



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

www.yorkville.il.us

PLANNING AND ZONING COMMISSION AGENDA

Wednesday, April 13, 2022

7:00 PM

Yorkville City Hall Council Chambers
800 Game Farm Road

Meeting Called to Order: 7:00 p.m.

Roll Call:

Previous meeting minutes: January 12, 2022

Citizen's Comments

Public Hearings

1. **PZC 2022-02** The petitioner, Dawn Leprich-Graves, on behalf of BW Property Holdings, LLC/Bricolage Wellness, PLLC, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification of an approximately 1.17-acre parcel located at 8721 Route 126 in Yorkville, Illinois. The property is part of the previously approved Windmill Farms Annexation Agreement and the petitioner is seeking to rezone the parcel from the Planned Unit Development (PUD) zoning designation to the B-3 General Business District. The purpose of the rezoning is to establish and operate a professional services business within the existing residential structure.

Action Item

Rezone

Unfinished Business

New Business

1. **PZC 2022-02** The petitioner, Dawn Leprich-Graves, on behalf of BW Property Holdings, LLC/Bricolage Wellness, PLLC, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification of an approximately 1.17-acre parcel located at 8721 Route 126 in Yorkville, Illinois. The property is part of the previously approved Windmill Farms Annexation Agreement and the petitioner is seeking to rezone the parcel from the Planned Unit Development (PUD) zoning designation to the B-3 General Business District. The purpose of the rezoning is to establish and operate a professional services business within the existing residential structure.

Action Item

Rezone

2. **PZC 2022-06** The petitioner, David Schultz, on behalf of Troy Mertz, is seeking Final Plat Amendment approval to introduce a new townhome product for the remaining thirteen (13) lots within Unit 3 of Bristol Bay. The change in product type will result in sixty-one (61) townhome units, varying between 4, 5 and 6 units per building in Bristol Bay Unit 3. This will result in the interior building lot lines for Lots 12, 15, 18 and 13 requiring adjustment, and the minor encroachment within the rear and side property lines on the same lots.

Action Item

Final Plat Amendment

3. **PZC 2022-07** The petitioner, David Schultz, on behalf of Troy Mertz, is seeking Final Plat of Subdivision approval for Bristol Bay Unit 13. The petitioner is seeking Final Plat approval to subdivide the approximately 25-acre parcel into 69 lots consisting of 68 single-family units and a 3.25-acre park site.

Action Item

Final Plat

Additional Business

1. **City Council Action Updates**

- a. **PZC 2021-07** The petitioner, Yorkville Bristol Sanitary District (YBSD), has filed an application with the United City of Yorkville, requesting variances from the Stormwater and Floodplain Regulations (as adopted by the United City of Yorkville); Landscape Ordinance of the City Code; and Dimensional and Bulk Requirements of the City Code, for a future expansion of their wastewater treatment operations. The real property is zoned A-1 Agricultural District with a Special Use for a sanitary district water treatment facility and is generally located west of North Bridge Street (IL Route 47), south of River Road and immediately north of the Fox River at 304 River Street in Yorkville, Illinois.

Action Item

Variances

Adjournment

PLANNING & ZONING COMMISSION
City Council Chambers
800 Game Farm Road, Yorkville, IL
Wednesday, January 12, 2022 7:00pm

NOTE: In accordance with Public Act 101-0640 and Gubernatorial Disaster Proclamation issued by Governor Pritzker pursuant to the powers vested in the Governor under the Illinois Emergency Management Agency Act, the City of Yorkville is allowing remote attendance at this meeting. Social distancing is being encouraged due to the current Covid-19 pandemic.

Meeting Called to Order

Chairman Jeff Olson called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call

Jeff Olson-yes
Richard Vinyard-yes
Danny Williams-yes/electronic attendance
Deborah Horaz-yes/electronic attendance
Rusty Hyett-yes/electronic attendance

Absent: Greg Millen, Don Marcum

City Staff

Krysti Barksdale-Noble, Community Development Director
Jason Engberg, Senior Planner

Other Guests

(All guests were by electronic attendance)

Lynn Dubajic, City Consultant	Dave Schultz, EEI
Brent Perz	Brad Sanderson, EEI
Matt & Jessica (no last name given)	Greg VanDyk
Paul Siegfried	Cyrus McMains/YBSD
Matt Asselmeier, Kendall County	

Previous Meeting Minutes December 8, 2021

The minutes were approved as presented on a motion and second by Commissioners Vinyard and Williams, respectively.

Roll call: Olson-yes, Vinyard-yes, Williams-yes, Horaz-present, Hyett-yes.

Carried: 4-yes and 1 present.

Citizen's Comments None

Public Hearings

1. **PZC 2021-07** The petitioner, Yorkville Bristol Sanitary District (YBSD), has filed an application with the United City of Yorkville, requesting variances from the Stormwater and Floodplain Regulations (as adopted by the United City of

Yorkville); Landscape Ordinance of the City Code; and Dimensional and Bulk Requirements of the City Code, for a future expansion of their wastewater treatment operations. The real property is zoned A-1 Agricultural District with a Special Use for a sanitary district water treatment facility and is generally located west of North Bridge Street (IL Route 47), south of River Road and immediately north of the Fox River at 304 River Street in Yorkville, Illinois.

Chairman Olson explained the Public Hearing procedure and swore in those who would present testimony. The Public Hearing was opened at 7:03pm on a motion and second by Commissioners Williams and Vinyard, respectively.

Roll call: Vinyard-yes, Williams-yes, Horaz-yes, Hyett-yes, Olson-yes. Carried 5-0.

The Public Hearing description was read by Mr. Olson followed by an introduction of the request by YBSD Director, Cyrus McMains. He said YBSD needs to expand their facilities and upgrade with modern technology. They have land along the river in the floodplain and they also want to protect it against flooding due to millions of dollars of equipment.

There was no further testimony and a motion was made and seconded at about 7:06pm by Mr. Vinyard and Mr. Williams, respectively, to close the Hearing. Roll call: Williams-yes, Horaz-yes, Hyett-yes, Olson-yes, Vinyard-yes. Carried 5-0.

Unfinished Business None

New Business

2. PZC 2021-07 YBSD Expansion (see full description above)

Ms. Noble said YBSD and the city have been in contact for many years about the city's growth and that the sanitary sewer is stretched to capacity. There is a need for expansion and there are restrictions to allow for this growth. Ms. Noble listed the variances and further explanations for each.

1. Full waiver regarding stormwater retention regulations.
2. Full waiver of compensatory storage.
3. Full waiver of Landscape Ordinance and waiver of tree replacement, but a request for a tree survey.
4. Waiver of building setbacks. The 2 parcels will be considered as one and the 10-foot setback will be waived on the interior.

These requests were previously presented at a Plan Council meeting and the petitioner has requested their responses be entered into the official record. Chairman Olson read the various standards for granting variances and there were no objections from the Commissioners. Ms. Noble said that a separate motion would be needed for each variance. In addition, a representative from Kendall County was present since the county also has to grant variances.

Action Item

Variances

Motions to approve PZC 2021-07 YBSD Variances:

a) Stormwater Detention

Moved by Mr. Vinyard and seconded by Mr. Williams, motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on January 12, 2022 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a requested variance to Title 8 – Building Regulations, Chapter 7 – Stormwater and Floodplain Regulations (Section 203.1.b of the Kendall County Stormwater Management Ordinance as adopted by the United City of Yorkville) granting full relief of the stormwater detention requirements for a future wastewater treatment facility to be located on the 21-acre parcel immediately west of 304 River Street. Roll call: Horaz-yes, Hyett-yes, Olson-yes, Vinyard-yes, Williams-yes. Carried 5-0.

b. Compensatory Storage

Moved by Mr. Vinyard and seconded by Mr. Williams, motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on January 12, 2022 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a requested variance to Title 8 - Building Regulations, Chapter 7 – Stormwater and Floodplain Regulations (Section 403.a of the Kendall County Stormwater Management Ordinance as adopted by the United City of Yorkville) granting full relief of the compensatory storage requirements for a future wastewater treatment facility to be located on the 21-acre parcel immediately west of 304 River Street. Roll call: Hyett-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes. Carried 5-0.

c) Landscape Ordinance

Moved by Mr. Vinyard and seconded by Mr. Williams, motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on January 12, 2022 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a requested variance to Title 8 – Building Regulations, Chapter 12 – Landscape Ordinance of the Yorkville City Code granting full relief of the tree preservation and replacement requirements for a future wastewater treatment facility to be located on the 21-acre parcel immediately west of 304 River Street and subject to staff's recommendations. Roll call: Hyett-yes, Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes. Carried 5-0.

d. Building Setback

Moved by Mr. Vinyard and seconded by Mr. Williams, motion read by Mr. Vinyard: In consideration of testimony presented during a Public Hearing on January 12, 2022 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a requested variance to Title 10 – Zoning, Chapter 7 – Dimensional and Bulk Requirements of the Yorkville City Code granting a reduction of yard setbacks in the A-1 Agricultural Zoning District to 10' from all property lines for a future wastewater treatment facility to be located on the 21-acre parcel immediately west of 304 River Street. Roll call: Olson-yes, Vinyard-yes, Williams-yes, Horaz-yes, Hyett-yes. Carried 5-0.

Additional Business

1. City Council Action Updates

- a. PZC 2021-08** The petitioner, Brian Henrichs, on behalf of Baka Properties, LLC, is requesting to rezone their property from the A-1 Agricultural District to R-3 One Family Residential District in unincorporated Kendall County. The

property is generally located at the southeast of the Heartland Circle subdivision in Yorkville at the intersection of Tuma Road and Riverside Street.

Action Item

Mile and One-Half Review

Mr. Matt Asselmeier from Kendall County, reported the petition was withdrawn on the day of the county Hearing and the petitioner stated he might return with a new request this year.

Adjournment

There was no further business and the meeting was adjourned at 7:25pm on a motion and second by Commissioners Horaz and Williams, respectively. Unanimous voice vote.

Respectfully submitted by
Marlys Young, Minute Taker/in-person

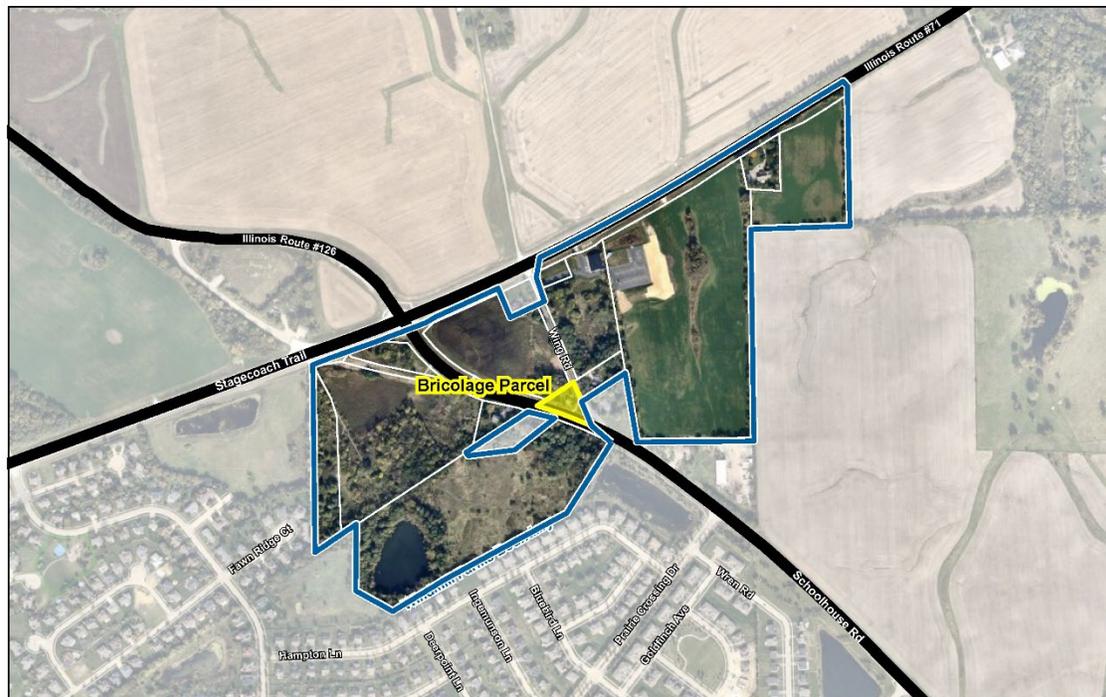


Memorandum

To: Planning and Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Jason Engberg, Senior Planner
Date: April 6, 2022
Subject: **PZC 2022-02 Bricolage Wellness – 8721 Route 126 (Rezoning)**
PUBLIC HEARING: Proposed Professional Services Office Use

SUMMARY:

The petitioner, Dawn Leprich-Graves, on behalf of BW Properties Holdings, LLC (dba Bricolage Wellness, PLLC), is the contract purchaser of an approximately 1.17-acre parcel located at 8721 Route 126 seeking rezoning approval. The property was included in the previously approved Windmill Farms Annexation and Planned Unit Development Agreement, which permitted certain land uses consistent with those found in the R-4 General Multi-Family Residence District and B-3 General Business zoning districts. The petitioner seeks to utilize the existing one-and-a-half story residential structure on the parcel as a professional office providing counselling and therapeutic services. The requested new zoning of B-3 General Business District would be consistent with the recently rezoned 7.5-acre parcel immediately to the west and remove the remnant Planned Unit Development zoning established as part of the Windmill Farms agreement. Below is a map of the subject property and the overall boundary of the Windmill Farms PUD.



Windmill Farms Bricolage Location Map

United City of Yorkville, Illinois
April 6, 2022



PROPERTY BACKGROUND:

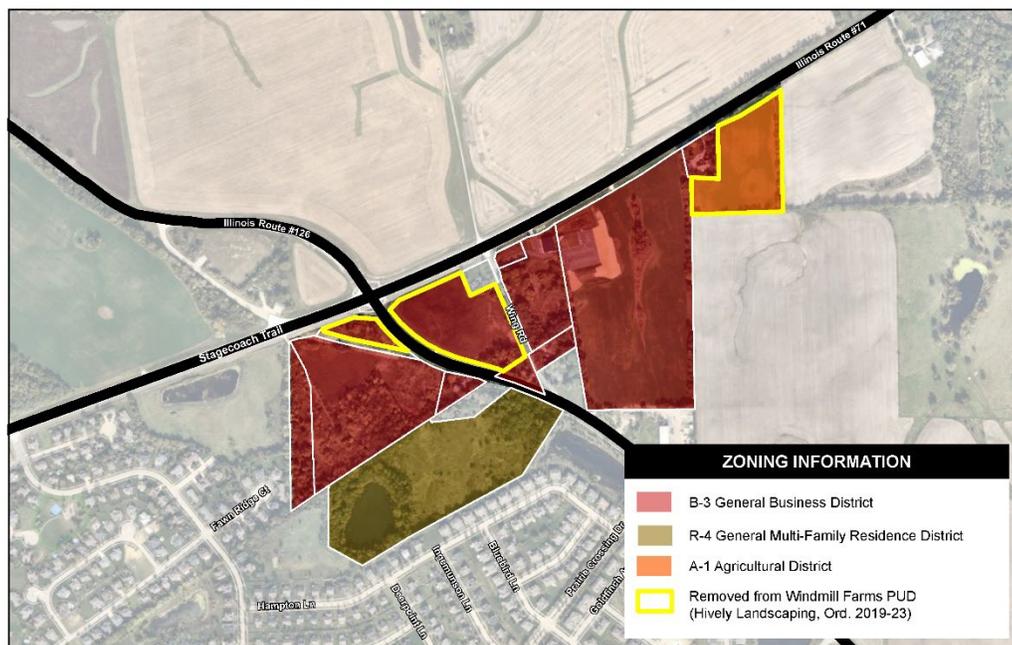
As stated, the subject property was zoned within the Planned Unit Development (PUD) District with B-3 General Business District and R-4 General Multi-Family Residence District land uses, as part of the Windmill Farms’ annexation approved in 2008 per Ordinance 2008-40. Per Exhibit “E” of Ord. 2008-40, the approximately 91-acre site, of which the subject parcel is included, was to be developed with a mix of residential and commercial land uses. The annexation and concept site plan were the only approvals granted for the Windmill Farms development. Although zoned with underlining commercial and multi-family land uses since 2008, the subject property continued to be utilized as a residential dwelling originally constructed in 1948 until being placed on the market for sale this year.

Per the City Attorney, since the Windmill Farms Planned Unit Development was never formalized by final plat of subdivision, and with the passage of time, the approved concept plan for the development is no longer valid. Therefore, concurrent with this rezoning request, a separate Annexation and PUD agreement amendment has been requested that will invalidate the former PUD zoning classification and removes the provisions of the concept plan from the subject property. This process is identical to the 2019 rezoning approval for two (2) parcels totaling 16.21-acres, also part of the Windmill Farms PUD, purchased by Hively Landscaping.

SITE ANALYSIS:

The following table and map illustrate the current zoning and land uses of the entire 91-acre Windmill Farms PUD, including the subject property:

	Zoning	Land Use
North	B-3 General Business District	Vacant Farm Land
South	R-4 General Multi-Family Residence District	Vacant Farm Land
East	B-3 General Business District	Vacant Farm Land/Religious Institution
West	B-3 Business	Vacant Farm Land



Windmill Farms Zoning Map



Zoning

The proposed professional services office is outright permitted within the requested B-3 General Business District zoning. The B-3 zoning is also consistent with the underlying zoning of the subject property established by the PUD, as the current residential land use is considered legally non-conforming. Further, the requested zoning is in keeping with the trend of development within the area immediately surrounding the subject property since seventy-five percent (75%) of the properties are zoned B-3. The most recent occurred in 2019 when Hively Landscaping petitioned to have the parcel directly north of the subject property rezoned from PUD to the B-3 General Business District for a commercial landscaping and greenhouse business.

Comprehensive Plan (Future Land Use)

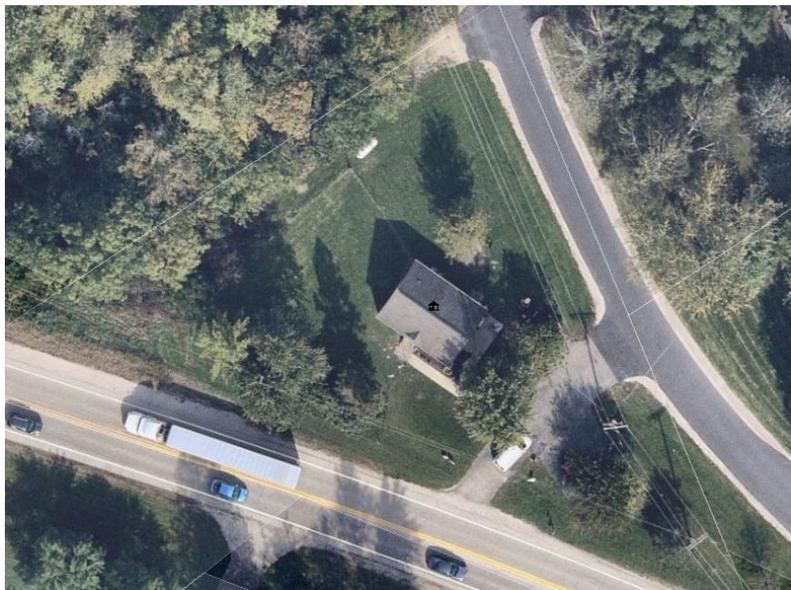
The subject property's future land use is classified as "Estate/Conservation Residential (ERC)" which is intended to provide flexibility for residential design in areas that can accommodate low-density detached single-family housing but also include sensitive environmental and scenic features that should be retained and enhanced. This land use category was implemented as a "holding" classification for those areas, particularly on the outskirts or along the perimeter of the City's corporate boundaries, that had an entitlement plan approved but lacked the public infrastructure to support the development of the land within the 10-year timeline of the 2016 Comprehensive Plan Update.

As conditions change, reevaluation of this guiding document is necessary and anticipated. Therefore, if the rezoning request is approved, an amendment to the Comprehensive Plan Future Land Use map will be required. This will provide a documentation of the change in the City's approval of the development conditions related to this property and align the proposed B-3 zoned parcel with a future land use designation suitable for the professional services office land use, such as "Destination Commercial (DC)". The "Destination Commercial" future land use, as defined in the 2016 Comprehensive Plan Update, is intended for a variety of low-scaled auto oriented commercial uses, including offices.

Proposed Professional Services Office Use

Bricolage is a professional therapeutic wellness center providing office-based and telehealth care for their patients. As the contract purchaser, Bricolage proposes to repurpose the existing one-and-a-half story residential structure as their third location for counselling and therapeutic professional services. Their other locations are in Lombard and the Chicago Lakeview/Lincoln Park area.

Currently, the petitioner is not seeking to substantially redevelop the property but may seek to construct an addition and expand/restripe the existing asphalt parking area.



The existing residential structure is newly remodeled and has three-bedrooms, one bath, a dormer-style upper level and full unfinished basement consisting of 900 square feet. Per Section 10-16-3: Off Street Parking in the Zoning Ordinance, the minimum required parking spaces for office uses in the B-3 zoning

district is 2 per 1,000 square feet, requiring 2 parking spaces for the property. The existing asphalt parking pad can easily accommodate the required off street parking stalls.

The following chart illustrates the minimum required yard setbacks for buildings/structures within the **B-3 General Business District**:

	Minimum Requirement	Existing Setback
Front (IL Rte. 126)	50 feet	+/- 26' (<i>approx. 50' to roadway</i>)
Rear (Wing Road)	20 feet	+/- 26'
Corner Side (Wing Road/IL Rte. 126)	30 feet	+/- 150'
Interior Side	30 feet	+/- 68'

Additionally, parking lots within the B-3 zoning district must maintain a minimum of 20 feet setback from the property line when located adjacent to a major arterial roadway. While the existing parking pad (exclusive from the driveway) overhangs a portion of the property line, the paved area is approximately 25 feet from the asphalt edge of IL Route 126 (Schoolhouse Road). Wing Road is not considered a major arterial roadway.

Utilities

There are no nearby public utilities (water, sewer) in this area. The petitioner will utilize an existing well and septic field for the on-site needs of the property. Per City Code, however, once utilities are available within 250' of the subject property, they are required to connect to city water and sewer.

Access/Transportation

The subject property has convenient right-in and right-out access off of IL Route 126 (School House Road) and full access off of Wing Road. Each access point leading to the newly widened and reconstructed IL Route 71.

FINDINGS OF FACT FOR REZONING:

Section 10-4-10-B of the City's Zoning Ordinance establishes criteria for findings of fact related to rezoning (map amendment) requests. When the purpose and affect is to change the zoning of a property and amend the City's Zoning Map, the Planning and Zoning Commission shall consider each of the following facts before rendering a decision on the request:

1. The existing uses and zoning of nearby property.
2. The extent to which the property values are diminished by the particular zoning restrictions.
3. The extent to which the destruction of the property values of plaintiff promotes the health, safety, morals or general welfare of the public.
4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.
5. The suitability of the subject property for the zoned purpose.
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.
7. The community need for the proposed use.
8. The care to which the community has undertaken to plan its land use development.

The petitioner has provided written responses to these findings as part of their application (see attached) and requests inclusion of those responses into the public record at the April 13, 2022 Planning and Zoning Commission meeting.

STAFF COMMENTS:

Staff is supportive of the proposed rezoning; even though, if approved, would require an amendment to the Comprehensive Plan Update. Our recommendation is in consideration of the length of time the area has remained undeveloped under the current concept plan and zoning. This is in addition to the existing annexation agreement not correctly approving a special use authorizing a PUD for the Windmill Farm development and the recent rezoning of the adjacent parcel for the same requested B-3 zoning.

PROPOSED MOTION:

In consideration of testimony presented during a Public Hearing on April 13, 2022 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for a map amendment to rezone the property located at 8721 Route 126 from Planned Unit Development (PUD) to B-3 General Business District and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

ATTACHMENTS:

1. Petitioner Rezoning Application
2. Ordinance 2008-40 - Windmill Farms Annexation and PUD Agreement
3. Ordinance 2008-42 – Windmill Farms Rezoning Ordinance
4. Public Hearing Notice



United City of Yorkville
 800 Game Farm Road
 Yorkville, Illinois, 60560
 Telephone: 630-553-4350
 Fax: 630-553-7575
 Website: www.yorkville.il.us

APPLICATION FOR REZONING

DATE: 2/15/22	PZC NUMBER:	DEVELOPMENT NAME: Windmill Farms
PETITIONER INFORMATION		
NAME: Dawn Leprich-Graves		COMPANY: BW Property Holdings, LLC/Bricolage Wellness, PLLC
MAILING ADDRESS: 477 E. Butterfield Rd, Suite 212		
CITY, STATE, ZIP: Lombard, IL 60148		TELEPHONE: <input checked="" type="radio"/> BUSINESS <input type="radio"/> HOME 630-866-5666
EMAIL: dawn@bricolage-wellness.com		FAX:
PROPERTY INFORMATION		
NAME OF HOLDER OF LEGAL TITLE: Big Sky Management, LLC/ Frances L. Alexander, owner		
IF LEGAL TITLE IS HELD BY A LAND TRUST, LIST THE NAMES OF ALL HOLDERS OF ANY BENEFICIAL INTEREST THEREIN: N/A		
PROPERTY STREET ADDRESS: 8721 Route 126, Yorkville		
DESCRIPTION OF PROPERTY'S PHYSICAL LOCATION: South of IL Route 71, at the northwest intersection of Wing Road and IL State Route 126.		
CURRENT ZONING CLASSIFICATION: PUD_B3		REQUESTED ZONING CLASSIFICATION: PUD_B3
COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION: Estate Conservation or Residential		TOTAL ACREAGE: 1.17 acres
ZONING AND LAND USE OF SURROUNDING PROPERTIES		
NORTH: B-3 undeveloped vacant land		
EAST: Planned Unit Development (PUD), underlying zoning of B-3, unincorporated parcel residential		
SOUTH: Planned Unit Development (PUD), underlying zoning of B-3, unincorporated parcel residential		
WEST: Planned Unit Development (PUD), underlying zoning of B-3 and R-4		
KENDALL COUNTY PARCEL IDENTIFICATION NUMBER(S)		
05-03-300-007		



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APPLICATION FOR REZONING

ATTORNEY INFORMATION

NAME: Jeff M. Goldberg

COMPANY: Hinshaw and Culbertson, LLP

MAILING ADDRESS: 151 N. Franklin St, Suite 2500

CITY, STATE, ZIP: Chicago, IL 60606

TELEPHONE: 312-704-3771

EMAIL: jgoldberg@hinshawlaw.com

FAX:

ENGINEER INFORMATION

NAME:

COMPANY:

MAILING ADDRESS:

CITY, STATE, ZIP:

TELEPHONE:

EMAIL:

FAX:

LAND PLANNER/SURVEYOR INFORMATION

NAME:

COMPANY:

MAILING ADDRESS:

CITY, STATE, ZIP:

TELEPHONE:

EMAIL:

FAX:

ATTACHMENTS

Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".

Petitioner must list the names and addresses of any adjoining or contiguous landowners within five hundred (500) feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".



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APPLICATION FOR REZONING

REZONING STANDARDS

PLEASE STATE THE EXISTING ZONING CLASSIFICATION(S) AND USES OF THE PROPERTY WITHIN THE GENERAL AREA OF THE PROPOSED REZONED PROPERTY:

The property is currently part of the Windmill Farms Development with an underlying zoning of B3. The property is currently adjacent to agricultural and low density housing.

PLEASE STATE THE TREND OF DEVELOPMENT, IF ANY, IN THE GENERAL AREA OF THE PROPERTY IN QUESTION, INCLUDING CHANGES, IF ANY, WHICH HAVE TAKEN PLACE SINCE THE DAY THE PROPERTY IN QUESTION WAS PLACED IN ITS PRESENT ZONING CLASSIFICATION:

There have been no advancements to the Windmill Farms development. There have been some commercial interests in the area on some of the nearby parcels.

PLEASE STATE THE EXTENT TO WHICH PROPERTY VALUES ARE DIMINISHED BY THE PARTICULAR ZONING RESTRICTIONS:

There will be no impact to property values by rezoning to B3, as it is currently a commercial underlying zone.

PLEASE STATE THE EXTENT TO WHICH THE DESTRUCTION OF PROPERTY VALUES OF PETITIONER PROMOTES THE HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE PUBLIC:

There is no destruction of property values.



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APPLICATION FOR REZONING

REZONING STANDARDS

PLEASE STATE 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 part of the Windmill Farms development since 2008 with an underlying B3 zoning. The property has been used as a residential home since before the PUD was established. This outright B3 zoning will follow the current trend of commercial development in the area.

PLEASE STATE THE COMMUNITY NEED FOR THE PROPOSED LAND USE:

This business benefits the community through providing mental health and wellness services to individuals, couples and groups.

WITH RESPECT TO THE SUBJECT PROPERTY, PLEASE STATE THE CARE WITH WHICH THE COMMUNITY HAS UNDERTAKEN TO PLAN ITS LAND USE DEVELOPMENT:

Yorkville's 2016 comprehensive plan outlines all future land usage within its planning boundary, including this property and area. While designated for estate/conservation residential, the plan indicates this use may change depending on future development trends in specific areas of Yorkville.

PLEASE STATE THE IMPACT THAT SUCH RECLASSIFICATION WILL HAVE UPON TRAFFIC AND TRAFFIC CONDITIONS ON SAID ROUTES; THE EFFECT, IF ANY, SUCH RECLASSIFICATION AND/OR ANNEXATION WOULD HAVE UPON EXISTING ACCESSES TO SAID ROUTES; AND THE IMPACT OF ADDITIONAL ACCESSES AS REQUESTED BY THE PETITIONER UPON TRAFFIC AND TRAFFIC CONDITIONS AND FLOW ON SAID ROUTES (ORD. 1976-43, 11-4-1976):

The business does not contribute to a large traffic count. On average, there are a maximum of 2-3 car trips per hour of operation. The businesses will be open during business hours throughout the week.



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APPLICATION FOR REZONING

REZONING STANDARDS

PLEASE STATE THE RELATIVE GAIN TO THE PUBLIC AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL PROPERTY OWNER:

The community is being provided a service with limited hardships caused by a rezoning.

PLEASE STATE THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE ZONED PURPOSES:

The property contains an existing structure to conduct its business, with existing access off of Wing Rd and Route 126. Route 126 is a major thoroughfare, which is ideal for commercial development.

AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

Dawn Lepich-Graws

 PETITIONER SIGNATURE

2/22/22

 DATE

AMW

 OFFICIAL SEAL
 ANDREA M WEINERT
 NOTARY PUBLIC - STATE OF ILLINOIS
 MY COMMISSION EXPIRES: 12/27/22
2/22/22

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

Francis Aelfander

 OWNER SIGNATURE

2/18/22

 DATE

"OFFICIAL SEAL"
 Michelle M Harris
 Notary Public, State of Illinois
 My Commission Expires May 26, 2024

THIS APPLICATION MUST BE NOTARIZED PLEASE NOTARIZE HERE:

Michelle M. Harris *2/18/2022*

STATE OF ILLINOIS)
) ss.
COUNTY OF KENDALL)

200800016874
Filed for Record in
KENDALL COUNTY, ILLINOIS
RENETTA S MICKELSON
07-17-2008 At 09:50 am.
ORDINANCE 102.00
RHSP Surcharge 10.00

Ordinance No. 2008- 40

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION
AND
PLANNED UNIT DEVELOPMENT AGREEMENT
(Windmill Farms)**

WHEREAS, it is prudent and in the best interest of the United City of Yorkville, Kendall County, Illinois, to enter into a certain Annexation and Planned Unit Development Agreement pertaining to the annexation of real estate described on Exhibit A attached thereto and made a part hereof; and,

WHEREAS, said Annexation and Planned Unit Development Agreement has been reviewed, discussed and considered by the City Council; and,

WHEREAS, the legal owners of record of the territory which is the subject of said Agreement are ready, willing and able to enter into said Agreement and to perform the obligations as required hereunder; and,

WHEREAS, the statutory procedures as set forth in 65 ILCS 5/11-15.1-1, pertaining to the approval and execution of annexation and planned unit development agreement have been fully satisfied; and,

WHEREAS, the property is contiguous to the existing boundaries of the City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville that the City Code of the City of Yorkville be amended as follows:

Section 1. The Mayor and City Council hereby approve the Annexation and Planned Unit Development Agreement a copy of which is attached to this Ordinance (the “*Annexation and Planned Unit Development Agreement*”), pertaining to the real estate legally described on *Exhibit A* also attached hereto.

Section 2. The Mayor and City Clerk are herewith authorized and directed to execute, on behalf of the City, said Annexation and Planned Unit Development Agreement and the Clerk is further directed to file said Annexation and Planned Unit Development Agreement with the Kendall County Recorder’s Office.

Section 3. This Ordinance shall be in full force and effect immediately from and after its passage and approval according to law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this 27 day of May, A.D. 2008.


City Clerk

ROBYN SUTCLIFF yg
ARDEN JOE PLOCHER yg
GARY GOLINSKI yg
ROSE SPEARS yg

JOSEPH BESCO yg
WALLY WERDERICH yg
MARTY MUNNS yg

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois,
this 27 day of may, A.D. 2008.

Valerie Burd
Mayor

**EXHIBIT A
LEGAL DESCRIPTION**

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH $00^{\circ}14'45''$ EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH $89^{\circ}50'00''$ WEST, 684.42 FEET THENCE NORTH $09^{\circ}30'00''$ WEST, 592.27 FEET; THENCE SOUTH $57^{\circ}33'55''$ WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH $21^{\circ}52'29''$ WEST, ALONG SAID EASTERLY LINE, 705.85 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71 FOR THE POINT OF BEGINNING; THENCE SOUTH $21^{\circ}52'29''$ EAST, ALONG SAID EASTERLY LINE, 119.0 FEET; THENCE NORTH $68^{\circ}07'31''$ EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH $21^{\circ}52'29''$ WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE SOUTHWESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE RIGHT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 211.39 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 0.6060 ACRE.

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH $00^{\circ}14'45''$ EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET, THENCE SOUTH $89^{\circ}50'00''$ WEST, 684.42 FEET; THENCE NORTH $09^{\circ}30'00''$ WEST, 592.27 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH $57^{\circ}33'55''$ WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH $21^{\circ}52'29''$ WEST, ALONG SAID EASTERLY LINE, 586.85 FEET TO A POINT ON SAID EASTERLY LINE WHICH IS 119.0 FEET (MEASURED ALONG SAID EASTERLY LINE) SOUTHEASTERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTH $68^{\circ}07'31''$ EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH $21^{\circ}52'29''$ WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE LEFT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 261.03 FEET TO A LINE DRAWN NORTH $09^{\circ}30'00''$ WEST FROM THE POINT OF BEGINNING; THENCE SOUTH $09^{\circ}30'00''$ EAST, ALONG SAID LINE, 695.72 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 5.6041 ACRES.

