



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 23-30

Michael R. and Darla J. Cappellett

**Plat of Vacation of a Drainage and Utility Easement
in Whitetail Ridge Subdivision**

UPDATES SINCE OCTOBER COMMITTEE MEETING

At the October Planning, Building and Zoning Committee meeting, this proposal was laid over until all utilities submitted their approval.

WBK Engineering submitted a letter with no objections to the vacation on October 21, 2023. This letter is included as Attachment 12.

The Yorkville City Council approved the proposal at their meeting on October 24, 2023. An email stating this information is included as Attachment 9.

On October 30, 2023, the Petitioner submitted a revised plan with affidavits for the applicable utilities to sign which is included as Attachment 11, Page 4.

A JULIE locate had been ordered, see Attachment 13.

As of the date of this memo, Comed had not approved the vacation; the most current email was dated September 19, 2023, and was included as Attachment 5.

NICOR approved the vacation on November 2, 2023, as noted in Attachment 6.

Comcast approved the vacation on November 2, 2023, as noted in Attachment 7.

AT&T previously approved the vacation as noted in Attachment 8.

INTRODUCTION

A ten foot (10') drainage and utility easement presently exists between Lots 65 and 66 in Whitetail Ridge Subdivision. Michael and Darla Cappellett own the subject lots and would like to construct an addition to the home in the area of the existing easement.

The Petitioners previously combined the lots into one (1) parcel identification number.

SITE INFORMATION

PETITIONER Michael R. and Darla J. Cappellett

ADDRESS 6145 Whitetail Ridge Drive, Yorkville (Lots 65 and 66 of Whitetail Ridge)

LOCATION North of the Intersection of Clubhouse Drive and Whitetail Ridge Drive



TOWNSHIP Kendall Township

PARCEL # 05-12-226-013

LOT SIZE 1.5 +/- Acres

EXISTING LAND USE One-Family Residential/Vacant

ZONING RPD-2

LRMP	Current Land Use	One-Family Residential and Vacant
	Future Land Use	Rural Residential (Max 0.65 Du/Acre)
	Roads	Whitetail Ridge Drive is a Township Road classified as a Local Road
	Trails	None
	Floodplain/Wetlands	None

REQUESTED ACTION Vacate a Ten Foot (10') Drainage and Utility Easement Between Lots 65 and 66

APPLICABLE REGULATIONS Section 7.06 (Subdivision Control Ordinance)

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Wooded	A-1	Rural Residential (Max 0.65 DU/Acre)	N/A
South	Single-Family Residential	RPD-2	Rural Residential	N/A
East	Single-Family Residential	RPD-2	Rural Residential	N/A
West	Single-Family Residential	RPD-2	Rural Residential	N/A

ACTION SUMMARY

KENDALL TOWNSHIP

Kendall Township was emailed information on September 21, 2023.

UNITED CITY OF YORKVILLE

The United City of Yorkville was emailed information on September 21, 2023. The Yorkville City Council approved the proposal at their meeting on October 24, 2023. This email is included as Attachment 9.

BRISTOL-KENDALL FIRE PROTECTION DISTRICT

The Bristol-Kendall Fire Protection District was emailed information on September 21, 2023.

ZPAC

ZPAC reviewed the proposal at their meeting on October 3, 2023. ZPAC recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting are included as Attachment 10.

GENERAL

The application materials are included as Attachment 1. The plat for this area of Whitetail Ridge is included as Attachment 2. The plat of vacation is included as Attachment 3.

Petition information was sent to WBK on September 21, 2023. They submitted a letter on October 21, 2023, stating they had no objections.

On September 19, 2023, a representative from the Whitetail Ridge Homeowners' Association submitted an email stating the HOA was agreeable to the requested vacation. This email is included as Attachment 4.

RECOMMENDATION

Pending comments from the various utilities and WBK Engineering, Staff recommends approval of the proposal subject to the following conditions:

1. The site plan should be included to the vacation ordinance.
2. Certificates indicating approval of the vacation by the applicable utilities shall be added to the recorded Plat of Vacation.
3. Lots 65 and 66 of Whitetail Ridge Subdivision shall not be sold as individual lots upon the successful recording of the Plat of Vacation with certificates of approval from the applicable utilities.
4. One (1) single-family residence may be constructed on Lots 65 and 66 of Whitetail Ridge Subdivision combined.
5. This vacation shall become effective upon the successful recording of the Plat of Vacation 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.

The revised draft ordinance with a plat of survey with affidavits for the utilities is included as Attachment 11.

ATTACHMENTS

1. Application Materials
2. Plat of Whitetail Ridge (The Subject Property Area Only)
3. Plat of Vacation
4. September 19, 2023, Whitetail Ridge Homeowners' Association Email
5. September 19, 2023, Comed Email
6. November 2, 2023, NICOR Email
7. November 2, 2023, Comcast Email
8. September 21, 2023, AT&T Email
9. October 25, 2023, Yorkville Email
10. October 3, 2023, ZPAC Minutes
11. Draft Ordinance Revised
12. October 21, 2023 WBK Letter
13. JULIE Locate Email



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT (Including First, Middle Initial, and Last Name)		
Michael R. and Darla J. Cappellett		
CURRENT LANDOWNER/NAME(s)		
Michael R. and Darla J. Cappellett		
SITE INFORMATION	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
ACRES	6145 White-tail Ridge Dr.	05-12-226-013-0000
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Residential	Residential	
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input checked="" type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	
Darla Cappellett	[REDACTED]	
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER (Cell, etc.)
[REDACTED]	[REDACTED]	[REDACTED]
ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
Darla Cappellett	[REDACTED]	[REDACTED]
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER (Cell, etc.)
[REDACTED]	[REDACTED]	[REDACTED]
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.		
SIGNATURE OF APPLICANT		DATE
[REDACTED]		9/12/23

FEE PAID: \$ _____
 CHECK #: _____

¹Primary Contact will receive all correspondence from County

²Engineering Contact will receive all correspondence from the County's Engineering Consultants

Date Stamp Here If Checklist Is Complete

202300009192

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 8/16/2023 11:59 AM
REC FEE: 57.00 RHSPS: 19.00
STATE TAX: 915.00
COUNTY TAX: 457.50
PAGES: 2

