



DocId:8936332

Tx:4631836

RETURN TO:

**CITY CLERK OF TROY
116 E. MARKET STREET
TROY, IL 62294**

2024R23790
STATE OF ILLINOIS
MADISON COUNTY
08/28/2024 10:24 AM
LINDA A. ANDREAS
CLERK & RECORDER
REC FEE: 50.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE:
OF PAGES: 7

**CITY OF TROY
RESOLUTION 2024-28**

50 cty

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
MAINTENANCE AGREEMENT WITH CPO INVESTMENTS, LLC
(WEST WIND VILLAS)**

***ADOPTED BY THE CITY COUNCIL OF THE
CITY OF TROY, ILLINOIS
THIS 5th DAY OF AUGUST 2024***

DL

RESOLUTION NO. 2024 - 28

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
MAINTENANCE AGREEMENT WITH CPO INVESTMENTS, LLC
(WEST WIND VILLAS)**

WHEREAS, the City Council for the City of Troy, Illinois, believes that it is in the best interest of the City and its citizens to enter into a Maintenance Agreement with CPO Investments, LLC, to ensure that they construct and perpetually maintain stormwater management facilities for the West Wind Villas Subdivision; and

WHEREAS, the Maintenance Agreement is attached hereto and incorporated herein as Exhibit A, and the City believes that such terms and conditions are in the best interest of the health, safety and general welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TROY, ILLINOIS, AS FOLLOWS:

1. The recitals set forth above are hereby incorporated herein as if fully set forth.
2. The City Administrator of the City of Troy, Illinois, is hereby authorized to execute and enter into the attached Maintenance Agreement with CPO Investments, LLC, and is further authorized to take all actions and sign all documents necessary to fulfill the intent of this Resolution.
3. This Resolution shall be in effect following its passage, approval and publication as provided by law.


PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 5th day of August, 2024.

Aldermen:

Dan Dawson	<u>AYE</u>	Sam Italiano	<u>AYE</u>	Ayes:	<u>7</u>
Tim Flint	<u>AYE</u>	Debbie Knoll	<u>AYE</u>	Nays:	<u>0</u>
Elizabeth Hellrung	<u>AYE</u>	Tony Manley	<u>AYE</u>	Absent:	<u>1</u>
Nathan Henderson	<u>ABSENT</u>	Troy Turner	<u>AYE</u>	Abstain:	<u>0</u>




APPROVED:



DAVE NONN, Mayor
City of Troy, Illinois

ATTEST:



KIMBERLY THOMAS, Clerk
City of Troy, Illinois

3 INCH AREA ABOVE – LEAVE BLANK (FOR RECORDERS OFFICE USE ONLY)

DOCUMENT TYPE: AGREEMENT

DATE OF DOCUMENT:

GRANTOR: CPO Investments, LLC
7700 Stonebridge Golf Dr. Maryville IL 62062

GRANTEE: City of Troy
116 E. Market Street, Troy, IL 62294

PROPERTY ADDRESS: Bouse Rd, Troy, IL 62294

PARCEL ID: 10-1-16-31-00-000-013

LEGAL DESCRIPTION: See Attached

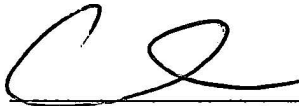
MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that CPO Investments, LLC, Inc., an Illinois Corporation, for and in consideration of the approval of sewer plans and of the issuance of a sewer permit by the City of Troy for storm water management facilities according to plans to be approved by said City for a development known as West Wind Villas in Troy, Illinois, and other good and valuable considerations, do hereby agree and promise, as follows:

1. To build and construct stormwater management facilities, including Best Management Practices (BMP), basins, drainage facilities, appurtenances and sewer lines, in accordance with the design, plans and report, submitted to and approved by the CITY OF TROY. The stormwater management facilities are to be perpetually located within the dimensioned and reserved area, as shown hachured on Out-lot B of Exhibit "A" (Final Plat) as attached hereto and made a part hereof.
2. To maintain and operate the stormwater management facilities in conformity with the approved Plans and/or Drainage Calculations.
3. To maintain all pipes and drains in good working order and maintain all walls, dikes, vegetation, filter media, and any other requisite appurtenances and improvements for the retention and management of stormwater in good repair.
4. That in the event CPO Investments, LLC, Inc. or its successor in title to said property shall fail to maintain the stormwater management facilities, BMP, basins, drainage facilities, appurtenances and sewer lines in accordance with this agreement, the CITY OF TROY shall be permitted to enter onto the property and make the repairs and corrections and perform such maintenance as it deems necessary and bill the owners of said property for the services performed. It is further agreed that in the event said bill or charge for the services performed shall not be paid within a period of thirty (30) days said sum shall become a lien on the real property and shall accrue interest at a rate of eight percent (8%) per annum until paid in full.
5. This agreement is irrevocable and shall continue.