THAT PART OF THE NORTH 1/2 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE SOUTH 0 DEGREES, 07 MINUTES, 44 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1284.36 FEET; THENCE NORTH 89 DEGREES, 47 MINUTES, 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES, 32 MINUTES, 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES, 05 MINUTES, 46 SECONDS WEST, 748.40 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE TIC. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES, 50 MINUTES, 30 SECONDS WEST AT THE LAST DESCRIBED POINT. 627.46; THENCE NORTH 60 DEGREES, 02 MINUTES, 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 12 DEGREES, 27 MINUTES, 30 SECONDS EAST, 264.0 FEET; THENCE SOUTH 84 DEGREES, 27 MINUTES, 30 SECONDS EAST, 202.0 FEET; THENCE NORTH 0 DEGREES, 47 MINUTES, 30 SECONDS WEST, 423.02 FEET TO SAID CENTER LINE; THENCE SOUTH 60 DEGREES, 02 MINUTES, 30 SECONDS WEST ALONG CENTER LINE, 291.76 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE NORTHEAST, NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1284.36 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 40 SECONDS WEST 680.30 FEET; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST 10.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST 579.63 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF SAID BOYD TRACT 748.57 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 49 MINUTES 16 SECONDS WEST AT THE LAST DESCRIBED POINT 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 332.0 FEET; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST 202.0 FEET; THENCE NORTH 00 DEGREES 42 MINUTES 30 SECONDS WEST 423.02 FEET TO SAID CENTER LINE; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 412.69 FEET TO A LINE DRAWN NORTH 00 DEGREES 10 MINUTES 46 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER, FROM A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER WHICH IS 598.62 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID PARALLEL LINE 880.56 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 34 MINUTES 48 SECONDS WEST ALONG SAID SOUTH LINE 598.62 FEET TO SAID SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID EAST LINE 1275.36 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 33 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 33 SECONDS WEST 681.94 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTH 57 DEGREES 59 MINUTES 05 SECONDS EAST ALONG SAID OLD CLAIM LINE 299.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 1 DEGREE 51 MINUTES 32 SECONDS WEST, 402.10 FEET; THENCE SOUTH 59 DEGREES 55 MINUTES., 25 SECONDS EAST, 256.51 FEET; THENCE NORTH 59 DEGREES 55 MINUTES 25 SECONDS EAST 355.65 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 29 SECONDS EAST, 853.57 FEET; THENCE NORTH 33 DEGREES 24 MINUTES 40 SECONDS EAST, . 542.27 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2292.01 FEET AND A RADIAL BEARING OF SOUTH 29 DEGREES 23 MINUTES 51 SECONDS WEST AT THE LAST DESCRIBED POINT, 358.41 FEET TO A POINT WHICH IS 151.00 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE AND SAID OLD CLAIM LINE; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 265.70 FEET; THENCE SOUTH 73 DEGREES 54 MINUTES 28 SECONDS WEST, 102.86 FEET; THENCE SOUTH 84 DEGREES 11 MINUTES 54 SECONDS WEST, 280.96 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 55 SECONDS WEST, 24.19 FEET TO SAID OLD CLAIM LINE; THENCE SOUTH 87 DEGREES 59 MINUTES 05 SECONDS WEST ALONG SAID OLD CLAIM LINE 789.92 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

A PERPETUAL EASEMENT FOR THE OPERATION, MAINTENANCE AND USE OF A SEPTIC FIELD FOR THE BENEFIT OF PARCEL ONE HEREINABOVE DESCRIBED, UNDER AND UPON THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE CONTIGUOUS TO PARCEL ONE TO WIT:

COMMENCING AT THE MOST NORTHERLY CORNER OF PARCEL ONE HEREINABOVE DESCRIBED ON THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 47.12 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE NUMBER 126, FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 105.0 FEET; THENCE NORTH 32 DEGREES 08 MINUTES 38 SECONDS WEST, 152.18 FEET; THENCE SOUTH 76 DEGREES 09 MINUTES 49 SECONDS EAST, 5.28 PEEP; THENCE SOUTH 70 DEGREES 39 MINUTES 49 SECONDS EAST, 158.65 FEET, TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, ALL IN KENDALL COUNTY ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTHERLY ALONG SAD WEST LINE, 1118.27 FEET A POINT OF BEGINNING THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID CLAIM LINE, 941.92 FEET TO A POINT ON A LINE DRAWN SOUTHWESTERLY, PERPENDICULAR TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FROM A POINT ON SAID CENTER LINE WHICH IS 1049.70 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE WITH THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTHEASTERLY TO SAID POINT ON SAID CENTER LINE OF ILLINOIS ROUTE 126 AFORESAID; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE AND TO SAID ROUTE 71 CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID ROUTE 71 CENTER LINE, 30.58 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 78.83 FEET, TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT HE SOUTHWEST CORN R OF SAID SECTION. 3; THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 1925.21 FEET ON THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS EAST 58.55 FEET TO THE EXISTING SOUTHEASTERLY RIGHT OF WAY LINE-OF A.F.A.P. ROUTE 311 (IL ROUTE 71) AND THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 34 MINUTES 00 SECONDS EAST 35.28 FEET ON SAID SOUTHEASTERLY RIGHT OF WAY LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF S.B.I. ROUTE 66 (IL ROUTE 126); THENCE SOUTH 70 DEGREES 08 MINUTES 35 SECONDS EAST 125.66 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 81 DEGREES 09 MINUTES 04 SECONDS WEST 51.85 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 40 SECONDS WEST 103.47 FEET TO THE POINT OF BEGINNING), IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE FOR A POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AN) 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE SOUTHWESTERLY ALONG SAID CLAIM LINE, 188.42 FEET TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS

ROUTE 71; THENCE NORTHEASTERLY ALONG THE SAID CENTER LINE OF ILLINOIS ROUTE 71, 1411.3 FEET TO THE CENTER LINE EXTENDED NORTHWESTERLY OF THE PUBLIC ROAD RUNNING SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71, COMMONLY KNOWN AS WING ROAD; THENCE SOUTHEASTERLY ALONG TILE EXTENDED CENTER LINE AND THE CENTER LINE OF SAID PUBLIC ROAD, BEING ALONG A LINE THAT FORMS AN ANGLE OF 93 DEGREES 25' TO THE RIGHT WITH THE PROLONGATION NORTHEASTERLY OF THE TANGENT TO THE CENTER LINE OF SAID ILLINOIS ROUTE 71 AT THE LAST DESCRIBED POINT, 761 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 79 DEGREES 47' TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED LINE 265.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINT OF ILLINOIS ROUTE 126 TO THE CENTER LINE OF THE EASTERLY FORK OF THE PUBLIC ROAD AFORESAID WHICH RUNS SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC ROAD TO THE POINT OF BEGINNING; TO THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

GRANTEE HEREBY ASSUMES AND AGREES TO PAY THE UNPAID BALANCE ON THE EXISTING MORTGAGE RECORDED IN BOOK PAGE, THE DEBT SECURED THEREBY AND ALSO HEREBY ASSUMES -THE OBLIGATIONS UNDER THE TERN OF THE INSTRUMENTS CREATING THE LOANS DOCUMENT NO. 79—1053.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE - NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG -THE WEST LINE OF SAID SOUTHWEST QUARTER, - 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID CENTER LINE 30.45 FEET TO THE POINT OF INTERSECTION OF SAID CENTER LINE WITH CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FOR THE POINT OF BEGINNING; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 230.67 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO -THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT AT THE LAST DESCRIPTION POINT, 1,141.60 FEET TO THE INTERSECTION WITH THE - CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 761.0 FEET; THENCE SOUTH 58 DEGREES 16 MINUTES 47 SECONDS WEST 265 35 FEET TO SAID ROUTE 126 CENTER LINE; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE BEING ALONG A CURVE TO THE LEFT AND HAVING A RADIUS OF 2,292.01 FEET WHICH IS TANGENT TO A LINE DRAWN NORTH 72 DEGREES 57 MINUTES 06 SECONDS WEST FROM THE LAST DESCRIBED POINT 147.93 FEET; THENCE NORTH 16 DEGREES 38 MINUTES 49 SECONDS WEST ALONG SAID ROUTE 126 CENTERLINE 850.98 FEET; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTERLINE BEING ALONG A CURVE TO THE RIGHT AND HAVING A RADIUS OF 2,148.79 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 383.53 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36- NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE -SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG -THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 261.12 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15,459.20 FEET WHICH IS TANGENT TO THE LAST-DESCRIBED COURSE 1141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD FOR THE POINT OF BEGINNING; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 258.05 FEET; THENCE SOUTH 58 DEGREES 29 MINUTES 47 SECONDS WEST 200.0 FEET; THENCE NORTH 21 DEGREES 30 MINUTES 13 SECONDS WEST PARALLEL WITH SAID WING ROAD CENTER LINE 250.0 FEET TO SAID ROUTE 71 CENTER LINE; THENCE NORTHEASTERLY ALONG SAID ROUTE 71 CENTER LINE 200.16 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, (ILLINOIS, AND ALSO EXCEPTING, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83): COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING FROM THE POINT OF BEGINNING; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 230.66 FEET ALONG SAID CENTERLINE; THENCE NORTHEASTERLY, 940.56 FEET ALONG AN 11,479.02 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 67 DEGREES 34 MINUTES 29 SECONDS EAST, 940.31 FEET; THENCE SOUTH 22 DEGREES 56 MINUTES 31 SECONDS EAST, 60.03 FEET; THENCE SOUTHWESTERLY, 418.10 FEET ON AN 11,539.02 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING SOUTH 66 DEGREES 16 MINUTES 29 SECONDS WEST, 418.08 FEET; THENCE SOUTH 59 DEGREES 24 MINUTES 09 SECONDS WEST, 71.10 FEET; THENCE SOUTH 25 DEGREES 14 MINUTES 24 SECONDS WEST, 60.52 FEET; THENCE SOUTHEASTERLY, 570.87 FEET ON AN 675.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING SOUTH 55 DEGREES 22 MINUTES 46 SECONDS EAST, 560.80 FEET; THENCE SOUTH 74 DEGREES 04 MINUTES 13 SECONDS EAST, 274.41 FEET; THENCE SOUTH 64 DEGREES 05 MINUTES 29 SECONDS EAST, 35.85 FEET; THENCE SOUTH 55 DEGREES 49 MINUTES 00-SECONDS WEST, 64.56 FEET TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE NORTHWESTERLY, 162.08 FEET ON SAID CENTERLINE BEING A 2,291.64 FOOT RADIUS CURVE TO TILE LEFT HAVING A CHORD BEARING NORTH 76 DEGREES 16 MINUTES 12 SECONDS WEST, 162.05 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 357.37 FEET ON SAID CENTERLINE; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS WEST, 96.76 FEET TO THE EXISTING NORTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 297.03 FEET ON A 990.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 45 DEGREES 17 MINUTES 03 SECONDS WEST, 295.92 FEET; THENCE NORTH 36 DEGREES 39 MINUTES 21 SECONDS WEST, 23.77 FEET; THENCE NORTH 77 DEGREES 19 MINUTES 36 SECONDS WEST, 64.74 FEET; THENCE SOUTH 69 DEGREES 03

MINUTES 36 SECONDS WEST, 100.61 FEET; THENCE SOUTH 69 DEGREES 55 MINUTES 52 SECONDS WEST, 149.98 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID IL 71; THENCE SOUTH 65 DEGREES 32 MINUTES 40 SECONDS WEST, 113.94 FEET TO THE CENTERLINE OF SAID IL 126; THENCE NORTHWESTERLY, 119.55 FEET ON SAID CENTERLINE BEING A 2,170.59 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 69 DEGREES 20 MINUTES 17 SECONDS WEST, 119.54 FEET TO THE POINT OF BEGINNING.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 07°44' WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1236.84 FEET TO A POINT ON SAID EAST LINE WHICH IS 1284.36 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89°47'31" WEST, 684.42 FEET; THENCE NORTH 09°32'39" WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD 88 ON PAGE 399, FOR THE POINT OF BEGINNING; THENCE SOUTH 57°58'56" WEST ALONG THE SOUTHERLY LINE OF SAID BOYD TRACT AND SAID SOUTHERLY LINE EXTENDED 352.89 FEET TO THE CENTER LINE OF WING ROAD; THENCE SOUTH 21°28'35" EAST ALONG SAID CENTERLINE 131.00 FEET; THENCE NORTH 57°58'56" EAST PARALLEL WITH SAID SOUTHERLY LINE 323.58 FEET TO A POINT WHICH IS SOUTH 09°32'39" EAST, 139.37 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 09°32'39" WEST, 139.37 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 7L; THENCE EASTERLY ALONG SAID CENTER LINE 32.2 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126, 1049.7 FEET FOR THE POINT, OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID CENTER LINE, 339.9 FEET TO AN OLD CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID OLD CLAIM LINE WHICH MAKES AN ANGLE OF 44°21' (MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE) 468.6 FEET TO THE CENTER LINE OF SAID ILLINOIS ROUTE 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE 328.1 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS. EXCEPT THEREFROM THE BELOW DESCRIBED PARCEL:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 TO THE 'CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 399.15 FEET ALONG A 2,170.59 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF SOUTH 73 DEGREES 01 MINUTE 41 SECONDS EAST, 398.58 FEET THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 649.36 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 172.16 FEET ALONG SAID CENTERLINE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 162.08 FEET ALONG A 2,291.64 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING OF SOUTH 76 DEGREES 16 MINUTES 12 SECONDS EAST, 162.05 FEET; THENCE SOUTH 56 DEGREES 32 MINUTES 11 SECONDS WEST, 65.63 FEET; THENCE NORTH 74 DEGREES 04 MINUTES 13 SECONDS WEST, 5.13 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 14 SECONDS WEST, 50.57 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 61.11 FEET ON SAID RIGHT OF WAY LINE BEING ON A 2,251.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF NORTH 77 DEGREES 31 MINUTES 09 SECONDS WEST, 61.11 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 172.27 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 11 DEGREES 52 MINUTES 19 SECONDS EAST, 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.297 ACRE MORE OR LESS, OF WHICH 0.290 ACRE, MORE OR LESS, IS LYING WITHIN PUBLIC ROAD RIGHT OF WAY, SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAIVING ALL RIGHTS UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

March 14, 2008
Revised April 24, 2008
Revised April 28, 2008
Revised May 21, 2008

STATE OF ILLINOIS)
)ss.
COUNTY OF KENDALL)

**ANNEXATION AND PLANNED UNIT DEVELOPMENT AGREEMENT TO THE
UNITED CITY OF YORKVILLE
WINDMILL FARMS
(Southwest and Southeast corner of the intersection of Illinois State Routes 126 and 71)
(JAKE LAND GROUP)**

THIS AGREEMENT is made and entered into this 27th day of May, 2008 by and between THE UNITED CITY OF YORKVILLE, Yorkville, Illinois, a municipal corporation, located in Kendall County, Illinois (hereinafter referred to as "CITY"), and the JAKE LAND GROUP, LLC, of the County of Kendall, State of Illinois (hereinafter referred to as "OWNER/DEVELOPER"), which is the OWNER/DEVELOPER of the real property hereinafter referred to as the "PROPERTY":

WITNESSETH

WHEREAS, OWNER/DEVELOPER is the owner of real property which is the subject matter of this Agreement comprising approximately 91.36 acres, more or less, and is more particularly described in the attached Exhibit "A", which is incorporated herein by reference; and

WHEREAS, a portion of the PROPERTY consisting of 78.145 acres and described by Exhibit "A-1" is located contiguous to the corporate boundaries of the CITY and is not located within the corporate boundaries of any other municipality; and

WHEREAS, a portion of the PROPERTY consisting of 15.323 acres and described by Exhibit "A-2" has previously been annexed to the CITY and zoned B-3 Service Business District; and

WHEREAS, OWNER/DEVELOPER desires to annex into the CITY the PROPERTY described in the attached Exhibit "A-1" and depicted in the Annexation Plat which is attached hereto and incorporated herein as Exhibit "B" The CITY Plan Commission has considered the Petition to Annex and Zone and positively recommended the same and the City Council has heretofore both requested and approved the proposed land use and the zoning of the same at the request of OWNER/DEVELOPER; and

WHEREAS, with certain limitations, the CITY agrees to allow the real property described in the attached Exhibit "A" to be zoned for Planned Unit Development (PUD) allowing uses permitted within the B-3 Service Business District on a maximum of thirty-five (35) acres located on the East Parcel as depicted on the Concept PUD Plan prepared by Schoppe Design Associates, Inc. and dated revision 17, May 8, 2008; and, the CITY agrees to allow uses permitted within the B-3 Service Business District for the real property described in Exhibit "C" on a maximum of twenty-one (21) acres located on the West Parcel; and the CITY agrees to allow uses permitted within the R-4 General Residence District for the real property described in the attached Exhibit "D" on a maximum of two (2) acres of the real property allowing an age-restricted age fifty-five and over single story townhomes; and the area located south of the B-3 and immediately east of the aforementioned age restricted area allowing a multi-story assisted living facility consisting of approximately three and one-half (3 ½) acres with a minimum of ninety-nine (99) assisted living units allowed on the West Parcel as depicted on the Schoppe Design Associates, Inc. Concept PUD Plan (Exhibit "E"), and

WHEREAS, the City's Comprehensive Plan, Design Guidelines identifies Illinois State Route 71 and Illinois State Route 126 as 'Gateway Corridors'; and

WHEREAS, all parties to this Agreement desire to set forth certain terms and conditions upon which the land heretofore described will be annexed to the CITY in an orderly manner; and

WHEREAS, OWNER/DEVELOPER and its representatives have discussed the proposed annexation and have held a Public Hearing with the Plan Commission, and The City Council, prior to the execution hereof, duly published and held a public hearing was held to consider this Agreement in front of the City Council, as required by the statutes of the State of Illinois in such case made; and

WHEREAS, in accordance with the powers granted to the CITY by the provisions of 65 ILCS 5/11-15.1-1 through 5/11-15.1-5 (2006), inclusive, relating to Annexation Agreements, the parties hereto wish to enter into a binding agreement with respect to the annexation and zoning of the subject Property and to provide for various other matters related directly or indirectly to the annexation of the Property in the future, as authorized by, the provisions of said statutes; and

WHEREAS, pursuant to due notice and publication in the manner provided by law, the appropriate zoning authorities of the CITY have taken all further action required by the provisions of 65 ILCS 5/11-15.1.3 (2006) and the ordinances of the CITY relating to the

procedure for the authorization, approval and execution of this Annexation/Planned Unit Development Agreement by the CITY.

NOW THEREFORE, for and in consideration of the mutual promises and covenants herein contained, the parties agree, under the terms and authority provided in 65 ILCS 5/11-15.1-1 through 65 ILCS 5/11-15.1-5 (2006), as follows:

1. ANNEXATION AND ZONING.

A. The CITY shall adopt an ordinance annexing to the City all of the real property described herein in the attached Exhibit "A-1"; furthermore, the City shall adopt an ordinance zoning the real property designated in the attached Exhibit "A" to PUD subject to all of the terms of this Agreement and as follows:

- i. The real property described in Exhibit "C" is allowed uses permitted within the B-3 Service Business Zoning District subject to the alterations described by Exhibit "C-1". Said alterations include the removal of several uses as well as the allowance for one (1) bank, one (1) daycare and one (1) gasoline filling station/gas station as depicted on the Concept PUD Plan (Exhibit "E").
- ii. The real property described in Exhibit "D" is allowed uses permitted within the R-4 General Residence Zoning District.

2. SITE DEVELOPMENT

A. OWNER/DEVELOPER shall develop the subject property including the preservation of open space, protection of the existing evergreen tree line on the west boundary of the West Parcel, and installation of a trail system, stormwater management facilities and roadway access points in general conformity with the Planned Unit Development Concept Plan dated May 8, 2008, prepared by Schoppe Design Associates, Inc. and which is attached hereto and incorporated by reference as Exhibit "E".

B. OWNER/DEVELOPER shall be responsible for providing landscaping, in conformance with CITY standards along all perimeter boundaries of the subject property.

C. OWNER/DEVELOPER shall establish the landscape buffer along Illinois State Route 71 and Illinois State Route 126 outside of the proposed Right-of-Way expansion line of the Illinois Department of Transportation. Said buffer shall be a minimum of 25 feet in width.

D. OWNER/DEVELOPER shall incorporate and apply all 'Site Planning Principles' as defined by the CITY's "Comprehensive Land Use Plan Update Southern Study Area" Design Guidelines a copy of which sections are attached in Exhibit "F" hereto and made

a part hereof.

E. OWNER/DEVELOPER shall relocate the existing overhead utility lines along the Illinois State Route 71 and Illinois State Route 126 frontage of the Subject Real Property prior to issuance of any building permit for the property. Said relocation shall include obtaining any and all necessary permits and approvals for the utility relocation and OWNER/DEVELOPER shall be responsible for all costs associated with said relocation.

F. OWNER/DEVELOPER agrees to provide a cross-access easement allowing all adjacent properties to access to and across the commercial portions of subject PROPERTY as described by Exhibit "C" at the time of Final Plat of Subdivision.

G. OWNER/DEVELOPER agrees to construct and fund the trail depicted on the Concept PUD Plan (Exhibit "E") at time of Final Plat of Subdivision.

H. OWNER/DEVELOPER agrees that in all respects, the subject PROPERTY shall be developed in conformance with the terms and conditions of the Yorkville Zoning Ordinance, Subdivision Control Ordinance, Stormwater, and all other applicable Ordinances.

I. OWNER/DEVELOPER, and successors, heirs, and assigns hereby agree that prior to development taking place on the PROPERTY, a site development plan shall be submitted along with approval of Preliminary Plat of Subdivision and Preliminary Engineering as well as Final Plats of Subdivision and Final Engineering prior to OWNER/DEVELOPER commencing construction on said PROPERTY.

J. The OWNER shall construct off-site right-of-way improvements within the Raintree Village subdivision to provide connection to infrastructure on Hampton Lane. The location of the said infrastructure shall be consistent with the location and typical pavement section depicted on Exhibit "G" of this Agreement.

K. OWNER agrees within 45 days of a written request from the CITY, which includes legal descriptions and exhibits as necessary, the OWNER/DEVELOPER shall grant permanent and temporary construction easements as necessary for the construction of extension of City utilities and appurtenances and/or other utilities to serve the subject property and other properties within the City of Yorkville.

L. Owner agrees within 45 days of a written request from the United City of Yorkville, which includes legal descriptions and exhibits as necessary, the OWNER/DEVELOPER shall convey by Warranty Deed, fee simple title of future highway or road right of way to the State of Illinois, Kendall County or the United City of Yorkville as necessary, regardless of whether or not these right of way needs have been previously identified in this agreement. Such request for conveyance of right of way shall have no impact on any previously entitled land development density.

3. CITY'S AGREEMENTS.

A.

- (i) The CITY agrees that as to any of the non-residential use and zoning classification parcels, OWNER/DEVELOPER has no obligation to pay School Transition Fees or School-Park Land-Cash Fees.
- (ii) The OWNER/DEVELOPER shall pay Land-Cash Fees for schools and parks at the time of Building Permit Application. For each dwelling unit all fees listed on attached Exhibit "H" shall be charged and paid likewise at the time of application for each respective building permit. The amounts listed in Exhibit "H" will remain for a period of 5 years commencing on the date of this Agreement. Following said five (5) year period, the OWNER/DEVELOPER shall be responsible to pay said fees at a rate currently required by the CITY.

B. OWNER/DEVELOPER shall be required by THE UNITED CITY OF YORKVILLE to hook-on to the City Water at the time of improving the subject property, and shall be responsible for the cost of main extensions to the PROPERTY if said mains do not touch the PROPERTY.

C. Upon annexation to the CITY, the OWNER/DEVELOPER will receive police protection, 911 service, , and all services as provided by CITY to its property owners and residents.

D. The CITY will require the OWNER/DEVELOPER to annex to Yorkville Bristol Sanitary District prior to the time of applying for a building permit seeking to hook up to the Sanitary District and the CITY Sanitary Sewer System. The OWNER/DEVELOPER shall be responsible for the cost of utility extensions to the PROPERTY if said utilities do not touch the PROPERTY.

E. CITY will use its best efforts to support issuance of a highway access permit by IDOT to the CITY and OWNER/DEVELOPER permitting access cuts onto Illinois State Routes 126 and 71 at the approximate locations shown on the Preliminary PUD Conceptual Plan as prepared by Shoppe Design Associates, Inc. and dated January 30, 2008.

4. RIGHTS AND OBLIGATIONS OF SUCCESSORS AND ASSIGNS.

It is specifically understood and agreed that OWNER/DEVELOPER and its successors and assigns shall have the right to sell transfer, mortgage and assign all or any part of the

subject property and the improvements thereon to other persons, trusts, partnerships, firms, or corporations, for investment, building, financing, developing and all such purposes, and that said persons, trusts, partnerships, firms, or corporations shall be entitled to the same rights and privileges and shall have the same obligations as OWNER/DEVELOPER under this Agreement and upon such transfer, the obligations pertaining to the property transferred or sold shall be the sole obligations of the transferee, except for any performance bonds or guaranties posted by OWNER/DEVELOPER on any subdivided or unimproved property for which an acceptable substitute performance bond or letter of credit has not been submitted to the CITY.

5. DORMANT SPECIAL SERVICE AREA and PROPERTY OWNER ASSOCIATION

Owner/Developer agrees to incorporate covenants into the final subdivision plat that provide for the formulation of a Property Owners Association to be responsible to maintain all common facilities, including, but not limited to, private common areas, detention ponds, perimeter landscaping features and entrance signage within the Subject Realty.

Owner/Developer agrees to the City enacting at the time of final plat approval, or anytime thereafter, a Dormant Special Service Area (DSSA) to act as a back up in the event that the Property Owners' Association fails to maintain the Common Facilities, including, but not limited to, private common areas, detention ponds, perimeter landscaping features and entrance signage within the Subject Realty. Owner/Developer agrees to execute any and all documentation necessary or proper to create the Dormant Special Service Area and pay any and all fees, including legal expenses, for the preparation and approval of said documentation.

6. TIME OF THE ESSENCE.

It is understood and agreed by the parties hereto that time is of the essence of this Agreement and that all of the parties will make every reasonable effort, to expedite the subject matter hereof. It is further understood and agreed by the parties that the successful consummation of this Agreement requires their continued cooperation.

7. COVENANTS AND AGREEMENTS.

The covenants and agreements contained in this Agreement shall be deemed to be covenants running with the land during the term of this Agreement shall inure to the benefit of and be binding upon the heirs, successors and assigns of the parties hereto, including the CITY, its corporate authorities and their successors in office, and is enforceable by order of the court pursuant to its provisions and the applicable statutes of the State of Illinois.

8. BINDING EFFECT AND TERM.

This Annexation Agreement shall be binding upon and inure to the benefit of the parties hereto, and their successors and owners of record of land which is the subject of this Agreement, assignee, lessees, and upon any successor municipal authorities of said city, so long as development is commenced within a period of twenty years from the date of execution of this Agreement by the CITY.

9. NOTICE.

Any notices required hereunder shall be in writing and shall be served upon any other party in writing and shall be delivered personally or sent by registered or certified mail, return receipt requested, postage prepaid, addressed as follows:

If to the CITY: City Clerk
800 Game Farm Road
Yorkville, IL 60560

With a copy to: Kathleen Field Orr
800 Game Farm Road
Yorkville, IL 60560

To OWNER/DEVELOPER: Jake Land Group, LLC
c/o 25615 Plantation Road
Plainfield, IL 60544

With a copy to: Tony Perino
608 Lookery Ln.
Joliet, IL 60431

And with a copy to: Law Offices of Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560

or to such other addresses as any party may from time to time designate in a written notice to the other parties.

10. ENFORCEABILITY.

This Agreement shall be enforceable in any court of competent jurisdiction by any of the parties hereto by an appropriate action of law or in equity to secure the performance of the covenants herein contained.

In the event any portion of said agreement becomes unenforceable due to any change in Illinois Compiled Statutes or court decisions, said unenforceable portion of this Agreement shall be excised here from and the remaining portions thereof shall remain in full force and effect.

11. ENACTMENT OF ORDINANCES.

The CITY agrees to adopt any ordinances which are required to give legal effect to the matters contained in this Agreement or to correct any technical defects which may arise after the execution of this Agreement.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 27th day of May, 2008.

UNITED CITY OF YORKVILLE

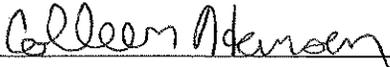
By: Valerie Burd
Valerie Burd, Mayor

Attest: [Signature]
City Clerk

JAKE LAND GROUP, LLC

OWNER/DEVELOPER:

By:  MEMBER

Attest: 

Prepared by and Return to:

Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630.553.9500

EXHIBIT LIST

Exhibit "A"	Legal Description – Subject Property
Exhibit "A-1"	Unincorporated Portion of Subject Property – Legal Description
Exhibit "A-2"	City of Yorkville Portion of Subject Property – Legal Description
Exhibit "B"	Annexation Plat
Exhibit "C"	B-3 Service Business District – Legal Description
Exhibit "C-1"	B-3 Service Business District Allowable Uses
Exhibit "D"	R-4 General Residence District – Legal Description
Exhibit "E"	Concept PUD Plan - Schoppe Design Associates Plan dated May 8, 2008
Exhibit "F"	Design Guidelines of the Comprehensive Land Use Plan Update Southern Study Area
Exhibit "G"	Offsite Infrastructure Improvements – Raintree Village/Hampton Lane Connection
Exhibit "H"	Fee Schedule

**EXHIBIT A
LEGAL DESCRIPTION**

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH 00°14'45" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH 89°50'00" WEST, 684.42 FEET THENCE NORTH 09°30'00" WEST, 592.27 FEET; THENCE SOUTH 57°33'55" WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH 21°52'29" WEST, ALONG SAID EASTERLY LINE, 705.85 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71 FOR THE POINT OF BEGINNING; THENCE SOUTH 21°52'29" EAST, ALONG SAID EASTERLY LINE, 119.0 FEET; THENCE NORTH 68°07'31" EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH 21°52'29" WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE SOUTHWESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE RIGHT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 211.39 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 0.6060 ACRE.

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH 00°14'45" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH 89°50'00" WEST, 684.42 FEET; THENCE NORTH 09°30'00" WEST, 592.27 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 57°33'55" WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH 21°52'29" WEST, ALONG SAID EASTERLY LINE, 586.85 FEET TO A POINT ON SAID EASTERLY LINE WHICH IS 119.0 FEET (MEASURED ALONG SAID EASTERLY LINE) SOUTHEASTERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTH 68°07'31" EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH 21°52'29" WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE LEFT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 261.03 FEET TO A LINE DRAWN NORTH 09°30'00" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 09°30'00" EAST, ALONG SAID LINE, 695.72 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 5.6041 ACRES.

THAT PART OF THE NORTH 1/2 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE SOUTH 0 DEGREES, 07 MINUTES, 44 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1284.36 FEET; THENCE NORTH 89 DEGREES, 47 MINUTES, 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES, 32 MINUTES, 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES, 05 MINUTES, 46 SECONDS WEST, 748.40 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE TIC. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES, 50 MINUTES, 30 SECONDS WEST AT THE LAST DESCRIBED POINT. 627.46; THENCE NORTH 60 DEGREES, 02 MINUTES, 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 12 DEGREES, 27 MINUTES, 30 SECONDS EAST, 264.0 FEET; THENCE SOUTH 84 DEGREES, 27 MINUTES, 30 SECONDS EAST, 202.0 FEET; THENCE NORTH 0 DEGREES, 47 MINUTES, 30 SECONDS WEST, 423.02 FEET TO SAID CENTER LINE; THENCE SOUTH 60 DEGREES, 02 MINUTES, 30 SECONDS WEST ALONG CENTER LINE, 291.76 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE NORTHEAST, NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1284.36 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 40 SECONDS WEST 680.30 FEET; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST 10.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST 579.63 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF SAID BOYD TRACT 748.57 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 49 MINUTES 16 SECONDS WEST AT THE LAST DESCRIBED POINT 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 332.0 FEET; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST 202.0 FEET; THENCE NORTH 00 DEGREES 42 MINUTES 30 SECONDS WEST 423.02 FEET TO SAID CENTER LINE; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 412.69 FEET TO A LINE DRAWN NORTH 00 DEGREES 10 MINUTES 46 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER, FROM A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER WHICH IS 598.62 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID PARALLEL LINE 880.56 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 34 MINUTES 48 SECONDS WEST ALONG SAID SOUTH LINE 598.62 FEET TO SAID SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID EAST LINE 1275.36 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 33 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 33 SECONDS WEST 681.94 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTH 57 DEGREES 59 MINUTES 05 SECONDS EAST ALONG SAID OLD CLAIM LINE 299.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 1 DEGREE 51 MINUTES 32 SECONDS WEST, 402.10 FEET; THENCE SOUTH 59 DEGREES 55 MINUTES., 25 SECONDS EAST, 256.51 FEET; THENCE NORTH 59 DEGREES 55 MINUTES 25 SECONDS EAST 355.65 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 29 SECONDS EAST, 853.57 FEET; THENCE NORTH 33 DEGREES 24 MINUTES 40 SECONDS EAST., 542.27 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2292.01 FEET AND A RADIAL BEARING OF SOUTH 29 DEGREES 23 MINUTES 51 SECONDS WEST AT THE LAST DESCRIBED POINT, 358.41 FEET TO A POINT WHICH IS 151.00 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE AND SAID OLD CLAIM LINE; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 265.70 FEET; THENCE SOUTH 73 DEGREES 54 MINUTES 28 SECONDS WEST, 102.86 FEET; THENCE SOUTH 84 DEGREES 11 MINUTES 54 SECONDS WEST, 280.96 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 55 SECONDS WEST, 24.19 FEET TO SAID OLD CLAIM LIRE; THENCE SOUTH 87 DEGREES 59 MINUTES 05 SECONDS WEST ALONG SAID OLD CLAIM LINE 789.92 FEET TO THE POINT OP BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

A PERPETUAL EASEMENT FOR THE OPERATION, MAINTENANCE AND USE OF A SEPTIC FIELD FOR THE BENEFIT OF PARCEL ONE HEREINABOVE DESCRIBED, UNDER AND UPON THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE CONTIGUOUS TO PARCEL ONE TO WIT:

COMMENCING AT THE MOST NORTHERLY CORNER OF PARCEL ONE HEREINABOVE DESCRIBED ON THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 47.12 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE NUMBER 126, FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 105.0 FEET; THENCE NORTH 32 DEGREES 08 MINUTES 38 SECONDS WEST, 152.18 FEET; THENCE SOUTH 76 DEGREES 09 MINUTES 49 SECONDS EAST, 5.28 PEEP; THENCE SOUTH 70 DEGREES 39 MINUTES 49 SECONDS EAST, 158.65 FEET, TO THE POINT OP BEGINNING IN KENDALL TOWNSHIP, ALL IN KENDALL COUNTY ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTHERLY ALONG SAD WEST LINE, 1118.27 FEET A POINT OF BEGINNING THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAIL) PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE NORTHEASTERLY ALONG SAD CLAIM LINE, 941.92 FEET TO A POINT ON A LINE DRAWN SOUTHWESTERLY, PERPENDICULAR TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FROM A POINT ON SAID CENTER LINE WHICH IS 1049.70 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAD CENTER LINE WITH THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTHEASTERLY TO SAID POINT ON SAID CENTER LINE OF ILLINOIS ROUTE 126 AFORESAID; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE AND TO SAID ROUTE 71 CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID ROUTE 71 CENTER LINE, 30.58 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 78.83 FEET, TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT HE SOUTHWEST CORN R OF SAID SECTION. 3; THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 1925.21 FEET ON THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS EAST 58.55 FEET TO THE EXISTING SOUTHEASTERLY RIGHT OF WAY LINE-OF A.F.A.P. ROUTE 311 (IL ROUTE 71) AND THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 34 MINUTES 00 SECONDS EAST 35.28 FEET ON SAID SOUTHEASTERLY RIGHT OF WAY LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF S.B.I. ROUTE 66 (IL ROUTE 126); THENCE SOUTH 70 DEGREES 08 MINUTES 35 SECONDS EAST 125.66 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 81 DEGREES 09 MINUTES 04 SECONDS WEST 51.85 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 40 SECONDS WEST 103.47 FEET TO THE POINT OF BEGINNING), IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE FOR A POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH TILE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AN) 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE SOUTHWESTERLY ALONG SAID CLAIM LINE, 188.42 FEET TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS

ROUTE 71; THENCE NORTHEASTERLY ALONG THE SAID CENTER LINE OF ILLINOIS ROUTE 71, 1411.3 FEET TO THE CENTER LINE EXTENDED NORTHWESTERLY OF THE PUBLIC ROAD RUNNING SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71, COMMONLY KNOWN AS WING ROAD; THENCE SOUTHEASTERLY ALONG TILE EXTENDED CENTER LINE AND THE CENTER LINE OF SAID PUBLIC ROAD, BEING ALONG A LINE THAT FORMS AN ANGLE OF 93 DEGREES 25' TO THE RIGHT WITH THE PROLONGATION NORTHEASTERLY OF THE TANGENT TO THE CENTER LINE OF SAID ILLINOIS ROUTE 71 AT THE LAST DESCRIBED POINT, 761 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 79 DEGREES 47' TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED LINE 265.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINT OF ILLINOIS ROUTE 126 TO THE CENTER LINE OF THE EASTERLY FORK OF THE PUBLIC ROAD AFORESAID WHICH RUNS SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC ROAD TO THE POINT OF BEGINNING; TO THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

