

ORDINANCE # 2017-24

REVOKING A SPECIAL USE for
**A GRAVEL MINING OPERATION ON PROPERTY OWNED BY COMMONWEALTH
EDISON IN SECTIONS 6 AND 7 OF BRISTOL TOWNSHIP
(PARCEL ID NUMBERS 02-06-400-002 AND 02-07-200-003)**

WHEREAS, the Old Second National Bank of Aurora, as Trustee under trust No. 1582, Paul Schultz, August F. Schultz and Mildred Hankes, and Feltes Gravel Co. and Feltes Land, Inc. petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a gravel mining operation in Sections 6 and 7 of Bristol Township, now identified by Parcel Identification Numbers 02-06-400-002 and 02-07-200-003; and

WHEREAS, said property is legally described in attached documents Exhibit "B" and Exhibit "C"; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 72-8 on April 11, 1972; and

WHEREAS, restriction number 4 of the special use permit awarded by Ordinance 72-8 requires the special use be subject to annual inspection and renewal; and

WHEREAS, Commonwealth Edison acquired the property in September 1975; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

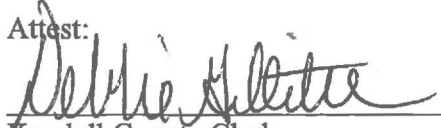
WHEREAS, Commonwealth Edison, owner, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit "A" that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 72-8 for the subject properties be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 72-8 for the subject properties.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

Exhibit A

Matt Asselmeier

From: Chomko, Nadia K:(ComEd) [Nadia.Chomko@exeloncorp.com]
Sent: Friday, October 20, 2017 4:09 PM
To: Matt Asselmeier
Subject: Ordinance #1972-08/02-06-400-002 and 02-07-200-003

Matthew,

Per our conversation earlier today, please be advised that ComEd does not wish to renew the special use permit on the above parcels.

Thank you for contacting us regarding this matter.

Regards,

Nadia Chomko

ComEd Real Estate & Facilities

Nadia.Chomko@ComEd.com

Three Lincoln Centre, 4th Floor

Oakbrook Terrace, IL 60181

voice/630-576-6303

fax/630-437-2223



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Exhibit C

LEGAL DESCRIPTION

That part of the West half of the Northeast quarter of Section 7, Township 37 North, Range 7 East of the Third Principal Meridian, bounded and described as follows: Beginning at a point on the South line of said West half of the Northeast quarter of Section 7 which is 907.91 feet West of the Southeast corner thereof; thence North-easterly along a line 195.36 feet to an angle point; which is 877.17 feet perpendicularly distant West of the East line of said West half of the Northeast quarter and 192.04 feet perpendicularly distant North of the South line of said West half of the Northeast quarter; thence North along a line 2458.72 feet to a point on the North line of said West half of the Northeast quarter of Section 7, which point is 877.51 feet West of the Northeast corner thereof; thence East along the North line of said West half of the Northeast quarter 877.51 feet to said Northeast corner; thence South along the East line of said West half of the Northeast quarter 2652.55 feet to the Southeast corner of said West half of the Northeast quarter; thence West along the South line of said West half of the Northeast quarter 907.91 feet to the point of beginning; (except therefrom that part described as follows: Commencing at the Southeast corner of the West Half of the Northeast Quarter of said Section 7, thence West on the South line of West Half of the Northeast Quarter of said Section 7 a distance of 155.13 feet to a point on the South line of the West Half of the Northeast Quarter of said Section 7; thence Northeasterly along a line 115.21 feet to an angle point which is 113.25 feet perpendicularly distant North of the South line of said West Half of the Northeast Quarter and 137.17 feet perpendicularly distant West of the East line of said West Half of the Northeast Quarter; thence North along a line 2439.25 feet to an angle point which is 137.17 feet perpendicularly distant West of the East line of said West Half of the Northeast Quarter and 99.70 feet perpendicularly distant South of the North line of said West Half of the Northeast Quarter; thence Northeasterly along a line 113.62 feet to a point on the North line of said West Half of the Northeast Quarter of Section 7, which point is 85.68 feet West of the Northeast corner of said West Half of the Northeast Quarter; thence East along the North line of said West Half of the Northeast Quarter 85.68 feet to said Northeast corner; thence South along the East line of said West Half of the Northeast Quarter of Section 7, 2652.55 feet to the point of beginning), all in Kendall County, Illinois.

p.c.b.

02-07-200-003



CHICAGO TITLE INSURANCE CO. 41
 Kendall County Office
 220 Bridge Street
 Yorkville, Ill. 60594

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