

ORDINANCE NUMBER 2020- 09

APPROVING A PLAT OF VACATION AND RELOCATION OF A TWENTY FOOT MAINTENANCE AND CONSTRUCTION EASEMENT, A VACATION OF A TEN FOOT DRAINAGE AND UTILITY EASEMENT, AND THE DEDICATION OF A TEN FOOT MAINTENANCE AND CONSTRUCTION EASEMENT ON LOTS 171 AND 172 OF WHITETAIL RIDGE ON PARCELS IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 06-07-130-001 AND 06-07-130-002 IN NA-AU-SAY TOWNSHIP

WHEREAS, Section 7.06 of the Kendall County Subdivision Control Ordinance permits the Kendall County Board to approve plats of vacation and provides the procedure through which plats of vacation are approved; and

WHEREAS, the two ten-foot maintenance and construction easements and two five-foot drainage and utility easements which are the subject of this Ordinance were established by Ordinance 2005-16 which granted approval of a final plat of Whitetail Ridge Subdivision and was approved by the Kendall County Board on March 1, 2005, and

WHEREAS, the final plat of Whitetail Ridge Subdivision was recorded in the Kendall County Recorder of Deeds Office on June 9, 2005, and

WHEREAS, the two ten-foot maintenance and construction easements and two five-foot drainage and utility easements which are the subject of this Ordinance are located along and parallel to the shared property line of Lots 171 and 172 in Whitetail Ridge Subdivision. The legal descriptions of the easements are set forth in Exhibit A attached hereto and incorporated by reference; and

WHEREAS, on or about June 20, 2018, the Christopher E. Wilson Trust and Kellie Rae Wilson Trust acquired ownership of Lot 171 of Whitetail Ridge Subdivision and the property identified by Parcel Identification Number 06-07-130-001; and

WHEREAS, on or about April 13, 2020, the Christopher E. Wilson Trust and Kellie Rae Wilson Trust acquired ownership of Lot 172 of Whitetail Ridge Subdivision and the property identified by Parcel Identification Number 06-07-130-002; and

WHEREAS, on or about April 21, 2020, Christopher Wilson, on behalf of the Christopher E. Wilson Trust and Kellie Rae Wilson Trust, hereinafter referred to as "Petitioners," filed a petition for approval of a plat of vacation of the two ten-foot maintenance and construction easements and two five-foot drainage and utility easements located along the property line of Lots 171 and 172, relocate the maintenance and construction easement at a width of twenty feet along the north property line of Lot 172, and dedicate an additional ten-foot wide maintenance and construction easement along the east end of Lot 172. The legal descriptions of the relocated and proposed easement are set forth in Exhibit A attached hereto and incorporated by reference; and

WHEREAS, on May 5, 2020, the Kendall County Zoning, Platting and Advisory Committee has reviewed this petition and has forwarded to the Kendall County Board a recommendation of approval with conditions of the requested plat; and

WHEREAS, on May 11, 2020, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the information presented and recommendation of the Kendall County Zoning, Platting and Advisory Committee, and has forwarded to the Kendall County Board a recommendation of

State of Illinois
County of Kendall
approval of the requested plat of relocation; and

Zoning Petition
#20-12

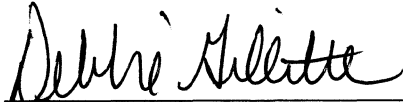
WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the recommendation of the Kendall County Zoning, Platting and Advisory Committee, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Subdivision Control Ordinance and other applicable Ordinances; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

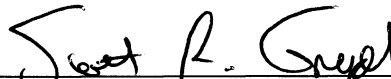
1. The Kendall County Board hereby grants approval of Petitioners' petition for plat of vacation, relocation, and dedication of the easements legally described in Exhibit A attached hereto and shown on the site plan attached hereto as Exhibit B Plat of Grant of Easement and Easement Vacation.
2. Lots 171 and 172 of Whitetail Ridge Subdivision shall not be sold as individual lots upon the successful recording of Exhibit B. Within ninety days of the effective date of this ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County.
3. No separate primary residence may be constructed on Lot 172.
4. This vacation, relocation, and dedication shall become effective upon the successful recording of Exhibit B in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 19th day of May, 2020.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder



LEGAL DESCRIPTION OF MAINTENANCE AND CONSTRUCTION EASEMENT ON LOT 171 TO BE VACATED:

