

ORDINANCE NUMBER 2004- 44

**MAP AMENDMENT FOR 36.9 ACRES ON THE WEST SIDE OF IMMANUEL ROAD**  
**SOUTH OF AMENT ROAD**  
Rezone from A-1 to RPD-2

WHEREAS, B & B Land Development did file a petition for a Map Amendment from A-1 to RPD-2, for property located on the west side of Immanuel Road, south of Ament Road in Section 17 of Kendall Township; and

WHEREAS, said property is identified with the property identification number 05-17-300-017 and is legally described as "Exhibit A"; and

WHEREAS, said property is currently zoned A-1 Agricultural and is vacant; and

WHEREAS, the petitioner desires to rezone the property in order to develop a residential subdivision as permitted in the RPD-2 district; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, findings of fact, the granting of variances from the County's Zoning Ordinance as they relate to maximum lot size, and recommendation by the Zoning Board of Appeals; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions of the Kendall County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants a zoning map amendment from A-1 to RPD-2 on the tract of land legally described above in "Exhibit A" attached hereto and made a part hereof.

IN WITNESS OF, this ordinance has been enacted on December 21, 2004.

  
\_\_\_\_\_  
John A. Church  
Kendall County Board Chairman

  
\_\_\_\_\_  
Paul Anderson  
Kendall County Clerk

# EXHIBIT "A"

## LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 17, 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 00°38'49" EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 1119.0 FEET TO AN IRON STAKE FOR A POINT OF BEGINNING; THENCE NORTH 78°59'41" WEST ALONG A LINE WHICH FORMS AN ANGLE OF 100°21'30" WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 755.31 FEET TO AN IRON STAKE; THENCE SOUTH 00°38'49" WEST ALONG A LINE WHICH FORMS AN ANGLE OF 79°38'30" WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM 440.0 FEET; THENCE NORTH 67°12'44" WEST ALONG A LINE WHICH FORMS AN ANGLE OF 67°51'33" WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 1773.21 FEET TO A LINE DRAWN NORTH 00°16'51" EAST FROM A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER WHICH IS 271.03 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, TO AN IRON STAKE ON THE SOUTHERLY LINE OF PREMISES CONVEYED TO THEODORE W. SHAW BY AN ADMINISTRATOR'S DEED RECORDED APRIL 4, 1974 AS DOCUMENT NO. 74-1436; THENCE NORTH 00°16'51" EAST ALONG SAID LINE 837.83 FEET TO SAID SOUTHERLY LINE OF THE SHAW PREMISES; THENCE SOUTH 67°12'44" EAST ALONG SAID SOUTHERLY LINE, 1797.82 FEET TO A STONE MONUMENT AT THE SOUTHEAST CORNER OF SAID SHAW PREMISES; THENCE SOUTH 67°07'53" EAST, 783.77 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00°38'49" WEST ALONG SAID EAST LINE 227.93 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 36.878 ACRES AS SHOWN BY THE PLAT HEREON DRAWN WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. I FURTHER CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS WITHIN 1 ½ MILE OF THE CORPORATE LIMITS OF THE UNITED CITY OF YORKVILLE WHICH HAS ADOPTED AN OFFICIAL PLAN, AND THAT NO PART IS WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.