IN WITNESS WHEREFORE, the said CPO Investments, LLC, Inc. has caused these presents to be signed by its REPRESENTATIVE this 8TH day AUGUST, 2024.


CPO Investments, LLC
An Illinois corporation

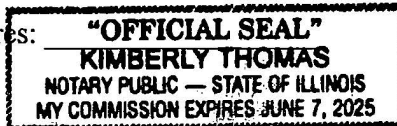
BY: 
Cade Osborn
Member

STATE OF ILLINOIS)
) SS.
COUNTY OF MADISON)

I, KIMBERLY THOMAS, a Notary Public in and for the county and state aforesaid, DO HEREBY CERTIFY that Cade Osborn, Member of CPO Investments, LLC, Inc., an Illinois corporation, who is personally known to me to be the same persons whose name is subscribed to the foregoing instrument as such Cade Osborn, Member, appeared to me this day in person and acknowledged that He signed, sealed and delivered the said instrument as His free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 8TH day of AUGUST, 2024.


Notary Public
My commission expires:



IN WITNESS WHEREOF, the parties hereto have duly executed these presents to be signed by the City Administrator for the City of Troy.

CITY OF TROY

BY J. Keeven
Jay Keeven
City Administrator

STATE OF ILLINOIS)
) SS.
COUNTY OF MADISON)

On this 6TH day of AUGUST, 2024, before me personally appeared Jay Keeven to me personally known, who being by me duly sworn, did say that he is the City Administrator, of the CITY OF TROY and that said instrument was signed and sealed in behalf of said CITY OF TROY by authority its City Council and said Jay Keeven acknowledged said instrument to be the free act and deed of said CITY OF TROY.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this 6TH day of AUGUST, 2024