**WARRANTY DEED
ILLINOIS STATUTORY**

**FIDELITY NATIONAL
TITLE INSURANCE**

4K 2382765

THE GRANTOR(S), Mark W. Nichols and Lola A. Nichols, a/k/a Mark Nichols and Lola Nichols, husband and wife, of [REDACTED] for good and valuable consideration in hand paid, CONVEY and WARRANT to Michael R. Cappellett and Darla J. Cappellett, husband and wife, whose address is (GRANTEE'S ADDRESS): [REDACTED] not as tenants in common nor as joint tenants, but as Tenants by the Entirety, all interest in the following described Real Estate situated in the County of Kendall, in the State of Illinois, to wit:

LOTS 65 AND 66 IN WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, PART OF SECTION 7, TOWNSHIP 36, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAISH-KEE-SHAW RESERVATION IN KENDALL AND NA-AU-SAY TOWNSHIPS, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 2005015985 AND CERTIFICATE OF CORRECTION RECORDED AS DOCUMENT NUMBER 2005019833, IN KENDALL COUNTY, ILLINOIS.

SUBJECT TO: Covenants, conditions and restrictions of record, public and utility easements, and roads and highways, special government taxes or assessments for improvements not yet completed, unconfirmed special government taxes or assessments, general real estate taxes for the year 2022 (second installment only) and subsequent years including taxes which may accrue by reason of new or additional improvements during the year 2022 and thereafter.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Index Number(s): 05-12-226-013

Property Address(es): 6145 Whitetail Ridge Drive, Yorkville, Illinois 60560

**WARRANTY DEED
ILLINOIS STATUTORY**

THE GRANTOR(S) Mark W. Nichols and Lola A. Nichols, a/k/a Mark Nichols and Lola Nichols, husband and wife, of [REDACTED] for good and valuable consideration in hand paid, CONVEY and WARRANT to Michael R. Cappellett and Darla J. Cappellett, husband and wife, whose address is (GRANTEE'S ADDRESS): [REDACTED] [REDACTED] not as tenants in common nor as joint tenants, but as Tenants by the Entirety, all interest in the following described Real Estate situated in the County of Kendall, in the State of Illinois, to wit:

LOTS 65 AND 66 IN WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, PART OF SECTION 7, TOWNSHIP 36, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAISH-KEE-SHAW RESERVATION IN KENDALL AND NA-AU-SAY TOWNSHIPS, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 2005015985 AND CERTIFICATE OF CORRECTION RECORDED AS DOCUMENT NUMBER 2005019833, IN KENDALL COUNTY, ILLINOIS.

SUBJECT TO: Covenants, conditions and restrictions of record, public and utility easements, and roads and highways, special government taxes or assessments for improvements not yet completed, unconfirmed special government taxes or assessments, general real estate taxes for the year 2022 (second installment only) and subsequent years including taxes which may accrue by reason of new or additional improvements during the year 2022 and thereafter.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Index Number(s): 05-12-226-013

Property Address(es): 6145 Whitetail Ridge Drive, Yorkville, Illinois 60560

Dated this 7 day of August 2023.



(Seal)

Mark W. Nichols



(Seal)

Lola A. Nichols

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Mark W. Nichols and Lola A. Nichols, personally known to me to be the same persons whose names are subscribed to the forgoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal, on the 7th day of August 2023.



(Notary Public)

Prepared by:

The Law Office of Gregory R. Schley
1360 Golfview Street
Aurora, Illinois 60506

Mail to:

