 UNITS) 128,533.20 X SF DP-3 (3,080.17 SF) X (22 UNITS) 67,763.74 X SF DP-4 (3,092.44 SF) X (20 UNITS) 61,848.80 X SF TH-1 (10,808.02 SF) X (4 UNITS) 43,232.08 X SF TH-2 (17,976.02 SF) X (9 UNITS) 161,784.18 X SF CLUBHOUSE 27,859 X SF MAINTENANCE FACILITY 2,040 X SF
PROVIDED PARKING:	PUBLIC: 106 PRIVATE: 864

BUILDING TYPE	UNIT	BEDS
(30) D1 (A1,C1 DUPLEX)	60	120
(39) D2 (D2,D3 DUPLEX)	78	312
(22) D3 (D1,D1 DUPLEX)	44	176
(20) D4 (D4,D4 DUPLEX)	40	160
(4) TH1 (10-UNIT TOWNHOME)	40	80
(9) TH2 (16 UNIT TOWNHOME)	144	306
TOTAL	406	1154

SITE AREA = 40.64 ACRES
MAX DENSITY = 10 UNITS/ACRE
406 UNITS ALLOWED

TOTAL PARKING SHOWN = 1,347 SPACES. TOTAL PARKING SPACES WILL DECREASE DUE TO LANDSCAPING ISLANDS, ADA SPACES, ETC.

REVISIONS:		DATE	BY	DESCRIPTION

DRAWN BY: S.F.
CHECKED BY: N.V.
APPROVED BY: N.V.



35701 WEST AVENUE, SUITE 150
WARRENVILLE, ILLINOIS 60555
PHONE (630) 393-3060
FAX (630) 393-2152

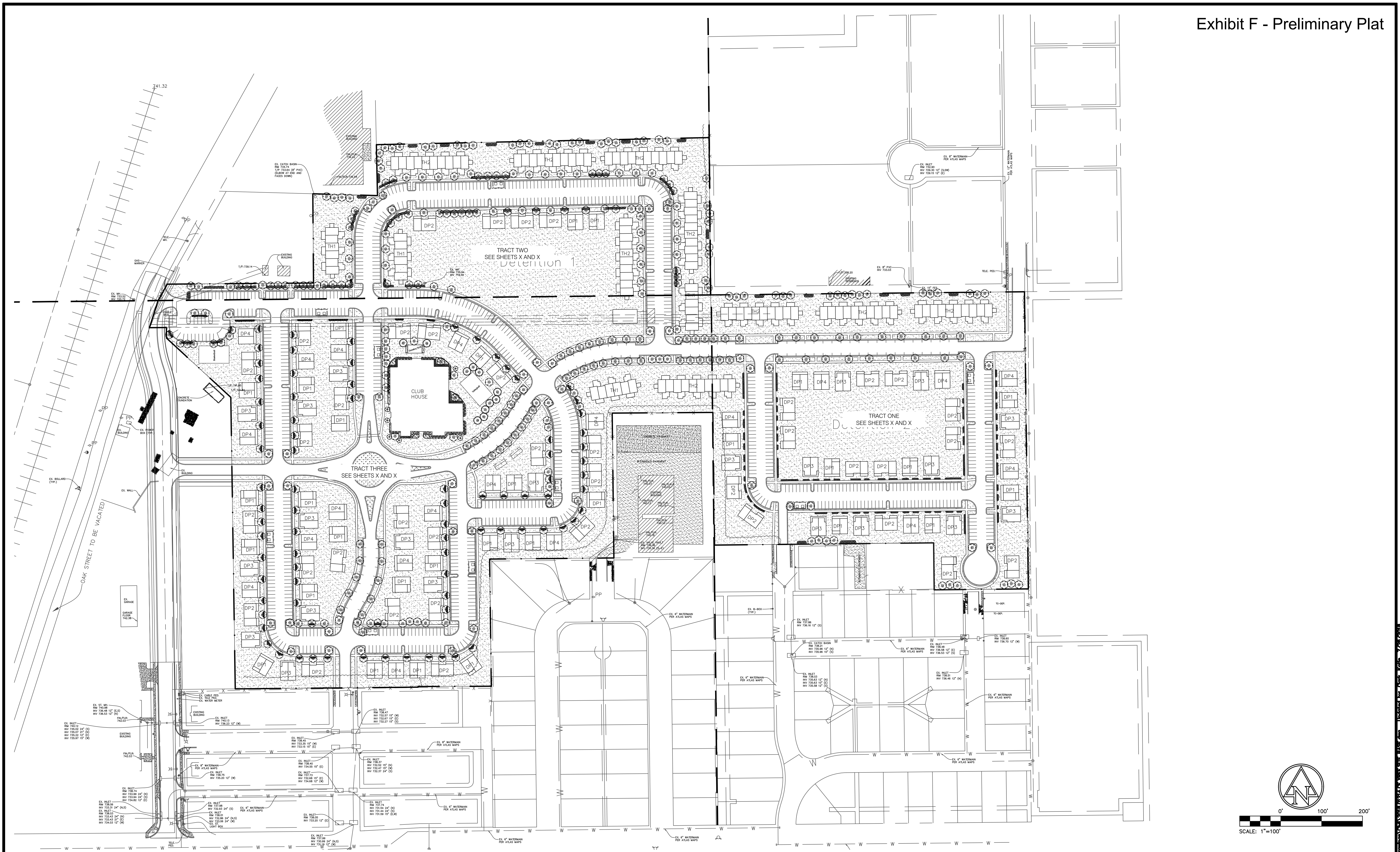
10 S. RIVERSIDE PLAZA, SUITE 875
CHICAGO, ILLINOIS 60606
PHONE (312) 474-7841
FAX (312) 474-6099

2416 GALEN DRIVE
CHAMPAIGN, ILLINOIS 61821
PHONE (217) 351-6268
FAX (217) 355-1902

PREPARED FOR:
TRINITAS DEVELOPMENT LLC

TITLE:
**UNION GARDENS
PRELIMINARY SITE ENGINEERING PLAN
OVERALL PLAN**

SCALE: 1"=100'
DATE: July, 2018
JOB NO: 180306
SHEET 11 OF 24



REVISIONS:					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

DRAWN BY: LH
 CHECKED BY: CC
 APPROVED BY: CC



35701 WEST AVENUE, SUITE 150
 WARRENVILLE, ILLINOIS 60555
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 FAX (630) 393-2152

10 S. RIVERSIDE PLAZA, SUITE 875
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2416 GALEN DRIVE
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 PHONE (217) 351-6268
 FAX (217) 355-1902

PREPARED FOR:
 TRINITAS DEVELOPMENT LLC

TITLE:
 UNION GARDENS
 PRELIMINARY PLANTING PLAN (OVERALL)

SCALE: PER PLAN
 DATE: 07-11-18
 JOB NO: 180306
 SHEET 18 OF 24

P:\2018\07-11-18\180306\180306.dwg Updated by: Clark, Kelsie 7/26/2018