



RESOLUTION NO. 11-012

A Resolution Authorizing the Acceptance of Units 2 and 3 in the Balmorea Subdivision by the Village of Montgomery, Kane and Kendall Counties, Illinois

WHEREAS, the Village of Montgomery desires to expand and grow in an orderly and planned fashion and to provide certain municipal services to residents living in newly constructed areas; and

WHEREAS, certain tangible, physical public improvements are necessary for the provision of the aforesaid municipal services to the residents and occupants of newly constructed areas; and

WHEREAS, the Village of Montgomery has previously authorized the construction of a certain development known as Balmorea within the municipal boundaries and subject to all applicable Village ordinances; and

WHEREAS, the Village, along with the other appropriate public authorities, has permitted the construction of certain public improvements within the aforesaid development; and

WHEREAS, certain public improvements were constructed within the aforesaid development for the purpose of providing municipal services to residents and/or occupants thereof; and

WHEREAS, the Village recognizes that it is within the best interests of the Village and the residents and occupants thereof to take possession of the aforesaid public improvements and to utilize and maintain them for the benefit of the Village; and

WHEREAS, the public improvements which the Village seeks to accept have been tested and examined by the Village and its staff and have been determined to be acceptable for the stated purposes and in substantial compliance with all applicable laws, regulations and ordinances;

NOW, THEREFORE, BE IT RESOLVED by the Village President and the Board of Trustees of the Village of Montgomery as follows:

1. Acceptance of all public improvements EXCEPT for parkway trees, sidewalks and parkways in front of those lots that remain unconstructed, Street lights No. 36-40 on Big Bend Drive, and the bike path on Van Horn Street: Pursuant to all applicable resolutions, ordinances, regulations, agreements and/or contracts (if any) between the Village of Montgomery and JNC Development of Illinois LLC (or related entities), the Village shall formally accept the public improvements of Units 2 and 3 except for the exceptions listed above (as described in the final engineering plans and exhibits on file with the Village for said subdivision).

2. Authorization to Complete Acceptance: Upon fulfillment of the condition precedent noted above, the Village President and Secretary are hereby authorized to execute any documents in order to effect the acceptance of the public improvements, including Bills of Sale for the improvements and are further authorized to order such further inspection, review, completion of punch list items and receipt of lien waivers for the improvements they deem necessary prior to accepting said improvements.

3. Authorization to Utilize, Maintain and Repair: The Village staff of the departments appropriate to the improvements being accepted is, after acceptance thereof, authorized to utilize, maintain and repair the improvements as with any other improvement within the Village, subject to all applicable rules and regulations. This resolution shall be in full force and effect from and after its passage, approval as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, this 24th day of October, 2011.

Marilyn Micheline
President of the Board of Trustees of the Village of
Montgomery, Kane and Kendall Counties, Illinois

AYES: 6

NAYS: _____

ABSENT: _____

ATTEST: Carla Cooper
Clerk, Village of Montgomery





October 10, 2011

Ms. Anne Marie Gaura
Village Manager
Village of Montgomery
200 N. River Street
Montgomery, IL 60538

**Re: *Balmorea (Saratoga Homes) Units 2 and 3
Closeout***

Dear Ms. Gaura:

This letter is to certify that the public improvements in Balmorea Units 2 and 3 have been satisfactorily completed in accordance with the Engineering Plans and Specifications, with the exception of:

- 1) The sidewalk and parkway trees on the unconstructed lots of Balmorea Unit 2.
- 2) Backfill in the ROW behind the curbs
- 3) The Bike path on Van Horn Street
- 4) Five Street lights on Big Bend Drive (36-40).

Please find attached the final closeout checklist for Balmorea Units 2 and 3. The items noted on the checklists will be transmitted to the Village under separate cover.

Therefore, In accordance with the Subdivision Control Ordinance, we recommend that the Village Board enact a resolution accepting the improvements. Following a 12 month guarantee period and receipt of the appropriate bill of sale, the improvements will be eligible for final acceptance by the Village.

The Developer is typically required to furnish an appropriate maintenance guarantee insuring the public improvements against faulty design, workmanship, or materials for a period of one year. This maintenance guarantee is normally established with the issuance of a letter of credit or bond for an amount of 10% of the original estimated cost of the public improvements. The Village of Montgomery has agreed to waive the maintenance bond requirement, but the developer will still be required to repair all public improvements requiring maintenance within one year of acceptance.

Ms. Anne Marie Gaura
October 10
Page 2 of 2

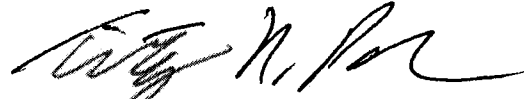
However, the developer shall furnish a bond in the amount of \$541,035.66 to cover the costs of the excepted items (unconstructed sidewalk, parkway trees, ROW backfill, bike path and street lights) and the following items the developer is completing this month: Streetlight wiring for 11 street lights in Unit 2 (by ComEd), completion of individual lot as-builts for two townhome buildings including adjustment to six b-boxes.