Name and Address of Taxpayer:
Michael R. Cappellett and Darla J. Cappellett



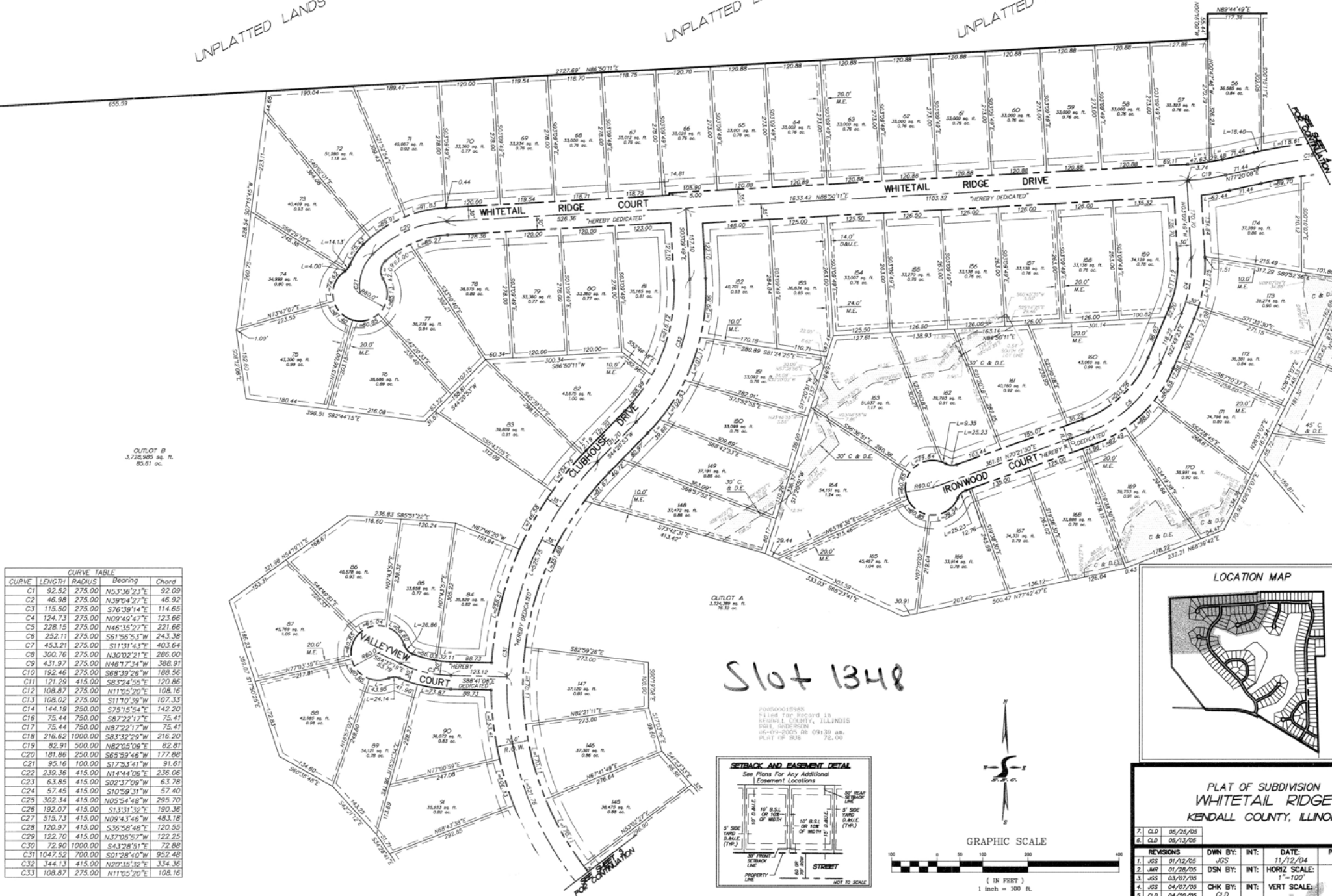
PLAT OF SUBDIVISION
WHITETAIL RIDGE

A SUBDIVISION OF PART OF SECTION 12-36-7, PART OF SECTION 7-36-8, AND
 PART OF THE FORMER WAISH-KEE-SHAW RESERVATION, IN KENDALL &
 NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS

UNPLATTED LANDS

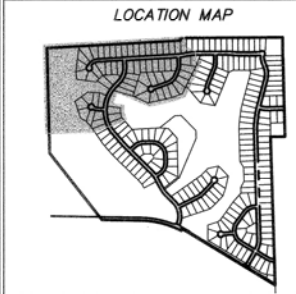
UNPLATTED LANDS

UNPLATTED LANDS



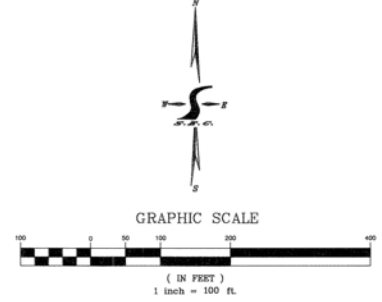
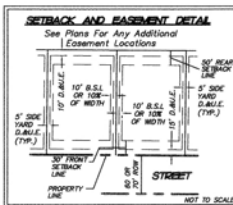
CURVE TABLE

CURVE	LENGTH	RADIUS	Bearing	Chord
C1	92.52	275.00	N53°36'23"E	92.09
C2	46.98	275.00	N39°24'27"E	46.92
C3	115.50	275.00	S78°39'44"E	114.65
C4	124.73	275.00	N09°49'47"E	123.66
C5	228.15	275.00	N46°35'27"E	221.66
C6	252.11	275.00	S61°56'53"W	243.38
C7	453.21	275.00	S11°31'43"E	403.64
C8	300.76	275.00	N30°02'21"E	286.00
C9	431.97	275.00	N46°17'24"W	388.91
C10	192.46	275.00	S68°39'26"W	188.56
C11	121.29	415.00	S81°24'59"E	120.86
C12	108.87	275.00	N11°05'20"E	108.16
C13	108.02	275.00	S11°10'59"W	107.33
C14	144.19	250.00	S75°15'54"E	142.20
C15	75.44	750.00	S87°22'17"E	75.41
C16	75.44	750.00	N87°22'17"W	75.41
C17	216.62	1000.00	S81°32'29"W	216.20
C18	82.91	500.00	N82°05'09"E	82.81
C19	181.86	250.00	S85°59'46"W	177.88
C20	95.16	100.00	S17°53'41"W	91.61
C21	239.36	415.00	N14°44'06"E	236.06
C22	63.85	415.00	S02°33'09"W	63.78
C23	57.45	415.00	S10°59'31"W	57.40
C24	302.34	415.00	N05°54'48"W	295.70
C25	192.07	415.00	S13°31'52"E	190.36
C26	315.73	415.00	N09°47'46"W	483.18
C27	120.97	415.00	S36°58'48"E	120.55
C28	122.70	415.00	N37°05'57"W	122.25
C29	72.90	1000.00	S43°28'51"E	72.88
C30	1047.52	700.00	S01°28'40"W	952.48
C31	344.13	415.00	N20°35'32"E	334.36
C32	108.87	275.00	N11°05'20"E	108.16