THE NORTH 10.00 FEET OF LOT 171 (EXCEPT THE EASTERLY 10.00 FEET THEREOF AND ALSO EXCEPT THE WESTERLY 15.00 FEET THEREOF), OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAIS-KEE-SHAW RESERVATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985 IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF MAINTENANCE AND CONSTRUCTION EASEMENT ON LOT 172 TO BE VACATED:

THE SOUTH 10.00 FEET OF LOT 172 (EXCEPT THE EASTERLY 10.00 FEET THEREOF AND ALSO EXCEPT THE WESTERLY 15.00 FEET THEREOF), OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAIS-KEE-SHAW RESERVATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985 IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF MAINTENANCE AND CONSTRUCTION EASEMENT ON LOT 172 TO BE GRANTED:

THE NORTH 20.00 FEET AND THE EAST 20.00 FEET (EXCEPT THE NORTH 20.00 FEET THEREOF) OF LOT 172 OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAIS-KEE-SHAW RESERVATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985 IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF PUBLIC UTILITY & DRAINAGE EASEMENT ON LOT 171 TO BE VACATED:

THE NORTH 5.00 FEET OF LOT 171 (EXCEPT THE EASTERLY 10.00 FEET THEREOF AND ALSO EXCEPT THE WESTERLY 15.00 FEET THEREOF), OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAIS-KEE-SHAW RESERVATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985 IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF PUBLIC UTILITY & DRAINAGE EASEMENT ON LOT 172 TO BE VACATED:

THE SOUTH 5.00 FEET OF LOT 172 (EXCEPT THE EASTERLY 10.00 FEET THEREOF AND ALSO EXCEPT THE WESTERLY 15.00 FEET THEREOF), OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAIS-KEE-SHAW RESERVATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985 IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

PLAT OF GRANT OF EASEMENT AND EASEMENT VACATION FOR DRAINAGE & UTILITY EASEMENTS AND MAINTENANCE & CONSTRUCTION EASEMENTS ON PART OF LOT 171 AND LOT 172 OF WHITETAIL RIDGE SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 7, AND PART OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 8, AND PART OF THE FORMER WAISGEE-SHAW RESERVATION, IN KENDALL AND MAHAUSNY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

GRANTOR: [Name], [Address], [City], [State], [Zip]

GRANTEE: [Name], [Address], [City], [State], [Zip]

WITNESSES: [Name], [Address], [City], [State], [Zip]

NOTARY PUBLIC: [Name], [Address], [City], [State], [Zip]

LEGAL DESCRIPTION: [Detailed description of the land involved, including references to maps, sections, and townships.]

RECITALS: [Background information regarding the purpose of the easement, including references to previous agreements and the need for utility and maintenance easements.]

GRANT: [The grantor hereby grants to the grantee, with all necessary covenants, conditions, and warranties, the right to use the land described above for the purposes stated in the recitals.]

TERMS AND CONDITIONS: [Detailed terms of the easement, including duration, maintenance responsibilities, and the grantor's right to terminate the easement if it is not used for its intended purpose.]

ASSIGNMENT: [The grantee agrees to assign the easement to the successors in title of the grantee.]

ENTIRE AGREEMENT: [This instrument constitutes the entire agreement between the parties.]

ACCEPTANCE: [Signature of the grantee.]

WITNESSES: [Signatures of the witnesses.]

NOTARY PUBLIC: [Signature and seal of the notary public.]

LEGAL DESCRIPTION: [Detailed description of the land involved, including references to maps, sections, and townships.]

RECITALS: [Background information regarding the purpose of the easement, including references to previous agreements and the need for utility and maintenance easements.]

GRANT: [The grantor hereby grants to the grantee, with all necessary covenants, conditions, and warranties, the right to use the land described above for the purposes stated in the recitals.]

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ACCEPTANCE: [Signature of the grantee.]

WITNESSES: [Signatures of the witnesses.]

NOTARY PUBLIC: [Signature and seal of the notary public.]



ENGINEERING
CONSULTING ENGINEERS
LAND SURVEYORS

PROJECT NUMBER: E830-079 DATE: 5-8-2020 PAGE 3 OF 5

NO.	DESCRIPTION	DATE
1	REVISION	
2	REVISION	
3	REVISION	

ENGINEER: [Name]
DRAFTER: [Name]
CHECKED: [Name]
DATE: [Date]

PROJECT NUMBER: E830-079 DATE: 5-8-2020 PAGE 3 OF 5