

ORDINANCE # 2011 - 35

**GRANTING A R-1 SPECIAL USE & OVERALL ORDINANCE to
682 ROUTE 31 FOX METRO WATER RECLAMATION DISTRICT**

WHEREAS, Fox Metro Water Reclamation District has filed a petition for a Special Use within the R-1 Single-Family Residential District for a 25.88 acre property located on the east side of State Route 31, commonly known as 682 Route 31, (PINs 03-05-353-002; 03-05-353-003; 03-05-353-004; 03-05-353-006; 03-05-353-009 & 03-05-353-010), in Oswego Township; and

WHEREAS, Fox Metro Water Reclamation District has filed a petition for an overall Ordinance for their 90.46 acre property located on the east side of State Route 31, commonly known as 682 Route 31, (PINs 03-05-127-005; 03-05-176-001; 03-05-176-002; 03-05-302-001; 03-05-302-002; 03-05-302-003; 03-05-302-004; 03-05-353-001; 03-05-353-002; 03-05-353-003; 03-05-353-004; 03-05-353-006; 03-05-353-009 & 03-05-353-010), in Oswego Township; and

WHEREAS, said petition is to approve a special use for the future expansion of the Fox Metro Water Reclamation District for 25.88 acres and to have an overall ordinance for the whole site consisting of 90.46 acres; and

WHEREAS, said property is currently zoned M-1 and will stay M-1, (PINs 03-05-127-005 & 03-05-176-001); and

WHEREAS, said property is currently zoned R-1 SU, (PINs 03-05-176-002; 03-05-302-001; 03-05-302-002; 03-05-302-003; 03-05-302-004; 03-05-353-001); and

WHEREAS, said property is currently to be zoned R-1 SU, (PINs 03-05-353-002; 03-05-353-003; 03-05-353-004; 03-05-353-006; 03-05-353-009 & 03-05-353-010); and

WHEREAS, said property is legally described in "Exhibit A";

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer on December 5, 2011; and

WHEREAS, the Zoning Board of Appeals granted two variances and prepared the findings of fact on December 5, 2011; the first variances was to delete the 10% lot coverage rule and the second was to reduce the front yard setback from Route 31 to 50' excluding the cemetery; and

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the

Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns of the property owner as to the same special use conducted on the property; and

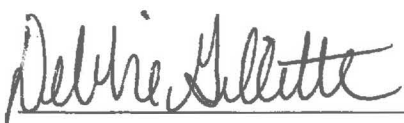
NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit per section §8.01.C.12 (R-1 Special Uses – Public Service Uses) to allow for the future expansion as indicated on the submitted concept plan prepared by Walter E. Deuchler Associates Inc., dated 5/5/11, included as Exhibit “B” attached hereto and incorporated herein, subject to the following conditions:

1. The wells must be sealed prior to demolition of single family homes.
2. Must work with our engineers to figure out wetland protection, floodplain issues and detention requirements.
3. No construction, alteration, or reconfiguration to the existing access within the Route 31 R.O.W. shall commence until approval from IDOT has been obtained.
4. Must go through the site plan review process and get other variances approved once a final site plan has been decided upon.
5. During the site plan review a landscape plan and photometric plan must also be approved.
6. Approval of the site development permit shall occur prior to the release of a building permit.
7. Dedication of any additional R.O.W., as determined by IDOT.
8. Add reasonable technologies to mitigate odors.

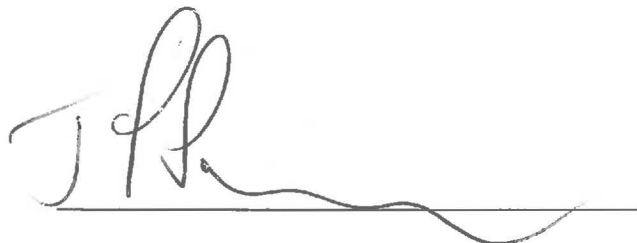
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on December 20th, 2011.

