



United City of Yorkville 651
Prairie Pointe Drive
Yorkville, Illinois, 60560
Telephone: 630-553-4350
Fax: 630-553-7575
Website: www.yorkville.il.us

APPLICATION FOR REZONING

INTENT AND PURPOSE

Rezoning is a type of map amendment which allows for the reclassification of a property's zoning district. A request for rezoning must not be arbitrary. There are several land use factors which are considered during the review process for a rezoning request including the suitability of surrounding land uses and zoning districts, local development trends, potential traffic impacts, and the overall public health and safety of the community.

This packet explains the process to successfully submit and complete an Application for Rezoning. It includes a detailed description of the process, outlines required submittal materials, and contains the application for rezoning.

For a complete explanation of what is legally required throughout the Special Use process, please refer to "Title 10, Chapter 4, Section 7: Amendments" of the Yorkville, Illinois City Code.

APPLICATION PROCEDURE

STEP

1

APPLICATION SUBMITTAL

SUBMIT APPLICATION, FEES, AND PLANS TO THE COMMUNITY DEVELOPMENT DEPT.

The following must be submitted:

- One (1) original signed and notarized application.
- Legal description of the property in Microsoft Word.
- Three (3) copies each of the exhibits, proposed drawings, location map, and site plan. All exhibits and plans must be an appropriate size for all details and descriptions to be legible.
- Appropriate application and filing fee. Checks may be written to the United City of Yorkville.
- Signed Applicant Deposit Account/Acknowledgment of Financial Responsibility form.
- One (1) electronic copy (PDF) of all materials submitted including application and exhibits.

Within one (1) week of submittal, the Community Development Department will determine if the application is complete or if additional information is needed. An incomplete submittal could delay the scheduling of the project.

The petitioner is responsible for payment of recording fees and public hearing costs, including written transcripts of the public hearing and outside consultant costs (i.e. legal review, land planner, zoning coordinator, environmental, etc.). The petitioner will be required to establish a deposit account with the City to cover these fees.

Once a submitted and complete, Community Development staff will provide a tentative schedule of meetings as well as all needed documents for the process.

STEP

2

PLAN COUNCIL

MEETS ON THE 2ND & 4TH THURSDAY OF THE MONTH

The petitioner must present the proposed request to the Plan Council. The members of the Council include the Community Development Director, City Engineer, the Building Department Official, the Public Works Director, the Director of Parks and Recreation, a Fire Department Representative, and a Police Department Representative. This meeting is held to provide the petitioner with guidance from all City staff departments to ensure the petitioner is aware of all requirements and regulations for their development. Upon recommendation by the Plan Council, the petitioner will move forward to the Economic Development Committee.



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STEP 3

ECONOMIC DEVELOPMENT COMMITTEE

MEETS ON THE 1ST TUESDAY OF THE MONTH

The petitioner must present the proposed plan to the Economic Development Committee. The committee consists of four alderman who will provide feedback to the petitioner regarding their request. This feedback allows the petitioner to gather comments and concerns prior to full City Council considerations. It also allows the City Council members to review the request prior to its arrival at City Council.

STEP 4

PLANNING & ZONING COMMISSION

MEETS ON THE 2ND WEDNESDAY OF THE MONTH

The petitioner will attend and present their request at a public hearing conducted by the Planning and Zoning Commission. The Planning and Zoning Commission will conduct a public hearing on the request, take public comments, discuss the request, and make a recommendation to City Council. No rezoning request shall be recommended by the Planning and Zoning Commission unless it follows the standards set forth in City's Zoning Ordinance.

The petitioner is responsible for sending certified public hearing notices to adjacent property owners within five hundred (500) feet of the subject property no less than fifteen (15) days and no more than thirty (30) days prior to the public hearing date. The public hearing notice will be drafted by the City as well as published in a local newspaper. Additionally, a public hearing notice sign must be placed on the property no less than fifteen (15) days prior to the public hearing.

A certified affidavit must be filed by the petitioner with the Community Development Department containing the names, addresses and permanent parcel numbers of all parties that were notified. The Certified Mailing Affidavit form is attached to this document.