Slot 1348

FOR RECORD IN
 KENDALL COUNTY, ILLINOIS
 FILE NUMBER: 04-0930-00
 04/31/05 08:38:00



**PLAT OF SUBDIVISION
 WHITETAIL RIDGE
 KENDALL COUNTY, ILLINOIS**

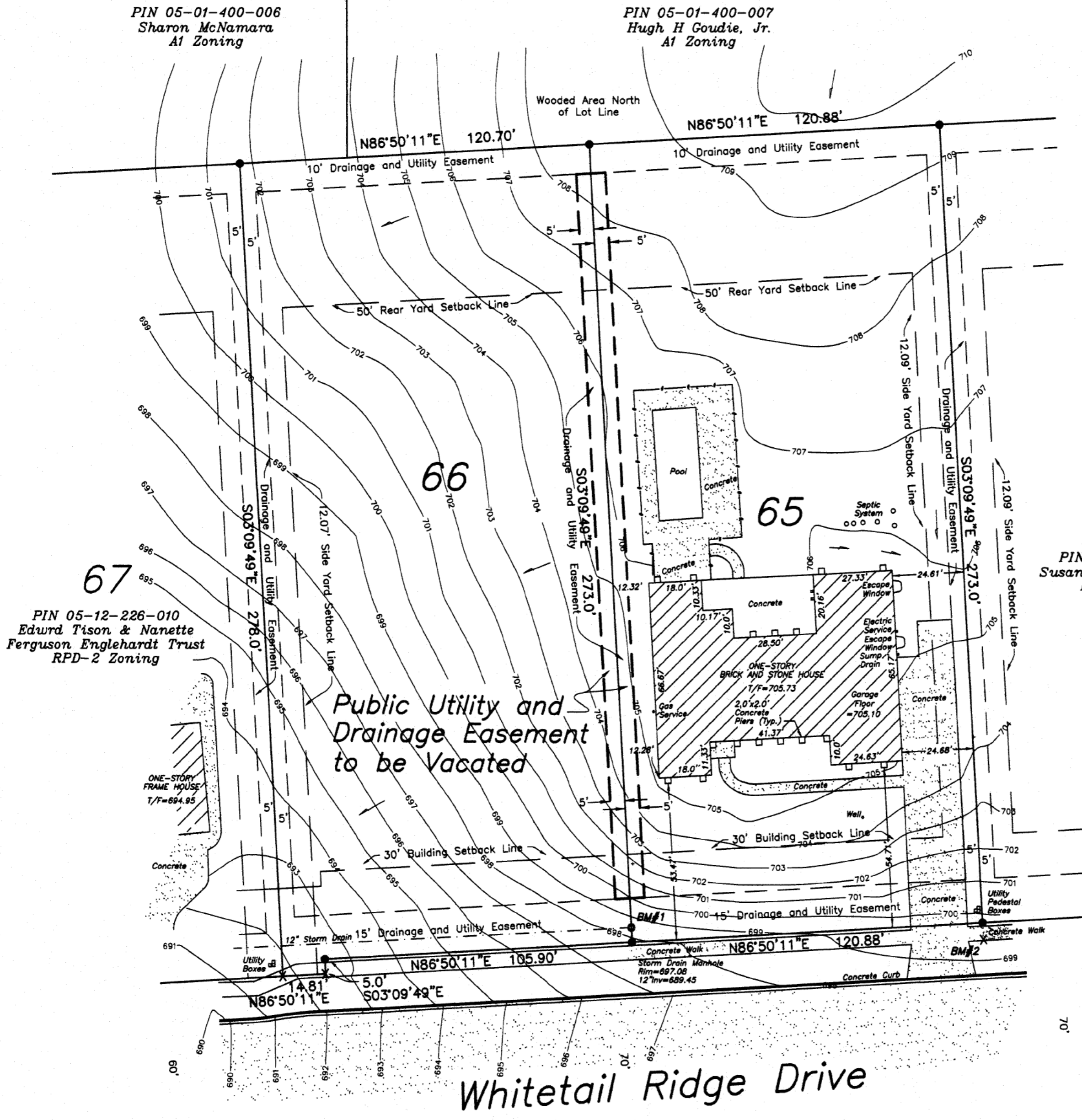
NO.	DATE	BY	INT.	DATE	BY	INT.
1	05/25/05	JCS	INT.	11/12/04	JCS	INT.
2	05/13/05	JCS	INT.	01/12/05	JCS	INT.
3	05/13/05	JCS	INT.	01/28/05	JCS	INT.
4	05/13/05	JCS	INT.	03/07/05	JCS	INT.
5	05/13/05	JCS	INT.	04/07/05	JCS	INT.
6	05/13/05	JCS	INT.	04/20/05	JCS	INT.

PROJ: 040039
 SHEET: 2 OF 2

PLAT OF VACATION OF EASEMENT
 LOTS 65 AND 66 WHITETAIL RIDGE SUBDIVISION
 KENDALL AND NA-AU-SAY TOWNSHIPS KENDALL COUNTY ILLINOIS

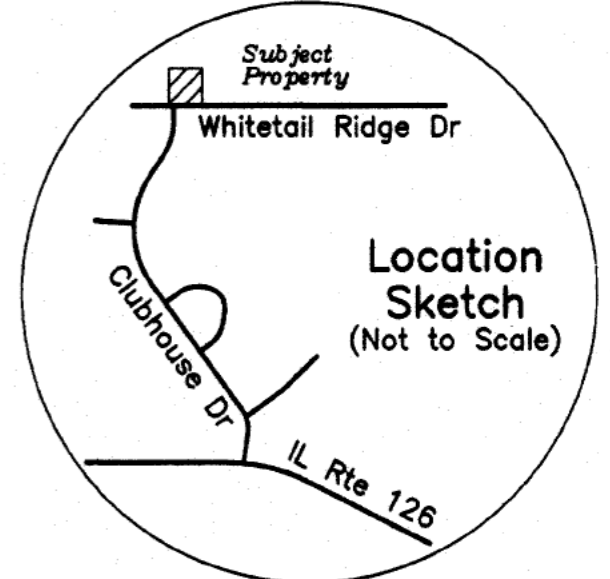
N

SCALE
 1"=30'



- Indicates Iron Stake Found
- Indicates Iron Stake Set
- X Indicates Cross in Concrete
- + 707.48 Indicates Existing Spot Elevation
- 707- Indicates Existing Contour Elevation
- Indicates Existing Direction of Drainage

BENCHMARKS -
 BM#1 - Rim of Storm Drain Manhole at Southwest Corner of Lot 65. Elevation = 697.08
 BM#2 - Cross in Concrete Walk at Southeast Corner of Lot 65. Elevation = 699.45



PIN 05-01-400-006
 Sharon McNamara
 A1 Zoning

PIN 05-01-400-007
 Hugh H Goudie, Jr.
 A1 Zoning

PIN 05-12-226-010
 Edward Tison & Nanette
 Ferguson Englehardt Trust
 RPD-2 Zoning

PIN 05-12-226-007
 Susan L Richmond Trust
 RPD-2 Zoning

81
 PIN 05-12-227-003
 John A & Christine A Hardy
 RPD-2 Zoning

152
 PIN 05-12-228-008
 Shahid Sharar
 RPD-2 Zoning

153
 PIN 05-12-228-007
 Shahid Sharar
 RPD-2 Zoning

DEVELOPER:
 Mr. Dada Capelletti

PROPERTY LOCATION:
 PIN 05-12-226-0163
 6145 Whitetail Ridge Drive
 Yorkville, Illinois 60560

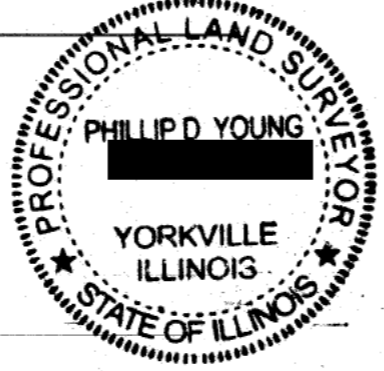
PRESENT ZONING:
 A-1

FLOODPLAIN STATEMENT:
 The Subject property is located in Zone X (areas of minimal flood hazard determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map Panel No. 17093C0130H with an effective date of January 8, 2014.

