

ORDINANCE NUMBER 2023-

36

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

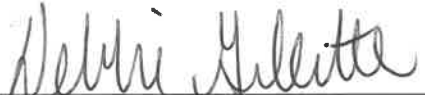
WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the recommendation of the Kendall County Zoning, Platting and Advisory Committee, and has determined that said petition is in conformance with the provisions and intent of the Kendall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

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



Exhibit A

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.

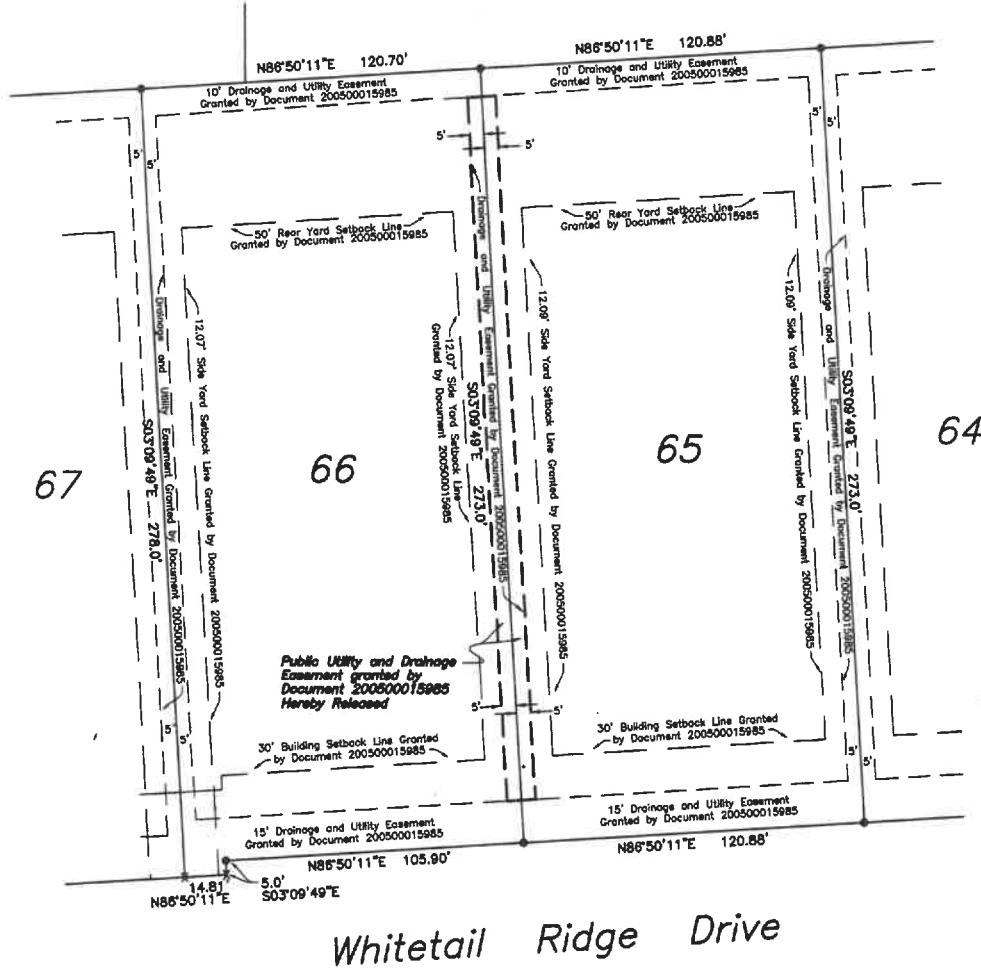
PROPERTY LOCATION:
 PIN 05-12-226-0163
 6145 Whitetail Ridge Drive
 Yorkville, Illinois 60560

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: _____

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

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

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 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

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. 2678
 (Expires 11/30/24)



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