Attest:



Debbie Gillette
Kendall County Clerk



John Purcell
Kendall County Board Chairman

Walter E. Deuchler Associates Inc.

Consulting Engineers

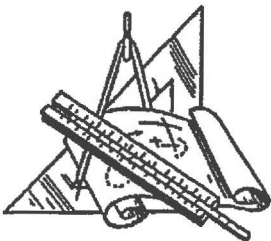
230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

CATERPILLAR TRACTOR COMPANY
TO
THE AURORA SANITARY DISTRICT
QUIT CLAIM DEED DOC. NO. 148636
5-26-65
(4.00 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North,
Range 8 East of the Third Principal Meridian, described as follows:

Beginning at a cross notch in the center line of U.S. Route #31
at a point 581.60 feet Southerly of the intersection of said center
line and the East and West quarter line of Section 5 aforesaid; thence
East along a line parallel with the North line of the Southwest Quarter
of said Section 5 and forming an angle of $95^{\circ}18'20''$ with the center
line of U.S. Route #31 (as measured from South to East) to the Thread
of the Stream of the Fox River; thence Southwesterly along the Thread
of the Stream of the Fox River to the extension Easterly of the North
line of Larson's Subdivision as presently staked out; thence West along
the extension Easterly and the North line of Larson's Subdivision to
a cross notch in the center line of U.S. Route #31; thence Northerly
along said center line and forming an angle of $84^{\circ}49'50''$ (as measured
from East to North) a distance of 215.00 feet to the place of beginning
in the Township of Oswego, Kendall County, Illinois;



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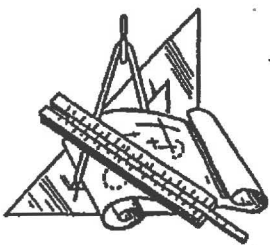
230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4851

WILLIAM J. AND LORRAINE M. KUSNIERZ
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED DOC. NO. 78-3241
5-24-78
(1.54 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows:

Commencing at the Northwest corner of the fractional Southwest Quarter of Section 6, Township and Range aforesaid; thence South along the West line of said Section 6, 1363.34 feet; thence South $82^{\circ}36'$ East to the West bank of the Fox River; thence North $18^{\circ}46'$ West along said river bank 237 feet; thence North $37^{\circ}16'$ West along said river bank 263 feet; thence North $9^{\circ}39'$ West along said river bank 300 feet; thence North $19^{\circ}40'$ East along said river bank 300 feet; thence North $30^{\circ}19'$ East along said river bank 102.8 feet; thence North $88^{\circ}31'$ West 864.15 feet to the center line of the original road; thence Northeasterly along the center line of said road 215 feet for the point of beginning; thence East parallel with the North line of the Southwest Quarter of said Section 5 to the West bank of Fox River; thence Northeasterly along the West bank of said Fox River to a point which is 394.88 feet South of North line of said Southwest Quarter; thence North 90° West 1074.3 feet to the center line of said road; thence Southerly along said center line 185 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois. Excepting that part of said premises conveyed to The Aurora Sanitary District by deed dated August 29, 1961 recorded January 19, 1962 as document 136551 in Book 126, page 107 and also excepting that part of said premises dedicated for road purposes, (along Illinois Route 31) as Described in Dedication dated February 7, 1959 and recorded July 14, 1959 as document 126069.



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EVERETT L. AND TREVILLA M. ENGEL