STEP 5

CITY COUNCIL

MEETS ON THE 2ND & 4TH TUESDAY OF THE MONTH

The petitioner will attend the City Council meeting where the recommendation of the special use will be considered. City Council will make the final approval of the special use. If approved, City staff will have a drafted ordinance to be signed by the Council and must be recorded with the County Clerk before any further steps may be taken by the petitioner.

SUMMARY OF RESPONSIBILITIES

Below is a summary breakdown of what will be required by the petitioner and what will be completed by the City:

PETITIONER

- Signed and Notarized Application
- Required Plans, Exhibits, and Fees
- Certified Mailing of Public Notice
- Signed Certified Affidavit of Mailings
- Attendance at All Meetings

CITY STAFF

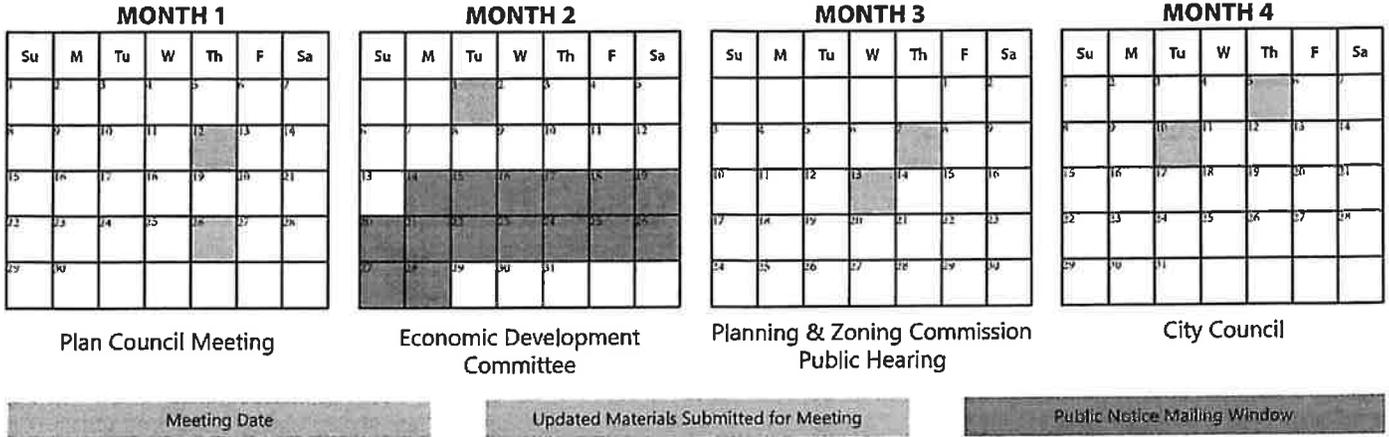
- Detailed Schedule After Complete Submission
- Public Hearing Notice Language
- Posting of the Public Notice in a Local Newspaper
- Public Hearing Sign Application
- Draft Ordinance & Signatures for Recording



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SAMPLE MEETING SCHEDULE



This is a sample of what a schedule may look like after submission. The Step 1 Submission must be completed before the Plan Council Meeting can be scheduled. This timeline represents an ideal schedule. Throughout the review process, there may be requests or changes to the submission requested by the committees which may delay the meeting schedule. As illustrated, there is a small amount of time between meeting dates and the deadline for updated materials to be submitted for review. Depending on the complexity and nature of the request, this timeline may be extended to give the petitioner and staff enough time to review requested updates to the submission.

DORMANT APPLICATIONS

The Community Development Director shall determine if an application meets or fails to meet the submission requirements. If the Director determines that the application is incomplete it will become dormant under these circumstances:

- The applicant has been notified of such deficiencies and has not responded or provided a time line for completing the application within ninety (90) days from the time of notification.
- The applicant has not responded in writing to a request for information or documentation from the initial planning and zoning commission review within six (6) months from the date of that request.
- The applicant has not responded to a request for legal or engineering deposit replenishment for city incurred costs and fees within ninety (90) days from the date of the request.

If the Community Development Director has sent the required notice and the applicant has not withdrawn their application or brought it into compliance, then the director shall terminate the application. After termination, the application shall not be reconsidered except after the filing of a completely new application.