Following acceptance, the developer will remain responsible for the ongoing maintenance of the lots in Units 2 and 3 including but not limited to regular mowing of the lot areas and maintenance of the remaining erosion and sediment control items in accordance with Village Ordinances

If you have any questions or require additional information, please contact our office.

Respectfully submitted,

ENGINEERING ENTERPRISES, INC.



Timothy N. Paulson, P.E.
Project Manager

TNP/arf

Enclosure

pc: Mr. Jeff Zoephel, Director of Finance
Mr. Mike Pubentz, P.E., Director of Public Works
Mr. Michael Klupar, Building Inspector
Mr. Michael Brown, Village Planner
Mr. Pavan Peddireddy, Saratoga Homes
PGW, EEI

**ENGINEER'S OPINION OF PROBABLE COST TO COMPLETE IMPROVEMENTS
BALMOREA UNIT 2
(ITEMS EXCLUDED FROM ACCEPTANCE OR INCOMPLETE AT TIME OF ACCEPTANCE)
MONTGOMERY, ILLINOIS
October 10, 2011**

<u>ITEM NO.</u>	<u>ITEM</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
1	BIKEPATH	SF	1,600	\$4.00	\$6,400.00
2	CONCRETE SIDEWALK	SF	52,700	\$6.00	\$316,200.00
3	DETECTABLE WARNINGS	SF	112	\$30.00	\$3,360.00
4	PARKING LOT REMOVAL (ON LOT 147)	SY	450	\$5.00	\$2,250.00
5	STREET LIGHT (COMPLETE)	EA	5	\$5,000.00	\$25,000.00
6	BACKFILL BEHIND CURBS	LF	12,873	\$3.50	\$45,055.50
7	STREETLIGHT WIRING	EA	11	\$1,000.00	\$11,000.00
8	INDIVIDUAL LOT AS-BUILT	EA	2	\$250.00	\$500.00
9	RAISE B-BOX TO GRADE	EA	3	\$500.00	\$1,500.00
10	LOWER B-BOX TO GRADE	EA	2	\$500.00	<u>\$1,000.00</u>
				Sub Total	\$412,265.50
	PARKWAY TREES AND LANDSCAPING FROM ESTIMATE PROVIDED BY PLANNING RESOURCES DATED MARCH 31, 2011				<u>\$79,585.10</u>
				Sub Total	\$491,850.60
				10% Contingency	<u>\$ 49,185.06</u>
				Total Opinion of Probable Cost to Complete Improvements	\$541,035.66

Final Closeout Checklist Village of Montgomery



Project Name: Baltimore Units 2 and 3 Case No. _____
 Date: October 10, 2011 EEI Job #: MO0678&79-D

COMPLETED		BY	TRANSMITTED TO VILLAGE
<u>YES</u>	1 <u>Sanitary Sewer Test Reports and Permits</u> -Air pressure, deflection, and vacuum test results -Fox Metro Permit	<u>EEI</u>	<u>Com. Dev. Dept.</u>
<u>YES</u>	2 <u>Watermain Test Reports & Permits</u> -Pressure test, chlorination, and sampling results -IEPA Operating Permit	<u>EEI</u>	<u>Com. Dev. Dept.</u>
<u>YES</u>	3 <u>Roadway Inspection & Testing</u> -Material Testing Results	<u>EEI</u>	<u>Com. Dev. Dept.</u>
<u>YES</u>	4 <u>Street Lights</u> -Inspection Letters	<u>EEI</u>	<u>Com. Dev. Dept.</u>
<u>N/A</u>	5 <u>IDOT Permits</u> -IDOT Permit Number = -Completion Date =	_____	_____
<u>N/A</u>	6 <u>Landscaping Certification</u> -Certification from Landscape Architect	_____	_____
<u>N/A</u>	7 <u>Detention Facility Certification</u> -As-Built Plan for basin -Volume Certification	_____	_____
<u>N/A</u>	8 <u>Detention Facility Maintenance Plan</u>	_____	_____
<u>Yes</u>	9 <u>Punch List Inspections</u> -Hardcopy of final punch letter -All letters properly archived	<u>EEI</u>	<u>Com. Dev. Dept.</u>
<u>Yes</u>	10 <u>GASB 34 Inventory</u> -Infrastructure inventory	<u>EEI</u>	<u>Com. Dev. Dept.</u>
<u>YES</u>	11 <u>SSA - Ordinance Recorded</u>	<u>EEI</u>	<u>Com. Dev. Dept.</u>
<u>YES</u>	12 <u>Montgomery Atlas Maps & GIS Updated</u>	<u>EEI</u>	<u>Com. Dev. Dept.</u>
<u>YES</u>	13 <u>As-Built Plans Provided</u> -One Mylar, Four paper copies, CD-Rom -Scanned .pdf of approved paper copy on file	<u>EEI</u>	<u>Com. Dev. Dept.</u>
<u>YES</u>	14 <u>Field Reports Properly Archived</u>	<u>EEI</u>	<u>Com. Dev. Dept.</u>
<u>Yes</u>	15 <u>Park District Sign-off Obtained</u>	<u>PD</u>	<u>Com. Dev. Dept.</u>

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