TO

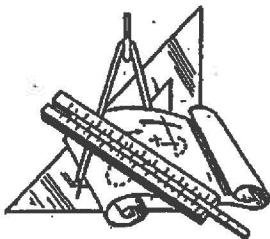
THE AURORA SANITARY DISTRICT

WARRANTY DEED DOC. NO. 136551

1-9-62

(2.56 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the fractional Southwest Quarter of Section 6, Township and Range aforesaid; thence South along the West line of said Section 6, 1363.34 feet; thence South 82° 36' East to the West bank of the Fox River; thence North 18° 46' West along said river bank 237 feet; thence North 37° 16' West along said river bank 263 feet; thence North 9° 39' West along said river bank 300 feet; thence North 19° 40' East along said river bank 300 feet; thence North 30° 19' East along said river bank 102.8 feet; thence North 88° 31' West 864.15 feet to the center line of the original road; thence North-easterly along the center line of said road 215 feet; thence East parallel with the North line of the Southwest Quarter of said Section 5, said line being the northerly line of the property owned by the Caterpillar Tractor Co., for a distance of 467.2 feet for a place of beginning; thence continuing East along the last described line to the center thread of the Fox River; thence Northeasterly along the center thread of the Fox River to a point which is 394.88 feet South of the North line of said Southwest Quarter; thence North 90° West along the southerly line of the property owned by The Aurora Sanitary District to a point which is 450 feet East of the center line of the original road (State Route No. 31); thence South to the place of beginning; in the Township of Oswego, Kendall County, Illinois, containing 2.38 acre more or less; reserving and excepting to Grantors, their heirs or assigns and their respective invitees or guests, a perpetual right-of-way for persons or vehicles across and the perpetual use of the southerly 20 feet of said property, and along the westerly bank of the Fox River for the easterly 20 feet of the southerly 20 feet of said property, for ingress, egress and access to the Fox River, and for fishing, boating, swimming and other river recreational purposes, including the right to erect a dock, wharf or similar structure on the westerly bank of the Fox River; hereby releasing and waiving rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.



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QUIT CLAIM
DOCUMENT NO. 158942
4-11-68

The Southerly 20 feet and along the Westerly bank of the Fox River for the Easterly 20 feet of the Southerly 20 feet of the following described property:

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the Fractional Southwest Quarter of Section 6; Township and Range aforesaid; thence South along the West line of said Section 6, 1363.34 feet; thence South 82° 36' East to the West bank of the Fox River; thence North 18° 46' West along said river bank 237 feet; thence North 37° 16' West along said river bank 263 feet; thence North 9° 39' West along said river bank 300 feet; thence North 19° 40' East along said river bank 300 feet; thence North 30° 19' East along said river bank 102.8 feet; thence North 88° 31' West 864.15 feet to the center line of the original road; thence North-easterly along the center line of said road 215 feet; thence East parallel with the North line of the Southwest Quarter of said Section 5, said line being the northerly line of the property owned by the Caterpillar Tractor Co., for a distance of 467.2 feet for a place of beginning; thence continuing East along the last described line to the center thread of the Fox River; thence Northeasterly along the center thread of the Fox River to a point which is 394.88 feet South of the North line of said Southwest Quarter; thence North 90° West along the southerly line of the property owned by The Aurora Sanitary District to a point which is 450 feet East of the center line of the original road (State Route No. 31); thence South to the place of beginning; in the Township of Oswego, Kendall County, Illinois.

Walter E. Deuchler Associates Inc.

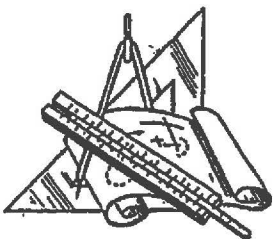
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

E. GARRETTA ELLIOTT
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED 10-29-54
(3.02 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the point of intersection of the Easterly right-of-way line of the Chicago, Burlington and Quincy Railroad with the North line of said Southwest Quarter; thence East along said North line 235.7 feet to the center line of the original road; thence Southerly along said center line 273.5 feet for the point of beginning; thence Southerly along said center line 123.1 feet; thence East 450 feet; thence North 122.57 feet; thence West 438.55 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois.