GRANTEE HEREBY ASSUMES AND AGREES TO PAY THE UNPAID BALANCE ON THE EXISTING MORTGAGE RECORDED IN BOOK PAGE , THE DEBT SECURED THEREBY AND ALSO HEREBY ASSUMES -THE OBLIGATIONS UNDER THE TERN OF THE INSTRUMENTS CREATING THE LOANS DOCUMENT NO. 79—1053.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE - NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG-THE WEST LINE OF SAID SOUTHWEST QUARTER, - 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID CENTER LINE 30.45 FEET TO THE POINT OF INTERSECTION OF SAID CENTER LINE WITH CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FOR THE POINT OF BEGINNING; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 230.67 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO-THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT AT THE LAST DESCRIPTION POINT, 1,141.60 FEET TO THE INTERSECTION WITH THE- CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 761.0 FEET; THENCE SOUTH 58 DEGREES 16 MINUTES 47 SECONDS WEST 265.35 FEET TO SAID ROUTE 126 CENTER LINE; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE BEING ALONG A CURVE TO THE LEFT AND HAVING A RADIUS OF 2,292.01 FEET WHICH IS TANGENT TO A LINE DRAWN NORTH 72 DEGREES 57 MINUTES 06 SECONDS WEST FROM THE LAST DESCRIBED POINT 147.93 FEET; THENCE NORTH 16 DEGREES 38 MINUTES 49 SECONDS WEST ALONG SAID ROUTE 126 CENTERLINE 850.98 FEET; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTERLINE BEING ALONG A CURVE TO THE RIGHT AND HAVING A RADIUS OF 2,148.79 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 383.53 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36- NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE-SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG -THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 261.12 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15,459.20 FEET WHICH IS TANGENT TO THE LAST-DESCRIBED COURSE 1141.60 FEET TO THE INTERSECTION-WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD FOR THE POINT OF BEGINNING;(THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 258.05 FEET; THENCE SOUTH 58 DEGREES 29 MINUTES 47 SECONDS WEST 200.0 FEET; THENCE NORTH 21 DEGREES 30 MINUTES 13 SECONDS WEST PARALLEL WITH SAID WING ROAD CENTER LINE 250.0 FEET TO SAID ROUTE 71 CENTER LINE; THENCE NORTHEASTERLY ALONG SAID ROUTE71 CENTER LINE 200.16 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, (ILLINOIS, AND ALSO EXCEPTING, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83): COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.FROM THE POINT OF BEGINNING; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 230.66 FEET ALONG SAID CENTERLINE; THENCE NORTHEASTERLY, 940.56 FEET ALONG AN 11,479.02 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 67 DEGREES 34 MINUTES 29 SECONDS EAST, 940.31 FEET; THENCE SOUTH 22 DEGREES 56 MINUTES 31 SECONDS EAST, 60.03 FEET; THENCE SOUTHWESTERLY, 418.10 FEET ON AN 11,539.02 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING SOUTH 66 DEGREES 16 MINUTES 29 SECONDS WEST, 418,08 FEET; THENCE SOUTH 59 DEGREES 24 MINUTES 09 SECONDS WEST, 71.10 FEET; THENCE SOUTH 25 DEGREES 14 MINUTES 24 SECONDS WEST, 60.52 FEET; THENCE SOUTHEASTERLY, 570.87. FEET ON AN 675.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING SOUTH 55 DEGREES 22 MINUTES 46 SECONDS EAST, 560.80 FEET; THENCE SOUTH 74 DEGREES 04 MINUTES 13 SECONDS EAST. 274.41 FEET; THENCE SOUTH 64 DEGREES 05 MINUTES 29 SECONDS EAST, 35.85 FEET; THENCE SOUTH 55 DEGREES 49 MINUTES 00-SECONDS WEST, 64.56 FEET TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE NORTHWESTERLY, 162.08 FEET ON SAID CENTERLINE BEING A 2,29L.64 FOOT RADIUS CURVE TO TILE LEFT HAVING A CHORD BEARING NORTH 76 DEGREES 16 MINUTES 12 SECONDS WEST, 162.05 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 357.37 FEET ON SAID CENTERLINE; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS WEST, 96.76 FEET TO THE EXISTING NORTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 297.03 FEET ON A 990.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 45 DEGREES 17 MINUTES 03 SECONDS WEST, 295.92 FEET; THENCE NORTH 36 DEGREES 39 MINUTES 21 SECONDS WEST, 23.77 FEET; THENCE NORTH 77 DEGREES 19 MINUTES 36 SECONDS WEST, 64.74 FEET; THENCE SOUTH 69 DEGREES 03

MINUTES 36 SECONDS WEST, 100.61 FEET; THENCE SOUTH 69 DEGREES 55 MINUTES 52 SECONDS WEST, 149.98 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID IL 71; THENCE SOUTH 65 DEGREES 32 MINUTES 40 SECONDS WEST, 113.94 FEET TO THE CENTERLINE OF SAID IL 126; THENCE NORTHWESTERLY, 119.55 FEET ON SAID CENTERLINE BEING A 2,170.59 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 69 DEGREES 20 MINUTES 17 SECONDS WEST, 119.54 FEET TO THE POINT OF BEGINNING.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 07°44' EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1236.84 FEET TO A POINT ON SAID EAST LINE WHICH IS 1284.36 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89°47'31" WEST, 684.42 FEET; THENCE NORTH 09°32'39" WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD 88 ON PAGE 399, FOR THE POINT OF BEGINNING; THENCE SOUTH 57°58'56" WEST ALONG THE SOUTHERLY LINE OF SAID BOYD TRACT AND SAID SOUTHERLY LINE EXTENDED 352.89 FEET TO THE CENTER LINE OF WING ROAD; THENCE SOUTH 21°28'35" EAST ALONG SAID CENTERLINE 131.00 FEET; THENCE NORTH 57°58'56" EAST PARALLEL WITH SAID SOUTHERLY LINE 323.58 FEET TO A POINT WHICH IS SOUTH 09°32'39" EAST, 139.37 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 09°32'39" WEST, 139.37 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 7L; THENCE EASTERLY ALONG SAID CENTER LINE 32.2 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126, 1049.7 FEET FOR THE POINT, OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID CENTER LINE, 339.9 FEET TO AN OLD CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID OLD CLAIM LINE WHICH MAKES AN ANGLE OF 44°21' (MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE) 468.6 FEET TO THE CENTER LINE OF SAID ILLINOIS ROUTE 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE 328.1 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS. EXCEPT THEREFROM THE BELOW DESCRIBED PARCEL:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 399.15 FEET ALONG A 2,170.59 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF SOUTH 73 DEGREES 01 MINUTE 41 SECONDS EAST, 398.58 FEET THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 649.36 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 172.16 FEET ALONG SAID CENTERLINE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 162.08 FEET ALONG A 2,291.64 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING OF SOUTH 76 DEGREES 16 MINUTES 12 SECONDS EAST, 162.05 FEET; THENCE SOUTH 56 DEGREES 32 MINUTES 11 SECONDS WEST, 65.63 FEET; THENCE NORTH 74 DEGREES 04 MINUTES 13 SECONDS WEST, 5.13 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 14 SECONDS WEST, 50.57 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 61.11 FEET ON SAID RIGHT OF WAY LINE BEING ON A 2,251.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF NORTH 77 DEGREES 31 MINUTES 09 SECONDS WEST, 61.11 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 172.27 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 11 DEGREES 52 MINUTES 19 SECONDS EAST, 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.297 ACRE MORE OR LESS, OF WHICH 0.290 ACRE, MORE OR LESS, IS LYING WITHIN PUBLIC ROAD RIGHT OF WAY, SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAVING ALL RIGHTS UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

EXHIBIT A-1

PARCEL "B" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 0 DEGREES 7 MINUTES 44 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1,236.84 FEET TO A POINT ON SAID EAST LINE WHICH IS 1284.36 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 47 MINUTES 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES 32 MINUTES 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD 88 ON PAGE 399 FOR THE POINT OF BEGINNING; THENCE SOUTH 57 DEGREES 58 MINUTES 56 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID BOYD TRACT AND SAID SOUTHERLY LINE EXTENDED 352.89 FEET TO THE CENTER LINE OF WING ROAD; THENCE SOUTH 21 DEGREES 28 MINUTES 35 SECONDS EAST ALONG SAID CENTER LINE 131.0 FEET; THENCE NORTH 57 DEGREES 58 MINUTES 56 SECONDS EAST PARALLEL WITH SAID SOUTHERLY LINE 323.58 FEET TO A POINT WHICH IS SOUTH 09 DEGREES 32 MINUTES 39 SECONDS EAST, 139.37 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 09 DEGREES 32 MINUTES 39 SECONDS WEST, 139.37 FEET TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

PARCEL "D" DESCRIPTION

THAT PART OF THE NORTHEAST, NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 1,284.36 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 40 SECONDS WEST, 680.30 FEET; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST, 10.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST, 579.53 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF SAID BOYD TRACT, 748.57 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 49 MINUTES 16 SECONDS WEST AT THE LAST DESCRIBED POINT, 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST, 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST, 202.0 FEET; THENCE NORTH 00 DEGREES 42 MINUTES 30 SECONDS WEST, 423.02

EXHIBIT A-1

FEET TO SAID CENTER LINE; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE, 472.59 FEET TO A LINE DRAWN NORTH 00 DEGREES 10 MINUTES 48 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER, FROM A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER WHICH IS 598.62 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID PARALLEL LINE, 880.56 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 34 MINUTES 48 SECONDS WEST ALONG SAID SOUTH LINE, 598.62 FEET TO SAID SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID EAST LINE, 1275.36 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 33 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 33 SECONDS WEST, 681.94 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL "E" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTH 57 DEGREES 59 MINUTES 05 SECONDS EAST ALONG SAID OLD CLAIM LINE, 299.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 1 DEGREE 51 MINUTES 32 SECONDS WEST, 402.10 FEET; THENCE SOUTH 59 DEGREES 25 MINUTES 54 SECONDS EAST, 256.51 FEET; THENCE NORTH 59 DEGREES 55 MINUTES 25 SECONDS EAST, 355.65 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 29 SECONDS EAST, 853.57 FEET; THENCE NORTH 33 DEGREES 24 MINUTES 40 SECONDS EAST, 542.27 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2,292.01 FEET AND A RADIAL BEARING OF SOUTH 29 DEGREES 23 MINUTES 51 SECONDS WEST AT THE LAST DESCRIBED POINT, 358.41 FEET TO A POINT WHICH IS 151.00 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE AND SAID OLD CLAIM LINE; THENCE SOUTH 45 DEGREES 05 MINUTE 49 SECONDS WEST, 265.70 FEET; THENCE SOUTH 73 DEGREES 54 MINUTES 28 SECONDS WEST, 102.86 FEET; THENCE SOUTH 84 DEGREES 11 MINUTES 54 SECONDS WEST, 280.96 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 55 SECONDS WEST, 24.19 FEET TO SAID OLD CLAIM LINE; THENCE SOUTH 87 DEGREES 59 MINUTES 05 SECONDS WEST ALONG SAID OLD CLAIM LINE, 789.92 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

EXHIBIT A-1

PARCEL "F" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID CLAIM LINE, 941.92 FEET TO A POINT ON A LINE DRAWN SOUTHWESTERLY, PERPENDICULAR TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FROM A POINT ON SAID CENTER LINE WHICH IS 1,049.70 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE WITH THE CENTER LINE OF ILLINOIS STATE ROUTE 71, THENCE NORTHEASTERLY TO SAID POINT ON SAID CENTER LINE OF ILLINOIS ROUTE 126 AFORESAID; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE AND TO SAID ROUTE 71 CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID ROUTE 71 CENTER LINE, 30.58 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 78.83 FEET, TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 1,925.21 FEET ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS EAST, 58.55 FEET TO THE EXISTING SOUTHEASTERLY RIGHT OF WAY LINE OF A F.A.P. ROUTE 311 (IL ROUTE 71) AND THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 34 MINUTES 00 SECONDS EAST, 35.28 FEET ON SAID SOUTHEASTERLY RIGHT OF WAY LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF S.B.I. ROUTE 66 (IL ROUTE 126); THENCE SOUTH 70 DEGREES 08 MINUTES 35 SECONDS EAST, 125.66 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 81 DEGREES 09 MINUTES 04 SECONDS WEST, 51.85 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 40 SECONDS WEST, 103.47 FEET TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL "G" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

EXHIBIT A-1

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER;
THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER,
798.60 FEET TO AN OLD CLAIM LINE FOR A POINT OF BEGINNING; THENCE
NORTHERLY ALONG SAID WEST LINE, 1,118.27 FEET; THENCE
SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33
MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED
COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY
ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35
SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE
THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0
FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE
SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM
LINE; THENCE SOUTHWESTERLY ALONG SAID CLAIM LINE, 188.42 FEET TO
THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY,
ILLINOIS.

PARCEL "J" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36
NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS
FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER;
THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6
FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE
NORTHEASTERLY ALONG THE SAID CENTER LINE OF ILLINOIS ROUTE 71, A
DISTANCE OF 1411.3 FEET TO THE CENTER LINE EXTENDED NORTHWESTERLY
OF THE PUBLIC ROAD RUNNING SOUTHEASTERLY FROM SAID ILLINOIS ROUTE
71, COMMONLY KNOWN AS WING ROAD; THENCE SOUTHEASTERLY ALONG THE
EXTENDED CENTER LINE AND THE CENTER LINE OF SAID PUBLIC ROAD,
BEING ALONG A LINE THAT FORMS AN ANGLE OF 93 DEGREES 25 MINUTES
TO THE RIGHT WITH THE PROLONGATION NORTHEASTERLY OF THE TANGENT
TO THE CENTER LINE OF SAID ILLINOIS ROUTE 71 AT THE LAST
DESCRIBED POINT, 761 FEET FOR THE POINT OF BEGINNING; THENCE
SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 79 DEGREES 47
MINUTES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED
LINE, 265.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE
SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126 TO THE
CENTER LINE OF THE EASTERLY FORK OF THE PUBLIC ROAD AFORESAID
WHICH RUNS SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71; THENCE
NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC ROAD TO THE
POINT OF BEGINNING; IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY,
ILLINOIS.

PARCEL "K" DESCRIPTION

THAT PART OF THE NORTH HALF OF SECTION 3, TOWNSHIP 36 NORTH,
RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS
FOLLOWS:

EXHIBIT A-1

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE SOUTH 0 DEGREES 07 MINUTES 44 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 1284.36 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES 32 MINUTES 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 46 SECONDS WEST, 748.40 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 50 MINUTES 30 SECONDS WEST AT THE LAST DESCRIBED POINT, 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST, 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST, 202.0 FEET; THENCE NORTH 0 DEGREES 42 MINUTES 30 SECONDS WEST, 432.02 FEET TO SAID CENTER LINE; THENCE SOUTH 60 DEGREES 02 MINUTES 30 SECONDS WEST, ALONG CENTER LINE, 291.76 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

PARCEL "L" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE EASTERLY ALONG SAID CENTER LINE 32.2 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126, 1049.7 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID CENTER LINE, 339.9 FEET TO AN OLD CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID OLD CLAIM LINE WHICH MAKES AN ANGLE OF 44 DEGREES 21 MINUTES (MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE) 468.6 FEET TO THE CENTER LINE OF SAID ILLINOIS ROUTE 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE 328.1 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS, EXCEPT THAT PREVIOUSLY ANNEXED.

(PARCELS CONTAIN 78.145 ACRES MORE OR LESS.)

EXHIBIT A-2

PARCEL "A" DESCRIPTION

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH 00 DEGREES 14 MINUTES 45 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1,284.36 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES 30 MINUTES 00 SECONDS WEST, 592.27 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 57 DEGREES 33 MINUTES 55 SECONDS WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH 21 DEGREES 52 MINUTES 29 SECONDS WEST ALONG SAID EASTERLY LINE 705.85 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,509.16 FEET; A DISTANCE OF 472.39 FEET TO A LINE DRAWN NORTH 09 DEGREES 30 MINUTES 00 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 09 DEGREES 30 MINUTES 00 SECONDS EAST ALONG SAID LINE, 695.72 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

PARCEL "H" DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID CENTER LINE, 30.45 FEET TO THE POINT OF INTERSECTION OF SAID CENTER LINE WITH CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FOR THE POINT OF BEGINNING; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE, 230.67 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT AT THE LAST DESCRIPTION POINT, 1,141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE, 761.0 FEET; THENCE SOUTH 58 DEGREES 16 MINUTES 47 SECONDS WEST, 265.38 FEET TO SAID ROUTE 126 CENTER LINE; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE, BEING ALONG A CURVE TO THE LEFT AND HAVING A RADIUS OF 2,292.01 FEET WHICH IS TANGENT TO A LINE DRAWN NORTH 72 DEGREE

EXHIBIT A-2

57 MINUTES 06 SECONDS WEST FROM THE LAST DESCRIBED POINT, 147.83 FEET; THENCE NORTH 76 DEGREES 38 MINUTES 49 SECONDS WEST ALONG SAID ROUTE 126 CENTER LINE, 850.98 FEET; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE, BEING ALONG A CURVE TO THE RIGHT AND HAVING A RADIUS OF 2,148.79 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 383.53 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE, 261.12 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE, 1,141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD FOR THE POINT OF BEGINNING; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE, 258.05 FEET; THENCE SOUTH 68 DEGREES 29 MINUTES 47 SECONDS WEST, 200.0 FEET; THENCE NORTH 21 DEGREES 30 MINUTES 13 SECONDS WEST, PARALLEL WITH SAID WING ROAD CENTER LINE, 250.0 FEET TO SAID ROUTE 71 CENTER LINE; THENCE NORTHEASTERLY ALONG SAID ROUTE 71 CENTER LINE, 200.16 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AND ALSO EXCEPTING,

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83).

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE CENTER LINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTER LINE TO THE POINT OF BEGINNING; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 230.66 FEET ALONG SAID CENTER LINE; THENCE NORTHEASTERLY, 940.58 FEET ALONG AN 11,479.02 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 67 DEGREES 34 MINUTES 29 SECONDS EAST, 940.31 FEET; THENCE SOUTH 22 DEGREES 56 MINUTES 31 SECONDS EAST, 60.03 FEET; THENCE SOUTHWESTERLY, 418.10 FEET ON AN 11,539.02 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING SOUTH 66 DEGREES 16 MINUTES 29 SECONDS WEST, 418.08 FEET; THENCE SOUTH

EXHIBIT A-2

59 DEGREES 24 MINUTES 09 SECONDS WEST, 71.10 FEET; THENCE SOUTH 25 DEGREES 14 MINUTES 24 SECONDS WEST, 60.52 FEET; THENCE SOUTHEASTERLY, 570.87 FEET ON AN 875.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING SOUTH 55 DEGREES 22 MINUTES 46 SECONDS EAST, 560.80 FEET; THENCE SOUTH 74 DEGREES 04 MINUTES 13 SECONDS EAST, 274.41 FEET; THENCE SOUTH 64 DEGREES 05 MINUTES 29 SECONDS EAST, 35.85 FEET; THENCE SOUTH 56 DEGREES 49 MINUTES 00 SECONDS WEST, 64.56 FEET TO THE CENTER LINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE NORTHWESTERLY, 162.08 FEET ON SAID CENTER LINE BEING A 2,291.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 76 DEGREES 16 MINUTES 12 SECONDS WEST, 162.05 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 357.37 FEET ON SAID CENTER LINE; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS WEST, 96.76 FEET TO THE EXISTING NORTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 297.03 FEET ON A 990.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 45 DEGREES 17 MINUTES 03 SECONDS WEST, 295.92 FEET; THENCE NORTH 36 DEGREES 39 MINUTES 21 SECONDS WEST, 23.77 FEET; THENCE NORTH 77 DEGREES 19 MINUTES 38 SECONDS WEST, 84.74 FEET; THENCE SOUTH 69 DEGREES 03 MINUTES 36 SECONDS WEST, 100.61 FEET; THENCE SOUTH 69 DEGREES 55 MINUTES 52 SECONDS WEST, 149.98 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID IL 71; THENCE SOUTH 65 DEGREES 32 MINUTES 40 SECONDS WEST, 113.94 FEET TO THE CENTER LINE OF SAID IL 126; THENCE NORTHWESTERLY, 119.55 FEET ON SAID CENTER LINE BEING A 2,170.59 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 69 DEGREES 20 MINUTES 17 SECONDS WEST, 119.54 FEET TO THE POINT OF BEGINNING.

(PARCELS CONTAIN 15.323 ACRES MORE OR LESS.)

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH $00^{\circ}14'45''$ EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH $89^{\circ}50'00''$ WEST, 684.42 FEET; THENCE NORTH $09^{\circ}30'00''$ WEST, 592.27 FEET; THENCE SOUTH $57^{\circ}33'55''$ WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH $21^{\circ}52'29''$ WEST, ALONG SAID EASTERLY LINE, 705.85 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71 FOR THE POINT OF BEGINNING; THENCE SOUTH $21^{\circ}52'29''$ EAST, ALONG SAID EASTERLY LINE, 119.0 FEET; THENCE NORTH $68^{\circ}07'31''$ EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH $21^{\circ}52'29''$ WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE SOUTHWESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE RIGHT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 211.39 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 0.6060 ACRE.

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH $00^{\circ}14'45''$ EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH $89^{\circ}50'00''$ WEST, 684.42 FEET; THENCE NORTH $09^{\circ}30'00''$ WEST, 592.27 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH $57^{\circ}33'55''$ WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH $21^{\circ}52'29''$ WEST, ALONG SAID EASTERLY LINE, 586.85 FEET TO A POINT ON SAID EASTERLY LINE WHICH IS 119.0 FEET (MEASURED ALONG SAID EASTERLY LINE) SOUTHEASTERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTH $68^{\circ}07'31''$ EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH $21^{\circ}52'29''$ WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE LEFT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 261.03 FEET TO A LINE DRAWN NORTH $09^{\circ}30'00''$ WEST FROM THE POINT OF BEGINNING; THENCE SOUTH $09^{\circ}30'00''$ EAST, ALONG SAID LINE, 695.72 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 5.6041 ACRES.

THAT PART OF THE NORTH 1/2 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE SOUTH 0 DEGREES, 07 MINUTES, 44 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1284.36 FEET; THENCE NORTH 89 DEGREES, 47 MINUTES, 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES, 32 MINUTES, 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES, 05 MINUTES, 46 SECONDS WEST, 748.40 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE TIC. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES, 50 MINUTES, 30 SECONDS WEST AT THE LAST DESCRIBED POINT. 627.46; THENCE NORTH 60 DEGREES, 02 MINUTES, 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 12 DEGREES, 27 MINUTES, 30 SECONDS EAST, 264.0 FEET; THENCE SOUTH 84 DEGREES, 27 MINUTES, 30 SECONDS EAST, 202.0 FEET; THENCE NORTH 0 DEGREES, 47 MINUTES, 30 SECONDS WEST, 423.02 FEET TO SAID CENTER LINE; THENCE SOUTH 60 DEGREES, 02 MINUTES, 30 SECONDS WEST ALONG CENTER LINE, 291.76 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE NORTHEAST, NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1284.36 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 40 SECONDS WEST 680.30 FEET; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST 10.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH 09 DEGREES, 33 MINUTES 27 SECONDS WEST 579.63 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF SAID BOYD TRACT 748.57 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 49 MINUTES 16 SECONDS WEST AT THE LAST DESCRIBED POINT 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 332.0 FEET; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST 202.0 FEET; THENCE NORTH 00 DEGREES 42 MINUTES 30 SECONDS WEST 423.02 FEET TO SAID CENTER LINE; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 412.69 FEET TO A LINE DRAWN NORTH 00 DEGREES 10 MINUTES 46 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER, FROM A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER WHICH IS 598.62 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID PARALLEL LINE 880.56 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 34 MINUTES 48 SECONDS WEST ALONG SAID SOUTH LINE 598.62 FEET TO SAID SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID EAST LINE 1275.36 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 33 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 33 SECONDS WEST 681.94 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

A PERPETUAL EASEMENT FOR THE OPERATION, MAINTENANCE AND USE OF A SEPTIC FIELD FOR THE BENEFIT OF PARCEL ONE HEREINABOVE DESCRIBED, UNDER AND UPON THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE CONTIGUOUS

TO PARCEL ONE TO WIT:

COMMENCING AT THE MOST NORTHERLY CORNER OF PARCEL ONE HEREINABOVE DESCRIBED ON THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 47.12 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE NUMBER 126, FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 105.0 FEET; THENCE NORTH 32 DEGREES 08 MINUTES 38 SECONDS WEST, 152.18 FEET; THENCE SOUTH 76 DEGREES 09 MINUTES 49 SECONDS EAST, 5.28 FEET; THENCE SOUTH 70 DEGREES 39 MINUTES 49 SECONDS EAST, 158.65 FEET, TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, ALL IN KENDALL COUNTY ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET A POINT OF BEGINNING THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID CLAIM LINE, 941.92 FEET TO A POINT ON A LINE DRAWN SOUTHWESTERLY, PERPENDICULAR TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FROM A POINT ON SAID CENTER LINE WHICH IS 1049.70 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE WITH THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTHEASTERLY TO SAID POINT ON SAID CENTER LINE OF ILLINOIS ROUTE 126 AFORESAID; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE AND TO SAID ROUTE 71 CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID ROUTE 71 CENTER LINE, 30.58 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 78.83 FEET, TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION. 3; THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 1925.21 FEET ON THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS EAST 58.55 FEET TO THE EXISTING SOUTHEASTERLY RIGHT OF WAY LINE OF A.F.A.P. ROUTE 311 (IL ROUTE 71) AND THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 34 MINUTES 00 SECONDS EAST 35.28 FEET ON SAID SOUTHEASTERLY RIGHT OF WAY LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF S.B.I. ROUTE 66 (IL ROUTE 126); THENCE SOUTH 70 DEGREES 08 MINUTES 35 SECONDS EAST 125.66 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 81 DEGREES 09 MINUTES 04 SECONDS WEST 57.85 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 40 SECONDS WEST 103.47 FEET TO THE POINT OF BEGINNING), IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE FOR A POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE SOUTHWESTERLY ALONG SAID CLAIM LINE, 188.42 FEET TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY ALONG THE SAID CENTER LINE OF ILLINOIS ROUTE 71, 1411.3 FEET TO THE CENTER LINE EXTENDED NORTHWESTERLY OF THE PUBLIC ROAD RUNNING SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71, COMMONLY KNOWN AS WIND ROAD; THENCE SOUTHEASTERLY ALONG THE EXTENDED CENTER LINE AND THE CENTER LINE OF SAID PUBLIC ROAD, BEING ALONG A LINE THAT FORMS AN ANGLE OF 93 DEGREES 25' TO THE RIGHT WITH THE PROLONGATION NORTHEASTERLY OF THE TANGENT TO THE CENTER LINE OF SAID ILLINOIS ROUTE 71 AT THE LAST DESCRIBED POINT, 761 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 79 DEGREES 47' TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED LINE 265.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126 TO THE CENTER LINE OF THE EASTERLY FORK OF THE PUBLIC ROAD AFORESAID WHICH RUNS SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC ROAD TO THE POINT OF BEGINNING; TO THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

GRANTEE HEREBY ASSUMES AND AGREES TO PAY THE UNPAID BALANCE ON THE EXISTING MORTGAGE RECORDED IN BOOK PAGE , THE DEBT SECURED THEREBY AND ALSO HEREBY ASSUMES -THE OBLIGATIONS UNDER THE TERM OF THE INSTRUMENTS CREATING THE LOANS DOCUMENT NO. 79-1053.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER;

THENCE - NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, - 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID CENTER LINE 30.45 FEET TO THE POINT OF INTERSECTION OF SAID CENTER LINE WITH CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FOR THE POINT OF BEGINNING; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 230.67 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT AT THE LAST DESCRIPTION POINT, 1,141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 761.0 FEET; THENCE SOUTH 58 DEGREES 16 MINUTES 47 SECONDS WEST 265.35 FEET TO SAID ROUTE 126 CENTER LINE; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE BEING ALONG A CURVE TO THE LEFT AND HAVING A RADIUS OF 2,292.01 FEET WHICH IS TANGENT TO A LINE DRAWN NORTH 72 DEGREES 57 MINUTES 06 SECONDS WEST FROM THE LAST DESCRIBED POINT 147.93 FEET; THENCE NORTH 16 DEGREES 38 MINUTES 49 SECONDS WEST ALONG SAID ROUTE 126 CENTERLINE 850.98 FEET; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTERLINE BEING ALONG A CURVE TO THE RIGHT AND HAVING A RADIUS OF 2,148.79 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 383.53 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36- NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG -THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 261.12 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE 1141.60 FEET TO THE INTERSECTION WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD FOR THE POINT OF BEGINNING (THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 258.05 FEET; THENCE SOUTH 58 DEGREES 29 MINUTES 47 SECONDS WEST 200.0 FEET; THENCE NORTH 21 DEGREES 30 MINUTES 13 SECONDS WEST PARALLEL WITH SAID WING ROAD CENTER LINE 250.0 FEET TO SAID ROUTE 71 CENTER LINE; THENCE NORTHEASTERLY ALONG SAID ROUTE 71 CENTER LINE 200.16 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, (ILLINOIS, AND ALSO EXCEPTING, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING FROM THE POINT OF BEGINNING; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 230.66 FEET ALONG SAID CENTERLINE; THENCE NORTHEASTERLY, 940.56 FEET ALONG AN 11,479.02 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 67 DEGREES 34 MINUTES 29 SECONDS EAST, 940.31 FEET; THENCE SOUTH 22 DEGREES 56 MINUTES 31 SECONDS EAST, 60.03 FEET; THENCE SOUTHWESTERLY, 418.10 FEET ON AN 11,539.02 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING SOUTH 66 DEGREES 16 MINUTES 29 SECONDS WEST, 418.08 FEET; THENCE SOUTH 59 DEGREES 24 MINUTES 09 SECONDS WEST, 71.10 FEET; THENCE SOUTH 25 DEGREES 14 MINUTES 24 SECONDS WEST, 60.52 FEET; THENCE SOUTHEASTERLY, 570.87 FEET ON AN 675.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING SOUTH 55 DEGREES 22 MINUTES 46 SECONDS EAST, 560.80 FEET; THENCE SOUTH 74 DEGREES 04 MINUTES 13 SECONDS EAST, 274.41 FEET; THENCE SOUTH 64 DEGREES 05 MINUTES 29 SECONDS EAST, 35.85 FEET; THENCE SOUTH 55 DEGREES 49 MINUTES 00 SECONDS WEST, 64.56 FEET TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE NORTHWESTERLY, 162.08 FEET ON SAID CENTERLINE BEING A 2,291.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 76 DEGREES 16 MINUTES 12 SECONDS WEST, 162.05 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 357.37 FEET ON SAID CENTERLINE; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS WEST, 96.76 FEET TO THE EXISTING NORTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 297.03 FEET ON A 990.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 45 DEGREES 17 MINUTES 03 SECONDS WEST, 295.92 FEET; THENCE NORTH 36 DEGREES 39 MINUTES 21 SECONDS WEST, 23.77 FEET; THENCE NORTH 77 DEGREES 19 MINUTES 36 SECONDS WEST, 64.74 FEET; THENCE SOUTH 69 DEGREES 03 MINUTES 36 SECONDS WEST, 100.61 FEET; THENCE SOUTH 69 DEGREES 55 MINUTES 52 SECONDS WEST, 149.98 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID IL 71; THENCE SOUTH 65 DEGREES 32 MINUTES 40 SECONDS WEST, 113.94 FEET TO THE CENTERLINE OF SAID IL 126; THENCE NORTHWESTERLY, 119.55 FEET ON SAID CENTERLINE BEING A 2,170.59 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 69 DEGREES 20 MINUTES 17 SECONDS WEST, 119.54 FEET TO THE POINT OF BEGINNING.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 07°44' EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1236.84 FEET TO A POINT ON SAID EAST LINE WHICH IS 1284.36 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89°47'31" WEST, 684.42 FEET; THENCE NORTH 09°32'39" WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD 88 ON PAGE 399, FOR THE POINT OF BEGINNING; THENCE SOUTH 57°58'56" WEST ALONG THE SOUTHERLY LINE OF SAID BOYD TRACT AND SAID SOUTHERLY LINE EXTENDED 352.89 FEET TO THE CENTER LINE OF WING ROAD; THENCE SOUTH 21°28'35" EAST ALONG SAID CENTERLINE 131.00 FEET; THENCE NORTH 57°58'56" EAST PARALLEL WITH SAID SOUTHERLY LINE 323.58 FEET TO A POINT WHICH IS SOUTH 09°32'39" EAST, 139.37 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 09°32'39" WEST, 139.37 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE EASTERLY ALONG SAID CENTER LINE 32.2 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126, 1049.7 FEET FOR THE POINT, OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID CENTER LINE, 339.9 FEET TO AN OLD CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID OLD CLAIM LINE WHICH MAKES AN ANGLE OF 44°21' (MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE) 468.6 FEET TO THE CENTER LINE OF SAID ILLINOIS ROUTE 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE 328.1 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS. EXCEPT THEREFROM THE BELOW DESCRIBED PARCEL:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 399.15 FEET ALONG A 2,170.59 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF SOUTH 73 DEGREES 01 MINUTE 41 SECONDS EAST, 398.58 FEET THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 649.36 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 172.16 FEET ALONG SAID CENTERLINE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 162.08 FEET ALONG A 2,291.64 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING OF SOUTH 76 DEGREES 16 MINUTES 12 SECONDS EAST, 162.05 FEET; THENCE SOUTH 56 DEGREES 32 MINUTES 11 SECONDS WEST, 65.63 FEET; THENCE NORTH 74 DEGREES 04 MINUTES 13 SECONDS WEST, 5.13 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 14 SECONDS WEST, 50.57 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 61.11 FEET ON SAID RIGHT OF WAY LINE BEING ON A 2,251.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF NORTH 77 DEGREES 31 MINUTES 09 SECONDS WEST, 61.11 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 172.27 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 11 DEGREES 52 MINUTES 19 SECONDS EAST, 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.297 ACRE MORE OR LESS, OF WHICH 0.290 ACRE, MORE OR LESS, IS LYING WITHIN PUBLIC ROAD RIGHT OF WAY, SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAIVING ALL RIGHTS UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

EXHIBIT "C-1"
Windmill Farms - B-3 Service Business Permitted Uses

This exhibit lists all permitted uses within the B-3 Service Business District as they exist in the current Zoning Ordinance. Uses excluded and not permitted by this Agreement are crossed out as follows: (~~not permitted use~~)

OFFICE DISTRICT (O)

Advertising agency.

Bank (allowable by provisions of Windmill Agreement)

Barber shop.

Beauty shop.

Bookkeeping service.

~~Club - private indoor.~~

Coffee shop.

College, university or junior college.

Commercial school, trade school - offering training in classroom study.

Detective agency.

Employment office.

Engineering office.

Government office.

Income tax service.

Insurance office.

Library.

Manufacturing agent's office.

Medical clinic.

Park.

Professional offices.

Public accountant.

Real estate office.

Stenographic service.

Stock broker.

Telegraph office.

~~Ticket office.~~

Title company.

Travel agency.

Utility office. (Ord. 1973-56A, 3-28-74)

Special Uses

~~Solid waste disposal site (Ord. 1973-56A, 3-28-1974; amd. Ord. 1995-20, 8-10-1995)~~

LIMITED BUSINESS DISTRICT (B-1)

All uses permitted in the O district.

Antique sales.

~~Apartments, single family, located in business buildings.~~

Bakery - retail.

Barbershop.
Beauty shop.
Bookstore.
Cafeteria (diner).
Camera shop.
Church or other place of worship.
~~Cigar, cigarette and tobacco store.~~
Clothes - pressing and repair.
~~Club - private indoor.~~
~~Club - private outdoor.~~
Community center.
Dressmaker - seamstress.
Drugstore.
Florist sales.
Fruit and vegetable market - retail.
Gift shop.
Grocery store - supermarket.
Gymnasium.
Health food store.
Hobby shop.
Hospital (general).
Hospital or treatment center.
Household furnishing shop.
Ice cream shop.
Jewelry - retail.
Laundry, cleaning and dyeing - retail.
Library.
~~Magazine and newsstand.~~
Meat market.
Medical clinic.
Mortuary - funeral home.
Park.
Photography studio.
Playground.
Post office.
Professional building.
Recreation center.
Restaurant.
Shoe and hat repair.
~~Substation.~~
Swimming pool - indoor.
Tennis club - private or daily fee.
~~Trailer. (Ord. 1973-56A, 3-28-1974; amd. 1994 Code; Ord. 1994-1A, 2-10-1994; Ord. 2003-41, 7-22-2003)~~

GENERAL BUSINESS DISTRICT (B-2)

All uses permitted in the O and B-1 Districts.

Appliances - sales.

Army/Navy surplus sales.

Art gallery - art studio sales.

Art supply store.

~~Auditorium.~~

Automatic food service.

Automobile accessory store.

Automobile rental.

Bicycle shop.

Billiard parlor.

Blueprint and photostat shop.

~~Bowling alley.~~

Carry-out food service.

Catalog sales office.

Clothing store - all types.

~~Dance hall.~~

Department store.

Discount store.

Drygoods store - retail.

Floor covering sales.

Furniture sales - new/used.

Hardware store.

Health club or gymnasium.

Hotel.

Interior decorating studio.

Junior department store.

Leather goods.

Locksmith.

Motel.

Music, instrument and record store.

Newspaper publishing.

Office equipment and supply sales.

Paint/wallpaper store.

~~Pawnshop.~~

Personal loan agency.

Pet store.

Picture frame store.

Radio and television studios.

~~Reducing salon, masseur and steam bath.~~

Sporting goods.

Stationery.

Taxidermist.

Theater.

Toy store.

Typewriter - sales and repair.

Variety store.
Watch and clock sales and repair.
Weaving and mending - custom. (Ord. 1973-56A, 3-28-1974; amd. 1994 Code)

SERVICE BUSINESS DISTRICT (B-3)

All uses permitted in the B-2 district.
Agricultural implement sales and service.
Appliance - service only.
Automotive sales and service.
~~Boat sales.~~
Building material sales.
Business machine repair.
Car wash without mechanical repair on the premises.
Catering service.

Daycare (allowable by provisions of Windmill Agreement)

Drive-in restaurant.
Electrical equipment sales.
Feed and grain sales.
Frozen food locker.
Furniture repair and refinishing.

