

Ordinance 98 - 08

**GRANTING A-1 BUILDING PERMIT
BOMBA / NAGEL
Fox River Drive**

WHEREAS, Steve and Bonnie Bomba and Glen and June Nagel have petitioned for an A-1 Building Permit in accordance with Section 7.00 A2c of the Kendall County Zoning Ordinance on property they own on Fox River Drive, and

WHEREAS, said property is zoned A-1, is 6.82 acres, is located on the east side of Fox River Drive approximately 2000 feet south of Crimmin Road, is part of tax parcel #04-31-476-002, and is further identified on the attached Exhibit A: Legal Description, and

WHEREAS, said property is vacant and the owner intends to construct a single family dwelling, and

WHEREAS, all required procedures for review of this petition were followed including proper public notice, and

WHEREAS, the Kendall County Board finds that said petition, along with the conditions specified in this ordinance, is in conformance with the Kendall County Zoning Ordinance and is in the best interest of Kendall County.

NOW THEREFORE, BE IT ORDAINED, The Kendall County Board hereby grants zoning approval of an A-1 Building Permit to the aforesaid described Bomba / Nagel property subject to the following conditions:

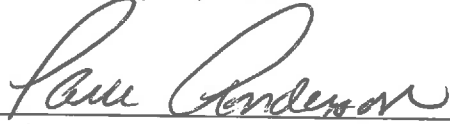
1. Land be dedicated, prior to the County issuing a building permit, for roadway purposes along the entire Nagel frontage on the east side of Fox River Drive, from the northwest corner of the Bomba property running approximately 1600 feet southeast, so that the total width of $\frac{1}{2}$ the right-of-way would become 50'.
2. The right-of-way identified as the Illinois Midland Railway crossing the Bomba property be vacated or otherwise transferred to the Bombas' and subsequent owners prior to the County issuing a building permit.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this ordinance.

IN WITNESS OF, this ordinance has been enacted on May 19, 1998.



John A. Church
Kendall County Board Chairman



Paul Anderson
Kendall County Clerk

ord9807/scm

EXHIBIT A: LEGAL DESCRIPTION
ORDINANCE 98-_____
BOMBA A-1 BUILDING PERMIT

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 37 MINUTES 26 SECONDS EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 1304.11 FEET; THENCE NORTH 01 DEGREES 08 MINUTES 32 SECONDS WEST, 1094.18 FEET; THENCE SOUTH 78 DEGREES 11 MINUTES 19 SECONDS WEST, 187.50 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 17 DEGREES 03 MINUTES 54 SECONDS EAST, 7.29 FEET TO A LINE WHICH IS 70.0 FEET (NORMALLY DISTANT) NORTHERLY OF AND PARALLEL WITH THE NORTH LINE OF A TRACT CONVEYED TO THE NEWARK SANITARY DISTRICT BY DOCUMENT NO. 147519; THENCE SOUTH 64 DEGREES 23 MINUTES 45 SECONDS WEST, ALONG SAID PARALLEL LINE, 369.05 FEET; THENCE SOUTH 59 DEGREES 42 MINUTES 45 SECONDS WEST, 487.42 FEET TO THE CENTERLINE OF FOX RIVER DRIVE (FORMERLY KNOWN AS MILLINGTON-NEWARK ROAD); THENCE NORTH 30 DEGREES 11 MINUTES 52 SECONDS WEST, ALONG SAID CENTERLINE, 454.10 FEET TO THE NORTH LINE OF A TRACT CONVEYED TO ARTHUR L. NAGEL AND ESTER J. NAGEL BY WARRANTY DEED RECORDED IN BOOK 128 AT PAGE 22 ON SEPTEMBER 21, 1962; THENCE NORTH 71 DEGREES 50 MINUTES 28 SECONDS EAST, ALONG SAID NORTH LINE OF SAID NAGEL TRACT, 942.81 FEET TO THE WEST LINE OF A TRACT CONVEYED TO ROBERT H. MOREL, JR. AND DENISE R. MOREL BY WARRANTY DEED RECORDED AS DOCUMENT NO. 87767 ON DECEMBER 30, 1987; THENCE SOUTH 17 DEGREES 03 MINUTES 54 SECONDS EAST, ALONG SAID WEST LINE, 286.64 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THE RIGHT-OF-WAY OF THE ABANDONED ILLINOIS MIDLAND RAILWAY) IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 6.623 ACRES.