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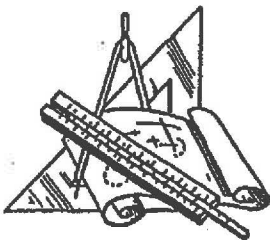
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

EMMA MICHELS
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED 2-15-45
(3.02 Acres)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at a point in the north line of said Southwest Quarter, where said North line is intersected by the center line of the Northerly and Southerly highway running through said Southwest Quarter section; thence South 5°12' West along the center line of said highway 327.4 feet to an iron stake for a place of beginning; thence South 5°12' West along the center line of said highway, 69.2 feet; thence East 1072.4 feet to the meander line of Fox River; thence North 43° East 167.6 feet to a large iron bolt; thence West 1134.5 feet; thence South 45°29' West to the place of beginning, containing 3.02 acres more or less; situated in the County of Kendall and State of Illinois.



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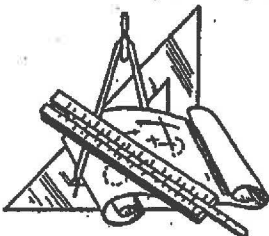
ELWYN A. AND JESSIE B. BERNBROCK
TO
THE AURORA SANITARY DISTRICT
QUIT-CLAIM DEED 10-24-27
(26.84 ACRES)

TRACT "A"

Part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at a point in the north line of said Southwest Quarter where said north line is intersected by the center line of the highway running northerly through said quarter; thence South 5° 12' West along the center line of said highway 327.4 feet to an iron stake for a place of beginning; thence South 5° 12' West along the center line of said highway 69.2 feet to an iron stake; thence North 90° East parallel to the North line of said Southwest Quarter 1088.3 feet to an iron stake on the Westerly bank of the Fox River; thence North 42° 41' East along said Westerly bank 177.1 feet; thence North 32° 15' East along the Westerly bank of said river 313.5 feet to an iron stake on the North line of said Southwest Quarter; thence South 90° West along said North line 1037.4 feet to an iron stake on the Easterly right-of-way line of the Aurora, Elgin and Chicago Railway Company; thence South 45° 29' West along said Easterly right-of-way line 465.6 feet to the place of beginning, containing ten acres more or less.

Excepting therefrom, however, all that part thereof heretofore conveyed by Albert L. Treman to George Michels by Warranty Deed dated September 12, 1925 and recorded September 19, 1925, in Book 75 of Warranty Deeds on Page 372 in the Recorder's Office of Kendall County, Illinois, which portion so excepted contains 3.02 acres more or less and is particularly described as follows:

Commencing at a point in the North line of said Southwest Quarter where said North line is intersected by the center line of the Northerly and Southerly highway running through said Southwest Quarter; thence South 5° 12' West along the center line of said highway 327.4 feet to an iron stake for place of beginning; thence South 5° 12' West along the center line of said highway 69.2 feet; thence East 1072.4 feet to the meander line of Fox River; thence North 43° East 167.6 feet to a large iron bolt; thence West 1134.5 feet; thence South 45° 29' West to the place of beginning; containing 3.02 acres more or less as aforesaid.



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TRACT "B"

All that part of the following described lands which are east of the center line of the North and South highway running through the West half of Section 5 and commonly known as the Oswego and Aurora Road and also known as State Highway Route No. 18, to-wit:

Part of the North half of Section 5 and 6, Township 37 North, Range 8 East of the Third Principal Meridian bounded as follows to-wit:

Beginning at the Northwest corner of the Southwest Quarter of said Section 6; thence North 37 rods and 12 feet; thence East 344 rods to the West shore of Fox River; thence South along the West shore of said river 37 rods 12 feet; thence West along the north line of the South half of said Sections 5 and 6, 344 rods to the place of beginning; excepting the rights-of-way of the Chicago, Burlington and Quincy Railroad Company and the Aurora, Elgin and Chicago Railway Company; the piece of land hereby intended to be described containing 17 acres of land more or less;

All of said lands being situated in the County of Kendall, State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Walter E. Deuchler Associates Inc.

Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

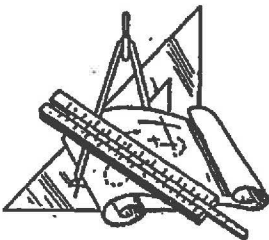
Area Code 312
897-4651

AURORA, ELGIN AND FOX RIVER ELECTRIC COMPANY
TO
THE AURORA SANITARY DISTRICT
QUIT CLAIM DEED 6-18-28
(1.87 ACRES)

1. Part of the Northwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: to-wit: Commencing at the point of intersection of the center line of the Aurora-Oswego Highway on the West side of the Fox River and the South line of said Northwest Quarter of Section 5; thence East along said South line 232.9 feet; thence North $53^{\circ} 51'$ East 1144.7 feet to the point of beginning; thence North $53^{\circ} 51'$ East 84.0 feet to the westerly right-of-way line of the Chicago, Burlington and Quincy Railroad; thence Southeasterly along said right-of-way line 41.35 feet; thence South $53^{\circ} 51'$ West 19.7 feet; thence West 69.0 feet to the point of beginning, containing 0.05 acres.

2. Part of the Northwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: to-wit: Commencing at the point of intersection of the center line of the Aurora-Oswego Highway on the West side of the Fox River and the South line of said Northwest Quarter of Section 5; thence East along said South line 232.9 feet to the point of beginning; thence North $53^{\circ} 51'$ East 1144.7 feet; thence East 69.00 feet; thence South $53^{\circ} 51'$ West 1144.7 feet to said South line of the Northwest Quarter of Section 5; thence West 69.00 feet to the point of beginning, containing 1.05 acres.

3. Part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: to-wit: Beginning at the point of intersection of the center line of the Aurora-Oswego Highway on the West side of the Fox River and the North line of said Southwest Quarter of Section 5; thence East along said North line 301.9 feet to the center line of the Aurora-Oswego Road; thence North $5^{\circ} 12'$ East along the center line of said road 327.4 feet to the point of beginning, containing 1.13 acres, situated in the County of Kendall in the State of Illinois,



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Walter E. Deuchler Associates Inc.

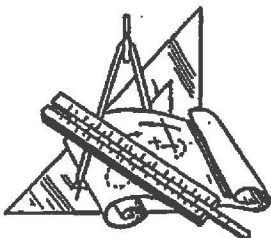
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

(UNDIVIDED 2/9ths INTEREST)
ELIZABETH HALL, GUARDIAN OF THE ESTATE OF JOHN W. BRICKERT, A MINOR
TO
THE AURORA SANITARY DISTRICT
GUARDIAN'S DEED DOC. NO. 157622
12-13-67
(14.69 ACRES)

An undivided two ninths (2/9ths) interest in, of and to: That part of the Northwest quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at the Southwest corner of the Northwest Quarter of Section 6, Township 37 North, Range 8 East of the Third Principal Meridian; thence North 0° 07' 30" West along the West line of the Northwest Quarter of said Section 6, 532.67 feet (8.07 chains); thence South 89° 49' 12" East 4502.1 feet to the Easterly line of the right-of-way of the Chicago Burlington and Quincy Railroad Company's main line for a point of beginning; thence North 31° 17' 48" East along said Easterly line 1007.52 feet to the South line of lands formerly owned by Rufus Gray; thence East along said South line 441.08 feet to the Westerly line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company's branch line; thence Southerly along said Westerly line an arc distance of 833.49 feet to the Northwesterly line of the former Aurora, Elgin and Morris Railroad; thence South 55° 42' 25" West along said Northwesterly line 84.00 feet to a line drawn South 89° 49' 12" East from the point of beginning; thence North 89° 49' 12" West along said line 1025.54 feet to the point of beginning, in the Town of Oswego, Kendall County, Illinois, being 14.6878 acres.