Withdrawal or termination of an application shall not affect the applicant's responsibility for payment of any costs and fees, or any other outstanding debt owed to the city. The balance of any funds deposited with the city that is not needed to pay for costs and fees shall be returned to the applicant. (Ord. 2011-34, 7-26-2011)



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INVOICE & WORKSHEET PETITION APPLICATION			
CONCEPT PLAN REVIEW	<input type="checkbox"/> Engineering Plan Review deposit	\$500.00	Total: \$
AMENDMENT	<input type="checkbox"/> Annexation <input type="checkbox"/> Plan <input type="checkbox"/> Plat <input type="checkbox"/> P.U.D.	\$500.00 \$500.00 \$500.00 \$500.00	Total: \$
ANNEXATION	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres		Total: \$
	$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}} \times \$10 = \underline{\hspace{2cm}} + \$250 = \$ \underline{\hspace{2cm}}$		
	# of Acres Acres over 5 Amount for Extra Acres Total Amount		
REZONING	<input type="checkbox"/> \$200.00 + \$10 per acre for each acre over 5 acres		Total: \$ 649.00
	<i>If annexing and rezoning, charge only 1 per acre fee; if rezoning to a PUD, charge PUD Development Fee - not Rezoning Fee</i>		
	$\underline{49.90} - 5 = \underline{44.90} \times \$10 = \underline{449.00} + \$200 = \$ \underline{649.00}$		
	# of Acres Acres over 5 Amount for Extra Acres Total Amount		
SPECIAL USE	<input type="checkbox"/> \$250.00 + \$10 per acre for each acre over 5 acres		Total: \$
	$\underline{\hspace{2cm}} - 5 = \underline{\hspace{2cm}} \times \$10 = \underline{\hspace{2cm}} + \$250 = \$ \underline{\hspace{2cm}}$		
	# of Acres Acres over 5 Amount for Extra Acres Total Amount		
ZONING VARIANCE	<input type="checkbox"/> \$85.00 + \$500.00 outside consultants deposit		Total: \$
PRELIMINARY PLAN FEE	<input type="checkbox"/> \$500.00		Total: \$
PUD FEE	<input type="checkbox"/> \$500.00		Total: \$
FINAL PLAT FEE	<input type="checkbox"/> \$500.00		Total: \$
ENGINEERING PLAN REVIEW DEPOSIT	<input type="checkbox"/> Less than 1 acre <input type="checkbox"/> Over 1 acre, less than 10 acres <input type="checkbox"/> Over 10 acres, less than 40 acres <input type="checkbox"/> Over 40 acres, less than 100 acres <input type="checkbox"/> Over 100 acres	\$5,000.00 \$10,000.00 \$15,000.00 \$20,000.00 \$25,000.00	Total: \$
OUTSIDE CONSULTANTS DEPOSIT	<i>Legal, land planner, zoning coordinator, environmental services</i> For Annexation, Subdivision, Rezoning, and Special Use: <input type="checkbox"/> Less than 2 acres <input type="checkbox"/> Over 2 acres, less than 10 acres <input type="checkbox"/> Over 10 acres	\$1,000.00 \$2,500.00 \$5,000.00	Total: \$
TOTAL AMOUNT DUE:			\$649.00



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ATTORNEY INFORMATION

NAME: John F. Philipchuck

COMPANY: Dommermuth Cobine West Gensler Philipchuck
and Corrigan, Ltd.

MAILING ADDRESS: 111 E. Jefferson Avenue, Suite 200

CITY, STATE, ZIP: Naperville, Illinois 60540

TELEPHONE: 630-355-5800 ext 115

EMAIL: jfp@dbcw.com

FAX: 630-355-5976

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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REZONING STANDARDS

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

Current Zoning is B-3 General Business District in the City of Yorkville. The Property is being farmed. Property to the North and East is A-1 Agricultural in the County and is farmed. There is a Single family use on a small parcel; Property to the South is B-3 City with a residential use. Land to the West across Eldamain Road is County A-1, and B-4 for the YMCA, and Plano B-6, Business District and is vacant.

A used vehicle sales lot is located at the Northeast Corner of Eldamain and Route 34.

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:

Properties East of Eldamain Road and North and South of Faxon Road have requested M-2 General Manufacturing District zoning from the City of Yorkville. Current trends have been a transition from farming uses to proposed Data Centers.