Gasoline Filling Station (allowable by provisions of Windmill Agreement)

Golf driving range.
Greenhouse.
 ~~kennel.~~
Miniature golf.
Motorcycle sales and service.
Nursery.
Orchard.
Park - commercial recreation.
Plumbing supplies and fixture sales.
Pump sales.
Recreational vehicle sales and service.
~~Skating rink.~~
~~Sports arena.~~
~~Taxicab garage.~~
Tennis court - indoor.
~~Trailer rental.~~
~~Truck rental.~~
~~Truck sales and service.~~
Upholstery shop.
Veterinary clinic. (Ord. 1973-56A, 3-28-1974; amd. Ord. 1986-1, 1-9-1986; Ord. 1988-7, 4-14-1988; Ord. 1995-19, 8-10-1995; Ord. 1998-21, 6-25-1998; Ord. 2005-58, 7-12-2005)

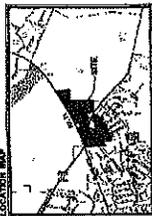
EXHIBIT "D" R-4 GENERAL RESIDENCE DISTRICT

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

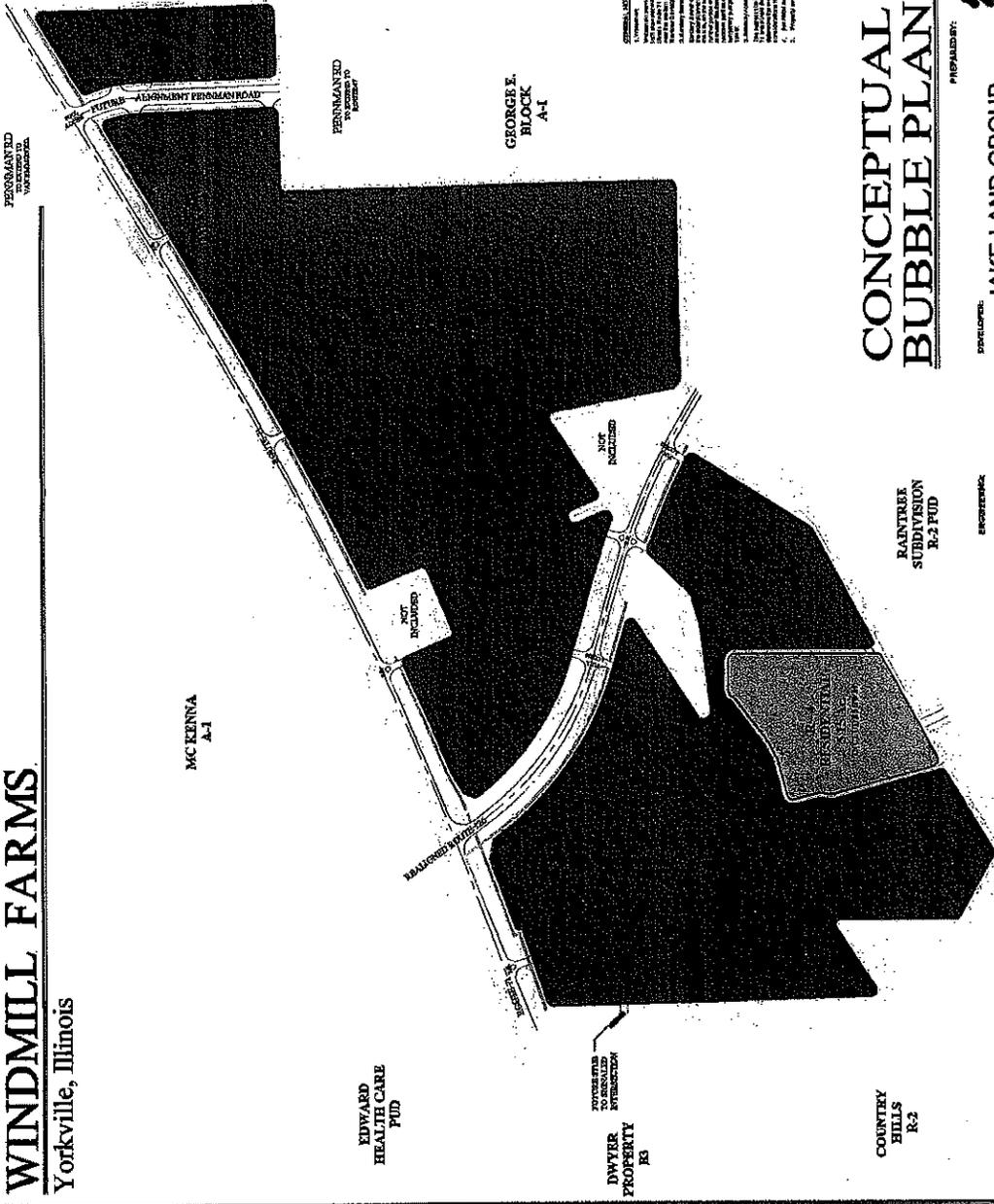
COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTH 57 DEGREES 59 MINUTES 05 SECONDS EAST ALONG SAID OLD CLAIM LINE 299 .00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 1 DEGREE 51 MINUTES 32 SECONDS WEST, 402.10 FEET; THENCE SOUTH 59 DEGREES 55 MINUTES., 25 SECONDS EAST, 256.51 FBET; THENCE NORTH 59 DEGREES 55 MINUTES 25 SECONDS EAST 355.65 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 29 SECONDS EAST, 853.57 FEET; THENCE NORTH 33 DEGREES 24 MINUTES 40 SECONDS EAST,. 542.27 FBET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2292 .01 FEET AND A RADIAL BEARING OF SOUTH 29 DEGREES 23 MINUTES 51 SECONDS WEST AT THE LAST DESCRIBED POINT, 358.41 FEET TO A POINT WHICH IS 151.00 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE AND SAID OLD CLAIM LINE; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 265 .70 FEET; THENCE SOUTH 73 DEGREES 54 MINUTES 28 SECONDS WEST, 102.86 FEET; THENCE SOUTH 84 DEGREES 11 MINUTES 54 SECONDS WEST, 280.96 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 55 SECONDS WEST, 24.19 FEET TO SAID OLD CLAIM LIRE; THENCE SOUTH 87 DEGREES 59 MINUTES 05 SECONDS WEST ALONG SAID OLD CLAIM LINE 789.92 FEET TO THE POINT OP BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

WINDMILL FARMS

Yorkville, Illinois



PERMANENT
TO BE EXTENDED
TO WINDMILL FARMS



L & D BOWMAN
TRUST
A-1

PERMANENT
TO BE EXTENDED TO
WINDMILL FARMS

GEORGE E.
BLOCK
A-1

MCKENNA
A-1

EDWARD
HEALTH CARE
PUD

POTENTIAL
FOR FUTURE
DEVELOPMENT
Dwyer
PROPERTY
R3

COUNTRY
HILLS
R2

RAINTREE
SUBDIVISION
R-2 PUD

NOT
INCORPORATED

NOT
INCORPORATED

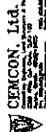
CONCEPTUAL BUBBLE PLAN 1

PREPARED BY:



JAKE LAND GROUP
211 West Main Street
Pittsburg, IL 62454

DEVELOPER:



CEMCON, Ltd.
211 West Main Street
Pittsburg, IL 62454

ENGINEER:



REVISIONS
POINT 1 1/8"

NO. 1, 1/8" Scale
Change: 1, 6/24
P. 20 20/25
DATE: 10/20/2010
WINDMILL FARMS

THIS CONCEPTUAL BUBBLE PLAN IS PREPARED FOR THE PURPOSES OF ILLUSTRATING THE GENERAL LAYOUT OF THE PROPOSED DEVELOPMENT. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE DEVELOPER AND ENGINEER ASSUME NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE DEVELOPER AND ENGINEER ARE NOT RESPONSIBLE FOR ANY CHANGES TO THE PLAN. THE DEVELOPER AND ENGINEER ARE NOT RESPONSIBLE FOR ANY CHANGES TO THE PLAN. THE DEVELOPER AND ENGINEER ARE NOT RESPONSIBLE FOR ANY CHANGES TO THE PLAN.

WINDMILL FARMS

Yorkville, Illinois



CONCEPTUAL PUD PLAN

PREPARED BY:

JAKE LAND GROUP

2019 Sandstone Cove
Fairfax, VA 22031

sda
Schlager Design Associates, Inc.
1000 N. Lincoln Ave., Suite 100
Yorkville, IL 62458

ENGINEER:

CENCON, LLC.

2019 Sandstone Cove
Fairfax, VA 22031

ENGINEERING

AGE RESTRICTED TOWNHOMES

12,800 SF
45 STALLS PROVIDED

EDWARD HEALTH CARE PUD

12,800 SF
45 STALLS PROVIDED

DWYER PROPERTY B3

12,800 SF
45 STALLS PROVIDED

COUNTRY HILLS R-2

12,800 SF
45 STALLS PROVIDED

RAIN TREE SUBDIVISION R-2 PUD

12,800 SF
45 STALLS PROVIDED

AGE RESTRICTED TOWNHOMES

12,800 SF
45 STALLS PROVIDED

GEORGE E. BLOCK A-1

12,800 SF
45 STALLS PROVIDED

L & D BOWMAN TRUST A-1

12,800 SF
45 STALLS PROVIDED

Site Planning Principles

The Site Planning Principles address issues that affect the way that individual sites should be developed in order to blend in with the existing character of the City.

- PRINCIPLE 4: *Incorporate existing site conditions into development plans*
- PRINCIPLE 5: *Provide a sense of architectural interest and unique identity throughout the City*
- PRINCIPLE 6: *Enhance pedestrian experience and establish sense of place through careful design and location of open spaces*
- PRINCIPLE 7: *Thoughtful consideration of vehicular and pedestrian circulation within individual developments*
- PRINCIPLE 8: *Appropriate design of parking lots, utilities, service areas and detention areas to reduce the negative impact of typically unattractive site components*

▪ **Desirable Elements:**

The following elements shall be incorporated into development within the City:

- Richness of building surface and texture
- Articulated mass and bulk
- Clear visibility of entrances
- Well organized commercial signage
- Landscaped and screened parking
- Special paving identifying intersections and crosswalks
- Pedestrian friendly streetscapes and open spaces
- Thoughtful consideration of circulation
- Screening of mechanical equipment, service areas, parking lots and any undesirable elements
- Step-down of building scale along pedestrian routes and building entrances
- Recognition of building hierarchy
- Formal entry plazas and courtyards
- Detention used as an amenity
- Existing trees incorporated into development
- Multi-planed, pitched roofs
- Roof overhangs and arcades
- Provide defined entrance roads into developments and provide adequate vehicle storage bays at egress drives



Richness of building materials creates visual interest



Landscaping softens the view of parking

■ **Undesirable Elements:**

The following elements are discouraged in developments within the City:

- Concrete detention basins
- Large, blank, unarticulated wall surfaces
- Visible outdoor storage, loading, equipment and mechanical areas
- Disjointed parking areas and confusing circulation patterns
- Large expanses of parking/asphalt
- Service areas near major entries and/or that are easily visible from roadway
- Poorly defined site access points
- Large "boxlike" structures



Avoid large expanses of parking lots



Avoid large blank wall surfaces

PRINCIPLE 4: Incorporate existing site conditions into development plans

New development shall protect the existing environmental features throughout the City and minimize the impact of the development on the site and the surrounding land.

■ **Drainage Patterns**

Proposed site plans shall incorporate existing drainage patterns on site in an effort to avoid significantly altering the manner in which drainage flows offsite. At the time of site plan submittal to the City, a drainage and detention plan must be submitted. The location and type of drainage facilities must be shown.



Drainage swale utilizes natural drainage patterns

■ **Topography and Soils**

- Minimize cut and fill on site to reduce effects upon the natural drainage pattern and natural character of the site.
- Minimize disturbance in areas of significant existing vegetation. If necessary for site development, consider using tree wells and retaining walls to preserve existing trees where possible.



Work with existing topography to avoid large cut and fill

- Development on unsuitable soils is prohibited. Incorporate unsuitable soils into an open space component of the site plan.
- Stockpile top soil for later use in landscape areas.
- **Vegetation**
 - Preserve existing trees

Every effort should be made in the planning process to incorporate quality, existing trees into the site plan design. Any quality, existing tree that occurs within the specific buffer yard as required per *PRINCIPLE 9* shall remain undisturbed and be protected as part of the landscape buffer.



Preservation of existing vegetation as buffer

PRINCIPLE 5: Provide a sense of architectural interest and unique identity throughout the City

The Architectural standards are provided to preserve and guide the character of architecture throughout the City while allowing for individual architectural interpretation. All architectural proposals must be compatible with the vernacular of the northern Illinois region. In order to ensure compliance with the following architectural guidelines, the City requires that building elevations, plans, materials samples, color samples and illustrations be submitted for review and approval prior to the commencement of building construction.



Building orientation creates central open space on axis with the main entry drive

▪ **Buildings**

- Orientation

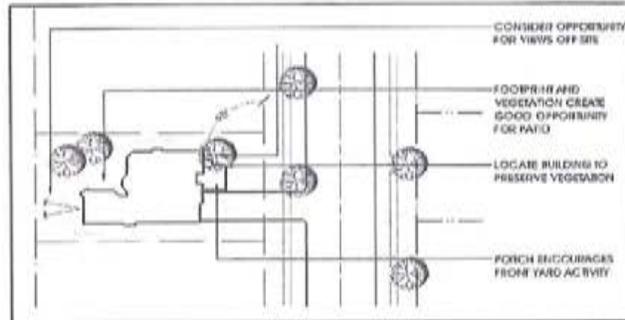
Building orientation should take advantage of the building to site relationship. The orientation and location of buildings defines open spaces and circulation corridors.

- Align focal architectural elements along major view or circulation axis.
- Define pedestrian spaces and streetscapes with building orientation.



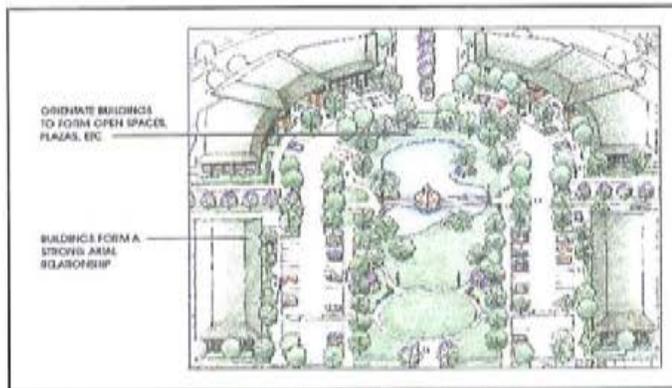
Orient primary buildings on axis and use as focal points

- Create view corridors between buildings, plazas, courtyards and adjacent buildings.
- Create pedestrian spaces and plazas by varying building facades.
- Cluster buildings whenever possible, creating opportunities for plazas and pedestrian malls. Prevent long, linear facades from dominating the view.



Residential building orientation creates private, intimate backyard space

- Buildings adjacent to Routes 47, 71 and 126 must face the primary roadway. No service access, storage, etc. is allowed to face Routes 47, 71 and 126.
- Develop sites in a comprehensive and coordinated manner to provide order and compatibility (especially in the case of large sites which will be developed in phases).



Building orientation can define main activity areas

- The exterior character and orientation of all buildings and the spaces they define should encourage and enhance pedestrian activity.
- Attention should be given to the quality and usability of the outdoor spaces formed by the exterior of a dwelling and adjacent dwellings. Avoid locating the private area of one dwelling adjacent to the public area of an adjacent dwelling.



Rear and side facades should incorporate architectural design elements

- In multi-family residential developments, buildings should be oriented to create functional outdoor spaces.
- In residential neighborhoods, consideration should also be given to the views from adjacent dwellings and public spaces.
- Facades

Building facades should achieve a high level of visual interest when viewed from automobile and pedestrian vantage points.

- In residential developments, front yards and porches should be used to create a sense of place and community.
- Natural stone and masonry materials are to be used on the lower portions of buildings to create a visual anchor to the ground and provide interest at the pedestrian level.
- Vary the planes of exterior walls in depth and/or direction.
- Wall planes shall not run in a continuous direction more than 65 feet without an offset of at least 3 feet.
- Wall planes of more than 20 feet high are prohibited without incorporating meaningful techniques, such as awnings or a change in building material, to break up the perceived building mass.
- Awnings are encouraged along facades to provide color, shade and architectural interest. Where awnings are used along a row of contiguous buildings, a consistent form, material, color, location and mounting arrangement must be used.
- Awnings should be located to provide a consistent minimum 8 feet vertical clearance, with a maximum generally not to exceed 12 feet.
- Colors of awnings must complement the buildings.



Awnings along facade



Awnings provide pedestrian scale element

- Incorporate the awnings along with any signage to provide a uniformly designed building façade.
- Signs on awnings are permitted.
- Internally illuminated awnings are prohibited.



Garage doors oriented to side

- Awnings and canopies may be made of sheet metal or canvas membrane. Plastic or vinyl awnings are not permitted.
- In new residential neighborhoods, houses shall not repeat the same elevations without two lots of separation. Houses across the street from each other and back-to-back corner lots shall not be of the same elevation.
- In residential areas, garages should not dominate the street view. Rather, provide parking and garages to the side or rear of lots or set the garage face back from the primary façade of the house. Avoid allowing the garage to become the primary architectural feature.

- **Roof Treatment**

Rooftops should be considered important design elements as viewed from a variety of vantage points such as at ground level, from other buildings and from adjacent perimeter roadways. A well-composed "roofscape" achieves an interesting skyline without becoming overly busy or contrived. Roof forms should serve as natural transitions from the ground level to intermediate masses to the tallest masses and back to the ground. Form should also be interesting when seen from above in adjacent buildings.



Variation in roof treatments creates an interesting 'roofscape'

- **Materials & Colors**

Visual continuity in major building materials and colors is desired throughout the City. Specific criteria include the following:

- Material samples of all proposed buildings must be provided for review and be approved by the City.
- Materials should be consistent with the Community Character principles outlined in these guidelines.

- Wall materials that are muted, earth tone in color and have texture are to be used.
- Reserve the use of strongly contrasting materials and colors for accents, such as building entrances, railings and trim. Avoid an excessive variety of façade materials.
- Avoid using highly reflective materials and surfaces, such as polished metal, that generate glare, particularly at the pedestrian level.
- Materials which may be incorporated include: native stone, brick, stucco and textured concrete. Alternative materials that achieve similar looks and are of high quality and low maintenance may be considered.
- Common materials shall be located on all sides of the building with the exception of service areas not visible from a public street.



Varying roofline breaks up long expanse of building facade

- Coordinating materials within a development can tie together buildings of different sizes, uses and forms.
- In new residential neighborhoods at the time of initial building permit, houses shall not be the same color unless there are at least two lots of separation. Houses across the street from each other are not permitted to be the same color.
- Use contrasting but compatible building materials and textures to unify exterior building elements and to create depth, proportion and scale.
- In residential developments, buildings should complement each other by using materials and colors within the same "family".
- Building colors should be derived from, and related to, the finishes of primary building materials.

▪ Height

The overall appearance of development shall be low and horizontal, with building heights throughout the community generally low to medium scale. Building heights are expected (and desired) to vary to ensure visual interest.

- Consider the use of taller buildings and/or elements to highlight significant intersections and pedestrian nodes.
- Building heights shall be determined in a manner which enhances an overall residential quality.



Taller buildings help identify intersections

- Maintain compatible relationships with adjacent dwellings and street frontages.
- Building heights shall be responsive to heights of homes located on slopes above and below the dwelling.
- Sight lines to greenbelts, open areas, water features and scenic horizon views are to be optimized and maintained to the fullest extent possible by minimizing the building height and obstruction.



Front porch provides one-story element

- Scenic view compatibility shall be considered in determining building height.
- Within a neighborhood, a combination of one, one and a half and two story dwellings is encouraged to add diversity to the streetscape. Entire neighborhoods or blocks of continuous two story dwellings are discouraged.
- For multilevel dwellings on corner lots, locate a one-story element of the dwelling at the street corner to help reduce the feeling of enclosure in the neighborhood.



Front porch roof provides human scale element

- A two-story dwelling can best relate to a neighboring one story if it contains a one-story element.

▪ Scale

Buildings should appear to be of a "pedestrian" or "human" scale. When components in the built environment are designed in such a way that people feel comfortable, then human scale has been achieved. In general, this means that the size, patterns, textures, forms and overall three-dimensional composition can be appreciated at the pedestrian level.



Varied building scale provides distinction between masses

- Vary the height of buildings, and/or building elements where feasible, so they appear to be divided into distinct elements or masses.

- Avoid large-scale buildings that are "box-like" and typically dominate a site.
- Use building mass appropriate to the site. Place buildings with larger footprints, height and massing in core activity areas or in the heart of the development near similar densities. By doing so, the impact on adjacent land uses will be reduced.



Pedestrian scale elements located along building facade

- In residential areas, the relationship between the lot size, street width and building scale are important to creating a human scale. Elements such as trees, pedestrian path lighting and porches can aid in achieving human scale.
- Hierarchy

It is important to recognize that future projects will be developed using a variety of buildings with various uses. Vehicular and pedestrian traffic should be able to recognize the hierarchy of buildings and be able to decipher primary buildings from secondary buildings.



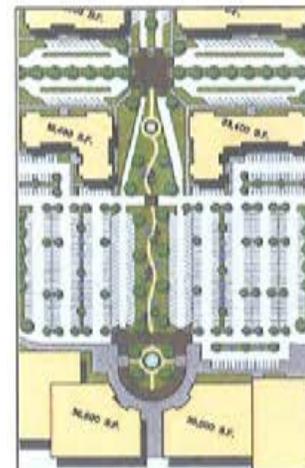
Avoid 'box like' building scale

- Primary Buildings

Primary buildings; such as major anchors, public buildings or major attractions, shall be located at prominent locations, anchoring a major view axis and serving as focal points in the community.

- Gateway Buildings

- Buildings at major entrances, corners, intersections or along significant roads should use special architectural elements to help identify that location as a "gateway". These elements also begin to define the sense of place for the community.



Primary buildings located on axis and create focal point

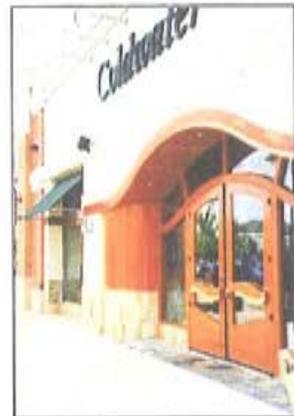
- Special architectural features may include corner towers, cupolas, clock towers, balconies, colonnades or spires.
- The use of vertical elements helps to frame the entrance and guide people into and through the development.



Gateway buildings

▪ Entrances

- Primary entrances should be easily identifiable and relate to both human scale as well as the scale of the building(s) they serve.
- Wherever possible, entrances should be inviting without becoming dark.
- Main building entrances should be designed to be clearly identifiable from primary driveways and drop-offs. Additionally, they should be visible from parking areas.



Main entry to store clearly identifiable

▪ Retaining walls

- All retaining walls must be faced (veneered) with masonry (stone, brick, stucco or approved equal).
- Retaining walls adjacent to or visible from any street shall not exceed 4 feet in height. Grade changes that require retaining walls exceeding 4 feet must be terraced with a minimum of 4 feet clear separation between each wall. Exceptions may be reviewed and approved by the City in order to preserve existing tree stands.

- Walls should be designed as an integral part of the dwelling design. Stone sizes should be consistent and laid in a horizontal course. Masonry materials shall match or complement the facade of surrounding buildings.
- Walls at intersections must not interfere with safe sight distances.

PRINCIPLE 6: Enhance pedestrian experience and establish sense of place through careful design and location of open spaces

The creation of open space throughout the City is an essential technique used to break up building facades. The use of such pockets of interest creates views into the various developments. A wide range of open spaces such as public gathering plazas, open "greens", common play areas, neighborhood parks and natural preserves can be incorporated into development plans.

▪ **View Corridors**

- Open space is considered a valuable amenity, therefore careful consideration of vistas into open spaces from residential lots, streets and drives is required.
- Maintain view corridors to provide vistas of amenities, natural features, open spaces and other significant elements.
- Create focal points at main entries, on axis with major circulation route and pedestrian corridors to establish a strong identity and structure for the project.



Community Park



View of amenity feature is framed by use of vegetation and road alignment, creating a signature element

Parks and Trails

- In residential areas, parks should be located within a 5 minute walk (approximately 1,000 feet) from each home.
- Trail linkages should be provided from proposed neighborhoods to the City's comprehensive trail system, forest preserve trails and adjacent developments.



Neighborhood Park

▪ **Courtyards and Plazas**

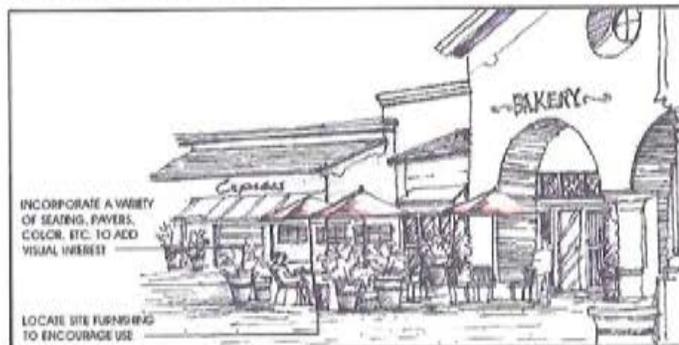
Courtyards, plazas and terraces should be designed at a human scale and incorporated as public amenities around non-residential buildings. Interrupting building facades to create "outdoor rooms" as well as varying the width of walkways will help create pedestrian spaces. These pedestrian spaces will create opportunities for comfortable outdoor experiences and are critical in defining plazas and courtyards.

- Orient plazas and courtyards to views of site amenities such as open space, water features, sculptural elements or landscaped areas.
- Consider opportunities to orient plazas and courtyards toward views of significant buildings or down long corridors.
- Wherever possible, create a sense of enclosure for outdoor seating areas. Such areas should be light and airy while providing a sense of safety from the elements.



Landscaping and special paving give the seating area a sense of enclosure

- Add elements such as trees, water features, a variety of seating areas and landscape color to give the public spaces an inviting appearance and visual interest.
- Incorporate pedestrian scaled lighting for safety and to promote use in the evening.
- Incorporate pavers and paving patterns to add interest and enhance the aesthetic quality of the spaces.
- Allow for outdoor tables and seating to promote use of the space. By doing so, an energy is created along the structure.



Plazas and courtyards offer spaces for outdoor cafes

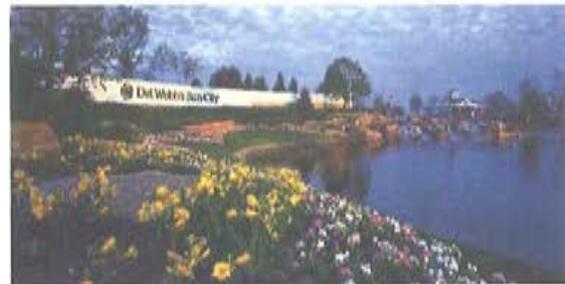
PRINCIPLE 7: Thoughtful consideration of vehicular and pedestrian circulation within individual developments

The purpose of the circulation standards is to minimize hazards and conflicts and establish logical circulation patterns. The appropriate integration of vehicular and pedestrian circulation is intended to provide safe and convenient access to all sites while being attractive, efficient and functional.

▪ **Vehicular Circulation**

▪ **Primary Site Entrances**

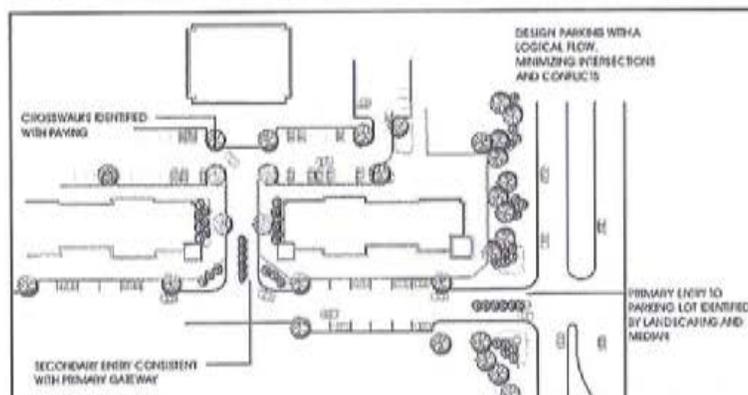
Each entrance to a parcel, individual building site or residential neighborhood from a primary roadway should be designed as a "gateway" to the area it serves. Design elements should be visually interesting and consistent with other streetscape materials used throughout the City.



Primary residential entrance highlighted with signage, landscaping and water elements

When designing entries into residential and non-residential tracts, developers shall:

- Coordinate with adjacent properties to consolidate entries and minimize access points along major roadways
- Minimize pedestrian and vehicle conflicts by reducing the quantity of crosswalks.
- Clearly identify site entries and provide a clear entry/arrival sequence.
- Provide "secondary" entries to parking lots and smaller residential neighborhoods from adjacent perpendicular minor roadways to major roadways. Paving material, plants, signs and lighting should match primary entrance treatments, although landscaping intensity and signage may be reduced in scale.
- Provide at least one "primary" entry to parking lots or residential communities. The use of medians and/or special paving or landscaping to identify primary entries is required.



Single primary entrance reduces access points along Corridor

▪ Internal Drives

All internal drives should visually lead drivers to building entries, site amenities or focal elements.

▪ Design drives and parking areas to fit the natural contours of the site in order to minimize cut and fill and maintain natural drainage.

▪ Align streets and drives to offer views to significant architectural features and site amenities and to direct drivers.

▪ Internal streets shall be separated from parking lots by landscape islands and walkways.

▪ Drop-Off Areas

Drop-off areas for vehicle passengers shall be incorporated into development plans and should provide safe, convenient access to building entries, pedestrian plazas and public open spaces. Drop-off areas must conform to all ADA regulations and standards.

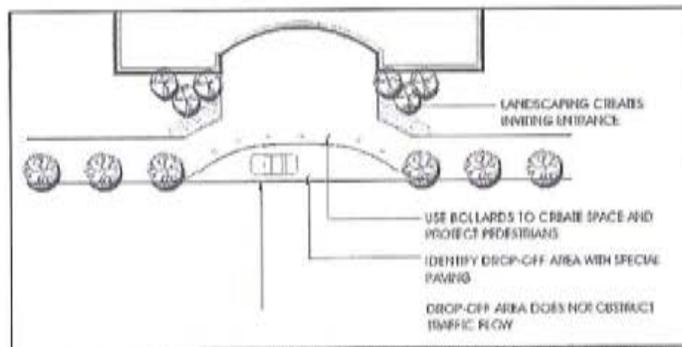
- Emphasize drop-off areas with special paving material.
- Design drop-off lanes so they do not obstruct traffic flow when vehicles are stopped.
- Install bollards at drop-offs to provide protection for buildings and pedestrian walkways.



Street alignment offers views of significant architectural feature



Landscaped island separates parking lot from internal drive



Drop-off area doesn't conflict with regular traffic and is identified with paving and bollards

- **Service Areas**

Service vehicle circulation throughout the City shall be designed to provide safe and efficient delivery routes for all anticipated service and delivery vehicles. The design of individual parcels to accommodate truck access shall meet all regulatory requirements for turning movements without sacrificing other important design objectives.

- Locate service areas away from major streets and building entrances.
- A noise barrier is required in situations where service areas are adjacent to a residential land use.
- Minimize pedestrian and service vehicle conflicts.
- Hide/screen views into service areas. Screening can be provided with landscaping or screen walls. Screen walls shall repeat materials and elements of the primary building.
- Adjoining uses should share service drives where possible.
- Design service drives to accommodate the traffic intended to use them including all entrance roads and access aisles that will be used to access the service areas.



Service area screened with landscaping

- **Pedestrian Circulation**

The purpose of pedestrian circulation standards is to establish guidelines for creating a pedestrian circulation system that is safe and efficient. Good walking environments include: continuous routes between sites, clearly defined access from parking areas, a variety of connected destinations and a feeling of safety and security. In essence, creating a sense of comfort.

- **Sidewalks**

Sidewalks must be constructed to provide pedestrian access to adjacent development and connections to the pedestrian trails throughout the City. Within specific developments, sidewalks shall provide access to and from parking lots, neighborhoods, schools, parks and open spaces.

- Create distinct pedestrian corridors, which funnel pedestrians to logical gateways, plazas or other destinations.



Path provides access to park and adjacent neighborhood

- Place special emphasis on pedestrian connections that link schools, recreation areas and other major activity areas.
- Neighborhoods should have access to open space and pocket parks by way of sidewalks and trails.
- In residential areas, sidewalks should be located on both sides of the street.
- Pavers or other changes in material should be used for walks adjacent to buildings and at street intersections to identify and enhance pedestrian routes.



Pavers next to building enhance appearance

▪ Crosswalks

Crosswalks are required at all intersections and key pedestrian crossings. Crosswalks must be identified by a change in color, height, width, texture, or materials. Refer to ADA regulations and standards for any specific criteria regarding crosswalks and ramps.



Enhanced paving delineates crosswalk

▪ Pedestrian Circulation in Parking Lots

Walkways that lead pedestrians from parking areas to buildings or plazas should be designed to facilitate easy movement and minimize crossing conflicts with vehicles. Pedestrians should feel comfortable about their walkways to buildings and pedestrian corridors should be clearly identified.

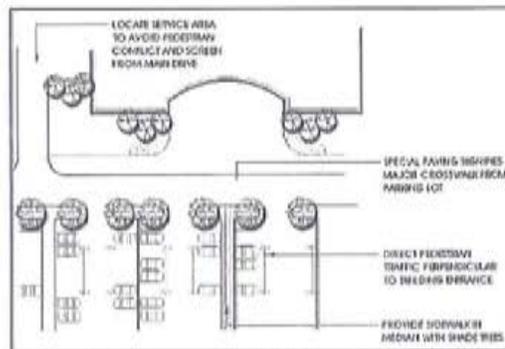
- Pedestrians should not be required to cross service drives to reach major entrances from primary parking lots.
- Where major pedestrian routes within parking lots cross roadways and drives, use textured or colored paving materials to distinguish the route.
- Medians with sidewalks allow for safe circulation and reduce circulation conflicts.
- Wherever feasible orient parking aisles perpendicular to building entrances.



Landscaped median with sidewalk



Crosswalk delineated with paving and bollards



Median with sidewalk allows safe access to building entry

▪ **Accessibility**

Owners and developers are expected to meet or exceed all requirements of the Americans with Disabilities Act (ADA), 1992, and all amendments thereto in the design and development of individual parcels, sites, buildings, and facilities. To the greatest extent possible, provide equal access in a manner that integrates ADA accessibility with ordinary accessibility, rather than separately.

PRINCIPLE 8: Appropriate design of parking lots, utilities, service areas and detention areas to reduce the negative impact of typically unattractive site components

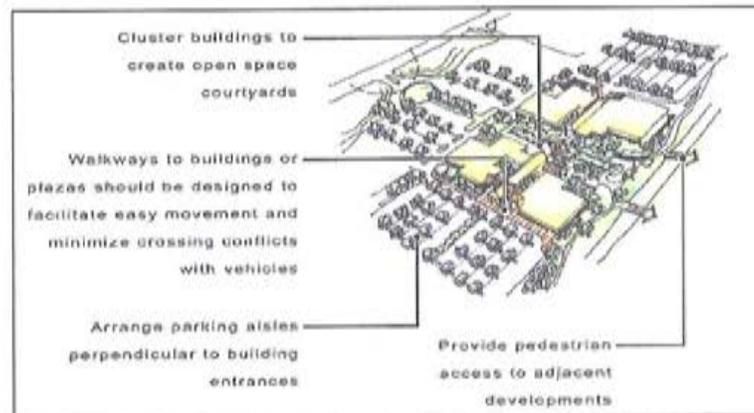
This section provides standards for the siting and layout of parking lots, service and loading areas, utilities, trash, storage and detention facilities. Specific landscaping criteria for these areas are included in the Landscape Principles section. Site plans specifying parking and circulation designs, utility and detention requirements shall be submitted to the City for review.

▪ **Parking**

- Parking ratios and quantity of spaces shall comply with the criteria set forth in the United City of Yorkville Zoning Ordinance.
- Parking areas should be designed and located so they provide safe and efficient vehicular and pedestrian circulation within a site.
- Minimize negative visual impacts from adjacent roadways.
- Break large expanses of pavement with landscape medians and islands.
- Divide parking areas which accommodate a large number of vehicles into a series of smaller, connected lots.
- Avoid situations where parking spaces directly abut structures.
- Separate parking aisles from interior collectors and entry drives whenever possible.



Minimize negative visual impacts of parking from roadways



- *Shared Parking*

Where opportunities exist for shared parking between uses with staggered peak parking demands, consider reducing the total number of parking spaces within each site or parcel. Parking should be shared between complementary uses such churches and office buildings.

- *Store Front & Street Parking Requirements*

All store front parking areas shall use angled parking or parallel parking. Areas shall be provided for sidewalks and landscaping between the store front and the edge of parking stall.

- *Bicycle*

To encourage and accommodate alternative transportation modes, provide bicycle parking within each building site. Locate bicycle parking areas so they are visible from building entrances and convenient for riders. Parking areas shall be landscaped in a manner consistent with pedestrian plazas. Also, bike racks should be of a style consistent with other site elements.

- **Substations/Water/Wastewater Stations**

Proposed electric substations, water pump stations and wastewater lift stations shall be screened from public views by a means of a 6 foot masonry wall on all sides with the exception of the area for gate access to the facility combined with landscaping. Service access shall be considered and incorporated into the screening program.