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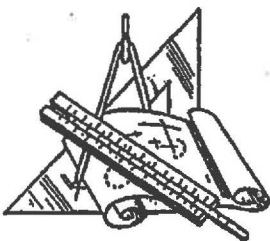
Consulting Engineers

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Area Code 312
897-4651

(UNDIVIDED 5/9ths INTEREST)
ELIZABETH AND HERBERT HALL
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED DOC. NO. 157620
12-13-67
(14.69 ACRES)

That part of the Northwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at the Southwest corner of the Northwest Quarter of Section 6, Township 37 North, Range 8 East of the Third Principal Meridian; thence North $0^{\circ} 07' 30''$ West along the West line of the Northwest Quarter of said Section 6, 532.67 feet (8.07 chains); thence South $89^{\circ} 49' 12''$ East 4502.1 feet to the Easterly line of the right-of-way of the Chicago, Burlington and Quincy Railroad Company's main line for point of beginning; thence North $31^{\circ} 17' 48''$ East along said Easterly line 1007.52 feet to the South line of lands formerly owned by Rufus Gray; thence East along said South line 441.08 feet to the Westerly line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company's branch line; thence Southerly along said Westerly line an arc distance of 833.49 feet to the Northwesterly line of the former Aurora, Elgin and Morris Railroad; thence South $55^{\circ} 42' 25''$ West along said Northwesterly line 84.00 feet to a line drawn South $89^{\circ} 49' 12''$ East from the point of beginning; thence North $89^{\circ} 49' 12''$ West along said line 1025.54 feet to the point of beginning, in the Town of Oswego, Kendall County, Illinois, being 14.6878 acres.



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(UNDIVIDED 2/9ths INTEREST)

ELIZABETH HALL

GUARDIAN OF THE ESTATE OF LINDA SUE BRICKERT, A MINOR

TO

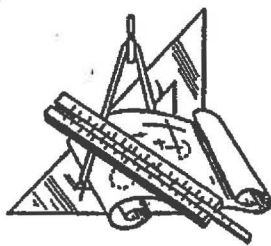
THE AURORA SANITARY DISTRICT

GUARDIAN'S DEED DOC. NO. 157621

12-13-67

(14.69 ACRES)

An undivided two ninths (2/9ths) interest in, of and to: That part of the Northwest quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at the Southwest corner of the Northwest Quarter of Section 6, Township 37 North, Range 8 East of the Third Principal Meridian; thence North $0^{\circ} 07' 30''$ West along the West line of the Northwest Quarter of said Section 6, 532.67 feet (8.07 chains); thence South $89^{\circ} 49' 12''$ East 4502.1 feet to the Easterly line of the right-of-way of the Chicago Burlington and Quincy Railroad Company's main line for a point of beginning; thence North $31^{\circ} 17' 48''$ East along said Easterly line 1007.52 feet to the South line of lands formerly owned by Rufus Gray; thence East along said South line 441.08 feet to the Westerly line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company's branch line; thence Southerly along said Westerly line an arc distance of 833.49 feet to the Northwesterly line of the former Aurora, Elgin and Morris Railroad; thence South $55^{\circ} 42' 25''$ West along said Northwesterly line 84.00 feet to a line drawn South $89^{\circ} 49' 12''$ East from the point of beginning; thence North $89^{\circ} 49' 12''$ West along said line 1025.54 feet to the point of beginning, in the Town of Oswego, Kendall County, Illinois, being 14.6878 acres.



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**LEGAL DESCRIPTION
MARCH 21, 2011**

PARCEL ONE:

LOT ONE (1) OF LARSON SUBDIVISION, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS (EXCEPTING THEREFROM ANY PORTION THEREOF ZONED R-1 SPECIAL USE ON MARCH 18, 2011).

PARCEL TWO:

LOT 2 (EXCEPT THE SOUTHERLY 45 FEET, MEASURED ALONG THE WESTERLY LINE) IN LARSON SUBDIVISION IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL THREE:

THAT PART OF LOTS 2 AND 3 OF LARSON'S SUBDIVISION DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3 BEING ON THE CENTERLINE OF STATE ROUTE NO. 31; THENCE SOUTH 7° 01' WEST ALONG SAID CENTERLINE, 46.58 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 7° 01' EAST ALONG SAID CENTERLINE, 91.58 FEET; THENCE SOUTH 88° 31' EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 3, 781.87 FEET TO THE EASTERLY LINE OF SAID LOT 2; THENCE SOUTH 19° 40' WEST ALONG THE EASTERLY LINES OF LOTS 2 AND 3, 106.9 FEET; THENCE SOUTH 9° 39' EAST ALONG THE EASTERLY LINE OF SAID LOT 3, 70.83 FEET TO A LINE DRAWN SOUTH 82° 36' EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 3, FROM THE PLACE OF BEGINNING; THENCE NORTH 82° 36' WEST ALONG SAID PARALLEL LINE, 775.16 FEET TO THE PLACE OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

FOX METRO WATER RECLAMATION DISTRICT
PROPERTY ACQUISITION
PROPERTY LYING NORTH OF EXISTING TREATMENT PLANT SITE

LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 00° 07' 30" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 6 FOR 532.67 FEET (8.07 CHAINS); THENCE SOUTH 89° 49' 12" EAST, 4502.1 FEET TO THE EASTERLY LINE OF THE RIGHT-OF-WAY OF THE FORMER CHICAGO BURLINGTON AND QUINCY RAILROAD COMPANY MAIN LINE; THENCE NORTH 31° 17' 48" EAST ALONG SAID EASTERLY LINE, 1007.52 FEET TO THE POINT OF BEGINNING ON THE SOUTH LINE OF LANDS FORMERLY OWNED BY RUFUS GRAY; THENCE CONTINUING NORTH 31° 17' 48" EAST ALONG SAID EASTERLY LINE, 1396.03 FEET; THENCE SOUTH 90° 00' 00" EAST, 55.87 FEET TO THE WESTERLY LINE OF THE FORMER OTTAWA, OSWEGO AND FOX RIVER VALLEY RAILROAD; THENCE SOUTH 19° 37' 07" WEST ALONG SAID WESTERLY LINE, 683.22 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1954.59 FEET FOR 562.28 FEET TO SAID SOUTHERLY LINE OF LANDS FORMERLY OWNED BY RUFUS GRAY; THENCE SOUTH 90° 00' 00" WEST ALONG SAID SOUTHERLY LINE, 441.14 FEET TO THE POINT OF BEGINNING, CONTAINING 6.002 ACRES IN KENDALL COUNTY, ILLINOIS.

**FOX METRO SOUTH PLANT EXPANSION
REQUEST FOR ZONING VARIANCE**

**LEGAL DESCRIPTION
APRIL 28, 2011**

PARCEL ONE:

THAT PART OF LOT 3 OF LARSON SUBDIVISION, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT, BEING ON THE CENTERLINE OF STATE ROUTE NO. 31; THENCE SOUTHERLY ALONG SAID CENTERLINE, 46.58 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 82° 36' EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, 775.16 FEET TO THE EASTERLY LINE OF SAID LOT; THENCE SOUTH 9° 39' EAST ALONG SAID EASTERLY LINE, 229.17 FEET; THENCE SOUTH 37° 16' EAST, 35.20 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 82° 36' WEST ALONG THE SOUTHERLY LINE OF SAID LOT, 867.3 FEET TO THE CENTERLINE OF SAID STATE ROUTE NO. 31; THENCE NORTHERLY ALONG SAID CENTERLINE, 250.52 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 6, 1363.34 FEET; THENCE SOUTH 82° 36' EAST, 5298.7 FEET TO THE WESTERLY BANK OF FOX RIVER; THENCE NORTH 18° 46' WEST ALONG SAID WESTERLY BANK, 192.5 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 18° 46' WEST ALONG SAID WESTERLY BANK, 44.35 FEET; THENCE NORTH 37° 16' WEST ALONG SAID WESTERLY BANK, 227.8 FEET; THENCE NORTH 82° 36' WEST, 867.3 FEET TO THE CENTERLINE OF THE ORIGINAL ROAD; THENCE SOUTHERLY ALONG SAID CENTERLINE, 200 FEET TO A LINE DRAWN NORTH 82° 36' WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 82° 36' EAST, 1014.21 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS (*AKA LOT 4 OF LARSON SUBDIVISION).