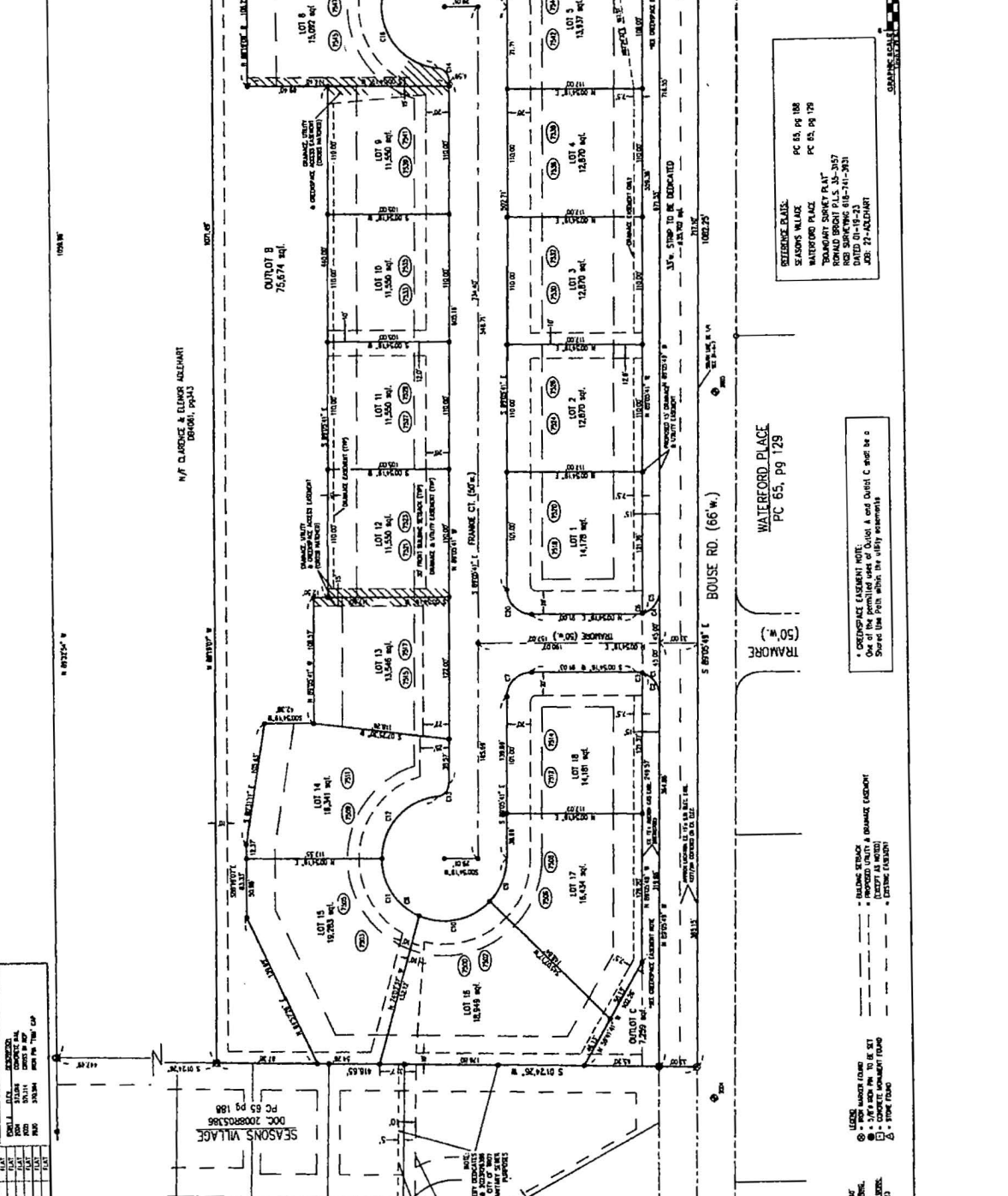
My Commission expires JUNE 7, 2025

Kimberly Thomas
Notary Public



END OF DOCUMENT

DATE	DESCRIPTION	BY	DATE	DESCRIPTION	BY
01/15/23	REVISION	JL	01/15/23	REVISION	JL
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01/15/23	REVISION	JL	01/15/23	REVISION	JL



MINIMUM TOP FOUNDATION ELEVATIONS

LOT	MINIMUM TOP FOUNDATION ELEVATION	COMMENTS
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NOTE: THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE DEVELOPMENT TO VERIFY THE ACCURACY OF THE SURVEY AND TO IDENTIFY ANY POTENTIAL PROBLEMS. THE ENGINEER HAS FOUND NO SIGNIFICANT DEFICIENCIES. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY OR THE RESULTS OF ANY TESTS OR ANALYSES CONDUCTED BY OTHER PROFESSIONALS. THE ENGINEER'S DESIGN IS BASED ON THE ASSUMPTIONS AND INFORMATION PROVIDED BY THE CLIENT AND OTHER PROFESSIONALS. THE ENGINEER'S DESIGN IS SUBJECT TO CHANGE WITHOUT NOTICE. THE ENGINEER'S DESIGN IS VALID FOR THE JURISDICTION OF THE STATE OF CALIFORNIA. THE ENGINEER'S DESIGN IS NOT VALID FOR ANY OTHER JURISDICTION. THE ENGINEER'S DESIGN IS NOT VALID FOR ANY OTHER USE. THE ENGINEER'S DESIGN IS NOT VALID FOR ANY OTHER PURPOSE. THE ENGINEER'S DESIGN IS NOT VALID FOR ANY OTHER REASON. THE ENGINEER'S DESIGN IS NOT VALID FOR ANY OTHER PURPOSE. THE ENGINEER'S DESIGN IS NOT VALID FOR ANY OTHER REASON. THE ENGINEER'S DESIGN IS NOT VALID FOR ANY OTHER PURPOSE. THE ENGINEER'S DESIGN IS NOT VALID FOR ANY OTHER REASON.

SEASONS VILLAGE
DOC 2008R03386
PC 65 pg 188

DRAFT, NOT FOR RECORD

NETEMEYER ENGINEERING
ASSOCIATES, INC.
19152 Santa Monica Blvd.
Suite 200
Santa Monica, CA 90405
Tel: (310) 581-1811
Fax: (310) 581-1812
www.netemeyer.com

DATE: 04-15-23
JOB: 21-ANLDRHT
PROJECT NO: 2102011 - REV: 12/22/23 - PAGE 2 OF 3