- **Detention**

- Drainage facilities should be used as an amenity to a development. If the existing topography allows, the location can be incorporated into an entry feature or can be the foundation for a park with trails and open space.
- Natural and/or vegetated drainage swales provide open space connections, filter runoff and improve the aesthetic appearance of development.
- Detention facilities should not be designed as to require chain link fencing or concrete walls. If such designs are required due to engineering requirements, consider using decorative modular stone to give the appearance of a retaining wall.
- Detention ponds located in the front yard building setback shall be designed as a curvilinear, contoured shape.



Lake serves as main entry feature



Naturalistic drainage channel provides opportunities for trail connection

▪ **Location of Utilities**

Visual and sound impacts of utilities, mechanical equipment, data transmission dishes, towers and other equipment should be minimized in all development plans.

- Design and install all permanent utility service lines underground.
- During construction and maintenance, minimize disruptions to other sites and businesses within the City.
- Temporary overhead distribution power and telephone lines are permitted during construction but shall be removed immediately upon completion of site and building construction.
- Wherever possible, mount data transmission and receiving telecommunication devices at ground level to the rear of structures and screen views from adjacent roadways, pedestrian paths and building sites.
- Screen all electrical transformers, gas meters and other utility cabinets from view.
- Structures are prohibited from being located in utility easements. Avoid locating signs, special landscape features, etc. in utility easements.
- Air conditioning units, vent systems and other mechanical systems that must be located on building roofs shall be screened from sight at the ground plane.
- In residential communities:
 - Items requiring screening should be located on the rear or side yards when possible and should be integrated into the unit design.
 - Air conditioning units must be located behind a screen wall or planting hedge.
 - Utility meters must be located on side or rear elevations of the dwelling.

▪ **Location of Service/Delivery/Trash/Storage Areas**

The visual impacts of service, delivery, trash and outdoor equipment or storage areas should be minimized, particularly relative to views from public roadways and pedestrian corridors. Thoughtful placement and integration into the architecture and site design is a priority for all sites.

- Orient service entrances, loading docks, waste disposal areas and other similar uses toward service roads and away from major streets and primary building entrances.
- Locate loading, service, trash and delivery areas so they do not encroach on any setbacks.



Screen dumpsters with walls and materials that match architecture of primary building

- Avoid locating service areas where they are visible from adjacent buildings or where they may impact view corridors. Such facilities are more appropriate at the rear of buildings or sites.
- Trash enclosures must be located away from residential property lines.
- Wherever possible, coordinate the locations of service areas between adjacent users or developments, so that service drives can be shared.
- Locate parking areas for outdoor equipment, trucks, trailers, service vehicles, etc. away from public parking lots and major pedestrian circulation routes. Unless totally out of view, screen these areas architecturally and with landscaping.
- All proposed dumpsters, trash receptacles, refuse storage containers, outdoor storage, and ground mounted equipment should be located within an enclosure providing screening along with landscaping along the perimeter. Such enclosures shall repeat materials and elements on the primary building.

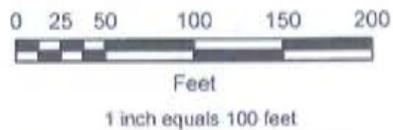


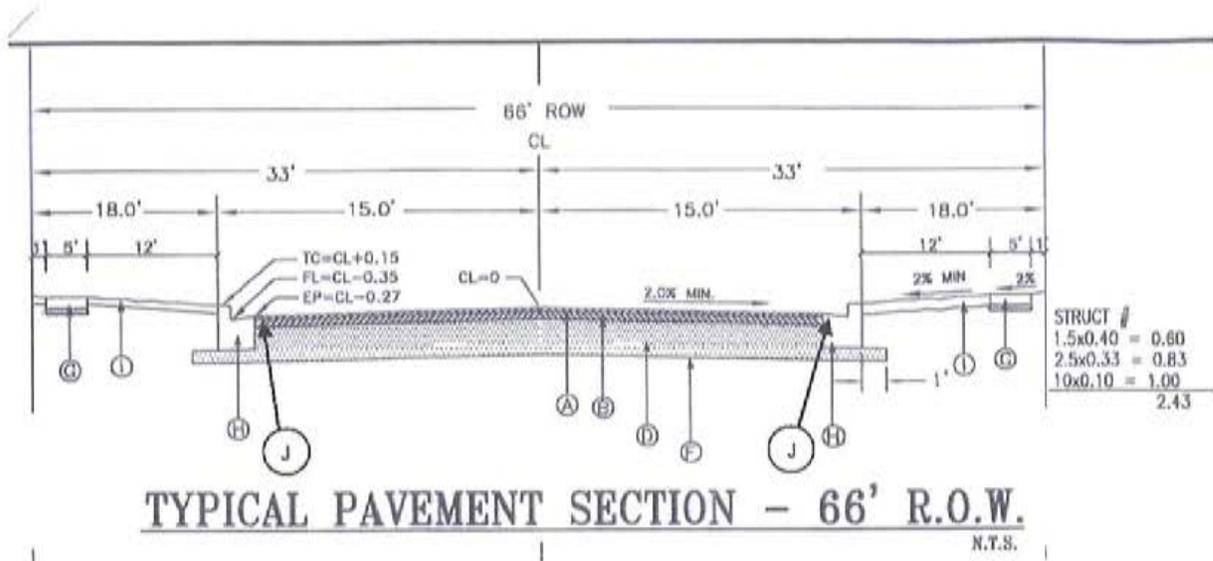
Screen dumpsters with walls and materials that match architecture of primary building

The Data is provided without warranty or any representation of accuracy, timeliness, or completeness. It is the responsibility of the "Requester" to determine accuracy, timeliness, completeness, and appropriateness of its use. The United City of Yorkville makes no warranties, expressed or implied, to the use of the Data.
-Parcel Data provided by Kendall County GIS



Windmill Farms Exhibit "G"





- (A) 1.5" BITUMINOUS CONCRETE SURFACE COURSE, CL 1, TY. 2, MIX. D
- (B) 2.5" BITUMINOUS CONCRETE BINDER COURSE, CL 1, TY. 2
- (C) 4.5" BITUMINOUS CONCRETE BINDER COURSE, CL 1, TY. 2 (2 LIFTS)
- (D) 10" CRUSHED AGGREGATE SUB-BASE, TY. B.
- (E) 12" CRUSHED AGGREGATE SUB-BASE, TY. B.
- (F) COMPACTED SUBGRADE WITH GEO-TEXTILE FABRIC, AMOCO 4551 OR APPROVED EQUAL
- (G) 5" PCC SIDEWALK WITH W/4" CRUSHED AGG. SUB-BASE
- (H) COMB. CONC. CURB AND GUTTER, TYPE B-6.12
- (I) 6" TOP SOIL AND SEEDING

(J) Joint filling with hot-poured rubberized asphalt cement

EXHIBIT H - WINDMILL FARMS ANNEXATION - RESIDENTIAL FEE SCHEDULE

	<u>Name of Fee</u>	<u>Amount</u>	<u>Time of Payment</u>
1	School District Transition Fee	\$3,000 per unit	Paid to School District Office prior to issuance for building permit
2	Yorkville Bristol Sanitary District Connection Fee	\$1,400 per unit	At time of building permit, paid at City Hall with separate check made out to YBSD
3	Yorkville Bristol Sanitary District Annexation Fee	3806 per acre	Paid for entire development, at time of annexation to sanitary district
4	Yorkville Bristol Sanitary District Infrastructure Fee	3806 per acre	Paid for entire development, at time of annexation to sanitary district
5	Residential Building Permit Fee	\$650 + \$.0.20 per square foot	Building Permit
6	Residential Water Connection Fee	\$3,700 per unit	Building Permit
7	Water Meter Cost (not applicable to fee lock)	\$390 per unit for SF	Building Permit
8	Residential City Sewer Connection Fee	\$2,000 per unit	Building Permit
9	Water and Sewer Inspection Fee	\$25 per unit	Building Permit
10	Public Walks and Driveway Inspection Fee	\$35 per unit	Building Permit
11a	Public Works (Development Impact Fee)	\$700 per unit	Building Permit
11b	Police (Development Impact Fee)	\$300 per unit	Building Permit
11c	Municipal Building (Development Impact Fee)	see "time of payment"	Municipal Building Impact Fee is set up as \$5,509 per unit if paid at time of permit, or \$3,288 per unit if paid at time of final plat for all units in the entirety of the annexed development.
11d	Library (Development Impact Fee)	\$500 per unit	Building Permit
11e	Parks and Rec (Development Impact Fee)	\$50 per unit	Building Permit
11f	Engineering (Development Impact Fee)	\$100 per unit	Building Permit
11g	Bristol Kendall Fire District (Development Impact Fee)	\$1,000 per unit	Building Permit
12	Parks Land Cash Fee	Calculated by ordinance, \$101,000 per acre	Building Permit or Final Plat, depending on annexation/development agreement and land/cash donations negotiated
13	School Land Cash Fee	Calculated by ordinance, \$101,000 per acre	Building Permit or Final Plat, depending on annexation/development agreement and land/cash donations negotiated
14	Road Contribution Fund	\$2,000 per unit	Building Permit
15	County Road Fee	\$1,707 per unit, escalating each calendar year at a rate determined by ordinance	Building Permit
16	Weather Warning Siren	\$75 per acre	Final Plat
17	Administration Review Fee	1.75% of Approved Engineer's Estimate of Cost of Land Improvements	Final Plat
18	Engineering Review Fee	1.25% of Approved Engineer's Estimate of Cost of Land Improvements	Final Plat
19	Engineering Coordination Fee	0.35% of Approved Engineer's Estimate of Cost of Land Improvements	Final Plat



United City of Yorkville

County Seat of Kendall County
 800 Game Farm Road
 Yorkville, Illinois, 60560
 Telephone: 630-553-4350
 Fax: 630-553-7575
 Website: www.yorkville.il.us

COMMERCIAL PERMIT FEES

Permit/Plan Review

Building Permit \$750.00 plus \$0.20 per square foot
 Plan Review Based on building size (See Attached)

Contributions

Development Fee \$3000.00* - See Attached Ordinance 2004-55
 (Increase in Bristol-Kendall Fire Protection District Fee)

Water/Sewer

Sewer Tap	See Attached Ordinance #96-11	
Water Tap	<u>Water Meter Size</u>	<u>Water Connection Fee</u>
	1"	\$ 3,700
	1 1/2"	\$ 4,000
	2"	\$ 5,000
	3"	\$ 8,000
	4"	\$15,000
	6" and larger	TBD

Water Meter	<u>Water Meter Size</u>	<u>Water Meter Price</u>
	1"	\$ 485.00
	1 1/2"	\$ 790.00
	2"	\$2800.00
	3"	\$3550.00
	4"	\$5420.00
	6"	\$8875.00

Engineering Inspections \$60.00

River Crossing Fee \$25.00 per drain unit. See attached Ordinance 97-11

**Engineering and Landscaping review fees will be billed separately.

*** Please call the Yorkville Bristol Sanitary District for sanitary permit fees (630) 553-7657

EXHIBIT H - MULTI-FAMILY PERMIT FEES

MULTI-FAMILY RESIDENTIAL USE GROUP

A. New Construction Per Unit	\$350.00 plus \$0.15 per s.f.
B. Remodeling Per Unit	\$175.00 plus \$0.10 per s.f.
C. Detached Garage Per Unit without Electrical	\$50.00
D. Detached Garage Per Unit with Electrical	\$100.00
E. Temporary to Start Construction	25% of full permit fee, not to be applied to the full permit fee
F. Temporary Certificate of Occupancy when Requested by the Builder when Circumstances <u>Do Not</u> Warrant	\$50 per unit (non-refundable)

ALL OTHER USE GROUPS

<input type="checkbox"/> A. New Construction	\$750.00 plus \$0.20 per square foot
B. Additions	\$500.00 plus \$0.20 per square foot
C. Remodeling	\$350.00 plus \$0.10 per square foot
D. Temporary to Start Construction	25% of full permit fee, not to be applied to the full permit fee
E. Temporary Certificate of Occupancy when Requested by the Builder when Circumstances <u>Do Not</u> Warrant	\$200.00 (non-refundable)

NOTE: Building permit fee does not include the plan review fee for the "multiple-family residential use group" and "other use group" categories. The plan review fee will be based on the schedule following the permit fees. Plan review fees to the inspection firm will be paid at the same time as the building permit fee.

PLAN REVIEW FEES (May vary due to outside consultant's fee schedules.)

BUILDING CODE

<i>Building Size</i>	<i>Fee</i>
1 to 60,000 cubic feet	\$355.00
60,001 to 80,000 cubic feet	\$400.00
80,001 to 100,000 cubic feet	\$475.00
100,001 to 150,000 cubic feet	\$550.00
150,001 to 200,000 cubic feet	\$650.00
over 200,000 cubic feet	\$650.00 + \$6.50 per 10,000 cubic feet over 200,000

REMODELING PLAN REVIEW 1/2 of Plan Review Fee Listed Above

ELECTRICAL, MECHANICAL, OR PLUMBING PLAN REVIEW ONLY
1/4 of Plan Review Fee Listed Above

FIRE DETECTION/ALARM SYSTEMS

\$115.00 per 10,000 square feet of floor area

FIRE SPRINKLER SYSTEMS

<i>Number of Sprinklers</i>	<i>Pipe Schedule</i>	<i>Hydraulic Calculated</i>
Up to 200	\$250.00	\$500.00
201-300	\$300.00	\$575.00
301-500	\$400.00	\$775.00
Over 500	\$450.00	\$850.00
PLUS, for each Sprinkler over 500:	\$0.60/each	\$0.95/each

ALTERNATE FIRE SUPPRESSION SYSTEMS

Standpipe	\$175.00 per Standpipe Riser (No charge with Sprinkler Review)
Specialized Extinguisher Agent (Dry or Other Chemical Agent)	\$125.00 per 50 pounds agent
Hood & Duct Cooking Extinguisher Agent	\$150.00 flat rate per system.

NOTE: If any plan has to be sent to an outside consultant other than the inspection firm, the outside consultant's fee(s) will be charged and that fee paid directly to the outside consultant.

200800016876
Filed for Record in
KENDALL COUNTY, ILLINOIS
RENETTA S MICKELSON
07-17-2008 At 09:50 am.
ORDINANCE 42.00
RHSP Surcharge 10.00

STATE OF ILLINOIS)
) ss.
COUNTY OF KENDALL)

Ordinance No. 2008- 42

**AN ORDINANCE REZONING CERTAIN PROPERTY
IN FURTHERANCE OF AN ANNEXATION AGREEMENT
(Windmill Farms)**

WHEREAS, JAKE Land Group, LLC (the “*Owner*”) is the legal owner of record of property described on *Exhibit A* attached hereto and incorporated herein (the “*Property*”); and,

WHEREAS, the Owner of the Property has made application by petition for the rezoning of the Property pursuant to an Annexation of the Property; and,

WHEREAS, Owner has previously entered into an agreement for annexation and zoning of the property; and,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville that the City Code of Yorkville be amended as follows:

Section 1. The City Council hereby concurs with the recommendation of the Plan Commission and hereby rezones the property as a Planned Unit Development as described on attached *Exhibit A*; and incorporated herein.

Section 2. The Property shall be developed according to the terms of an Annexation Agreement approved this date by the Mayor and City Council.

Section 3. This Ordinance shall be in full force and effect immediately from and after its passage and approval according to law.

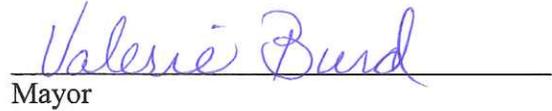
Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this
27 day of May, A.D. 2008.


City Clerk

ROBYN SUTCLIFF yg
ARDEN JOE PLOCHER yg
GARY GOLINSKI yg
ROSE SPEARS yg

JOSEPH BESCO yg
WALLY WERDERICH yg
MARTY MUNNS yg

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois,
this 27 day of may, A.D. 2008.


Mayor

**EXHIBIT A
LEGAL DESCRIPTION**

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH 00°14'45" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET; THENCE SOUTH 89°50'00" WEST, 684.42 FEET THENCE NORTH 09°30'00" WEST, 592.27 FEET; THENCE SOUTH 57°33'55" WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH 21°52'29" WEST, ALONG SAID EASTERLY LINE, 705.85 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71 FOR THE POINT OF BEGINNING; THENCE SOUTH 21°52'29" EAST, ALONG SAID EASTERLY LINE, 119.0 FEET; THENCE NORTH 68°07'31" EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH 21°52'29" WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE SOUTHWESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE RIGHT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 211.39 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 0.6060 ACRE.

THAT PART OF THE WEST HALF OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 3; THENCE SOUTH 00°14'45" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, 1284.36 FEET, THENCE SOUTH 89°50'00" WEST, 684.42 FEET; THENCE NORTH 09°30'00" WEST, 592.27 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 57°33'55" WEST, 327.57 FEET TO THE EASTERLY LINE OF WING ROAD; THENCE NORTH 21°52'29" WEST, ALONG SAID EASTERLY LINE, 586.85 FEET TO A POINT ON SAID EASTERLY LINE WHICH IS 119.0 FEET (MEASURED ALONG SAID EASTERLY LINE) SOUTHEASTERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTH 68°07'31" EAST, PERPENDICULAR TO SAID EASTERLY LINE, 211.0 FEET; THENCE NORTH 21°52'29" WEST, PARALLEL WITH SAID EASTERLY LINE, 131.87 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 71; THENCE NORTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, BEING A CURVE TO THE LEFT WITH A RADIUS OF 11509.16 FEET, AN ARC DISTANCE OF 261.03 FEET TO A LINE DRAWN NORTH 09°30'00" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 09°30'00" EAST, ALONG SAID LINE, 695.72 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 5.6041 ACRES.

THAT PART OF THE NORTH 1/2 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE SOUTH 0 DEGREES, 07 MINUTES, 44 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, 1284.36 FEET; THENCE NORTH 89 DEGREES, 47 MINUTES, 31 SECONDS WEST, 684.42 FEET; THENCE NORTH 09 DEGREES, 32 MINUTES, 39 SECONDS WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES, 05 MINUTES, 46 SECONDS WEST, 748.40 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE TIC. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES, 50 MINUTES, 30 SECONDS WEST AT THE LAST DESCRIBED POINT. 627.46; THENCE NORTH 60 DEGREES, 02 MINUTES, 30 SECONDS EAST ALONG SAID CENTER LINE, 332.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 12 DEGREES, 27 MINUTES, 30 SECONDS EAST, 264.0 FEET: THENCE SOUTH 84 DEGREES, 27 MINUTES, 30 SECONDS EAST, 202.0 FEET: THENCE NORTH 0 DEGREES, 47 MINUTES, 30 SECONDS WEST, 423.02 FEET TO SAID CENTER LINE: THENCE SOUTH 60 DEGREES, 02 MINUTES, 30 SECONDS WEST ALONG CENTER LINE, 291.76 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE NORTHEAST, NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1284.36 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 40 SECONDS WEST 680.30 FEET; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS WEST 10.0 FEET FOR A POINT OF BEGINNING; THENCE NORTH 09 DEGREES. 33 MINUTES 27 SECONDS WEST 579.63 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY A DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD BOOK 88 ON PAGE 399; THENCE NORTH 09 DEGREES 05 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF SAID BOYD TRACT 748.57 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTHEASTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,459.20 FEET AND A RADIAL BEARING OF NORTH 26 DEGREES 49 MINUTES 16 SECONDS WEST AT THE LAST DESCRIBED POINT 627.46 FEET; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 332.0 FEET; THENCE SOUTH 12 DEGREES 27 MINUTES 30 SECONDS EAST 264.0 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 30 SECONDS EAST 202.0 FEET; THENCE NORTH 00 DEGREES 42 MINUTES 30 SECONDS WEST 423.02 FEET TO SAID CENTER LINE; THENCE NORTH 60 DEGREES 02 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE 412.69 FEET TO A LINE DRAWN NORTH 00 DEGREES 10 MINUTES 46 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER, FROM A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER WHICH IS 598.62 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER: THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID PARALLEL LINE 880.56 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 34 MINUTES 48 SECONDS WEST ALONG SAID SOUTH LINE 598.62 FEET TO SAID SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 10 MINUTES 48 SECONDS WEST ALONG SAID EAST LINE 1275.36 FEET TO A LINE DRAWN SOUTH 89 DEGREES 40 MINUTES 33 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 40 MINUTES 33 SECONDS WEST 681.94 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTH 57 DEGREES 59 MINUTES 05 SECONDS EAST ALONG SAID OLD CLAIM LINE 299.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 1 DEGREE 51 MINUTES 32 SECONDS WEST, 402.10 FEET; THENCE SOUTH 59 DEGREES 55 MINUTES .25 SECONDS EAST, 256.51 FEET; THENCE NORTH 59 DEGREES 55 MINUTES 25 SECONDS EAST 355.65 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 29 SECONDS EAST, 853.57 FEET; THENCE NORTH 33 DEGREES 24 MINUTES 40 SECONDS EAST, .542.27 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2292.01 FEET AND A RADIAL BEARING OF SOUTH 29 DEGREES 23 MINUTES 51 SECONDS WEST AT THE LAST DESCRIBED POINT, 358.41 FEET TO A POINT WHICH IS 151.00 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE AND SAID OLD CLAIM LINE; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 265.70 FEET; THENCE SOUTH 73 DEGREES 54 MINUTES 28 SECONDS WEST, 102.86 FEET; THENCE SOUTH 84 DEGREES 11 MINUTES 54 SECONDS WEST, 280.96 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 55 SECONDS WEST, 24.19 FEET TO SAID OLD CLAIM LINE; THENCE SOUTH 87 DEGREES 59 MINUTES 05 SECONDS WEST ALONG SAID OLD CLAIM LINE 789.92 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

A PERPETUAL EASEMENT FOR THE OPERATION, MAINTENANCE AND USE OF A SEPTIC FIELD FOR THE BENEFIT OF PARCEL ONE HEREINABOVE DESCRIBED, UNDER AND UPON THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE CONTIGUOUS TO PARCEL ONE TO WIT:

COMMENCING AT THE MOST NORTHERLY CORNER OF PARCEL ONE HEREINABOVE DESCRIBED ON THE CENTER LINE OF ILLINOIS STATE ROUTE NUMBER 126; THENCE SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 47.12 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE NUMBER 126, FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 45 DEGREES 05 MINUTES 49 SECONDS WEST, 105.0 FEET; THENCE NORTH 32 DEGREES 08 MINUTES 38 SECONDS WEST, 152.18 FEET; THENCE SOUTH 76 DEGREES 09 MINUTES 49 SECONDS EAST, 5.28 FEET; THENCE SOUTH 70 DEGREES 39 MINUTES 49 SECONDS EAST, 158.65 FEET, TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, ALL IN KENDALL COUNTY ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET A POINT OF BEGINNING THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID CLAIM LINE, 941.92 FEET TO A POINT ON A LINE DRAWN SOUTHWESTERLY, PERPENDICULAR TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FROM A POINT ON SAID CENTER LINE WHICH IS 1049.70 FEET, AS MEASURED ALONG SAID CENTER LINE, SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE WITH THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTHEASTERLY TO SAID POINT ON SAID CENTER LINE OF ILLINOIS STATE ROUTE 126 AFORESAID; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE AND TO SAID ROUTE 71 CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID ROUTE 71 CENTER LINE, 30.58 FEET TO SAID WEST LINE; THENCE SOUTHERLY ALONG SAID WEST LINE, 78.83 FEET, TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION. 3; THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, ON A BEARING REFERENCED TO AN ASSUMED NORTH, 1925.21 FEET ON THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS EAST 58.55 FEET TO THE EXISTING SOUTHEASTERLY RIGHT OF WAY LINE OF A.F.A.P. ROUTE 311 (IL ROUTE 71) AND THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 34 MINUTES 00 SECONDS EAST 35.28 FEET ON SAID SOUTHEASTERLY RIGHT OF WAY LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF S.B.I. ROUTE 66 (IL ROUTE 126); THENCE SOUTH 70 DEGREES 08 MINUTES 35 SECONDS EAST 125.66 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 81 DEGREES 09 MINUTES 04 SECONDS WEST 51.85 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 40 SECONDS WEST 103.47 FEET TO THE POINT OF BEGINNING), IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 798.60 FEET TO AN OLD CLAIM LINE FOR A POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WEST LINE, 1118.27 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 28 DEGREES 33 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 228.53 FEET; THENCE SOUTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 178 DEGREES 11 MINUTES 35 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 112.67 FEET TO A LINE DRAWN PARALLEL WITH AND 160.0 FEET NORMALLY DISTANT, EASTERLY OF SAID WEST LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 717.44 FEET TO SAID CLAIM LINE; THENCE SOUTHWESTERLY ALONG SAID CLAIM LINE, 188.42 FEET TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS

ROUTE 71; THENCE NORTHEASTERLY ALONG THE SAID CENTER LINE OF ILLINOIS ROUTE 71, 1411.3 FEET TO THE CENTER LINE EXTENDED NORTHWESTERLY OF THE PUBLIC ROAD RUNNING SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71, COMMONLY KNOWN AS WING ROAD; THENCE SOUTHEASTERLY ALONG TILE EXTENDED CENTER LINE AND THE CENTER LINE OF SAID PUBLIC ROAD, BEING ALONG A LINE THAT FORMS AN ANGLE OF 93 DEGREES 25' TO THE RIGHT WITH THE PROLONGATION NORTHEASTERLY OF THE TANGENT TO THE CENTER LINE OF SAID ILLINOIS ROUTE 71 AT THE LAST DESCRIBED POINT, 761 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 79 DEGREES 47' TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED LINE 265.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINT OF ILLINOIS ROUTE 126 TO THE CENTER LINE OF THE EASTERLY FORK OF THE PUBLIC ROAD AFORESAID WHICH RUNS SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID PUBLIC ROAD TO THE POINT OF BEGINNING; TO THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

GRANTEE HEREBY ASSUMES AND AGREES TO PAY THE UNPAID BALANCE ON THE EXISTING MORTGAGE RECORDED IN BOOK PAGE , THE DEBT SECURED THEREBY AND ALSO HEREBY ASSUMES -THE OBLIGATIONS UNDER THE TERN OF THE INSTRUMENTS CREATING THE LOANS DOCUMENT NO. 79—1053.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE - NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG-THE WEST LINE OF SAID SOUTHWEST QUARTER, - 1,995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID CENTER LINE 30.45 FEET TO THE POINT OF INTERSECTION OF SAID CENTER LINE WITH CENTER LINE OF ILLINOIS STATE ROUTE NO. 126 FOR THE POINT OF BEGINNING; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 230.67 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO-THE LEFT HAVING A RADIUS OF 11,459.20 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT AT THE LAST DESCRIPTION POINT, 1,141.60 FEET TO THE INTERSECTION WITH THE- CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD; THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 761.0 FEET; THENCE SOUTH 58 DEGREES 16 MINUTES 47 SECONDS WEST 265.35 FEET TO SAID ROUTE 126 CENTER LINE; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTER LINE BEING ALONG A CURVE TO THE LEFT AND HAVING A RADIUS OF 2,292.01 FEET WHICH IS TANGENT TO A LINE DRAWN NORTH 72 DEGREES 57 MINUTES 06 SECONDS WEST FROM THE LAST DESCRIBED POINT 147.93 FEET; THENCE NORTH 16 DEGREES 38 MINUTES 49 SECONDS WEST ALONG SAID ROUTE 126 CENTERLINE 850.98 FEET; THENCE NORTHWESTERLY ALONG SAID ROUTE 126 CENTERLINE BEING ALONG A CURVE TO THE RIGHT AND HAVING A RADIUS OF 2,148.79 FEET WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 383.53 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36- NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE-SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 08 MINUTES 14 SECONDS WEST ALONG -THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.75 FEET TO THE CENTER LINE OF ILLINOIS STATE ROUTE 71; THENCE NORTH 71 DEGREES 23 MINUTES 59 SECONDS EAST ALONG SAID ROUTE 71 CENTER LINE 261.12 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15,459.20 FEET WHICH IS TANGENT TO THE LAST-DESCRIBED COURSE 1141.60 FEET TO THE INTERSECTION-WITH THE CENTER LINE EXTENDED NORTHWESTERLY OF WING ROAD FOR THE POINT OF BEGINNING(THENCE SOUTH 21 DEGREES 30 MINUTES 13 SECONDS EAST ALONG SAID WING ROAD CENTER LINE 258.05 FEET; THENCE SOUTH 58 DEGREES 29 MINUTES 47 SECONDS WEST 200.0 FEET; THENCE NORTH 21 DEGREES 30 MINUTES 13 SECONDS WEST PARALLEL WITH SAID WING ROAD CENTER LINE 250.0 FEET TO SAID ROUTE 71 CENTER LINE; THENCE NORTHEASTERLY ALONG SAID ROUTE 71 CENTER LINE 200.16 FEET TO THE POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, (LLINOIS, AND ALSO EXCEPTING, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.FROM THE POINT OF BEGINNING; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 230.66 FEET ALONG SAID CENTERLINE; THENCE NORTHEASTERLY, 940.56 FEET ALONG AN 11,479.02 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING NORTH 67 DEGREES 34 MINUTES 29 SECONDS EAST, 940.31 FEET; THENCE SOUTH 22 DEGREES 56 MINUTES 31 SECONDS EAST, 60.03 FEET; THENCE SOUTHWESTERLY, 418.10 FEET ON AN 11,539.02 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING SOUTH 66 DEGREES 16 MINUTES 29 SECONDS WEST, 418.08 FEET; THENCE SOUTH 59 DEGREES 24 MINUTES 09 SECONDS WEST, 71.10 FEET; THENCE SOUTH 25 DEGREES 14 MINUTES 24 SECONDS WEST, 60.52 FEET; THENCE SOUTHEASTERLY, 570.87. FEET ON AN 675.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING SOUTH 55 DEGREES 22 MINUTES 46 SECONDS EAST, 560.80 FEET; THENCE SOUTH 74 DEGREES 04 MINUTES 13 SECONDS EAST. 274.41 FEET; THENCE SOUTH 64 DEGREES 05 MINUTES 29 SECONDS EAST, 35.85 FEET; THENCE SOUTH 55 DEGREES 49 MINUTES 00-SECONDS WEST, 64.56 FEET TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE NORTHWESTERLY, 162.08 FEET ON SAID CENTERLINE BEING A 2,29L.64 FOOT RADIUS CURVE TO TILE LEFT HAVING A CHORD BEARING NORTH 76 DEGREES 16 MINUTES 12 SECONDS WEST, 162.05 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 357.37 FEET ON SAID CENTERLINE; THENCE NORTH 53 DEGREES 52 MINUTES 46 SECONDS WEST, 96.76 FEET TO THE EXISTING NORTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 297.03 FEET ON A 990.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 45 DEGREES 17 MINUTES 03 SECONDS WEST, 295.92 FEET; THENCE NORTH 36 DEGREES 39 MINUTES 21 SECONDS WEST, 23.77 FEET; THENCE NORTH 77 DEGREES 19 MINUTES 36 SECONDS WEST, 64.74 FEET; THENCE SOUTH 69 DEGREES 03

MINUTES 36 SECONDS WEST, 100.61 FEET; THENCE SOUTH 69 DEGREES 55 MINUTES 52 SECONDS WEST, 149.98 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID IL 71; THENCE SOUTH 65 DEGREES 32 MINUTES 40 SECONDS WEST, 113.94 FEET TO THE CENTERLINE OF SAID IL 126; THENCE NORTHWESTERLY, 119.55 FEET ON SAID CENTERLINE BEING A 2,170.59 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING NORTH 69 DEGREES 20 MINUTES 17 SECONDS WEST, 119.54 FEET TO THE POINT OF BEGINNING.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 07°44' EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 1236.84 FEET TO A POINT ON SAID EAST LINE WHICH IS 1284.36 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89°47'31" WEST, 684.42 FEET; THENCE NORTH 09°32'39" WEST, 590.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELSIE BOYD BY DEED DATED MARCH 25, 1929 AND RECORDED DECEMBER 14, 1938 IN DEED RECORD 88 ON PAGE 399, FOR THE POINT OF BEGINNING; THENCE SOUTH 57°58'56" WEST ALONG THE SOUTHERLY LINE OF SAID BOYD TRACT AND SAID SOUTHERLY LINE EXTENDED 352.89 FEET TO THE CENTER LINE OF WING ROAD; THENCE SOUTH 21°28'35" EAST ALONG SAID CENTERLINE 131.00 FEET; THENCE NORTH 57°58'56" EAST PARALLEL WITH SAID SOUTHERLY LINE 323.58 FEET TO A POINT WHICH IS SOUTH 09°32'39" EAST, 139.37 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 09°32'39" WEST, 139.37 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 1995.6 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 71; THENCE EASTERLY ALONG SAID CENTER LINE 32.2 FEET TO THE CENTER LINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF ILLINOIS ROUTE 126, 1049.7 FEET FOR THE POINT, OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID CENTER LINE, 339.9 FEET TO AN OLD CLAIM LINE; THENCE NORTHEASTERLY ALONG SAID OLD CLAIM LINE WHICH MAKES AN ANGLE OF 44'21" (MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE) 468.6 FEET TO THE CENTER LINE OF SAID ILLINOIS ROUTE 126; THENCE NORTHWESTERLY ALONG SAID CENTER LINE 328.1 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS. EXCEPT THEREFROM THE BELOW DESCRIBED PARCEL:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD83):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 01 DEGREE 35 MINUTES 30 SECONDS WEST, 1,995.04 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 71; THENCE NORTH 69 DEGREES 55 MINUTES 19 SECONDS EAST, 31.52 FEET ALONG SAID CENTERLINE TO THE CENTERLINE OF A PUBLIC HIGHWAY DESIGNATED IL 126; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 399.15 FEET ALONG A 2,170.59 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF SOUTH 73 DEGREES 01 MINUTE 41 SECONDS EAST, 398.58 FEET THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 649.36 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE SOUTH 78 DEGREES 17 MINUTES 46 SECONDS EAST, 172.16 FEET ALONG SAID CENTERLINE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE, 162.08 FEET ALONG A 2,291.64 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD BEARING OF SOUTH 76 DEGREES 16 MINUTES 12 SECONDS EAST, 162.05 FEET; THENCE SOUTH 56 DEGREES 32 MINUTES 11 SECONDS WEST, 65.63 FEET; THENCE NORTH 74 DEGREES 04 MINUTES 13 SECONDS WEST, 5.13 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 14 SECONDS WEST, 50.57 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF IL 126; THENCE NORTHWESTERLY, 61.11 FEET ON SAID RIGHT OF WAY LINE BEING ON A 2,251.64 FOOT RADIUS CURVE TO THE LEFT HAVING A CHORD BEARING OF NORTH 77 DEGREES 31 MINUTES 09 SECONDS WEST, 61.11 FEET; THENCE NORTH 78 DEGREES 17 MINUTES 46 SECONDS WEST, 172.27 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 11 DEGREES 52 MINUTES 19 SECONDS EAST, 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.297 ACRE MORE OR LESS, OF WHICH 0.290 ACRE, MORE OR LESS, IS LYING WITHIN PUBLIC ROAD RIGHT OF WAY, SITUATED IN THE COUNTY OF KENDALL AND STATE OF ILLINOIS, HEREBY RELEASING AND WAIVING ALL RIGHTS UNDER AND BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE.

Order ID: 7171873

* Agency Commission not included

GROSS PRICE * :



PACKAGE NAME: IL Govt Legal Aurora Beacon

71, 1,411.3 FEET TO THE CENTERLINE EXTENDED NORTH-WESTERLY OF THE PUBLIC ROAD RUNNING SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71, COMMONLY KNOWN AS WING ROAD; THENCE SOUTHEASTERLY ALONG THE EXTENDED CENTERLINE AND THE CENTERLINE OF SAID PUBLIC ROAD, BEING ALONG A LINE THAT FORMS AN ANGLE OF 93 DEGREES 25 MINUTES TO THE RIGHT WITH THE PROLONGATION NORTHEASTERLY OF THE TANGENT TO THE CENTERLINE OF SAID ILLINOIS ROUTE 71 AT THE LAST DESCRIBED POINT, 761 FEET FROM THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 79 DEGREES 47 MINUTES TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED LINE 265.6 FEET TO THE CENTERLINE OF ILLINOIS ROUTE 126; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF ILLINOIS ROUTE 126 TO THE CENTERLINE OF THE EASTERLY FORK OF THE PUBLIC ROAD AFORESAID WHICH RUNS SOUTHEASTERLY FROM SAID ILLINOIS ROUTE 71; THENCE NORTHWESTERLY ALONG THE CENTERLINE OF SAID PUBLIC ROAD TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS.

PIN# 05-03-300-007

A copy of the application is available for review during normal City business hours at the office of the Community Development Director.