WETLANDS STATEMENT:
 The National Wetlands Inventory Map does not depict any wetlands on the Subject Property.

LEGAL DESCRIPTION OF EASEMENT TO BE VACATED:

The Westerly 5.0 feet of Lot 65 (except the Northerly 10.0 feet and the Southerly 15.0 feet thereof) and the Easterly 5.0 feet of Lot 66 (except the Northerly 10.0 feet and the Southerly 15.0 feet thereof) all in Whitetail Ridge Subdivision in Kendall and Na-Au-Say Townships, according to the Plat thereof recorded June 9, 2005 as Document No. 200500015985.



State of Illinois }
 County of Kendall } SS

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements upon the above described tract as shown by the plat hereon drawn which is a representation of said survey. Field work was completed October 1, 2020. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated September 19, 2023 at Yorkville, Illinois
 Phillip D. Young
 Illinois Professional Land Surveyor No. [REDACTED] (Expires 11/30/24)

September 19, 2023

JOB NO.	23118
JOB NAME	CAPPELLETT
DWG FILE	23118B

Phillip D. Young and Associates, Inc.
 LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street
 Yorkville, Illinois 60560
 Telephone (630)553-1580

Matt Asselmeier

From: Debbie Mika [REDACTED]
Sent: Tuesday, September 19, 2023 3:37 PM
To: Matt Asselmeier
Subject: [External]Re: 6145 Whitetail Ridge Drive

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

No, but again thanks for checking in!

Debbie Mika, President
Whitetail Ridge HOA

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Tuesday, September 19, 2023 3:01:08 PM
To: Debbie Mika [REDACTED]
Subject: 6145 Whitetail Ridge Drive

Debbie:

The County received a request from Michael and Darla Cappellett to vacate a public utility and drainage easement between Lots 65 and 66 in Whitetail Ridge in order to be able to construct an addition to the existing house on the property.

Does the HOA have any objections to this vacation?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

Matt Asselmeier

From: Bouska, Gerald G:(ComEd) <Gerald.Bouska@ComEd.com>
Sent: Tuesday, September 19, 2023 12:07 PM
To: Matt Asselmeier
Subject: RE: [EXTERNAL]6145 Whitetail Ridge Drive, Yorkville

Matthew,

If someone is requesting to vacate an easement I would need ComEd engineering to review their request and verify we don't have existing facilities within the easement area and no future need for it. If approved by engineering I can sign off on their vacation document.

Thanks,

Jerry Bouska

Senior Real Estate Representative
Real Estate & Facilities
Three Lincoln Centre, 4th Floor
Oakbrook Terrace, IL 60181
gerald.bouska@comed.com
T 779 231 2254



comed.com

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Tuesday, September 19, 2023 11:15 AM
To: Bouska, Gerald G:(ComEd) <Gerald.Bouska@ComEd.com>
Subject: [EXTERNAL]6145 Whitetail Ridge Drive, Yorkville

You don't often get email from masselmeier@kendallcountyil.gov. [Learn why this is important](#)

EXTERNAL MAIL. Do not click links or open attachments from unknown senders or unexpected Email.

Gerald:

Kendall County received a request to vacate the drainage and utility easements along the common property lines of lots 65 and 66 in Whitetail Ridge subdivision, excluding the easements along the northern and southern boundaries of the properties.

RE: Montes Plat Vacation

Daniel J Kramer

Thu 11/2/2023 11:37 AM

To: Luginbill, Rebecca <X2RLUGIN@SOUTHERNCO.COM>; Real estate <realestate@dankramerlaw.com>,

Thanks so much.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

NOTICE: This communication is covered by the Electronic Communications Privacy Act found at 18 USC 2510 et. seq. and is intended to remain confidential and is subject to the applicable attorney/client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and all attachments. Do not deliver, distribute or copy this message and/or any attachments and do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments if you are not the intended recipient.

From: Luginbill, Rebecca <X2RLUGIN@SOUTHERNCO.COM>
Sent: Thursday, November 2, 2023 10:57 AM
To: Daniel J Kramer <dkramer@dankramerlaw.com>
Subject: FW: Montes Plat Vacation

Daniel –

I have reviewed and approve of the attached Plat.

Please schedule a date and time to either come into our office to have the originals executed or you can overnight to the below address, including a return slip and we will send back appropriately.

Attn: 6th Floor Land Dept,
1844 Ferry Rd., Naperville IL

NOTE: I am not in the office daily - a scheduled appointment is necessary if you want to avoid delays in signature.

Rebecca Luginbill
Land Management
Nicor Gas Company
1844 Ferry Road
Naperville, IL 60563
x2rlugin@southernco.com

RE: 6145 Whitetail Ridge Dr., Yorkville, IL

Wyman, Ted <ted_wyman@comcast.com>

Thu 11/2/2023 10:24 AM

To: Real estate <realestate@dankramerlaw.com>;

Cc: Daniel J Kramer <dkramer@dankramerlaw.com>;

Jon,

I received and reviewed a Plat of Vacation from Daniel Kramer for a Monte Subdivision, which Comcast is good to sign off on. I am confirming a second sign-off during our appointment today for this Plat of Vacation.

Thank you,

Ted Wyman
Comcast Cable
Right-of-Way Engineer
688 Industrial Drive
Elmhurst, IL 60126
Phone: (224) 229-5850 office (847) 652-6074 cell
Fax: (630) 359-5482
Ted_Wyman@comcast.com

From: Real estate <realestate@dankramerlaw.com>
Sent: Wednesday, November 1, 2023 2:51 PM
To: Wyman, Ted <ted_wyman@comcast.com>
Subject: [EXTERNAL] Re: 6145 Whitetail Ridge Dr., Yorkville, IL

Thank you Sir, I will see you then.