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

Increased interest in Data Centers and Manufacturing uses such as Menards in Plano have increased the need and desire for manufacturing zoning. Current B-3 zoning does not permit such uses and brick and mortar retail demand in the Eldamain corridor is minimal.

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

The highest and best use of the Property is for manufacturing uses. To maintain the existing business district zoning does a disservice to the Petitioner as those types of uses are not in demand in this area. A change to manufacturing zoning will allow the Property to properly develop and enhance the public health, safety, morals and general welfare of the Public.



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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 B-3 zoning was a good holding pattern during the expansion of Eldamain Road. However, the nearby ComEd Substation and high line availability, together with a proposed Data Center usage has driven the need for manufacturing zoning rather than retail and service uses.

PLEASE STATE THE COMMUNITY NEED FOR THE PROPOSED LAND USE:

The rezoning of the Property to M-2 Manufacturing uses will allow for the creation of more job opportunities in the City of Yorkville. Increased property taxes for the City and other taxing bodies such as the School District will follow, thus lessening the tax burden on the residential homes in the City.

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

The City of Yorkville has recognized the significance of the expansion of Eldamain Road and the resources available from the ComEd facilities in the area to allow for a change in the past land use designations for the area to now attract new development.

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 City in conjunction with the Kendall County Highway Department and the City of Plano have anticipated the future growth of this sector and because of their exemplary planning for increased traffic by the widening of Route 34 and Eldamain Road, the change in zoning will not impact the area traffic negatively.



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

Large acreages of Commercial Zoned Property in this area are not conducive to current development trends. Keeping a business zoning on this property only makes it available for farming use. A change to M-2 will encourage manufacturing uses such as a Data Center which in turn creates new jobs and increases property tax revenues to the Public.

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

The Property lies adjacent to Eldamain Road. This corridor has been planned for manufacturing uses, not retail uses such as anticipated with the B-3 General Business District retail and service type of uses. The current trend of development is manufacturing, not commercial uses.

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.

David Hamman
 PETITIONER SIGNATURE - David Hamman

10-29-2024
 DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.
 Kelaka LLC, an Illinois limited liability company

David Hamman
 OWNER SIGNATURE - David Hamman, Manager

10-29-2024
 DATE

SUBSCRIBED and SWORN to before me this 29 day of October, 2024.

John Fred Philipchuck
 NOTARY PUBLIC

**THIS APPLICATION MUST BE
 NOTARIZED PLEASE NOTARIZE HERE:**





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APPLICANT DEPOSIT ACCOUNT/ ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY

PROJECT NUMBER:	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

<p>ENGINEERING DEPOSITS:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Up to one (1) acre</td> <td style="text-align: right; padding: 2px;">\$5,000</td> </tr> <tr> <td style="padding: 2px;">Over one (1) acre, but less than ten (10) acres</td> <td style="text-align: right; padding: 2px;">\$10,000</td> </tr> <tr> <td style="padding: 2px;">Over ten (10) acres, but less than forty (40) acres</td> <td style="text-align: right; padding: 2px;">\$15,000</td> </tr> <tr> <td style="padding: 2px;">Over forty (40) acres, but less than one hundred (100)</td> <td style="text-align: right; padding: 2px;">\$20,000</td> </tr> <tr> <td style="padding: 2px;">In excess of one hundred (100.00) acres</td> <td style="text-align: right; padding: 2px;">\$25,000</td> </tr> </table>	Up to one (1) acre	\$5,000	Over one (1) acre, but less than ten (10) acres	\$10,000	Over ten (10) acres, but less than forty (40) acres	\$15,000	Over forty (40) acres, but less than one hundred (100)	\$20,000	In excess of one hundred (100.00) acres	\$25,000	<p>LEGAL DEPOSITS:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Less than two (2) acres</td> <td style="text-align: right; padding: 2px;">\$1,000</td> </tr> <tr> <td style="padding: 2px;">Over two (2) acres, but less than ten (10) acres</td> <td style="text-align: right; padding: 2px;">\$2,500</td> </tr> <tr> <td style="padding: 2px;">Over ten (10) acres</td> <td style="text-align: right; padding: 2px;">\$5,000</td> </tr> </table>	Less than two (2) acres	\$1,000	Over two (2) acres, but less than ten (10) acres	\$2,500	Over ten (10) acres	\$5,000
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Less than two (2) acres	\$1,000																
Over two (2) acres, but less than ten (10) acres	\$2,500																
Over ten (10) acres	\$5,000																