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a Public Hearing on said application on **Wednesday, April 13, 2022 at 7 p.m.** at the United City of Yorkville, City Hall, located at 800 Game Farm Road, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois, and will be accepted up to the date of the public hearing.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois



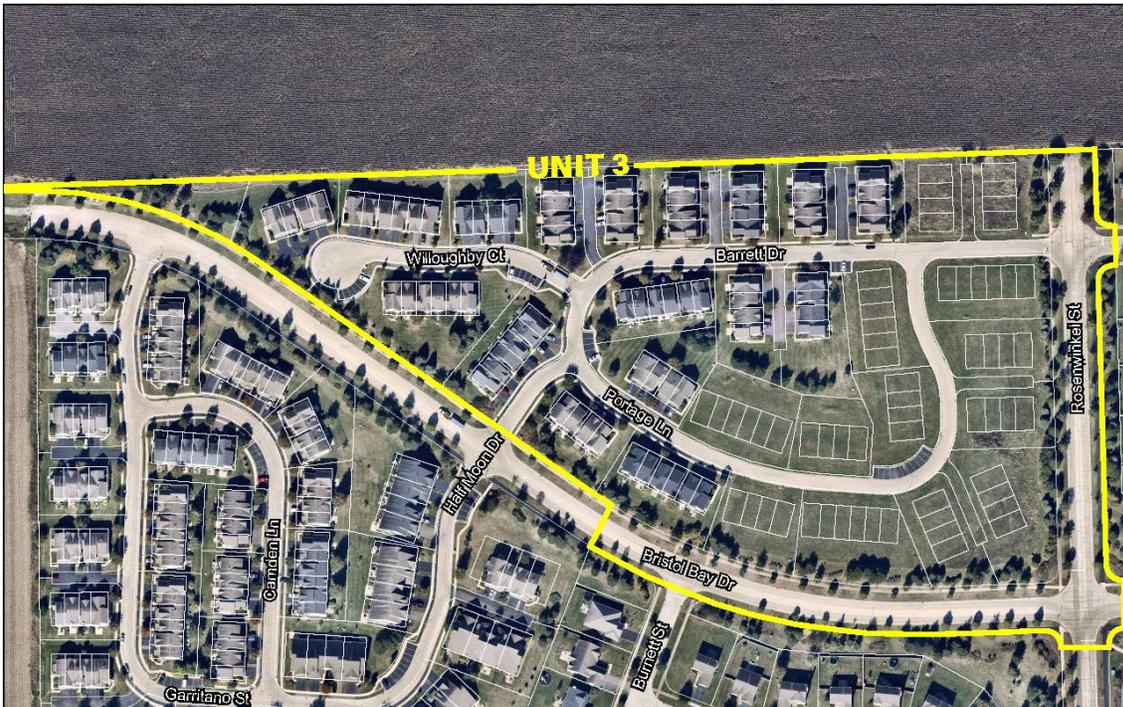
Memorandum

To: Planning and Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Brad Sanderson, EEI, City Engineer
Date: April 6, 2022
Subject: **PZC 2022-06 Bristol Bay – Unit 3 (Final Plat Amendment)**
Proposed Final Plat Amendment for Townhomes

Proposed Request:

The petitioner, Troy Mertz, on behalf of Bristol Bay Yorkville, LLC, is seeking Final Plat amendment approval to introduce a new townhome product for the remaining thirteen (13) lots within Unit 3. The change in product type will accommodate sixty-one (61) townhome units, varying between 4, 5 and 6 units per building in Bristol Bay Unit 3. This resulted in the interior building lot lines for Lots 1-13 requiring adjustments to properly fit the new housing product. It also created minor encroachments within the rear and side property lines of Lots 12, 13, 15, and 18.

The subject property, located east of N. Bridge Street (IL Route 47) and north of Bristol Bay Drive in the far northeast quadrant of the city, was originally annexed in 2005 and approved as a planned residential development via Ord. 2005-34, with roughly 2,075 single-family, duplex, townhome and condominium dwelling units. Currently, Unit 3 is approximately 55% built-out. In 2016, the former developer of the Bristol Bay subdivision, Pulte Homes, completed all mass grading, landscaping and public site improvements for Unit 3 and final acceptance from the City was approved on January 24, 2017. The successor developer, Bristol Bay Yorkville, LLC, purchased the unfinished units of the entire development from Pulte Homes in 2018.



Bristol Bay Unit 3

United City of Yorkville, Illinois
March 14, 2022



General PUD/Annexation Agreement Comments:

PLANNED UNIT DEVELOPMENT (PUD)

Per Ordinance No. 2005-34, the subject property is currently zoned R-2D Two-Family Attached Residence District with a special use for a Planned Unit Development (PUD). Per Section 6, paragraph C of the annexation agreement, the developer may make minor changes to the Development Plan related to total number of dwelling units up to 2% subject to City administrative approval. In addition, this is consistent with the current minor PUD amendment process adopted by the City in 2014. *The following is a summary table of the minor PUD amendments to Bristol Bay Unit 3 currently under review by the City Administrator:*

Existing Residential Land Use

Land Use	Dwelling Units (DU)	Dwelling Unit %	Gross Acreage	% of Total Acres	Density
Residential-Condominium	624	30%	40.1	12.0%	15.6 du/ac
Residential-Townhomes	802	39%	94.0	29.0%	8.5 du/ac
Residential-Duplex	182	9%	32.7	10.0%	5.6 du/ac
Residential-Single Family	467	22%	162.9	49.0%	2.9 du/ac
TOTAL	2075	100.00%	329.7	100.00%	6.3 du/ac

Proposed Residential Land Use

Land Use	Dwelling Units (DU)	Dwelling Unit %	Gross Acreage	% of Total Acres	Density
Residential-Condominium	624	30%	40.1	12.0%	15.6 du/ac
Residential-Townhomes	803	39%	94.0	29.0%	8.5 du/ac
Residential-Duplex	182	9%	32.7	10.0%	5.6 du/ac
Residential-Single Family	467	22%	162.9	49.0%	2.9 du/ac
TOTAL	2076	100.00%	329.7	100.00%	6.3 du/ac

The proposed increase of one (1) townhome unit within Unit 3 of the Bristol Bay subdivision has no impact to the overall density or the unit mix of residential dwelling types in the development.

BUILDING SETBACKS

In addition to the minor increase in unit count, the developer's new product has a slightly revised building plan. While significantly similar in size, scale and character of the previously built townhome units of the former developer, the building footprints on four (4) lots minimally encroach into the required rear yard and side yard setbacks, as approved by the City Council via Bristol Bay Planned Unit Development (PUD) Agreement (Ord. 2005-34) and the recorded Final Plat (Res. 2005-59). Those include lots #12, 13, 15 and 18. *The requested encroachments also currently under review by the City Administrator as a minor PUD Amendment are as follows:*

REAR YARD ENCROACHMENTS

LOT	ENCROACHMENT	CURRENT SETBACK	PROPOSED SETBACK	% CHANGE
Lot 12	0.24 feet	30 feet	29 feet	- 3%
Lot 15	0.25 feet	30 feet	29 feet	-3%
Lot 18	0.34 feet	30 feet	29 feet	-3%

SIDE YARD ENCROACHMENTS

LOT	ENCROACHMENT	CURRENT SETBACK	PROPOSED SETBACK	% CHANGE
Lot 12	1.45 feet	20 feet	18 feet	- 10%
Lot 13	0.40 feet	20 feet	19 feet	-5%
Lot 18	1.0 feet	20 feet	19 feet	-5%

ARCHITECTURAL STANDARDS/APPEARANCE CODE

The original annexation agreement (Ord. 2005-34) provided general architectural renderings and stated that the residential improvements shall be constructed substantially consistent with those renderings or adhere to the City's Appearance Code standards, whichever is the least restrictive. Per a recent request by staff, the petitioner agreed to incorporate a mix of at least two (2) of the following suggested architectural design elements within the front elevations of the proposed new townhomes to add visual interest:

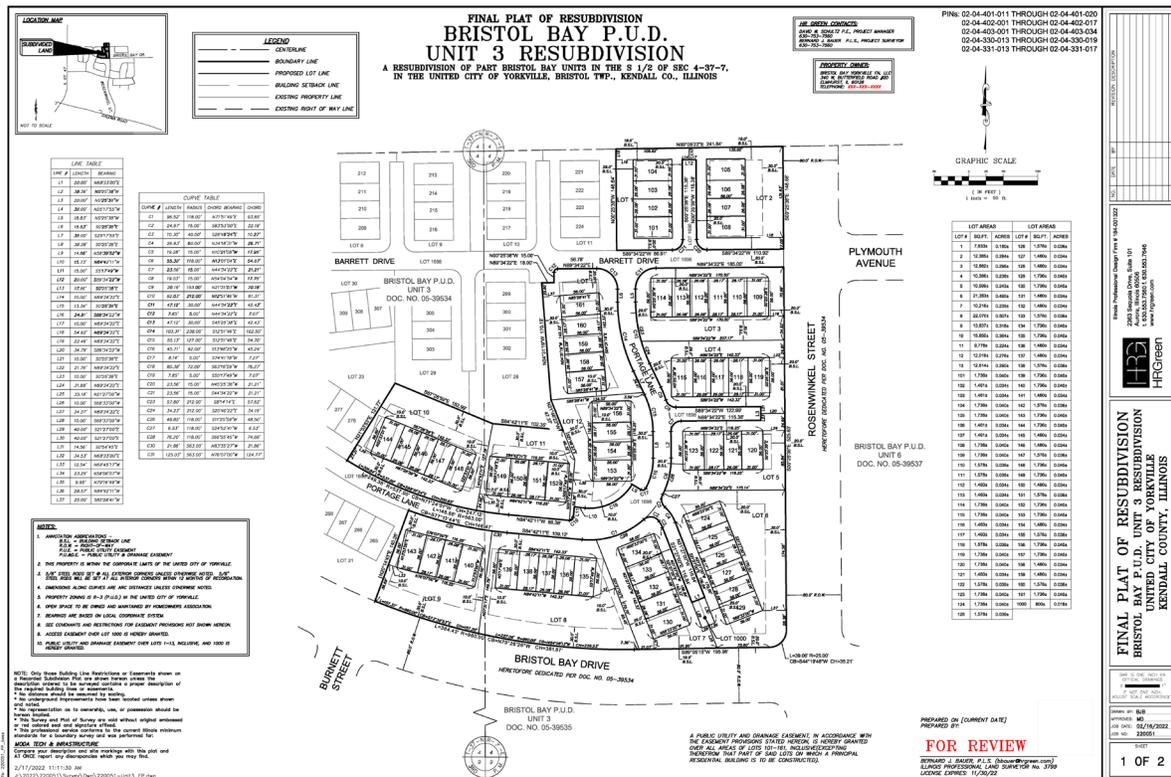
- Brick or shake style on side elevations that face the street
- Shutters on rear elevation windows
- French doors on patio
- Transom windows on center unit front doors
- Planter boxes

The petitioner has agreed to revise the townhome elevations for staff review prior to the submittal and issuance of building permits.

Proposed Final Plat of Resubdivision:

The proposed Final Plat of Resubdivision for Bristol Bay P.U.D. Unit 3, as prepared by HR Green, generally conforms to the originally approved final plat but seeks minor modifications to the interior building lot lines to accommodate an updated housing product which slightly differs from the townhomes built over a decade ago.

The proposed final plat illustrates solid dark lines representing the new interior building lot lines for Bristol Bay Unit 3. The solid light gray lines represent the currently recorded interior building lot lines, depicted as follows:



Staff Comments:

The proposed Final Plat of Resubdivision Bristol Bay P.U.D. Unit 3 has been reviewed by the City's engineering consultant, Engineering Enterprises Inc. (EEI), for compliance with the Subdivision Control Ordinance's Standards for Specification. Comments dated March 7, 2022 were provided to the applicant (see attached). The petitioner has addressed the comments provided and resubmitted a revised plat dated 03/18/22 which is included in the packet. Staff supports **approval** of the revised final plat.

Per Section 6, paragraph A of the annexation agreement for Bristol Bay (Ord. 2005-34), the City shall act upon any final plat and final engineering or resubmitted final plat and final engineering within sixty (60) days of receipt. Initial receipt of the completed application was on February 17, 2022. Based upon the required City meeting schedule, the final approval of the requested Final Plat Amendment is proposed for April 26, 2022.

Proposed Motion:

In consideration of the proposed Final Plat of Resubdivision for Bristol Bay P.U.D. Unit 3, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the Petitioner, Troy Mertz, on behalf of Bristol Bay Yorkville, LLC, in a plan prepared by HR Green, LTD date last revised March 18, 2022, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Attachments:

1. Copy of Petitioner's Application
2. Exhibit A - Legal Description
3. Plan Council Packet for 03-10-22
4. EEI Letter to the City dated March 7, 2022.
5. Letter from HR Green responding to EEI review comments dated 03/18/22.
6. Final Plat of Resubdivision Bristol Bay P.U.D. Unit 3 Resubdivision prepared by HR Green, LTD and date revised 03/18/2022.



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR FINAL PLAT/REPLAT

ATTORNEY INFORMATION	
NAME: Thomas R. Burney	COMPANY: Law Office of Thomas R. Burney, LLC
MAILING ADDRESS: 40 Brink Street	
CITY, STATE, ZIP: Crystal Lake, IL 60014	TELEPHONE: (815) 459-8800
EMAIL: tburney@zcvlaw.com	FAX: (815) 459-8429
ENGINEER INFORMATION	
NAME: David Schultz	COMPANY: HR GREEN INC.
MAILING ADDRESS: 2363 Sequoia Drive Suite 101	
CITY, STATE, ZIP: Aurora, IL 60506	TELEPHONE: 630-708-5002
EMAIL: dschultz@hrgreen.com	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME: Bernie Bauer	COMPANY: HR GREEN INC.
MAILING ADDRESS: 2363 Sequoia Drive Suite 101	
CITY, STATE, ZIP: Aurora, IL 60506	TELEPHONE: 630-708-5033
EMAIL: bbauer@hrgreen.com	FAX:
ATTACHMENTS	
Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".	
AGREEMENT	
I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.	
I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.	
	
_____ PETITIONER SIGNATURE	
OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.	
	
_____ OWNER SIGNATURE	



United City of Yorkville
 800 Game Farm Road
 Yorkville, Illinois, 60560
 Telephone: 630-553-4350
 Fax: 630-553-7575
 Website: www.yorkville.il.us

APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NAME:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS: Bristol Bay Subdivision - Unit 3
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PETITIONER DEPOSIT ACCOUNT FUND:

It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the **INVOICE & WORKSHEET PETITION APPLICATION**. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.

ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

NAME: Troy Mertz	COMPANY: Moda Tech & Infrastructure
MAILING ADDRESS: 1834 Walden Square, Unit 300	
CITY, STATE, ZIP: Schaumburg, IL 60173	TELEPHONE: (630) 834-0722
EMAIL: troymertz@gmail.com	FAX:

FINANCIALLY RESPONSIBLE PARTY:

I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.

Troy Mertz	President
_____ PRINT NAME	_____ TITLE
	2-3-2022
_____ SIGNATURE*	_____ DATE

**The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)*

INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS

ENGINEERING DEPOSITS:		LEGAL DEPOSITS:	
Up to one (1) acre	\$5,000	Less than two (2) acres	\$1,000
Over one (1) acre, but less than ten (10) acres	\$10,000	Over two (2) acres, but less than ten (10) acres	\$2,500
Over ten (10) acres, but less than forty (40) acres	\$15,000	Over ten (10) acres	\$5,000
Over forty (40) acres, but less than one hundred (100)	\$20,000		
In excess of one hundred (100.00) acres	\$25,000		

EXHIBIT A:

BRISTOL BAY – UNIT 3 FINAL PLAT OF RESUBDIVISON:

LOTS 12 THROUGH 20, INCLUSIVE, LOTS 24 THROUGH 27, INCLUSIVE, LOTS 225 THROUGH 264, INCLUSIVE. AND LOTS 279 THROUGH 298, INCLUSIVE, IN BRISTOL BAY P.U.D., UNIT 3, BEING A SUBDIVISION OF PART OF THE SOUTH ONE-HALF OF SECTION 4, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 21, 2005, AS DOCUMENT NO. 200500039534, AS AFFECTED BY DOCUMENT NO. 200800014752, IN KENDALL COUNTY, ILLINOIS.



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

Fax: 630-553-7575

PLAN COUNCIL AGENDA

Thursday, March 10, 2022

9:00 a.m.

Remote Access via Zoom

1. Minutes for approval: November 9, 2021
2. PZC 2022-06 Bristol Bay – Unit 3 - Final Plat of Resubdivision
3. PZC 2022-07 Bristol Bay – Unit 13 – Final Plat of Subdivision

Adjournment



Memorandum

To: Plan Council
 From: Krysti Barksdale-Noble, Community Development Director
 Date: March 7, 2022
 Subject: **PZC 2022-06 Bristol Bay – Unit 3 (Final Plat Amendment)**
 Proposed Final Plat Amendment for Townhomes

I have reviewed the application for Final Plat Amendment for Bristol Bay Unit 3, as submitted by David Schultz on behalf of Troy Mertz, Petitioner. The Final Plat of Resubdivision - Bristol Bay P.U.D. Unit 3 Resubdivision was prepared by HR Green and dated 02-16-2022.

The petitioner is seeking Final Plat amendment approval to introduce a new townhome product for the remaining thirteen (13) lots within Unit 3. The change in product type will result in sixty-one (61) townhome units, varying between 4, 5 and 6 units per building in Bristol Bay Unit 3. This will result in the interior building lot lines for Lots 12, 15, 18 and 13 requiring adjustment, and the minor encroachment within the rear and side property lines on the same lots. Based upon my review of the applications, documents, and plans; I have compiled the following comments:

GENERAL PUD/ANNEXATION AGREEMENT COMMENTS:

1. **PLANNED UNIT DEVELOPMENT (PUD)** – Per Ordinance No. 2005-34, the subject property is currently zoned R-2D Two-Family Attached Residence District with a special use for a Planned Unit Development (PUD). Per Section 6, paragraph C of the annexation agreement, the developer may make minor changes to the Development Plan related to total number of dwelling units up to 2% subject to City administrative approval. In addition, this is consistent with the current minor PUD amendment process adopted by the City in 2014. The following is a summary table of the proposed minor PUD amendments to Bristol Bay Unit 3 under review by the City Administrator:

Existing Residential Land Use

Land Use	Dwelling Units (DU)	Dwelling Unit %	Gross Acreage	% of Total Acres	Density
Residential-Condominium	624	30%	40.1	12.0%	15.6 du/ac
Residential-Townhomes	802	39%	94.0	29.0%	8.5 du/ac
Residential-Duplex	182	9%	32.7	10.0%	5.6 du/ac
Residential-Single Family	467	22%	162.9	49.0%	2.9 du/ac
TOTAL	2075	100.00%	329.7	100.00%	6.3 du/ac

Proposed Residential Land Use

Land Use	Dwelling Units (DU)	Dwelling Unit %	Gross Acreage	% of Total Acres	Density
Residential-Condominium	624	30%	40.1	12.0%	15.6 du/ac
Residential-Townhomes	803	39%	94.0	29.0%	8.5 du/ac
Residential-Duplex	182	9%	32.7	10.0%	5.6 du/ac
Residential-Single Family	467	22%	162.9	49.0%	2.9 du/ac
TOTAL	2076	100.00%	329.7	100.00%	6.3 du/ac

The proposed increase of one (1) townhome unit within Unit 3 of the Bristol Bay subdivision has no impact to the overall density or the unit mix of residential dwelling types in the development.

2. **BUILDING SETBACKS** – In addition to the minor increase in unit count, the developer’s new product has a slightly revised building plan. While significantly similar in size, scale and character of the previously built townhome units of the former developer, the building footprints on four (4) lots minimally encroach into the required rear yard and side yard setbacks, as approved by the City Council via Bristol Bay Planned Unit Development (PUD) Agreement (Ord. 2005-34) and the recorded Final Plat (Res. 2005-59). Those include lots #12, 13, 15 and 18.

The requested encroachments also currently under review by the City Administrator as a minor PUD Amendment are as follows:

REAR YARD ENCROACHMENTS

LOT	ENCROACHMENT	CURRENT SETBACK	PROPOSED SETBACK	% CHANGE
Lot 12	0.24 feet	30 feet	29 feet	- 3%
Lot 15	0.25 feet	30 feet	29 feet	-3%
Lot 18	0.34 feet	30 feet	29 feet	-3%

SIDE YARD ENCROACHMENTS

LOT	ENCROACHMENT	CURRENT SETBACK	PROPOSED SETBACK	% CHANGE
Lot 12	1.45 feet	20 feet	18 feet	- 10%
Lot 13	0.40 feet	20 feet	19 feet	-5%
Lot 18	1.0 feet	20 feet	19 feet	-5%

3. **ARCHITECTURAL STANDARDS/APPEARANCE CODE** – The original annexation agreement (Ord. 2005-34) provided general architectural renderings (Exhibit R) and stated that the residential improvements shall be constructed substantially consistent with those renderings or adhere to the City’s Appearance Code standards, whichever is the least restrictive.
4. **RECENT ARCHITECTURAL DESIGN MODIFICATIONS** – Per a recent request by staff in an email dated January 26, 2022, the petitioner agreed to incorporate a mix of at least two (2) of the following suggested architectural design elements within the front elevations of the proposed new townhomes to add visual interest:
 - a. Brick or shake style on side elevations that face the street
 - b. Shutters on rear elevation windows
 - c. French doors on patio
 - d. Transom windows on center unit front doors
 - e. Planter boxes

Staff requests to review the final building elevations prior to issuance of building permits.

FINAL PLAT OF RESUBDIVISION COMMENTS:

1. **TIMING OF FINAL PLAT** – Per Section 6, paragraph A of the annexation agreement for Bristol Bay (Ord. 2005-34), the City hall act upon any final plat and final engineering or resubmitted final plat and final engineering within sixty (60) days of receipt. Initial receipt of the completed application was on February 17, 2022, based upon the required City meeting schedule, the final approval of the requested Final Plat Amendment is proposed as April 26, 2022.



March 7, 2022

Ms. Krysti Barksdale-Noble
Community Development Director
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

**Re: *Bristol Bay – Unit 3
Final Plat of Resubdivision Review
United City of Yorkville, Kendall County, Illinois***

Dear Krysti:

We are in receipt of the following items for the above referenced project:

- Final Plat for Resubdivision Bristol Bay P.U.D Unit 3 Resubdivision dated February 16, 2022 and prepared by HR Green
- Exhibit A prepared by HR Green
- Application for Final Plat/Replat dated February 3, 2022

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

1. Access easement provisions should be noted.
2. The two proposed concrete monuments should be shown.

Ms. Krysti Barksdale-Noble

March 7, 2022

Page 2 of 2

The plat should be revised and resubmitted for further review. If you have any questions or require additional information, please contact our office.

Respectfully Submitted,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.
Chief Operating Officer / President

pc: Mr. Bart Olson, City Administrator (via e-mail)
Ms. Erin Willrett, Assistant City Administrator (via e-mail)
Mr. Jason Engberg, Senior Planner (via e-mail)
Mr. Eric Dhuse, Director of Public Works (via e-mail)
Mr. Pete Ratos, Building Department (via e-mail)
Ms. Dee Weinert, Permit Tech (via e-mail)
Ms. Jori Behland, City Clerk (via e-mail)
Mr. Troy Mertz, Moda Tech & Infrastructure (via e-mail)
Mr. David Schultz, HR Green (via e-mail)
TNP, NLS EEI (Via e-mail)



▶ 2363 Sequoia Drive | Suite 101
Aurora, IL 60506
Main 630.553.7560 + **Fax** 713.965.0044
▶ **HRGREEN.COM**

March 18, 2022

United City of Yorkville
Ms. Krysti Barksdale-Noble
Community Development Director
800 Game Farm Road
Yorkville, IL 60506

RE: Bristol Bay – Unit 3
Final Plat of Resubdivision Review
Response to Review Comments No. 1
HR Green Job.: 220051

Dear Ms. Barksdale-Noble:

Please see below our responses to Engineering Enterprises, Inc. review comment letter dated March 7, 2022. Responses to each comment are shown in **bold** following the comment.

Review Comments

1. Access easement provisions should be noted.
RESPONSE: Added as requested.
2. The two proposed concrete monuments should be shown.
RESPONSE: Added as requested.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

HR GREEN, INC.

A handwritten signature in black ink, appearing to read 'David Schultz'.

David Schultz, PE, LEED AP
Project Manager

DS/ag

\\hrgreen.com\HRG\Data\2022\220051\Design\Deliverables\OUTGOING\lfr-031722-220051_Unit3_Comment Response#1.docx

FINAL PLAT OF RESUBDIVISION
BRISTOL BAY P.U.D.
UNIT 3 RESUBDIVISION
A RESUBDIVISION OF PART BRISTOL BAY UNITS IN THE S 1/2 OF SEC 43-77,
IN THE UNITED CITY OF YORKVILLE, BRISTOL TWP., KENDALL CO., ILLINOIS

PINS: 02-04-401-011 THROUGH 02-04-401-020
02-04-402-001 THROUGH 02-04-402-017
02-04-403-001 THROUGH 02-04-403-034
02-04-330-013 THROUGH 02-04-330-019
02-04-331-013 THROUGH 02-04-331-017

OWNERSHIP CERTIFICATE

THIS IS TO CERTIFY THAT THE LANDS CONTAINED IN THE SURVEY OWNED BY THE PROPERTY DESCRIBED HEREIN...
STATE OF ILLINOIS) S.S.
COUNTY OF KENDALL)

THE UNDERSIGNED HEREBY CERTIFY THAT ALL OF THE LAND INCLUDED IN THIS PLAT LIES WITHIN THE BOUNDARIES OF YORKVILLE COMMUNITY UNIT SCHOOL DISTRICT 115.

APPROVED AND ACCEPTED BY THE PLANNING AND ZONING COMMISSION OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 20____.

CITY PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF KENDALL)

CITY ADMINISTRATOR'S CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF KENDALL)

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF KENDALL)

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF KENDALL)

CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF KENDALL)

DRAINAGE CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF KENDALL)

EASEMENT FOR INGRESS AND EGRESS

AN ACCESS EASEMENT HEREBY GRANTED FOR LOTS 4 AND 7 FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS UPON ANY AND ALL PARCELS SURFACES OF LOT 100.

EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO...
THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "DEFINITIONS" SECTION OF THE SUBDIVISION MAP...

EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE UNITED CITY OF YORKVILLE, ILLINOIS TO CONSTRUCT, INSTALL, MAINTAIN, REPAIR, REPLACE AND OPERATE...
THE ABOVE NAMED ENTITIES ARE HEREBY GRANTED THE RIGHT TO ENTER UPON EASEMENT HEREIN...
THE OCCUPANTS OF ANY OF THE NON-EXCLUSIVE EASEMENT HEREIN GRANTED AND RECEIVED FOR THE ABOVE NAMED ENTITIES SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF SAID EASEMENTS...

KENDALL COUNTY RIGHT TO FARM STATEMENT

THE UNDERSIGNED HAS A LONG, RICH TRADITION IN AGRICULTURE AND RESPECTS THE ROLE THAT FARMING CONTINUES TO PLAY IN SHAPING THE ECONOMIC VITALITY OF THE COUNTY...

RECORDER'S CERTIFICATE

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS, ON THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK _____ M.

KENDALL COUNTY RECORDER

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF KENDALL)

COUNTY CLERK

STATE OF ILLINOIS) S.S.
COUNTY OF KENDALL)

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the description indicates to be surveyed conditions a proper description of the required building line of easements...
3/18/2022 2:06:04 PM
J:\2022\220051\Survey\Draw\220051-Unit3_LFP.dwg

Table with 2 columns: Date, Description. Contains recording information.

Illinois Professional Design Firm #18400122
2880 Siquel Drive, Suite 101
L. 630.855.7660 (L. 630.855.7646)
www.hgt.com



FINAL PLAT OF RESUBDIVISION
BRISTOL BAY P.U.D. UNIT 3 RESUBDIVISION
UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS

FOR REVIEW
REVIEWED BY: J. BAUER, P.L.S. (bauej@hgt.com)
KENDALL PROFESSIONAL LAND SURVEYOR NO. 028-00799
LICENSE EXPIRATION DATE: 11/30/2022

2 OF 2



Memorandum

To: Planning and Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Brad Sanderson, EEI, City Engineer
Date: April 6, 2022
Subject: **PZC 2022-07 Bristol Bay – Unit 13 (Final Plat of Subdivision)**
Proposed Final Plat Approval for Single-Family Lots

Proposed Request:

The petitioner, Troy Mertz, on behalf of Bristol Bay Yorkville, LLC, is seeking Final Plat approval to subdivide the approximately 25-acre vacant parcel into 69 lots consisting of 68 single-family units and a 3.25-acre park site in Bristol Bay Unit 13. The lots are currently under contract with NVR, Inc. (parent company of Ryan Homes) who intends to be the homebuilder for these units.

The subject property, located east of Rosenwinkel St. and north of Galena Road in the far northeast quadrant of the city, was originally annexed and approved as part of the Bristol Bay planned residential development in 2005. Although the Final Plat of Subdivision for Bristol Bay Unit 13 was approved via Resolution No. 2006-103 in 2006, it was never recorded. Per Section 11-2-3H of the Subdivision Control Ordinance, final plats must be recorded with the County Recorder of Deeds within thirty (30) days from the date of final approval, or final approval shall be considered null and void. Additionally, in 2017, prior to the former developer, Pulte Homes, selling the unsubdivided unit to Bristol Bay Yorkville, LLC, most of the underground public improvements (sanitary sewer, storm sewer and water main) were completed and inspected by the city's engineering consultant, EEI.



Bristol Bay Unit 13

United City of Yorkville, Illinois
March 14, 2022



General PUD/Annexation Agreement Comments:

ARCHITECTURAL STANDARDS/APPEARANCE CODE

The original annexation agreement (Ord. 2005-34) provided general architectural renderings and stated that the residential improvements shall be constructed substantially consistent with those renderings or adhere to the City's Appearance Code standards, whichever is the least restrictive. Additionally, Ord. 2005-34 requires the developer to impose covenants, conditions and restrictions relating to façade materials, accessory structures, and other building restrictions at the time of final plat submittal for each unit. Exhibit R of the original annexation agreement are attached for your reference.

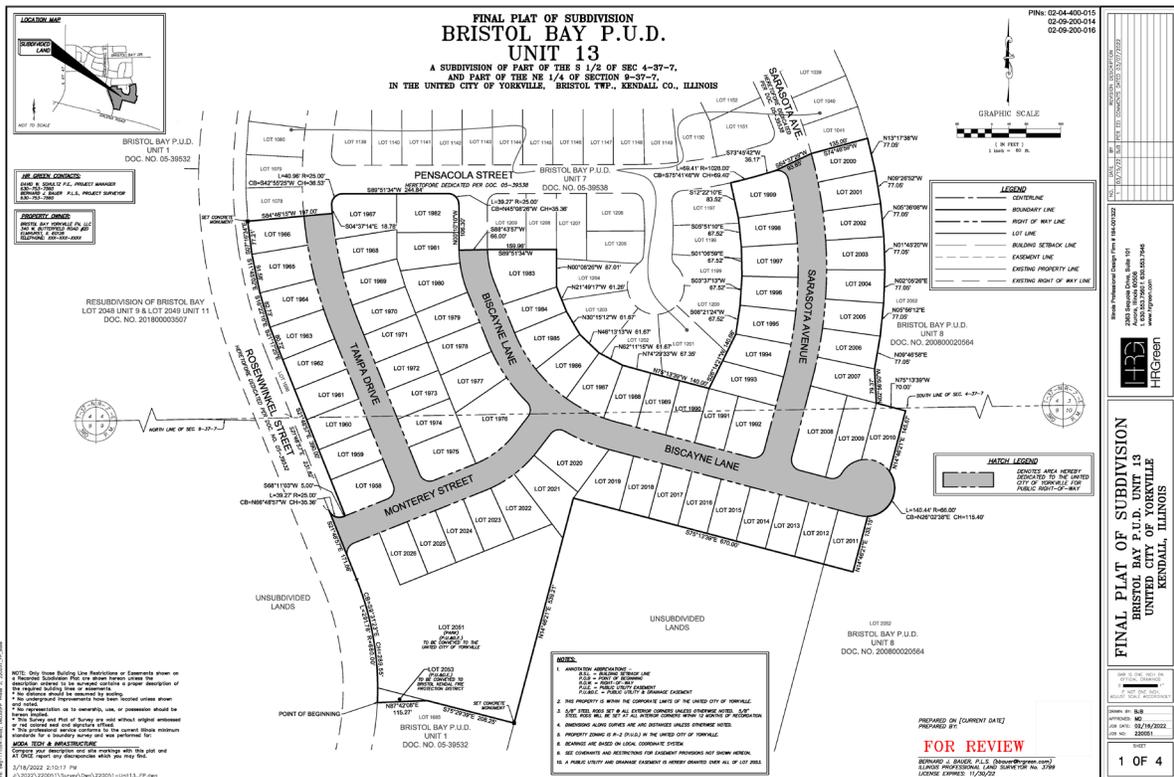
Staff will require review of the proposed HOA covenants prior to Planning and Zoning Commission consideration. We also will require review of the proposed single-family building elevations prior to the submittal and issuance of building permits.

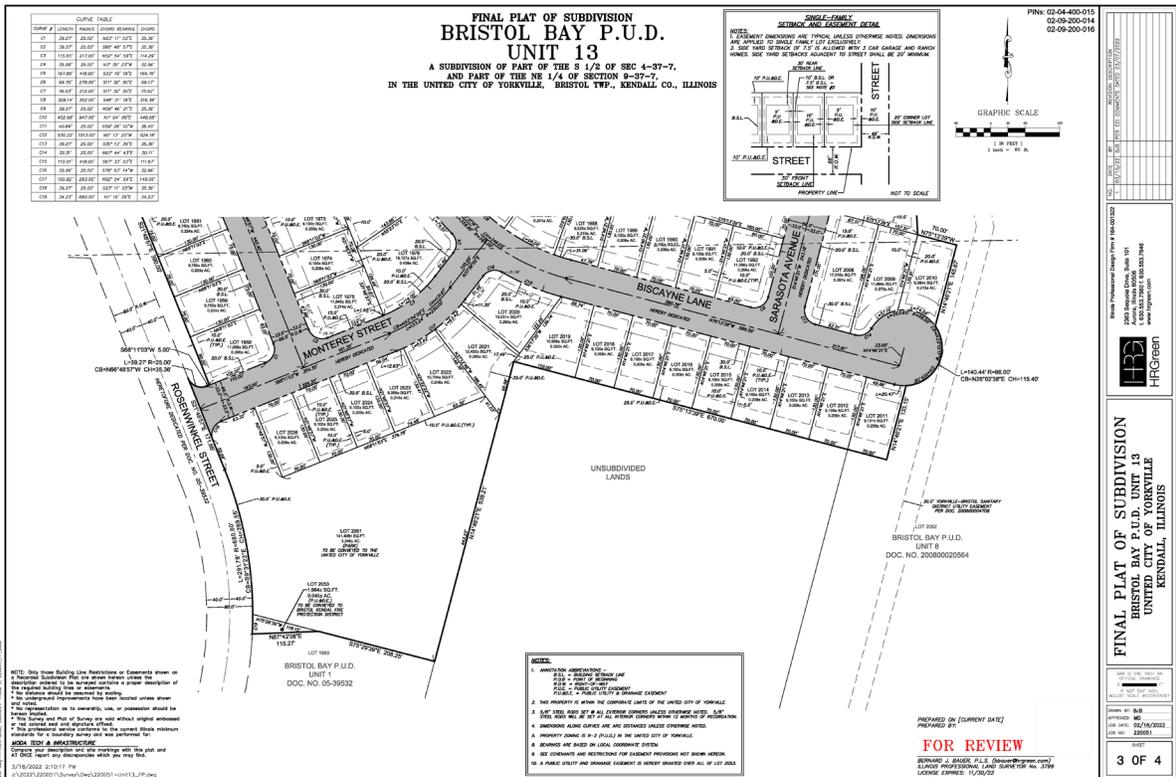
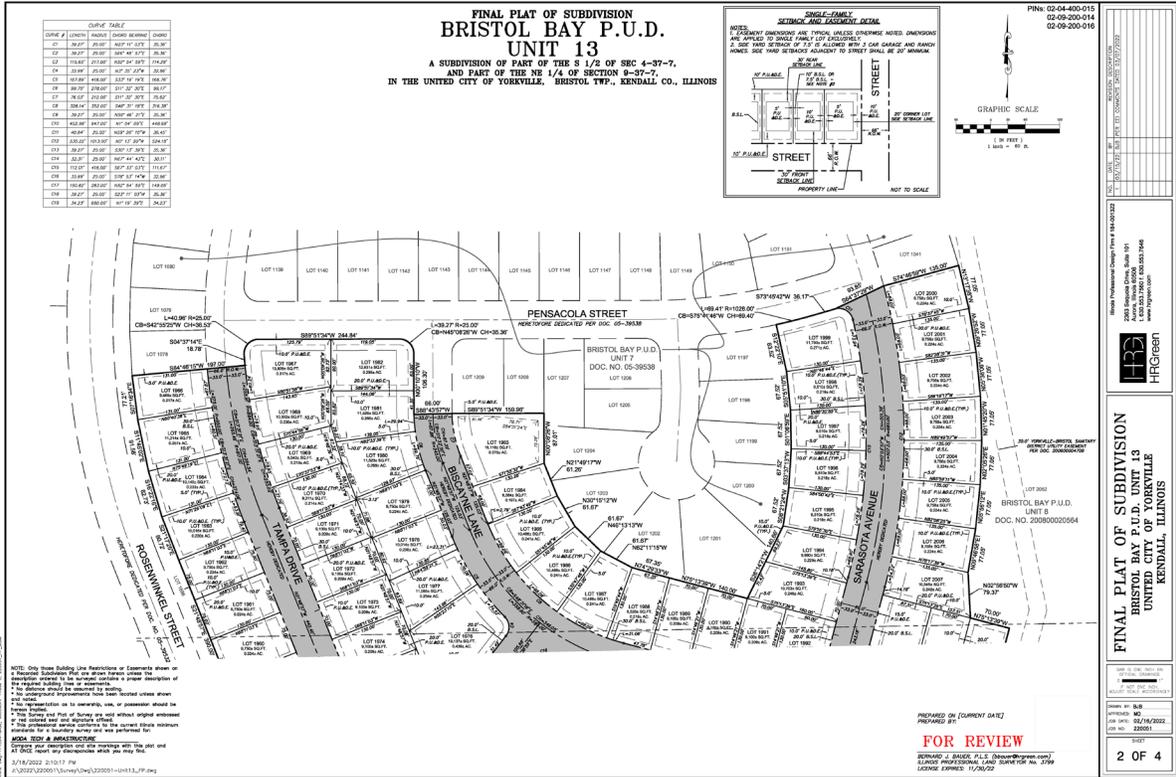
PARK LAND CASH CONTRIBUTION

Per the original annexation agreement and the second amended agreement (Ord. 2010-32), \$50,000 parks-land cash fee for lot 1685 (fire station) will be due prior to recording of the final plat for Unit 13. Staff will require payment prior to City signature of the proposed plat.