Jon Helland

From: Wyman, Ted <ted_wyman@comcast.com>
Sent: Wednesday, November 1, 2023 2:47:57 PM
To: Real estate
Subject: RE: 6145 Whitetail Ridge Dr., Yorkville, IL

Jon,

As we had discussed during our phone conversation, confirming our appointment for 1pm tomorrow in Aurora. My address is:



Matt Asselmeier

From: TAFOYA, JILL <jg1423@att.com>
Sent: Thursday, September 21, 2023 9:00 AM
To: Matt Asselmeier
Subject: RE: [External]RE: 6145 Whitetail Ridge Drive, Yorkville

Hi Matt,

AT&T has no objection to your request for vacation of the utility easements along the common property lines of lots 65 and 66 in Whitetail Ridge subdivision.

Let me know when you have a vacation document for signature.

Thanks,

Jill

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Thursday, September 21, 2023 8:01 AM
To: TAFOYA, JILL <jg1423@att.com>
Subject: RE: [External]RE: 6145 Whitetail Ridge Drive, Yorkville

See attached

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

From: TAFOYA, JILL <jg1423@att.com>
Sent: Thursday, September 21, 2023 7:01 AM
To: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Subject: [External]RE: 6145 Whitetail Ridge Drive, Yorkville

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Matt,

Can you please send me the PLATS for these lots?

Thanks,

Jill

Matt Asselmeier

From: Krysti Barksdale-Noble <knoble@yorkville.il.us>
Sent: Wednesday, October 25, 2023 8:44 AM
To: Daniel J Kramer
Cc: Matt Asselmeier; bolson@yorkville.il.us
Subject: [External]Re: PZC 2023-16 Kendall County Zoning Petition 23-30 - 6145 Whitetail Ridge Drive (Lots 65 and 66)

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Dan and Matt,

There were no objections to this request at the City Council meeting last night.

Krysti Barksdale-Noble, AICP
Sent from my iPhone

On Oct 20, 2023, at 8:31 AM, Daniel J Kramer <dkramer@dankramerlaw.com> wrote:

Thank You.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

NOTICE: This communication is covered by the Electronic Communications Privacy Act found at 18 USC 2510 et. seq. and is intended to remain confidential and is subject to the applicable attorney/client and or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and all attachments. Do not deliver, distribute or copy this message and/or any attachments and do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments if you are not the intended recipient.

From: Krysti Barksdale-Noble <knoble@yorkville.il.us>
Sent: Thursday, October 19, 2023 6:02 PM
To: Matt Asselmeier <masselmeier@kendallcountyil.gov>; Daniel J Kramer <dkramer@dankramerlaw.com>
Cc: Bart Olson <BOlson@yorkville.il.us>
Subject: RE: PZC 2023-16 Kendall County Zoning Petition 23-30 - 6145 Whitetail Ridge Drive (Lots 65 and 66)

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
October 3, 2023 – Unapproved Meeting Minutes**

PBZ Director Matt Asselmeier called the meeting to order at 9:05 a.m.

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:

Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Commander Jason Langston – Sheriff's Department
Seth Wormley – PBZ Committee Chair

Audience:

Dan Kramer

AGENDA

Mr. Rybski made a motion, seconded by Ms. Briganti, to approve the agenda as presented.

With a voice vote of six (6) ayes, the motion carried.

MINUTES

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the September 5, 2023, meeting minutes.

With a voice vote of six (6) ayes, the motion carried.

PETITIONS

Petition 23-30 Michael R. and Darla J. Cappellett

Mr. Asselmeier summarized the request.

A ten foot (10') drainage and utility easement presently exists between Lots 65 and 66 in Whitetail Ridge Subdivision. Michael and Darla Cappellett own the subject lots and would like to construct an addition to the home in the area of the existing easement.

The Petitioners previously combined the lots into one (1) parcel identification number.

The property address is 6145 Whitetail Ridge Drive, Yorkville.

The property is approximately one point five (1.5) acres in size.

The property is zoned RPD-2.

The current land use is One-Family Residential and Vacant.

The future land use is Rural Residential (Max 0.65 Du/Acre).

Whitetail Ridge Drive is a Township Road classified as a Local Road.

There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are wooded and single-family residential.

The adjacent properties are zoned A-1 and RPD-2.

The future land use for the area is Rural Residential (Max 0.65 Du/Acre).

Kendall Township was emailed information on September 21, 2023.

The United City of Yorkville was emailed information on September 21, 2023. The Yorkville Economic Development Committee was reviewing the proposal on October 3, 2023.

The Bristol-Kendall Fire Protection District was emailed information on September 21, 2023.

The application materials, plat for this area of Whitetail Ridge, and plat of vacation were provided.

Petition information was sent to WBK on September 21, 2023.

On September 19, 2023, a representative from the Whitetail Ridge Homeowners' Association submitted an email stating the HOA was agreeable to the requested vacation. This email was provided.

As of the date of this meeting, the Petitioner has not contacted any of the utility companies directly. Emails from Comed, NICOR, Comcast, and AT&T were provided.

Staff would like to receive comments from the various utilities and WBK Engineering before issuing a recommendation.

Mr. Asselmeier noted that conditions would be placed on the approval stating only one (1) house could be built on the combined parcels and the parcels could not be separated.

Discussion occurred regarding the status of review by the various utility companies.

Mr. Klaas asked if the proposed addition to the site would have a flat roof. Dan Kramer, Attorney for the Petitioner, was unsure.

Mr. Rybski said that the property was large enough that, unless the addition was very large, the proposal would not negatively impact the septic system.

Mr. Rybski made a motion, seconded by Mr. Klaas, to recommend approval of the vacation.

The votes were follows:

Ayes (6): Asselmeier, Briganti, Klaas, Holdiman, Olson, and Rybski

Nays (0): None

Abstain (0): None

Absent (4): Chismark, Guritz, Langston, and Wormley

The motion passed.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on October 10, 2023.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 23-24 and Petition 23-28 were approved by the County Board.