CERTIFIED MAILING
AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I/We, _____, petitioner, being first duly sworn, do hereby state under oath that to the best of my knowledge the **attached list is a true, correct and complete list of all permanent parcel numbers, and names and addresses of owners**, of all lots and parts of lots located within 500 feet (exclusively of any public streets and alleys) of the property legally described on the attached application for annexation, rezoning, special use permit, planned unit development, variation, or other zoning amendment. I further state that said list was obtained from the current tax rolls of the Kendall County Treasurer's Office. I further state that I mailed by U.S. Certified Mail, Return Receipt Requested, a copy of the Public Notice of Public Hearing before the United City of Yorkville Planning and Zoning Commission for the Public Hearing held on Wednesday, _____, at the United City of City Council Chambers, Yorkville, Illinois. The notice was mailed to the attached list of all of the permanent parcel numbers and names and addresses of owners at the U.S. Post office on _____, 20____.

Signature of Petitioner(s)

Subscribed and sworn to before me this
_____ day of _____, 20_____

Notary Public

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF U.S. ROUTE 34 AND THE WEST LINE OF SAID SECTION 19; THENCE NORTH ALONG SAID WEST LINE OF SECTION 19, 50.21 FEET TO A POINT OF THE FORMER NORTH RIGHT OF WAY LINE OF SAID U.S. ROUTE 34; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST ALONG SAID FORMER RIGHT OF WAY LINE 148.00 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 27 SECONDS EAST PARALLEL WITH SAID WEST LINE OF SECTION 19, 15.06 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID U.S. ROUTE 34 FOR THE POINT OF BEGINNING; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE, 361.08 FEET; THENCE NORTH 03 DEGREES 02 MINUTES 53 SECONDS EAST, 302.64 FEET; THENCE SOUTH 87 DEGREES 21 MINUTES 53 SECONDS EAST, 404.14 FEET TO AN OLD FENCE LINE REPRESENTING AN OLD DEED LINE; THENCE NORTH 02 DEGREES 38 MINUTES 07 SECONDS EAST ALONG SAID OLD FENCE LINE 2240.63 FEET; THENCE NORTH 84 DEGREES 40 MINUTES 09 SECONDS WEST, 976.08 FEET TO THE EASTERLY RIGHT OF WAY LINE OF EL DAMAIN ROAD; THENCE SOUTH 00 DEGREES 10 MINUTES 27 SECONDS WEST ALONG SAID EASTERLY RIGHT OF WAY LINE, 1984.53 FEET TO A POINT 600.00 FEET NORTHERLY OF SAID FORMER RIGHT OF WAY OF U.S. ROUTE 34; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST PARALLEL WITH SAID FORMER RIGHT OF WAY LINE, 97.79 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 27 SECONDS WEST PARALLEL WITH SAID EASTERLY RIGHT OF WAY LINE OF EL DAMAIN ROAD, 584.94 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART, IF ANY, FALLING IN THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SOUTHWEST QUARTER WITH THE NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE 34; THENCE NORTH 00 DEGREES 10 MINUTES 28 SECONDS EAST ALONG SAID WEST LINE 600 FEET; THENCE SOUTH 84 DEGREES 36 MINUTES 32 SECONDS EAST, PARALLEL WITH THE NORTH LINE OF ROUTE 34, 148 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 28 SECONDS WEST, PARALLEL WITH SAID WEST LINE, 600 FEET TO SAID NORTH LINE; THENCE NORTH 84 DEGREES 36 MINUTES 32 SECONDS WEST, ALONG SAID NORTH LINE 148 FEET TO THE POINT OF BEGINNING; ALSO EXCEPT THAT PART, IF ANY, FALLING IN THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING DESCRIBED BY COMMENCING AT A POINT ON THE WEST LINE OF SAID SECTION 19 AT THE INTERSECTION OF THE CENTER LINE OF U.S. ROUTE 34; THENCE SOUTH 86 DEGREES 11 MINUTES 48 SECONDS EAST ALONG SAID CENTER LINE, 503.76 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 86 DEGREES 11 MINUTES 48 SECONDS EAST ALONG SAID CENTER LINE, 134.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 38,197.20 FEET; THENCE EASTERLY ALONG SAID CENTER LINE CURVE, A DISTANCE OF 275.36 FEET TO A POINT WHOSE CHORD BEARS SOUTH 85 DEGREES 58 MINUTES 32 SECONDS EAST, 275.36 FEET; THENCE NORTH 01 DEGREES 02 MINUTES 51 SECONDS EAST, 388.32 FEET; THENCE NORTH 87 DEGREES 21 MINUTES 53 SECONDS WEST, 404.14 FEET; THENCE SOUTH 03 DEGREES 02 MINUTES 53 SECONDS WEST, 367.63 FEET TO THE POINT OF BEGINNING; ALSO EXCEPT THAT PART, IF ANY, FALLING IN THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 20 MINUTES 44 SECONDS WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 254.37 FEET FOR A POINT OF BEGINNING; THENCE NORTH 00 DEGREES 20 MINUTES 44 SECONDS WEST ALONG SAID WEST LINE 1517.74 FEET TO THE SOUTHERLY LINE OF THE BURLINGTON NORTHERN, INC. RAILROAD RIGHT OF WAY; THENCE NORTH 73 DEGREES 57 MINUTES 53 SECONDS EAST ALONG SAID SOUTHERLY LINE 1197.36 FEET TO THE LANDS FORMERLY OWNED BY CALVIN WHEELER; THENCE SOUTH 03 DEGREES 25 MINUTES 05 SECONDS WEST ALONG SAID WHEELER'S LANDS, 1939.92 FEET; THENCE NORTH 85 DEGREES 05 MINUTES 42 SECONDS WEST 1029.63 FEET TO THE POINT OF BEGINNING; ALSO EXCEPT THAT PART, IF ANY, LYING EAST OF THE FOLLOWING LINE AND ITS EXTENSION NORTHERLY: COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19 THAT IS 1930.58 FEET SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST FROM THE CENTER OF SAID SECTION 19; THENCE SOUTH 88 DEGREES 28 MINUTES 32 SECONDS WEST ALONG SAID NORTH LINE 204.60 FEET FOR THE POINT OF BEGINNING OF SAID LINE; THENCE SOUTH 02 DEGREES 08 MINUTES 40 SECONDS WEST 2489.33 FEET TO THE CENTER LINE OF U.S. HIGHWAY NO. 34 FOR THE TERMINATION OF SAID LINE; AND ALSO EXCEPT THAT PART, IF ANY, DESCRIBED IN A DEED RECORDED JANUARY 29, 1997 AS DOCUMENT 9700933), IN THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS.