Proposed Final Plat of Resubdivision:

The proposed Final Plat of Subdivision for Bristol Bay P.U.D. Unit 13, as prepared by HR Green, illustrates the proposed 68 single-family lots and park site. The final plat generally conforms to the previously approved planned unit development concept plan and Preliminary Plan, and is depicted below:





Staff Comments:

The proposed Final Plat of Subdivision Bristol Bay P.U.D. Unit 13 has been reviewed by the City's engineering consultant, Engineering Enterprises Inc. (EEI), for compliance with the Subdivision Control Ordinance's Standards for Specification. Comments dated March 7, 2022 were provided to the

applicant (see attached). The petitioner has addressed the comments provided and resubmitted a revised plat dated 03/15/22 which is included in the packet. Staff supports **approval** of the revised final plat.

Per Section 6, paragraph A of the annexation agreement for Bristol Bay (Ord. 2005-34), the City shall act upon any final plat and final engineering or resubmitted final plat and final engineering within sixty (60) days of receipt. Initial receipt of the completed application was on February 17, 2022. Based upon the required City meeting schedule, the final approval of the requested Final Plat Amendment is proposed for April 26, 2022.

Proposed Motion:

In consideration of the proposed Final Plat of Subdivision for Bristol Bay P.U.D. Unit 13, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the Petitioner, Troy Mertz, on behalf of Bristol Bay Yorkville, LLC, in a plan prepared by HR Green, LTD date last revised March 15, 2022, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

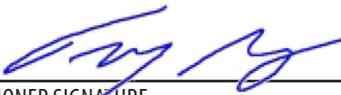
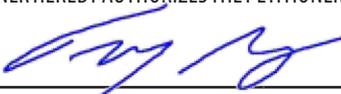
Attachments:

1. Copy of Petitioner's Application
2. Exhibit A - Legal Description
3. Exhibit R of Bristol Bay Annexation Agreement Ord. 2005-34
4. Plan Council Packet for 03-10-22
5. EEI Letter to the City dated March 7, 2022
6. Letter from HR Green responding to EEI review comments dated 03/18/22
7. Final Plat of Subdivision Bristol Bay P.U.D. Unit 13 prepared by HR Green, LTD and date revised 03/15/2022.



United City of Yorkville
800 Game Farm Road
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR FINAL PLAT/REPLAT

ATTORNEY INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
ENGINEER INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
LAND PLANNER/SURVEYOR INFORMATION	
NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:
ATTACHMENTS	
Petitioner must attach a legal description of the property to this application and title it as "Exhibit A".	
AGREEMENT	
I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.	
I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.	
 _____	_____
PETITIONER SIGNATURE	
OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.	
 _____	_____
OWNER SIGNATURE	



United City of Yorkville
 800 Game Farm Road
 Yorkville, Illinois, 60560
 Telephone: 630-553-4350
 Fax: 630-553-7575
 Website: www.yorkville.il.us

APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NAME:	FUND ACCOUNT NUMBER:	PROPERTY ADDRESS:
---------------	----------------------	-------------------

PETITIONER DEPOSIT ACCOUNT FUND:

It is the policy of the United City of Yorkville to require any petitioner seeking approval on a project or entitlement request to establish a Petitioner Deposit Account Fund to cover all actual expenses occurred as a result of processing such applications and requests. Typical requests requiring the establishment of a Petitioner Deposit Account Fund include, but are not limited to, plan review of development approvals/engineering permits. Deposit account funds may also be used to cover costs for services related to legal fees, engineering and other plan reviews, processing of other governmental applications, recording fees and other outside coordination and consulting fees. Each fund account is established with an initial deposit based upon the estimated cost for services provided in the **INVOICE & WORKSHEET PETITION APPLICATION**. This initial deposit is drawn against to pay for these services related to the project or request. Periodically throughout the project review/approval process, the Financially Responsible Party will receive an invoice reflecting the charges made against the account. At any time the balance of the fund account fall below ten percent (10%) of the original deposit amount, the Financially Responsible Party will receive an invoice requesting additional funds equal to one-hundred percent (100%) of the initial deposit if subsequent reviews/fees related to the project are required. In the event that a deposit account is not immediately replenished, review by the administrative staff, consultants, boards and commissions may be suspended until the account is fully replenished. If additional funds remain in the deposit account at the completion of the project, the city will refund the balance to the Financially Responsible Party. A written request must be submitted by the Financially Responsible Party to the city by the 15th of the month in order for the refund check to be processed and distributed by the 15th of the following month. All refund checks will be made payable to the Financially Responsible Party and mailed to the address provided when the account was established.

ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

NAME:	COMPANY:
MAILING ADDRESS:	
CITY, STATE, ZIP:	TELEPHONE:
EMAIL:	FAX:

FINANCIALLY RESPONSIBLE PARTY:

I acknowledge and understand that as the Financially Responsible Party, expenses may exceed the estimated initial deposit and, when requested by the United City of Yorkville, I will provide additional funds to maintain the required account balance. Further, the sale or other disposition of the property does not relieve the individual or Company/Corporation of their obligation to maintain a positive balance in the fund account, unless the United City of Yorkville approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested replenishment deposit is received.

PRINT NAME	TITLE
	
SIGNATURE*	DATE

**The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)*

INITIAL ENGINEERING/LEGAL DEPOSIT TOTALS

ENGINEERING DEPOSITS:	LEGAL DEPOSITS:
Up to one (1) acre \$5,000	Less than two (2) acres \$1,000
Over one (1) acre, but less than ten (10) acres \$10,000	Over two (2) acres, but less than ten (10) acres \$2,500
Over ten (10) acres, but less than forty (40) acres \$15,000	Over ten (10) acres \$5,000
Over forty (40) acres, but less than one hundred (100) \$20,000	
In excess of one hundred (100.00) acres \$25,000	

EXHIBIT A:

BRISTOL BAY – UNIT 13 LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 4, AND PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1685 OF BRISTOL BAY P.U.D. UNIT 1, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 21, 2005 AS DOCUMENT NO. 200500039532; THENCE NORTH 87 DEGREES 42 MINUTES 08 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 1685, 115.27 FEET TO A BEND IN SAID NORTH LINE; THENCE SOUTH 75 DEGREES 29 MINUTES 39 SECONDS EAST, ALONG SAID NORTH LINE, 208.25 FEET TO THE NORTHEAST CORNER OF SAID LOT 1685 AND THE EASTERLY LINE OF THE LANDS DESCRIBED IN DOC. 200500015019; THENCE NORTH 14 DEGREES 46 MINUTES 21 SECONDS EAST, 539.21 FEET TO A CORNER OF SAID LANDS; THENCE SOUTH 75 DEGREES 13 MINUTES 39 SECONDS EAST, ALONG A SOUTHERLY LINE OF SAID LANDS, SAID SOUTHERLY LINE BEING PARALLEL WITH THE NORTHERLY RIGHT OF WAY LINE OF GALENA ROAD, 670.00 FEET; THENCE ALONG THE FOLLOWING TWELVE (12) COURSES, BEING ALONG THE EASTERLY LINE OF SAID LANDS; (1) NORTH 14 DEGREES 46 MINUTES 21 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED COURSE, 133.15 FEET; (2) NORTHEASTERLY ALONG A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 66.00 FEET AND A CHORD BEARING OF NORTH 26 DEGREES 02 MINUTES 38 SECONDS EAST, AN ARC LENGTH OF 140.44 FEET; (3) NORTH 14 DEGREES 46 MINUTES 21 SECONDS EAST, 145.67 FEET; (4) NORTH 75 DEGREES 13 MINUTES 39 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED COURSE, 70.00 FEET; (5) NORTH 02 DEGREES 56 MINUTES 50 SECONDS WEST, 79.37 FEET; (6) NORTH 09 DEGREES 46 MINUTES 58 SECONDS EAST, 77.05 FEET; (7) NORTH 05 DEGREES 56 MINUTES 12 SECONDS EAST, 77.05 FEET; (8) NORTH 02 DEGREES 05 MINUTES 26 SECONDS EAST, 77.05 FEET; (9) NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, 77.05 FEET; (10) NORTH 05 DEGREES 36 MINUTES 06 SECONDS WEST, 77.05 FEET; (11) NORTH 09 DEGREES 26 MINUTES 52 SECONDS WEST, 77.05 FEET; (12) NORTH 13 DEGREES 17 MINUTES 38 SECONDS WEST, 77.05 FEET TO THE SOUTHEAST CORNER OF LOT 1041 OF BRISTOL BAY P.U.D. UNIT 7, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 21, 2005, AS DOCUMENT NUMBER 200500039538; THENCE ALONG THE FOLLOWING THIRTY-THREE (33) COURSES BEING ALONG THE SOUTHERLY LINE AND WESTERLY LINE OF SAID BRISTOL BAY P.U.D. UNIT 7; (1) SOUTH 74 DEGREES 46 MINUTES 59 SECONDS WEST, 135.00 FEET; (2) SOUTH 64 DEGREES 37 MINUTES 29 SECONDS WEST, 93.85 FEET; (3) SOUTH 73 DEGREES 45 MINUTES 42 SECONDS WEST, 36.17 FEET; (4) SOUTHWESTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1028.00 FEET AND A CHORD BEARING OF SOUTH 75 DEGREES 41 MINUTES 46 SECONDS WEST, AN ARC LENGTH OF 69.41 FEET; (5) SOUTH 12 DEGREES 22 MINUTES 10 SECONDS EAST, 83.52 FEET; (6) SOUTH 05 DEGREES 51 MINUTES 10 SECONDS EAST, 67.52 FEET; (7) SOUTH 01 DEGREES 06 MINUTES 59 SECONDS EAST, 67.52 FEET; (8) SOUTH 03 DEGREES 37 MINUTES 13 SECONDS WEST, 67.52 FEET; (9) SOUTH 08 DEGREES 21 MINUTES 24 SECONDS WEST, 67.52 FEET; (10) SOUTH 26 DEGREES 14 MINUTES 21 SECONDS WEST, 140.66 FEET; (11) NORTH 75 DEGREES 13 MINUTES 39 SECONDS WEST, 140.00 FEET; (12) NORTH 74 DEGREES 29 MINUTES 33 SECONDS WEST, 67.35 FEET; (13) NORTH 62 DEGREES 11 MINUTES 15 SECONDS WEST, 61.67 FEET; (14) NORTH 46 DEGREES 13 MINUTES 13 SECONDS WEST 61.67 FEET; (15) NORTH 30 DEGREES 15 MINUTES 12 SECONDS WEST, 61.67 FEET; (16) NORTH 21 DEGREES 49 MINUTES 17 SECONDS WEST, 61.26 FEET; (17) NORTH 00 DEGREES 08 MINUTES 26 SECONDS WEST, 87.01 FEET; (18) SOUTH 89 DEGREES 51 MINUTES 34 SECONDS WEST, 159.96 FEET; (19) SOUTH 88 DEGREES 43 MINUTES 57 SECONDS WEST, 66.00 FEET; (20) NORTHERLY ALONG A CURVE

TO THE RIGHT WITH A RADIUS OF 278.00 FEET AND A CHORD BEARING OF NORTH 00 DEGREES 42 MINUTES 15 SECONDS WEST, AN ARC LENGTH OF 5.47 FEET; (21) THENCE NORTH 00 DEGREES 08 MINUTES 26 SECONDS WEST, 100.83 FEET; (22) NORTHWESTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 45 DEGREES 08 MINUTES 26 SECONDS WEST, AN ARC LENGTH OF 39.27 FEET; (23) SOUTH 89 DEGREES 51 MINUTES 34 SECONDS WEST, 244.84 FEET; (24) SOUTHWESTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF SOUTH 42 DEGREES 55 MINUTES 25 SECONDS WEST, AN ARC LENGTH OF 40.96 FEET; (25) THENCE SOUTHERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 884.00 FEET AND CHORD BEARING OF SOUTH 04 DEGREES 37 MINUTES 14 SECONDS EAST, AN ARC LENGTH OF 18.78 FEET; (26) SOUTH 84 DEGREES 46 MINUTES 15 SECONDS WEST, 197.00 FEET; (27) SOUTH 07 DEGREES 16 MINUTES 34 SECONDS EAST, 77.21 FEET; (28) SOUTH 11 DEGREES 45 MINUTES 02 SECONDS EAST, 91.58 FEET; (29) SOUTH 16 DEGREES 22 MINUTES 16 SECONDS EAST, 82.73 FEET; (30) SOUTH 21 DEGREES 17 MINUTES 25 SECONDS EAST, 80.72 FEET; (31) SOUTH 21 DEGREES 48 MINUTES 57 SECONDS EAST, 390.00 FEET; (32) SOUTH 68 DEGREES 11 MINUTES 03 SECONDS WEST, 5.00 FEET; (33) NORTHWESTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 66 DEGREES 48 MINUTES 57 SECONDS WEST, AN ARC LENGTH OF 39.27 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF ROSENWINKEL ROAD, PER SAID BRISTOL BAY P.U.D. UNIT 1; THENCE, SOUTH 21 DEGREES 48 MINUTES 57 SECONDS EAST, ALONG SAID RIGHT-OF-WAY LINE, 171.66 FEET; THENCE CONTINUING SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE, BEING ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 680.00 FEET AND A CHORD BEARING OF SOUTH 09 DEGREES 31 MINUTES 23 SECONDS EAST, AN ARC LENGTH OF 291.78 FEET TO SAID POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

Bristol Bay

A decorative flourish in a light teal color, consisting of several curved lines and small dots, positioned below the main title.

In Yorkville

Presented by

CENTEX HOMES

Bristol Bay Single Family Exterior Color Packages										
Package #	Siding 4/4	Siding 3/3	Roof Color	Garage Door	Trim/Soffit/Fascia	Shutters	Front Door	Shakes	Brick Color	Manufacturer
BB 1	Desert Tan Sandstone Beige	Natural Clay	Charcoal	White	White	Black-02	Dark Secret OONN 05/000	Natural Clay	Old Georgetown	Hanson Brick
BB 2	Prairie Sand	Desert Tan	Weathered Gray	White	White	Clay-08	Obelisk 20YY 45/114 Tavern Green 50GG 05/063	Desert Tan	Old Georgetown	Hanson Brick
BB 3	Natural Clay Sandstone Beige	Desert Tan	Charcoal	White	White	Tuxedo Gray-18	Obsidian Glass OONN13/000	Desert Tan	Jefferson Manor	Columbus
BB 4	Natural Clay Sandstone Beige	Desert Tan	Weathered Gray	White	White	Wedgewood Blue-04	Mystery Sound 70BG 19/071	Desert Tan	Jefferson Manor	Columbus
BB 5	Prairie Sand	Light Maple	Weathered Gray	White	White	Midnight Green-122	Tavern Green 50GG 05/063	Light Maple	Jefferson Manor	Columbus
BB 6	Desert Tan Sandstone Beige	Natural Clay	Charcoal	White	White	Black-02	Dark Secret OONN 05/000	Natural Clay	Burlington	Columbus
BB 7	Desert Tan Sandstone Beige	Desert Tan	Weathered Gray	White	White	Clay-08	Obelisk 20YY 45/114 Tavern Green 50GG 05/063	Desert Tan	Burlington	Columbus
BB 8	Desert Tan	Colonial White	Weathered Gray	White	White	Midnight Green-122	Obsidian Glass OONN13/000	Colonial White	Burlington	Columbus
BB 9	Sterling Gray	Colonial White	Weathered Gray	White	White	Tuxedo Gray-18	Manor House 50YR 08/038	Colonial White	Chatham Gray	KF Brick
BB 10	Natural Clay	Desert Tan	Weathered Gray	White	White	Musket Brown-10	Obelisk 20YY 45/114	Desert Tan	Chatham Gray	KF Brick
BB 11	Desert Tan	Natural Clay	Weathered Gray	White	White	Clay-08	Obelisk 20YY 45/114	Natural Clay	Chatham Gray	KF Brick
BB 12	Colonial White	Sterling Gray	Charcoal	White	White	Wedgewood Blue-04	Mystery Sound 70BG 19/071	Sterling Gray	Waterford	Hebron
BB 13	Sterling Gray	Colonial White	Charcoal	White	White	Tuxedo Gray-18	Obsidian Glass OONN13/000	Colonial White	Waterford	Hebron
BB 14	Natural Clay Sandstone Beige	Desert Tan	Weathered Gray	White	White	Midnight Green-122	Tavern Green 50GG 05/063	Desert Tan	Waterford	Hebron
BB 15	Natural Clay Sandstone Beige	Desert Tan	Weathered Gray	White	White	Wedgewood Blue-04	Mystery Sound 70BG 19/071	Desert Tan	Waterford	Hebron
BB 16	Prairie Sand Sandstone Beige	Desert Tan	Charcoal	White	White	Black-02	Dark Secret OONN 05/000	Desert Tan	Winyah Bay	Hanson Brick
BB 17	Prairie Sand Sandstone Beige	Desert Tan	Weathered Gray	White	White	Clay-08	Obelisk 20YY 45/114 Manor House 50YR 08/038	Natural Clay	Winyah Bay	Hanson Brick
BB 18	Natural Clay	Desert Tan	Weathered Gray	White	White	Musket Brown-10	Obelisk 20YY 45/114 Manor House 50YR 08/038	Desert Tan	Winyah Bay	Hanson Brick
BB 19	Natural Clay	Colonial White	Weathered Gray	White	White	Midnight Green-122	Tavern Green 50GG 05/063	Colonial White	Kennington	Hanson Brick
BB 20	Natural Clay	Colonial White	Charcoal	White	White	Black-02	Dark Secret OONN 05/000	Colonial White	Kennington	Hanson Brick
BB 21	Colonial White	Colonial White	Charcoal	White	White	Black-02	Dark Secret OONN 05/000	Colonial White	Kennington	Hanson Brick
BB 22	Prairie Sand	Colonial White	Weathered Gray	White	White	Burgandy Red-27	Old Redwood 30YR 08/236	Desert Tan	Kennington	Hanson Brick
BB 23	Oxford Blue	Colonial White	Charcoal	White	White	Midnight Blue-166	Black Sable 90BG 10/067	Colonial White	Old Waverly	Columbus
BB 24	Sterling Gray	Colonial White	Charcoal	White	White	Tuxedo Gray-18	Obsidian Glass OONN13/000	Colonial White	Old Waverly	Columbus
BB 25	Desert Tan Sandstone Beige	Natural Clay	Charcoal	White	White	Bordeaux-167	Aberdeen Place 70RR 08/150	Natural Clay	Old Waverly	Columbus
BB 26	Sandstone Beige	Desert Tan	Weathered Gray	White	White	Clay-08	Obelisk 20YY 45/114 Tavern Green 50GG 05/063	Desert Tan	Runnymede	Hanson Brick
BB 27	Prairie Sand	Desert Tan	Weathered Gray	White	White	Midnight Green-122	Tavern Green 50GG 05/063	Desert Tan	Runnymede	Hanson Brick
BB 28	Sandstone Beige	Desert Tan	Charcoal	White	White	Midnight Green-122	Tavern Green 50GG 05/063	Desert Tan	St. Augustine	Hanson Brick
BB 29	Prairie Sand	Desert Tan	Charcoal	White	White	Black-02	Dark Secret OONN 05/000	Desert Tan	St. Augustine	Hanson Brick
BB 30	Sandstone Beige	Natural Clay	Weathered Gray	White	White	Tuxedo Gray-18	Obsidian Glass OONN13/000	Natural Clay	Stonegate	Redland Brick
BB 31	Natural Clay	Desert Tan	Weathered Gray	White	White	Wicker-23	Traditional Tan 20YY 47/145	Desert Tan	Stonegate	Redland Brick
BB 32	Desert Tan	Natural Clay	Weathered Gray	White	White	Bordeaux-167	Aberdeen Place 70RR 08/150	Natural Clay	Stonegate	Redland Brick
BB 33	Colonial White	Colonial White	Charcoal	White	White	Midnight Green-122	Tavern Green 50GG 05/063	Colonial White	Ballentyne	Hanson Brick
BB 34	Prairie Sand	Desert Tan	Weathered Gray	White	White	Federal Brown-09	Tobacco Brown 50YR10/151	Desert Tan	Ballentyne	Hanson Brick

Bristol Bay

In Yorkville

Large Lot Renderings

Presented by

CENTEX HOMES



3644 WESTPORT D



3644 WESTPORT C



3644 WESTPORT B



3644 WESTPORT A



3384 STEWART D



3384 STEWART C



3384 STEWART B



3384 STEWART A



3173 NEWBRIDGE D



3173 NEWBRIDGE C



3173 NEWBRIDGE B



3173 NEWBRIDGE A



2886 FERNHILL D



2886 FERNHILL C



2886 FERNHILL B



2886 FERNHILL A



2419 ALTAMONT D



2419 ALTAMONT C



2419 ALTAMONT B



2419 ALTAMONT A

Bristol Bay

In Yorkville

Standard Lot Renderings

Presented by

CENTEX HOMES



3509 CEDAR D



3509 CEDAR C



3509 CEDAR B



3509 CEDAR A



3253 SYCAMORE D



3253 SYCAMORE C



3253 SYCAMORE B



3253 SYCAMORE A



2972 HICKORY D



2972 HICKORY C



2972 HICKORY B



2972 HICKORY A



2748 SPRUCE D



2748 SPRUCE C



2748 SPRUCE B



2748 SPRUCE A



2470 BIRCH D



2470 BIRCH C



2470 BIRCH B



2470 BIRCH A



2253 CYPRESS D



2253 CYPRESS C



2253 CYPRESS B



2253 CYPRESS A



2153 WILLOW D



2153 WILLOW C



2153 WILLOW B



2153 WILLOW A



2034 ASPEN D



2034 ASPEN C



2034 ASPEN B



2034 ASPEN A



1962 CHESTNUT D



1962 CHESTNUT C



1962 CHESTNUT B



1962 CHESTNUT A



1835 OAK D



1835 OAK C



1835 OAK B



1835 OAK A



1642 GLENWOOD D



1642 GLENWOOD C



1642 GLENWOOD B



1642 GLENWOOD A



1417 MAGNOLIA D



1417 MAGNOLIA C



1417 MAGNOLIA B



1417 MAGNOLIA A



Memorandum

To: Plan Council
From: Krysti Barksdale-Noble, Community Development Director
Date: March 7, 2022
Subject: **PZC 2022-07 Bristol Bay – Unit 13 (Final Plat of Subdivision)**
Proposed Final Plat Approval for Single-Family Homes

I have reviewed the application for Final Plat of Subdivision for Bristol Bay Unit 13, as submitted by David Schultz on behalf of Troy Mertz, Petitioner. The Final Plat Subdivision - Bristol Bay P.U.D. Unit 3 Subdivision was prepared by HR Green and dated 02-16-2022.

The petitioner is seeking Final Plat approval to subdivide the approximately 25-acre parcel into 69 lots consisting of 68 single-family units and a 3.25-acre park site in Bristol Bay Unit 13. Based upon my review of the applications, documents, and plans; I have compiled the following comments:

GENERAL PUD/ANNEXATION AGREEMENT COMMENTS:

1. **PLANNED UNIT DEVELOPMENT (PUD)** – Per Ordinance No. 2005-34, the subject property is currently zoned R-2 Single-Family Traditional Residence District with a special use for a Planned Unit Development (PUD).
2. **ARCHITECTURAL STANDARDS/APPEARANCE CODE** – The original annexation agreement (Ord. 2005-34) provided general architectural renderings (Exhibit R) and stated that the residential improvements shall be constructed substantially consistent with those renderings or adhere to the City's Appearance Code standards, whichever is the least restrictive.
 - a. Additionally, Ord. 2005-34 required the developer to impose covenants, conditions and restrictions relating to façade materials, accessory structures and other building restrictions at the time of final plat submittal for each unit. The provisions shall also require the HOA to be responsible for the maintenance of landscaping within the perimeter landscaping easements, signage on the property and other obligations as determined at the time of final platting.
 - b. Exhibit R and Section 25: Architectural Standards and Covenants of the original annexation agreement are attached. Here is a link to the City's current Appearance Code regulations:

https://library.municode.com/il/yorkville/codes/code_of_ordinances?nodeId=TIT8BURE_CH15APCO

Staff requests to review the final building elevations prior to issuance of building permits.

3. **PARK LAND CASH CONTRIBUTION** - Per the original annexation agreement and the second amended agreement (Ord. 2010-32), \$50,000 parks-land cash fee for lot 1685 (fire station) will be *due prior to recording* of the final plat for Unit 13.

FINAL PLAT OF RESUBDIVISION COMMENTS:

1. **PREVIOUSLY APPROVED FINAL PLAT** – Per Resolution No. 2006-103, the City approved the Final Plat of Subdivision for Bristol Bay Unit 13 on November 28, 2006. However, that final plat was never recorded. Per Section 11-2-3H of the Subdivision Control Ordinance, the final plat shall be recorded with the County Recorder of Deeds within thirty (30) days from the date of final approval, or final approval shall be considered null and void. This requirement does not apply when the delay is due to circumstances beyond the control of the City or developer.
2. **TIMING OF FINAL PLAT** – Per Section 6, paragraph A of the annexation agreement for Bristol Bay (Ord. 2005-34), the City shall act upon any final plat and final engineering or resubmitted final plat and final engineering within sixty (60) days of receipt. Initial receipt of the completed application was on February 17, 2022, based upon the required City meeting schedule, the final approval of the requested Final Plat Amendment is proposed as April 26, 2022.



March 7, 2022

Ms. Krysti Barksdale-Noble
Community Development Director
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

**Re: *Bristol Bay – Unit 13
Final Plat of Subdivision Review
United City of Yorkville, Kendall County, Illinois***

Dear Krysti:

We are in receipt of the following items for the above referenced project:

- Final Plat for Subdivision Bristol Bay P.U.D Unit 13 Resubdivision dated February 16, 2022 and prepared by HR Green
- Exhibit A prepared by HR Green
- Application for Final Plat/Replat dated February 3, 2022

Our review of these plans is to generally determine their compliance with local ordinances and whether the improvements will conform to existing local systems and equipment. This review and our comments do not relieve the designer from his duties to conform to all required codes, regulations, and acceptable standards of engineering practice. Engineering Enterprises, Inc.'s review is not intended as an in-depth quality assurance review, we cannot and do not assume responsibility for design errors or omissions in the plans. As such, we offer the following comments:

1. The following are required and should be provided to the City when obtained. The City and EEI should be copied on all correspondence with the agencies.
 - Confirmation of Yorkville Bristol Sanitary District approval
 - IEPA construction permits for water main and sanitary sewer
 - Kendall County Soil Conservation Service (USDA) written statement required per Yorkville Ordinance
 - Subdivision Bond or Letter of Credit
2. An engineer's estimate for the public, stormwater and soil erosion control improvements should be provided. This will be used to determine the amount for the Subdivision Bond or Letter of Credit.
3. Updated engineering plans with current standards and details should be submitted for review.
4. An updated landscape plan should be submitted for review.
5. All easements should be shown on Lot 2051.
6. All P.U. & D.E. adjacent to the roads should be 10' wide.

7. The two proposed concrete monuments should be shown.
8. Lots 2011 through 2019 require a 25' P.U. & D.E. in the rear yard for the proposed storm sewer route.
9. Lot 2008 requires a 15' P.U. & D.E. in the side yard adjacent to the road for the proposed storm sewer route.
10. The following lots require a 20' Public Utility and Drainage Easement (P.U. & D.E.) for the existing and proposed storm sewer route:
 - Between Lots 1961 & 1962
 - Between Lots 1964 & 1965
 - Between Lots 1968 & 1969
 - Between Lots 1971 & 1972
 - Between Lots 1977 & 1978
 - Between Lots 1981 & 1982
 - Between Lots 1997 & 1998
 - Between Lots 2000 & 2001
 - Between Lots 2009 & 2010
 - 2007 along the south line of 2009 & 2010
11. Lot 2021 required a 35' P.U. & D.E. in the rear yard for the proposed storm sewer route.
12. A 20' P.U. & D.E. is required at the southwest corner of Lot 1975 to cover the existing storm sewer route.
13. A 20' P.U. & D.E. is required at the northeast corner of Lot 1983 to cover the existing storm sewer route.
14. A 20' P.U. & D.E. is required at the northwest corner of Lot 2020 to cover the existing storm sewer route.

The Developer should make the necessary revisions and re-submit plans and plat and supporting documents along with a disposition letter for further review. If you have any questions or require additional information, please contact our office.

Respectfully Submitted,

ENGINEERING ENTERPRISES, INC.



Bradley P. Sanderson, P.E.
Chief Operating Officer / President

pc: Mr. Bart Olson, City Administrator (via e-mail)
Ms. Erin Willrett, Assistant City Administrator (via e-mail)
Mr. Jason Engberg, Senior Planner (via e-mail)
Mr. Eric Dhuse, Director of Public Works (via e-mail)
Mr. Pete Ratos, Building Department (via e-mail)
Ms. Dee Weinert, Permit Tech (via e-mail)
Ms. Jori Behland, City Clerk (via e-mail)
Mr. Troy Mertz, Moda Tech & Infrastructure (via e-mail)
Mr. David Schultz, HR Green (via e-mail)
TNP, NLS EEI (Via e-mail)



▶ 2363 Sequoia Drive | Suite 101
Aurora, IL 60506
Main 630.553.7560 + **Fax** 713.965.0044
▶ HRGREEN.COM

March 18, 2022

United City of Yorkville
Ms. Krysti Barksdale-Noble
Community Development Director
800 Game Farm Road
Yorkville, IL 60506

Re: Bristol Bay – Unit 13
Final Plat of Resubdivision Review
Response to Review Comments No. 1
HR Green Job.: 220051

Dear Ms. Barksdale-Noble:

Please see below our responses to Engineering Enterprises, Inc. (EEI) review comment letter dated March 7, 2022. Responses to each comment are shown in **bold** following the comment.

Review Comments:

1. The following are required and should be provided to the city when obtained. The City and EEI should be copied on all correspondence with the agencies.
 - Confirmation of Yorkville Bristol Sanitary District approval
 - IEPA construction permits for water main and sanitary sewer
 - Kendall County Soil Conservation Service (USDA) written statement required per Yorkville Ordinance
 - Subdivision Bond or Letter of Credit**RESPONSE: Noted and will be part of the ongoing coordination to be provided for review/approval as noted.**
2. An engineer's estimate for the public, stormwater and soil erosion control improvements should be provided. This will be used to determine the amount for the Subdivision Bond or Letter of Credit.
RESPONSE: Noted and to be included as part of the upcoming and updated engineering plan submittal.
3. Updated engineering plans with current standards and details should be submitted for review.
RESPONSE: Noted and to be included as part of the upcoming and updated engineering plan submittal.
4. An updated landscape plan should be submitted for review
RESPONSE: Noted and to be coordinated as separate submittal and review with City's consultant.
5. All easements should be shown on Lot 2051.
RESPONSE: Revised and incorporated with a blanket easement as shown on Lot 2051
6. All P.U. & D.E. adjacent to the roads should be 10' wide.
RESPONSE: Noted and revised.



7. The two proposed concrete monuments should be shown

RESPONSE: Revised as requested.

8. Lots 2011 through 2019 require a 25' P.U. & D.E. in the rear yard for the proposed storm sewer route.

RESPONSE: Revised as requested.

9. Lot 2008 requires a 15' P.U. & D.E. in the side yard adjacent to the road for the proposed storm sewer route.

RESPONSE: Revised as requested.

10. The following lots require a 20' Public Utility and Drainage Easement (P.U. & D.E.) for the existing and proposed storm sewer route:

- Between Lots 1961 & 1962
- Between Lots 1964 & 1965
- Between Lots 1968 & 1969
- Between Lots 1971 & 1972
- Between Lots 1977 & 1978
- Between Lots 1981 & 1982
- Between Lots 1997 & 1998
- Between Lots 2000 & 2001
- Between Lots 2009 & 2010
- 2007 along the south line of 2009 & 2010

RESPONSE: Added or revised as requested.

11. Lot 2021 requires a 35' P.U. & D.E. in the rear yard for the proposed storm sewer route

RESPONSE: Added as requested.

12. A 20' P.U. & D.E. is required at the southwest corner of Lot 1975 to cover the existing storm sewer route.

RESPONSE: Added as requested.

13. A 20' P.U. & D.E. is required at the northeast corner of Lot 1983 to cover the existing storm sewer route.

RESPONSE: Added as requested.

14. A 20' P.U. & D.E. is required at the northwest corner of Lot 2020 to cover the existing storm sewer route.

RESPONSE: Added as requested.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

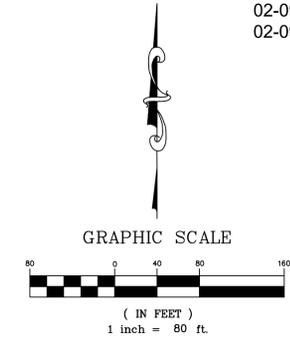
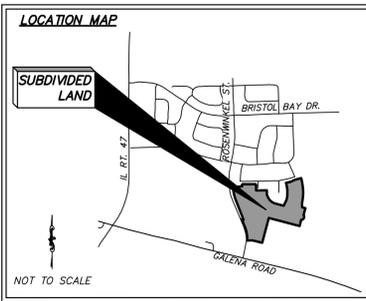
HR GREEN, INC.