OLD BUSINESS/NEW BUSINESS

Recommendation on Fiscal Year 2023-2024 Meeting Calendar

Ms. Briganti made a motion, seconded by Mr. Rybski, to recommend approval of the meeting calendar.

With a voice vote of six (6) ayes, the motion carried.

The motion passed.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Klaas made a motion, seconded by Mr. Rybski, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The ZPAC, at 9:14 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Director

State of Illinois
County of Kendall

Zoning Petition
#23-30

ORDINANCE NUMBER 2023-_____

**APPROVING A PLAT OF VACATION OF TWO FIVE FOOT DRAINAGE AND UTILITY
EASEMENTS ON THE COMMON BOUNDARY LINES OF LOTS 65 AND 66 OF WHITETAIL
RIDGE SUBDIVISION MORE COMMONLY KNOWN AS 6145 WHITETAIL RIDGE DRIVE
YORKVILLE AND IDENTIFIED BY PARCEL IDENTIFICATION
NUMBER 05-12-226-013 IN KENDALL 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 five-foot drainage and utility and 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, 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 65 and 66 in Whitetail Ridge Subdivision. The legal descriptions of the easements are set forth in Exhibit A attached hereto and incorporated by reference; and

WHEREAS, in 2020, Lots 65 and 66 in the Whitetail Ridge Subdivision were merged into one parcel identification number; and

WHEREAS, on or about August 7, 2023, Michael R. and Darla J. Cappellett acquired ownership of Lots 65 and 66 of Whitetail Ridge Subdivision and the property presently identified by Parcel Identification Number 05-12-226-013 and is addressed as 6145 Whitetail Ridge Drive, Yorkville; and

WHEREAS, on or about September 18, 2023, Michael R. and Darla J. Cappellett, hereinafter referred to as "Petitioners," filed a petition for approval of a plat of vacation of two five-foot drainage and utility easements located along the property line of Lots 65 and 66; and

WHEREAS, on October 3, 2023, the Kendall County Zoning, Platting and Advisory Committee has reviewed this petition and has forwarded to the Kendall County Board a recommendation of approval; and

WHEREAS, on November 13, 2023, 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 **approval** of the requested plat of vacation; and

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

State of Illinois
County of Kendall

Zoning Petition
#23-30

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 of the easements legally described in Exhibit A attached hereto and shown on the site plan attached hereto as Exhibit B Plat of Vacation of Easement.
2. Certificates indicating approval of the vacation by the applicable utilities shall be added to the recorded Plat of Vacation.
3. Lots 65 and 66 of Whitetail Ridge Subdivision shall not be sold as individual lots upon the successful recording of the Plat of Vacation with certificates of approval from the applicable utilities.
4. One (1) single-family residence may be constructed on Lots 65 and 66 of Whitetail Ridge Subdivision combined.
5. This vacation shall become effective upon the successful recording of the Plat of Vacation 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 21st day of November, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg

LEGAL DESCRIPTION OF EASEMENT TRACT:

The Westerly 5.0 feet of Lot 65 (except the Northerly 10.0 feet and the Southerly 15.0 feet thereof) and the Easterly 5.0 feet of Lot 66 (except the Northerly 10.0 feet and the Southerly 15.0 feet thereof) all in Whitetail Ridge Subdivision in Kendall and Na-Au-Say Townships, Kendall County, Illinois, according to the Plat thereof recorded June 9, 2005 as Document No. 200500015985.

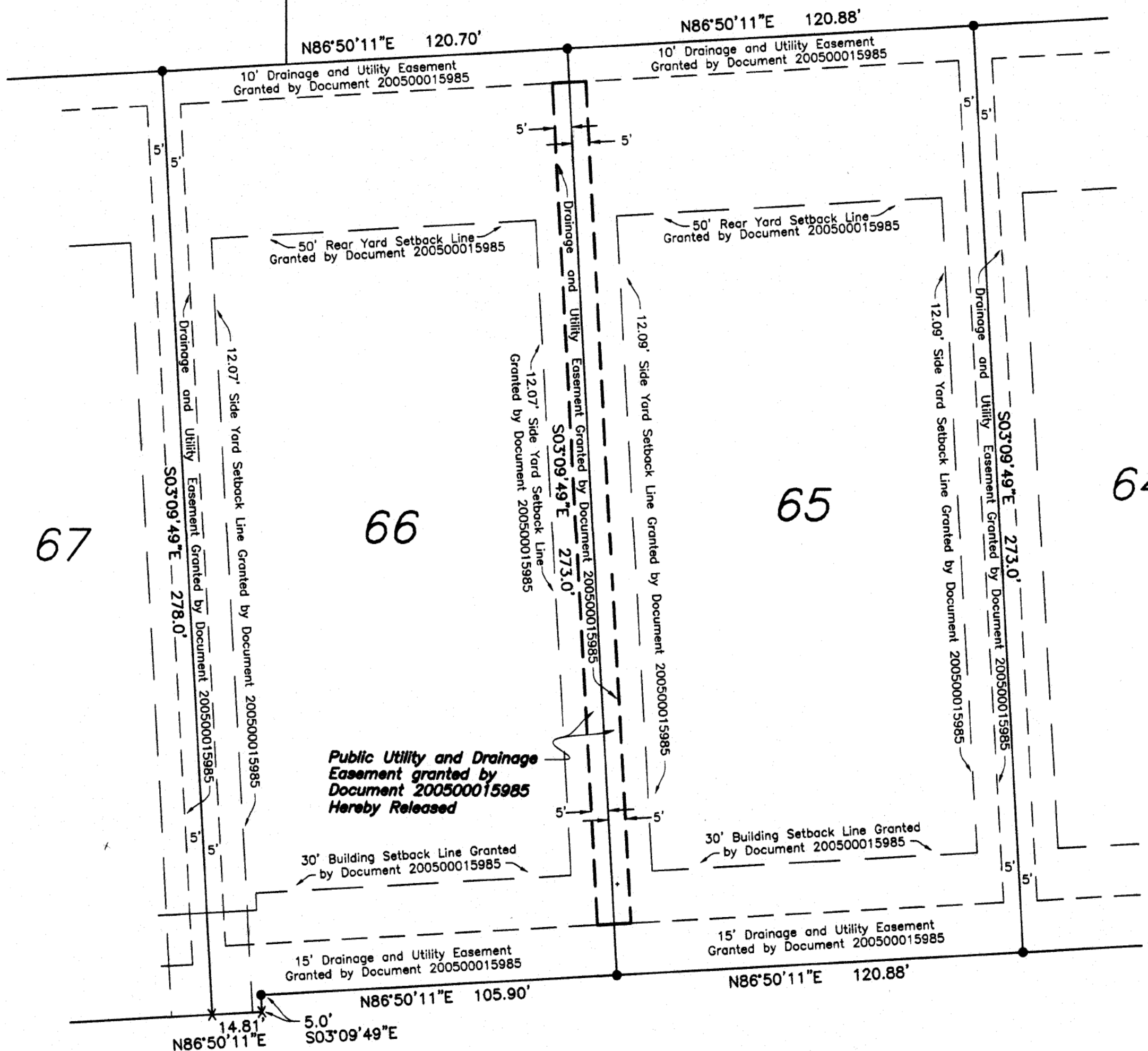
PROPERTY LOCATION:

PIN 05-12-226-0163
6145 Whitetail Ridge Drive
Yorkville, Illinois 60560

PLAT OF EASEMENT RELEASE
LOTS 65 AND 66 WHITETAIL RIDGE SUBDIVISION
KENDALL AND NA-AU-SAY TOWNSHIPS KENDALL COUNTY ILLINOIS

N

SCALE
1"=30'



- Indicates Iron Stake Found
- Indicates Iron Stake Set
- X Indicates Cross in Concrete

Commonwealth Edison Company
The Release of the Easements shown hereon are approved and accepted,
this ___ day of _____, A.D. 20___.
By: _____
Signature
By: _____
Print Name
Title: _____

Ameritech
The Release of the Easements shown hereon are approved and accepted,
this ___ day of _____, A.D. 20___.
By: _____
Signature
By: _____
Print Name
Title: _____

Comcast
The Release of the Easements shown hereon are approved and accepted,
this ___ day of _____, A.D. 20___.
By: _____
Signature
By: _____
Print Name
Title: _____

Nicor
The Release of the Easements shown hereon are approved and accepted,
this ___ day of _____, A.D. 20___.
By: _____
Signature
By: _____
Print Name
Title: _____

Whitetail Ridge Drive

LEGAL DESCRIPTION OF EASEMENT TO BE RELEASED:

The Westerly 5.0 feet of Lot 65 (except the Northerly 10.0 feet and the Southerly 15.0 feet thereof) and the Easterly 5.0 feet of Lot 66 (except the Northerly 10.0 feet and the Southerly 15.0 feet thereof) all in Whitetail Ridge Subdivision in Kendall and Na-Au-Say Townships, according to the Plat thereof recorded June 9, 2005 as Document No. 200500015985.

SURVEYOR'S CERTIFICATE

State of Illinois }
County of Kendall } SS

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have prepared this Plat of Easement Release for the property described hereon.

Dated October 23, 2023 at Yorkville, Illinois

Phillip D. Young
Illinois Professional Land Surveyor No. [REDACTED]
(Expires 11/30/24)



OWNER'S CERTIFICATE

State of Illinois }
County of Kendall } SS

This is to certify that we, Michael R. Cappellett and Darla J. Cappellett, husband and wife, are the owners of the property described hereon, and do willingly accept and approve the easement release described hereon.

Dated at _____, Illinois
this ___ day of _____, A.D. 20__.

Michael R. Cappellett

Darla J. Cappellett

NOTARY'S CERTIFICATE

State of Illinois }
County of Kendall } SS

I, _____, a Notary Public in and for the County and State aforesaid, to hereby certify that Michael R. Cappellett and Darla J. Cappellett, who are personally known to me to be the same persons whose names are subscribed to the foregoing Owner's Certificate, appeared before me this day, in person, and acknowledged the execution of the annexed Plat and accompanying instruments for the uses and purposes therein set forth as their own free and voluntary act.

Given under my hand and notarial seal,
this ___ day of _____, A.D. 20__.

Notary Public
My commission expires _____

COUNTY BOARD CERTIFICATE

State of Illinois }
County of Kendall } SS

Approved by the County Board of Kendall County, Illinois,
this ___ day of _____, A.D. 20__.

Chairman of County Board

County Clerk

COUNTY RECORDER CERTIFICATE

State of Illinois }
County of Kendall } SS

This Instrument No. _____ was filed for record in the Recorder's Office of Kendall County, aforesaid, on the ___ day of _____, A.D. 20__ at _____ o'clock ___M.

Kendall County Recorder

JOB NO.	23118
JOB NAME	CAPPELLETT
DWG FILE	23118C

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580



October 21, 2023

Matthew H. Asselmeier, AICP
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Subject: Lots 65 & 66 Whitetail Ridge (WBK Project No. 19-102.AC)

Dear Mr. Asselmeier,

WBK Engineering, LLC. (WBK) has reviewed petition 23-30 related to a Plat of Vacation of a Drainage and Utility Easement in Whitetail Ridge Subdivision.

Based upon the information provided we have no objection to the vacation of the subject easement.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

Do not hesitate to contact me should you have any questions regarding these comments.

Sincerely,

A handwritten signature in black ink, appearing to be "Greg C.", is written over a solid black rectangular redaction box.

Greg C
WBK Engineering, LLC

RE: Montes JULIE submitted orders

Fri 11/3/2023 7:56 AM

To: Griselda Montes <[REDACTED]>; Real estate <realestate@dankramerlaw.com>;

Thank You.

From: Griselda Montes <[REDACTED]>
Sent: Thursday, November 2, 2023 5:56 PM
To: Daniel J Kramer <dkramer@dankramerlaw.com>
Subject: Montes JULIE submitted orders

Mr. Kramer,
please find attached lots 27 and 28 JULIE confirmation requests.
I believe they will get to it early next week.

Regards,
Jorge A. Montes