EXHIBIT B

02-19-100-006 DONALD J RICHARD A BRUMMEL 12340 FAXON RD PLANO IL 60545	02-19-100-007 THOMAS JUANITA HATCHER 3420 ELDAMAIN RD PLANO IL 60545	02-19-100-013 JOSEPH HAMMAN DAVID HAMMAN JAMES HAMMAN 6275 STATE ROUTE 71 OSWEGO IL 60543
02-19-300-016 OLD 2ND NATIONAL BANK SVITSKI MARK LEANN 361 CAPITOL DR UNIT D SUGAR GROVE IL 60554	02-19-300-017 CMP PROPERTIES DEVELOPMENT 202 RUGLEY RD WESTERN SPRINGS IL 60558	02-19-300-019 DANIELS MALINSKI YORKVILLE FAMILY LLLP 405 E SHERIDAN RD LAKE BLUFF IL 60044
01-24-275-094 LAKEWOOD SPRINGS HOMEOWNERS 438 WEBER RD ROMEDEVILLE IL 60446	01-24-275-093 LAKEWOOD SPRINGS HOMEOWNERS 438 WEBER RD ROMEDEVILLE IL 60446	01-24-275-084 MARCO A TOCHIMANI MARIA CARDOSO 706 DEAMES ST PLANO IL 60545
01-24-275-085 ANNA M CLEMENS E HOG 702 DEAMES ST PLANO IL 60545	01-24-275-086 CURTIS L HEATHER M SCHOOLFIELD 642 DEAMES ST PLANO IL 60545	01-24-275-087 MICHAEL G ALANIS 638 DEAMES ST PLANO IL 60545
01-24-275-088 CUELLAR YOLANDA A MARTINEZ JOSE FELIX CUELLAR 634 DEAMES ST PLANO IL 60545	01-24-275-089 %AMERICAN HOMES 4 RENT PROPERTIES FOUR LLC AMERICAN HOMES 4 RENT LP ATTN PROPERTY TAX DEPARTMENT 23975 PARK SORRENTO SUITE 300 CALABASAS CA 91302	01-24-275-090 KAREN M PARTYKA LAND TRUST 626 DEAMES ST PLANO IL 60545
01-24-275-091 JOHN MICHAEL JR SACCOMANDO 622 DEAMES ST PLANO IL 60545	01-24-275-092 LUIS E MARIA S ESPARZA 618 DEAMES ST PLANO IL 60545	01-24-277-013 AMERICAN HOMES 4 RENT PROPERTIES ONE LLC 23975 PARK SORRENTO STE 300 CALBASAS CA 91302
01-24-277-014 DAVID J ANNA ZIELINSKI 623 DEAMES ST PLANO IL 60545	01-24-277-015 DB MIM I LLC 27 N WACKER STE 435 CHICAGO IL 60606	01-24-277-016 HECTOR MANUEL PEREZ GUZMAN 629 DEAMES ST PLANO IL 60545
01-24-277-017 JANET RUSSELL 633 DEAMES ST PLANO IL 60545	01-24-277-018 CHANDRASHEKARA N MATHA 550 15TH ST UNIT 504 SAN DIEGO CA 92101	01-24-277-019 JERRY PARKER 641 DEAMES ST PLANO IL 60545
01-24-277-020 VERGIL L BARROS 701 DEAMES ST PLANO IL 60545	01-24-277-010 JAVIER IMELDA CEPEDA 624 OSBRON ST PLANO IL 60545	01-24-277-011 DANIEL ALMA DICARLO 880 ANDRIX CT CONCORD CA 94518
01-24-277-012 AH4R I IL LLC ATTN PROPERTY TAX DEPARTMENT 23975 PARK SORRENTO SUITE 300 CALABASAS CA 91302	01-24-279-011 LAKEWOOD SPRINGS HOMEOWNERS 438 WEBER RD ROMEDEVILLE IL 60446	01-24-279-010 CAMILO A PONCE OLARTE 4150 OSBRON ST PLANO IL 60545
01-24-279-009 JONATHAN R KIMBERLY J MALKOSKY 4146 OSBRON ST PLANO IL 60545	01-24-279-008 JAMES ELSA SHERIDAN 4142 OSBRON ST PLANO IL 60545	01-24-279-007 DOLORES MATIAS 4138 OSBRON ST PLANO IL 60545
01-24-200-031 RANDALL SCOTT KAREN WADE TR 3475 ELDAMAIN RD PLANO IL 60545	01-24-400-023 NANCY D J MARTIN DEC LIVING TRUST 14255 RIVER RD PLANO IL 60545	01-24-400-024 BRUMMEL FAMILY TRUST 4 12340 FAXON RD PLANO IL 60545

EXHIBIT B

01-24-400-010 FOX VALLEY FAMILY YMCA INC 3875 ELDAMAIN RD PLANO IL 60545	01-24-400-040 FOX VALLEY FAMILY YMCA INC 3875 ELDAMAIN RD PLANO IL 60545	01-24-400-038 JANE FOSTER 610 E MAIN ST PLANO IL 60545
01-24-400-043 GRECO/REGGI PLANO LLC 1301 SCHIFERL RD BARTLETT IL 60103	01-24-400-042 LENNYS GAS N WASH PLANO LLC 8200 W 185TH ST UNIT K TINLEY PARK IL 60487	02-30-100-018 111 MAPLE STREET LLC 1307 SCHIFERL RD BARTLETT IL 60103
02-30-100-017 PENN KYLE PENN LAWRENCE R 7249 WHITFIELD RD NEWARK IL 60540		