David Schultz, PE, LEED AP
Project Manager

DS/ag

**FINAL PLAT OF SUBDIVISION
BRISTOL BAY P.U.D.
UNIT 13**
A SUBDIVISION OF PART OF THE S 1/2 OF SEC 4-37-7,
AND PART OF THE NE 1/4 OF SECTION 9-37-7,
IN THE UNITED CITY OF YORKVILLE, BRISTOL TWP., KENDALL CO., ILLINOIS

PIN: 02-04-400-015
02-09-200-014
02-09-200-016



HR GREEN CONTACTS:
DAVID W. SCHULTZ P.E., PROJECT MANAGER
630-753-7560
BERNARD J. BAUER P.L.S., PROJECT SURVEYOR
630-753-7560

PROPERTY OWNER:
BRISTOL BAY YORKVILLE FN, LLC
340 W. BUTTERFIELD ROAD #2D
ELMHURST, IL 60126
TELEPHONE: XXX-XXX-XXXX

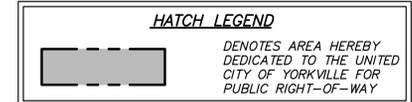
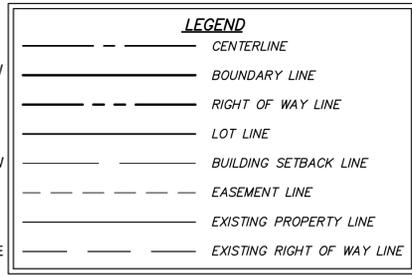
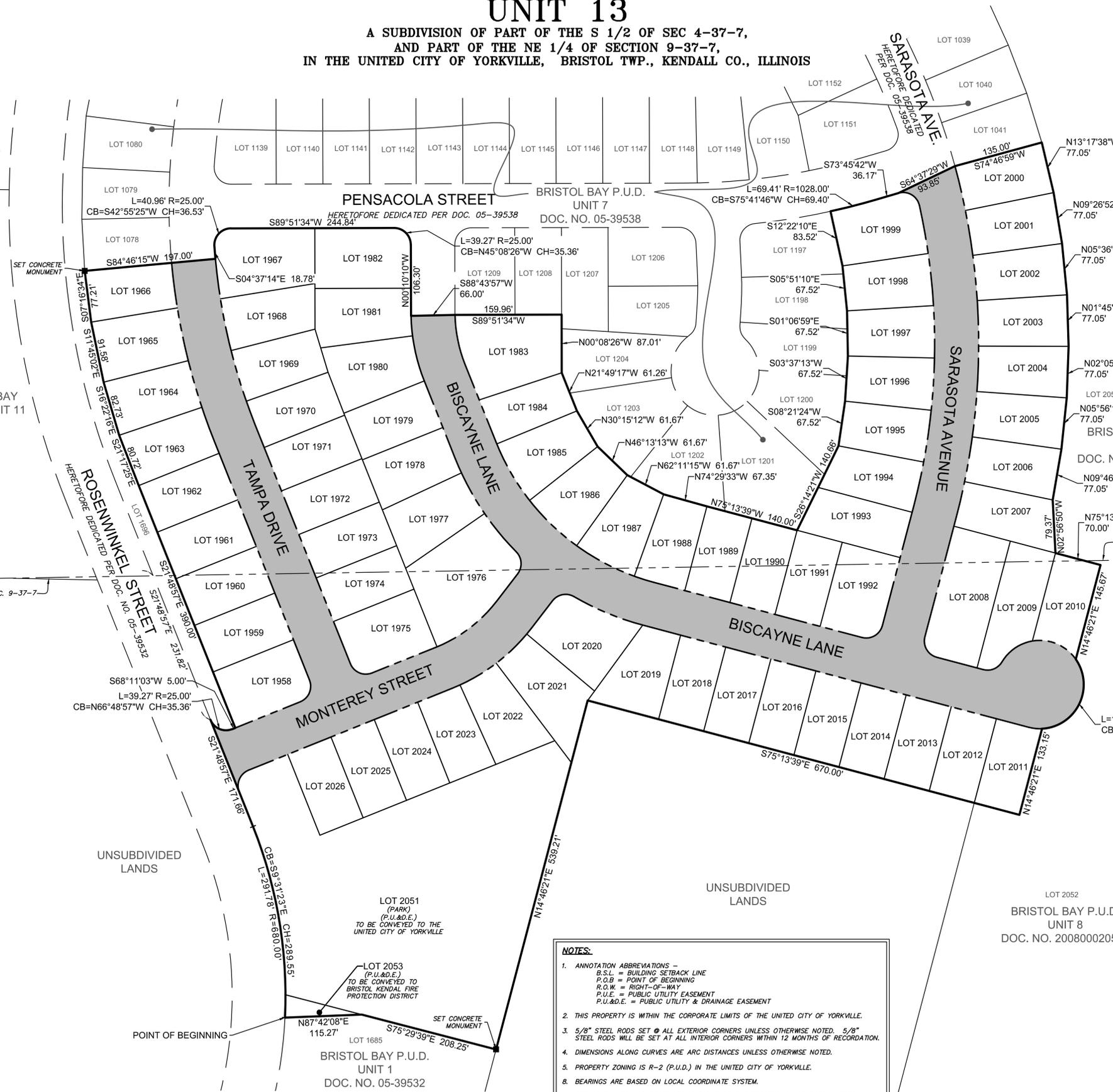
RESUBDIVISION OF BRISTOL BAY
LOT 2048 UNIT 9 & LOT 2049 UNIT 11
DOC. NO. 201800003507

BRISTOL BAY P.U.D.
UNIT 1
DOC. NO. 05-39532

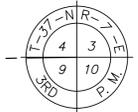
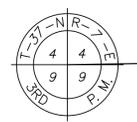
BRISTOL BAY P.U.D.
UNIT 7
DOC. NO. 05-39538

BRISTOL BAY P.U.D.
UNIT 8
DOC. NO. 200800020564

BRISTOL BAY P.U.D.
UNIT 1
DOC. NO. 05-39532



- NOTES:**
- ANNOTATION ABBREVIATIONS -
B.S.L. = BUILDING SETBACK LINE
P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT-OF-WAY
P.U.E. = PUBLIC UTILITY EASEMENT
P.U.&D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
 - THIS PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE.
 - 5/8" STEEL RODS SET @ ALL EXTERIOR CORNERS UNLESS OTHERWISE NOTED. 5/8" STEEL RODS WILL BE SET AT ALL INTERIOR CORNERS WITHIN 12 MONTHS OF RECORDATION.
 - DIMENSIONS ALONG CURVES ARE ARC DISTANCES UNLESS OTHERWISE NOTED.
 - PROPERTY ZONING IS R-2 (P.U.D.) IN THE UNITED CITY OF YORKVILLE.
 - BEARINGS ARE BASED ON LOCAL COORDINATE SYSTEM.
 - SEE COVENANTS AND RESTRICTIONS FOR EASEMENT PROVISIONS NOT SHOWN HEREON.
 - A PUBLIC UTILITY AND DRAINAGE EASEMENT IS HEREBY GRANTED OVER ALL OF LOT 2053.



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* This professional service conforms to the current Illinois minimum standards for a boundary survey and was performed for:

MODA TECH & INFRASTRUCTURE
Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.
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NO.	DATE	BY	REVISION DESCRIPTION
1	03/15/22	BJB	PER ECI COMMENTS DATED 03/07/2022

Illinois Professional Design Firm # 184-001322
2363 Sequoia Drive, Suite 101
Aurora, Illinois 60506
t. 630.553.7560 f. 630.553.7646
www.hrgreen.com



**FINAL PLAT OF SUBDIVISION
BRISTOL BAY P.U.D. UNIT 13
UNITED CITY OF YORKVILLE
KENDALL, ILLINOIS**

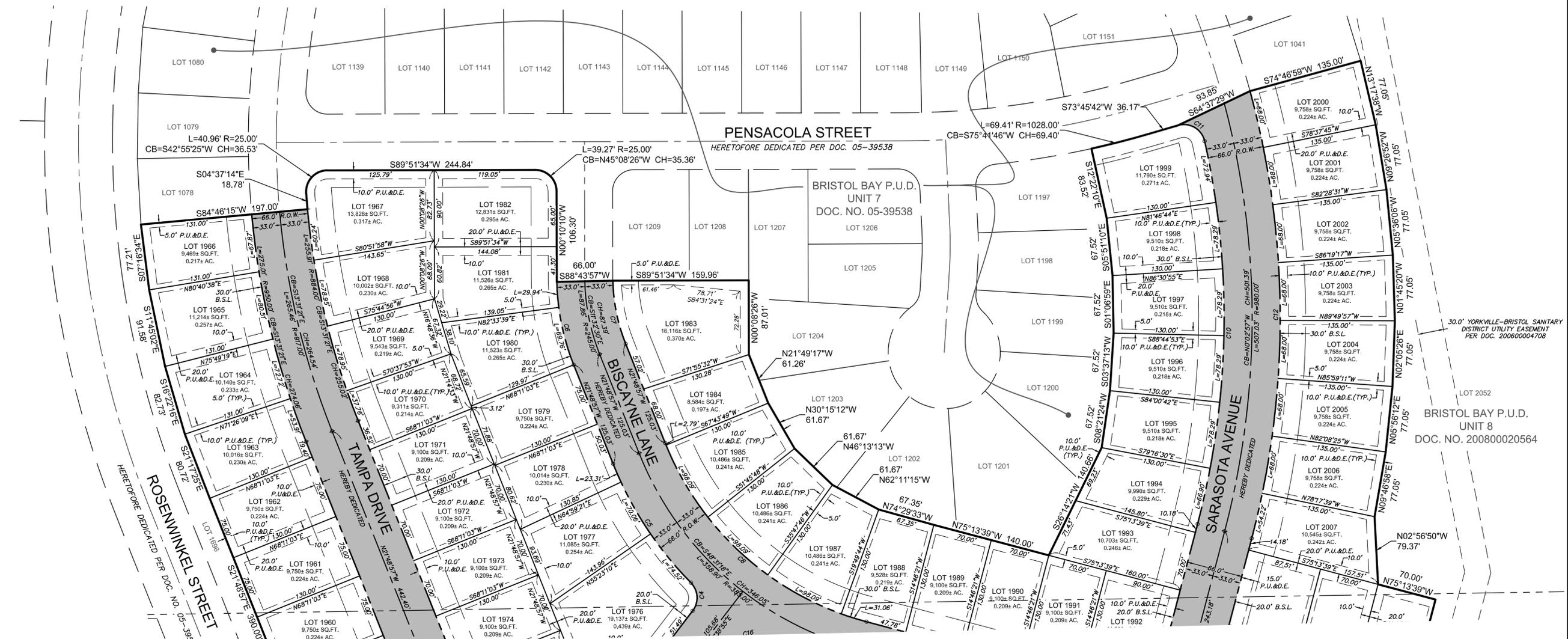
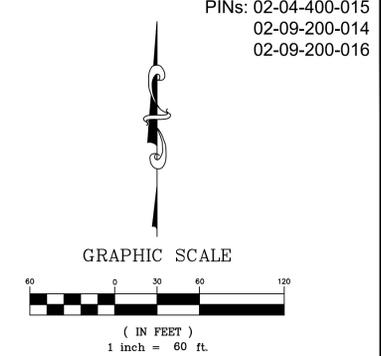
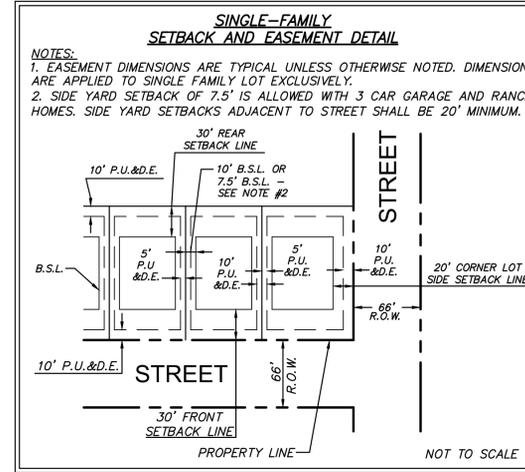
BAR IS ONE INCH ON OFFICIAL DRAWINGS
IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY
DRAWN BY: BJB
APPROVED: MD
JOB DATE: 02/16/2022
JOB NO: 220051

PREPARED ON [CURRENT DATE]
PREPARED BY:

FOR REVIEW
BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3799
LICENSE EXPIRES: 11/30/22

**FINAL PLAT OF SUBDIVISION
BRISTOL BAY P.U.D.
UNIT 13**
A SUBDIVISION OF PART OF THE S 1/2 OF SEC 4-37-7,
AND PART OF THE NE 1/4 OF SECTION 9-37-7,
IN THE UNITED CITY OF YORKVILLE, BRISTOL TWP., KENDALL CO., ILLINOIS

CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	39.27'	25.00'	N23° 11' 03"E	35.36'
C2	39.27'	25.00'	S66° 48' 57"E	35.36'
C3	115.65'	217.00'	N52° 54' 59"E	114.29'
C4	35.99'	25.00'	N3° 35' 23"W	32.96'
C5	167.89'	418.00'	S33° 19' 19"E	166.76'
C6	99.70'	278.00'	S11° 32' 30"E	99.17'
C7	76.03'	212.00'	S11° 32' 30"E	75.62'
C8	328.14'	352.00'	S48° 31' 18"E	316.38'
C9	39.27'	25.00'	N59° 46' 21"E	35.36'
C10	452.98'	947.00'	N1° 04' 09"E	448.68'
C11	40.84'	25.00'	N59° 26' 10"W	36.45'
C12	530.22'	1013.00'	N0° 13' 20"W	524.18'
C13	39.27'	25.00'	S30° 13' 39"E	35.36'
C14	32.31'	25.00'	N67° 44' 43"E	30.11'
C15	112.01'	418.00'	S67° 33' 03"E	111.67'
C16	35.99'	25.00'	S78° 53' 14"W	32.96'
C17	150.82'	283.00'	N52° 54' 59"E	149.05'
C18	39.27'	25.00'	S23° 11' 03"W	35.36'
C19	34.23'	680.00'	N1° 19' 39"E	34.23'



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DRAWN BY: BJB
APPROVED: MD
JOB DATE: 02/16/2022
JOB NO: 220051

PREPARED ON [CURRENT DATE]
PREPARED BY:

FOR REVIEW

BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3799
LICENSE EXPIRES: 11/30/22

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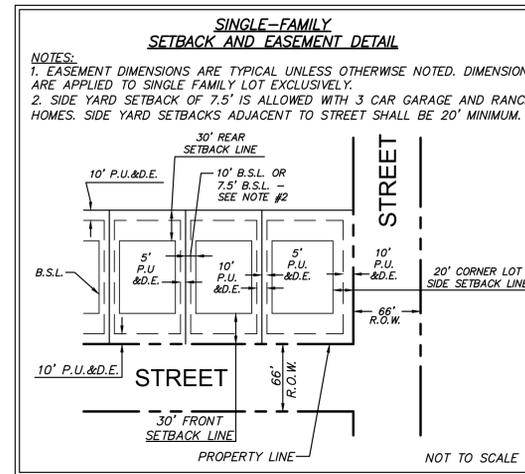
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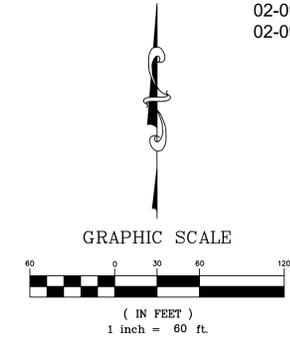
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BRISTOL BAY P.U.D. UNIT 13
UNITED CITY OF YORKVILLE
KENDALL, ILLINOIS**

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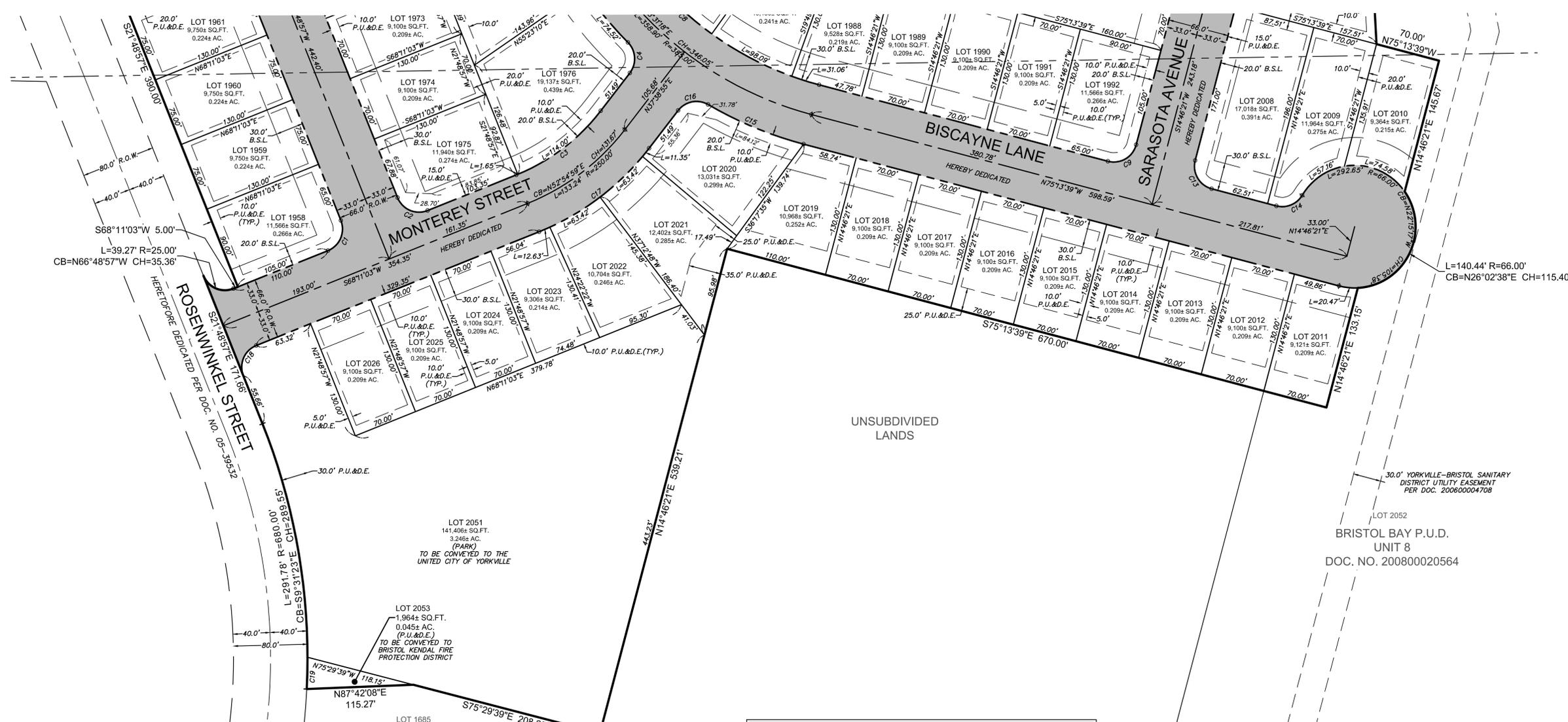
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UNIT 13**
A SUBDIVISION OF PART OF THE S 1/2 OF SEC 4-37-7,
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PIN: 02-04-400-015
02-09-200-014
02-09-200-016



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PREPARED ON [CURRENT DATE]
PREPARED BY:

FOR REVIEW
BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3799
LICENSE EXPIRES: 11/30/22

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**FINAL PLAT OF SUBDIVISION
BRISTOL BAY P.U.D. UNIT 13
UNIT 13
UNITED CITY OF YORKVILLE
KENDALL, ILLINOIS**

BAR IS ONE INCH ON OFFICIAL DRAWINGS
IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY

DRAWN BY: BJB
APPROVED: MD
JOB DATE: 02/16/2022
JOB NO: 220051

SHEET
3 OF 4

FINAL PLAT OF SUBDIVISION
BRISTOL BAY P.U.D.
UNIT 13

PINs: 02-04-400-015
02-09-200-014
02-09-200-016

OWNERSHIP CERTIFICATE

STATE OF _____)
COUNTY OF _____) S.S.

THIS IS TO CERTIFY THAT AN ILLINOIS CORPORATION, IS THE FEE SIMPLE OWNER OF THE PROPERTY DESCRIBED FOREGOING SURVEYOR'S CERTIFICATE AND HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH AS ALLOWED AND PROVIDED FOR BY STATUTE, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED HEREBY DEDICATE FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THROUGHFARES, STREETS, ALLEYS AND PUBLIC SERVICES, AND HEREBY ALSO RESERVES FOR ANY ELECTRIC, GAS, TELEPHONE, CABLE TV OR OTHER TELECOMMUNICATIONS COMPANY UNDER FRANCHISE AGREEMENT WITH THE UNITED CITY OF YORKVILLE, THEIR SUCCESSORS AND ASSIGNS, THE EASEMENT PROVISIONS WHICH ARE STATED HEREON.

THE UNDERSIGNED FURTHER CERTIFY THAT ALL OF THE LAND INCLUDED IN THIS PLAT LIES WITHIN THE BOUNDARIES OF YORKVILLE COMMUNITY UNIT SCHOOL DISTRICT 115.

DATED AT _____, THIS _____ DAY OF _____, 20____.

CORPORATION NAME _____

COMPLETE ADDRESS _____

BY: PRESIDENT _____ SECRETARY _____

PRINTED NAME _____ PRINTED NAME _____

NOTARY CERTIFICATE

STATE OF _____)
COUNTY OF _____) S.S.

I, _____, NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, HEREBY CERTIFY THAT _____ AND _____, PERSONALLY KNOW ME TO THE PRESIDENT AND SECRETARY OF _____ AS SHOWN ABOVE, APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THAT AS SUCH OFFICERS, THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AND CAUSED THE CORPORATE SEAL TO BE AFFIXED THERETO AS THEIR FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

I, _____, COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE PLAT HEREIN DRAWN. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT HEREIN DRAWN.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT YORKVILLE,

ILLINOIS, THIS _____ DAY OF _____, 20____.

COUNTY CLERK _____

A SUBDIVISION OF PART OF THE S 1/2 OF SEC 4-37-7,
AND PART OF THE NE 1/4 OF SECTION 9-37-7,
IN THE UNITED CITY OF YORKVILLE, BRISTOL TWP., KENDALL CO., ILLINOIS

CITY PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

APPROVED AND ACCEPTED BY THE PLANNING AND ZONING COMMISSION OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 20____.

CHAIRMAN _____

CITY ADMINISTRATOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

APPROVED AND ACCEPTED BY THE CITY ADMINISTRATOR OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 20____.

CITY ADMINISTRATOR _____

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, BY ORDINANCE No. _____ AT A MEETING HELD THIS _____ DAY OF _____, 20____.

CITY CLERK _____

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, ILLINOIS, THIS _____ DAY OF _____, 20____.

MAYOR _____

CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

I, _____, CITY ENGINEER FOR THE UNITED CITY OF YORKVILLE, DO HEREBY CERTIFY THAT THE REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED OR THE REQUIRED GUARANTEE COLLATERAL HAS BEEN POSTED FOR THE COMPLETION OF ALL REQUIRED IMPROVEMENTS.

DATED AT YORKVILLE, ILLINOIS THIS _____ DAY OF _____, 20____.

CITY ENGINEER _____

DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

WE, _____, REGISTERED PROFESSIONAL ENGINEER AND _____, OWNER (OR HIS ATTORNEY) SUBMIT THE TOPOGRAPHICAL AND PROFILE STUDIES AND, TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER 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 SUBDIVISION.

DATED THIS _____ DAY OF _____, 20____.

OWNER (OR DULY AUTHORIZED ATTORNEY) _____

REGISTERED PROFESSIONAL ENGINEER _____

EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO

COMMONWEALTH EDISON COMPANY, AMERITECH ILLINOIS a.k.a. ILLINOIS BELL TELEPHONE COMPANY, GRANTEE(S).

THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES, GUYS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH UNDERGROUND AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (or similar designation) ON THE PLAT AND MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U.E." (or similar designation), THE PROPERTY DESIGNATED IN THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS "COMMON ELEMENTS" AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES, ROOTS, SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. PRIVATE OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE(S) FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED OR DOTTED LINES (or similar designation) ON THE PLAT AND MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U.E." (or similar designation), WITHOUT THE PRIOR WRITTEN CONSENT OF THE GRANTEE(S). ANY SUCH FACILITIES OR THE GRADE OF THE SAME OR ANY PART THEREOF OR PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT", CHAPTER 765 ILCS 605/2, AS AMENDED FROM TIME TO TIME.

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF THE REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR AS AN APPORTIONMENT TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH MAY BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS "OUTLOTS", "COMMON ELEMENTS", "OPEN SPACE", "OPEN AREA", "COMMON GROUND", "PARKING", AND "COMMON AREA". THE TERMS "COMMON AREA OR AREAS" AND "COMMON ELEMENTS" INCLUDE REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEE AT COST OF THE GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.

EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO SBC AMERITECH, NICOR, COM ED, COMCAST, OTHER PUBLIC UTILITIES, AND HOLDERS OF EXISTING FRANCHISES GRANTED BY THE CITY OF YORKVILLE, ILLINOIS, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN THE AREAS SHOWN ON THE PLAT AS "UTILITY & DRAINAGE EASEMENT" (abbreviated P.U. & D.E.) TO CONSTRUCT, INSTALL, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES UNDER THE SURFACE OF THE "PUBLIC UTILITY & DRAINAGE EASEMENT", INCLUDING WITHOUT LIMITATION TO TELEPHONE CABLE, GAS MAINS, ELECTRIC LINES, CABLE TELEVISION LINES, AND ALL NECESSARY FACILITIES APPURTENANT THERETO, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES AND TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON.

A NON-EXCLUSIVE EASEMENT IS ALSO HEREBY RESERVED FOR AND GRANTED TO THE UNITED CITY OF YORKVILLE, ILLINOIS TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE AND INSPECT FACILITIES FOR THE TRANSMISSION AND DISTRIBUTION OF WATER, STORM SEWERS, SANITARY SEWERS AND ELECTRICITY, WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT", TOGETHER WITH A RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES.

THE ABOVE NAMED ENTITIES ARE HEREBY GRANTED THE RIGHT TO ENTER UPON EASEMENTS HEREIN DESCRIBED FOR THE USES HEREIN SET FORTH AND THE RIGHT TO CUT, TRIM, OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED AS "PUBLIC UTILITY AND DRAINAGE EASEMENT" WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THEIR UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO. NO PERMANENT BUILDINGS, STRUCTURES, OR OBSTRUCTIONS SHALL BE CONSTRUCTED IN, UPON, OR OVER ANY AREAS DESIGNATED AS "PUBLIC UTILITY & DRAINAGE EASEMENT", BUT SUCH AREAS MAY BE USED FOR GARDENS, SHRUBS, TREES, LANDSCAPING, DRIVEWAYS, AND OTHER RELATED PURPOSES THAT DO NOT UNREASONABLY INTERFERE WITH THE USES HEREBY DESCRIBED.

THE OCCUPATION AND USE OF THE NON-EXCLUSIVE EASEMENT HEREIN GRANTED AND RESERVED FOR THE ABOVE NAMED ENTITIES BY EACH OF SUCH ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH OR PRECLUDE THE OCCUPATION AND USE THEREOF BY OTHER ENTITIES FOR WHICH SUCH EASEMENTS ARE GRANTED AND RESERVED. THE CROSSING AND RE-CROSSING OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH, DAMAGE OR DISTURB ANY TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO EXISTING WITHIN THE EASEMENTS BEING CROSSED OR RE-CROSSED. NO USE OR OCCUPATION OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL CAUSE ANY CHANGE IN GRADE OR IMPAIR OR CHANGE THE SURFACE DRAINAGE PATTERNS.

FOLLOWING ANY WORK TO BE PERFORMED BY THE UNITED CITY OF YORKVILLE IN THE EXERCISE OF ITS EASEMENT RIGHTS HEREIN GRANTED, SAID CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURB, GUTTERS, TREES, LAWN OR SHRUBBERY, PROVIDED, HOWEVER, THAT SAID CITY SHALL BE OBLIGATED, FOLLOWING SUCH MAINTENANCE WORK, TO BACKFILL AND MOUND ALL TRENCHES CREATED SO AS TO RETAIN SUITABLE DRAINAGE TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SOIL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

KENDALL COUNTY RIGHT TO FARM STATEMENT

NOTICE: KENDALL COUNTY HAS A LONG, RICH TRADITION IN AGRICULTURE AND RESPECTS THE ROLE THAT FARMING CONTINUES TO PLAY IN SHAPING THE ECONOMIC VIABILITY OF THE COUNTY. PROPERTY THAT SUPPORTS THIS INDUSTRY IS INDICATED BY A ZONING INDICATOR - A-1 OR AG SPECIAL USE. ANYONE CONSTRUCTING A RESIDENCE OR FACILITY NEAR THIS ZONING SHOULD BE AWARE THAT NORMAL AGRICULTURAL PRACTICES MAY RESULT IN OCCASIONAL SMELLS, DUST, SIGHTS, NOISE, AND UNIQUE HOURS OF OPERATION THAT ARE NOT TYPICAL IN OTHER ZONING AREAS.

RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KENDALL) S.S.

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS, ON THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK _____ M.

KENDALL COUNTY RECORDER _____

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) S.S.

THIS IS TO CERTIFY THAT I, BERNARD J. BAUER, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003799, AT THE REQUEST OF THE OWNER(S) THEREOF, HAVE SURVEYED, SUBDIVIDED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 4, AND PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1685 OF BRISTOL BAY P.U.D. UNIT 1, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 21, 2005 AS DOCUMENT NO. 200500039532; THENCE NORTH 87 DEGREES 42 MINUTES 08 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 1685, 115.27 FEET TO A BEND IN SAID NORTH LINE; THENCE SOUTH 75 DEGREES 29 MINUTES 39 SECONDS EAST, ALONG SAID NORTH LINE, 208.25 FEET TO THE NORTHEAST CORNER OF SAID LOT 1685 AND THE EASTERLY LINE OF THE LANDS DESCRIBED IN DOC. 200500015019; THENCE NORTH 14 DEGREES 46 MINUTES 21 SECONDS EAST, 539.21 FEET TO A CORNER OF SAID LANDS; THENCE SOUTH 75 DEGREES 13 MINUTES 39 SECONDS EAST, ALONG A SOUTHERLY LINE OF SAID LANDS, SAID SOUTHERLY LINE BEING PARALLEL WITH THE NORTHERLY RIGHT-OF-WAY LINE OF GALENA ROAD, 670.00 FEET; THENCE ALONG THE FOLLOWING TWELVE (12) COURSES, BEING ALONG THE EASTERLY LINE OF SAID LANDS: (1) NORTH 14 DEGREES 46 MINUTES 21 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED COURSE, 133.15 FEET; (2) NORTHEASTERLY ALONG A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 66.00 FEET AND A CHORD BEARING OF NORTH 26 DEGREES 02 MINUTES 39 SECONDS EAST, AN ARC LENGTH OF 140.44 FEET; (3) NORTH 14 DEGREES 46 MINUTES 21 SECONDS EAST, 145.67 FEET; (4) NORTH 75 DEGREES 13 MINUTES 39 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED COURSE, 70.00 FEET; (5) NORTH 02 DEGREES 56 MINUTES 30 SECONDS WEST, 79.37 FEET; (6) NORTH 09 DEGREES 46 MINUTES 58 SECONDS EAST, 77.05 FEET; (7) NORTH 05 DEGREES 56 MINUTES 12 SECONDS EAST, 77.05 FEET; (8) NORTH 02 DEGREES 05 MINUTES 26 SECONDS EAST, 77.05 FEET; (9) NORTH 01 DEGREES 45 MINUTES 20 SECONDS WEST, 77.05 FEET; (10) NORTH 05 DEGREES 36 MINUTES 06 SECONDS WEST, 77.05 FEET; (11) NORTH 09 DEGREES 26 MINUTES 52 SECONDS WEST, 77.05 FEET; (12) NORTH 13 DEGREES 17 MINUTES 38 SECONDS WEST, 77.05 FEET TO THE SOUTHEAST CORNER OF LOT 1041 OF BRISTOL BAY P.U.D. UNIT 7, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 21, 2005 AS DOCUMENT NUMBER 200500039538; THENCE ALONG THE FOLLOWING THIRTY-THREE (33) COURSES BEING ALONG THE SOUTHERLY LINE AND WESTERLY LINE OF SAID BRISTOL BAY P.U.D. UNIT 7: (1) SOUTH 74 DEGREES 46 MINUTES 59 SECONDS WEST, 135.00 FEET; (2) SOUTH 64 DEGREES 37 MINUTES 29 SECONDS WEST, 93.85 FEET; (3) SOUTH 73 DEGREES 45 MINUTES 42 SECONDS WEST, 36.17 FEET; (4) SOUTHWESTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1028.00 FEET AND A CHORD BEARING OF NORTH 75 DEGREES 41 MINUTES 46 SECONDS WEST, AN ARC LENGTH OF 69.41 FEET; (5) SOUTH 12 DEGREES 22 MINUTES 10 SECONDS EAST, 83.52 FEET; (6) SOUTH 05 DEGREES 51 MINUTES 10 SECONDS EAST, 67.52 FEET; (7) SOUTH 01 DEGREES 06 MINUTES 59 SECONDS EAST, 67.52 FEET; (8) SOUTH 03 DEGREES 37 MINUTES 13 SECONDS WEST, 67.52 FEET; (9) SOUTH 08 DEGREES 21 MINUTES 24 SECONDS WEST, 67.52 FEET; (10) SOUTH 26 DEGREES 14 MINUTES 21 SECONDS WEST, 140.66 FEET; (11) NORTH 75 DEGREES 13 MINUTES 39 SECONDS WEST, 140.00 FEET; (12) NORTH 74 DEGREES 29 MINUTES 33 SECONDS WEST, 67.35 FEET; (13) NORTH 62 DEGREES 11 MINUTES 15 SECONDS WEST, 61.67 FEET; (14) NORTH 46 DEGREES 13 MINUTES 13 SECONDS WEST, 61.67 FEET; (15) NORTH 30 DEGREES 15 MINUTES 12 SECONDS WEST, 61.67 FEET; (16) NORTH 21 DEGREES 49 MINUTES 17 SECONDS WEST, 61.26 FEET; (17) NORTH 00 DEGREES 08 MINUTES 26 SECONDS WEST, 67.01 FEET; (18) SOUTH 89 DEGREES 51 MINUTES 34 SECONDS WEST, 159.96 FEET; (19) SOUTH 88 DEGREES 43 MINUTES 57 SECONDS WEST, 66.00 FEET; (20) NORTHERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 278.00 FEET AND A CHORD BEARING OF NORTH 00 DEGREES 42 MINUTES 15 SECONDS WEST, AN ARC LENGTH OF 5.47 FEET; (21) THENCE NORTH 00 DEGREES 08 MINUTES 26 SECONDS WEST, 100.83 FEET; (22) NORTHWESTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 45 DEGREES 08 MINUTES 26 SECONDS WEST, AN ARC LENGTH OF 39.27 FEET; (23) SOUTH 89 DEGREES 51 MINUTES 34 SECONDS WEST, 244.84 FEET; (24) SOUTHWESTERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 35.00 FEET AND A CHORD BEARING OF SOUTH 42 DEGREES 55 MINUTES 25 SECONDS WEST, AN ARC LENGTH OF 40.96 FEET; (25) THENCE SOUTHERLY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 884.00 FEET AND CHORD BEARING OF SOUTH 04 DEGREES 37 MINUTES 14 SECONDS EAST, AN ARC LENGTH OF 18.78 FEET; (26) SOUTH 84 DEGREES 46 MINUTES 15 SECONDS WEST, 197.00 FEET; (27) SOUTH 07 DEGREES 16 MINUTES 34 SECONDS EAST, 77.21 FEET; (28) SOUTH 11 DEGREES 45 MINUTES 02 SECONDS EAST, 91.58 FEET; (29) SOUTH 16 DEGREES 22 MINUTES 16 SECONDS EAST, 82.73 FEET; (30) SOUTH 21 DEGREES 17 MINUTES 25 SECONDS EAST, 80.72 FEET; (31) SOUTH 21 DEGREES 48 MINUTES 57 SECONDS EAST, 390.00 FEET; (32) SOUTH 68 DEGREES 11 MINUTES 03 SECONDS WEST, 5.00 FEET; (33) NORTHWESTERLY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 66 DEGREES 48 MINUTES 57 SECONDS WEST, AN ARC LENGTH OF 39.27 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF ROSEWINKEL ROAD, PER SAID BRISTOL BAY P.U.D. UNIT 1; THENCE, SOUTH 21 DEGREES 48 MINUTES 57 SECONDS EAST, ALONG SAID RIGHT-OF-WAY LINE, 171.66 FEET; THENCE CONTINUING SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE, BEING ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 680.00 FEET AND A CHORD BEARING OF SOUTH 09 DEGREES 31 MINUTES 23 SECONDS EAST, AN ARC LENGTH OF 291.78 FEET TO SAID POINT OF BEGINNING, IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT AND ACCURATE REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT NO PART OF THE ABOVE DESCRIBED PROPERTY IS LOCATED WITHIN A SPECIAL HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY BASED ON FIRM MAP NO. 1709300035H, BEARING AN EFFECTIVE DATE OF JANUARY 8, 2014. ALL OF THE PROPERTY IS LOCATED IN ZONE "X" (UNSHADED), AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.

I FURTHER CERTIFY THAT I HAVE SET ALL EXTERIOR SUBDIVISION MONUMENTS AND DESCRIBED THEM ON THIS FINAL PLAT, AND THAT ALL INTERIOR MONUMENTS SHALL BE SET AS REQUIRED BY STATUTE (ILLINOIS REVISED STATUTES 1989, CHAPTER 109 SECTION 1).

I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE, ILLINOIS, AND THAT THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED.

THIS PROFESSIONAL SERVICE CONFORMS WITH THE CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

GIVEN UNDER MY HAND AND SEAL AT AURORA, ILLINOIS, THIS _____ DAY OF _____, 2022.

BERNARD J. BAUER, P.L.S. (bbauer@hrgreen.com)
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003799
LICENSE EXPIRATION DATE: 11/30/2022

Table with columns: NO., DATE, BY, REVISION DESCRIPTION. Row 1: 1, 03/15/22, BJB, COMMENTS DATED 03/07/2022

Illinois Professional Design Firm # 194-001322
2363 Sequoia Drive, Suite 101
Aurora, Illinois 60506
t. 630.553.7560 f. 630.553.7646
www.hrgreen.com



FINAL PLAT OF SUBDIVISION
BRISTOL BAY P.U.D. UNIT 13
UNITED CITY OF YORKVILLE
KENDALL, ILLINOIS

BAR IS ONE INCH ON OFFICIAL DRAWINGS
IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY

DRAWN BY: BJB
APPROVED: MD
JOB DATE: 02/16/2022
JOB NO: 220051

SHEET
4 OF 4

x:\refs: dwg - 171554 - BAGE; 060305FP; Pphase 3; 220051_LFP_base

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the description ordered to be surveyed contains a proper description of the required building lines or easements.
* No distance should be assumed by scaling.
* No underground improvements have been located unless shown and noted.
* No representation as to ownership, use, or possession should be hereon implied.
* This Survey and Plat of Survey are void without original embossed or red colored seal and signature affixed.
* This professional service conforms to the current Illinois minimum standards for a boundary survey and was performed for:

MODA TECH & INFRASTRUCTURE
Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.

3/18/2022 2:10:17 PM
J:\2022\220051\Survey\Dwg\220051-Unit13_FP.dwg