PARCEL THREE:

TRACT ONE:

LOT 5 OF LARSON'S SUBDIVISION, TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

TRACT TWO:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTERLINE OF ILLINOIS STATE ROUTE NUMBER 31; THENCE NORTH 6° 44' EAST ALONG SAID CENTERLINE, 745.75 FEET; THENCE SOUTH 82° 30' EAST, 100 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 82° 30' EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82° 30' EAST FOR THE POINT OF BEGINNING; THENCE NORTH 82° 30' WEST TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL FOUR:

THAT PART OF THE SOUTH HALF OF THE WEST PART OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES EAST OF THE CENTERLINE OF STATE ROUTE NO. 31 AND SOUTH OF A LINE EXTENDING SOUTH 82° 30' EAST FROM A POINT IN THE SAID CENTERLINE OF SAID HIGHWAY THAT IS NORTH 6° 44' EAST, 745.75 FEET FROM THE SOUTH LINE OF SAID SECTION TO THE CENTER THREAD OF THE FOX RIVER (EXCEPT THE RIGHT OF WAY OF THE SAID STATE ROUTE NO. 31 AND A STRIP IN THE NORTHWEST CORNER 67 FEET WIDE AND 325 FEET LONG MEASURED ALONG THE EASTERLY LINE OF SAID HIGHWAY, USED FOR CEMETERY PURPOSES, AND ALSO EXCEPT THAT PART LYING SOUTH OF THE NORTH LINE OF PREMISES CONVEYED TO THE COMMONWEALTH EDISON COMPANY BY WARRANTY DEED RECORDED OCTOBER 9, 1959 AS DOCUMENT 127020 AND ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTERLINE OF ILLINOIS STATE ROUTE NO. 31; THENCE NORTH $6^{\circ} 44'$ EAST ALONG SAID CENTERLINE, 745.75 FEET; THENCE SOUTH $82^{\circ} 30'$ EAST 100 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH $82^{\circ} 30'$ EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH $82^{\circ} 30'$ EAST FROM THE POINT OF BEGINNING; THENCE NORTH $82^{\circ} 30'$ WEST TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THEREFROM THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 31 WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTERLINE OF SAID ROAD; THENCE NORTH $6^{\circ} 03' 17''$ EAST ALONG SAID CENTERLINE, 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF $87^{\circ} 43' 10''$ MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE, 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF $169^{\circ} 46' 24''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET; THENCE NORTHERLY AT AN ANGLE OF $142^{\circ} 32' 41''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF $148^{\circ} 08' 36''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF $106^{\circ} 13' 20''$ MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 859.60 FEET, MORE OR LESS, TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER, 302.20 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF COMMONWEALTH EDISON LANDS DESCRIBED IN DOCUMENT NO. 127020 AT THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING), IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

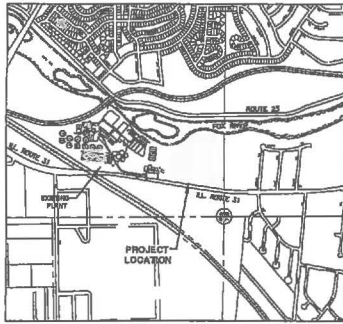
PARCEL FIVE:

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 31, WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTERLINE OF SAID ROAD; THENCE NORTH $06^{\circ} 03' 17''$ EAST ALONG SAID CENTERLINE, 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF $87^{\circ} 43' 10''$ MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF $169^{\circ} 46' 24''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET; THENCE NORTHERLY AT AN ANGLE OF $142^{\circ} 32' 41''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF $148^{\circ} 08' 36''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF $106^{\circ} 13' 20''$ MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 1010.40 FEET, MORE OR LESS, TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER, 320 FEET MORE OR LESS, TO THE NORTHERLY LINE OF THE COMMONWEALTH EDISON COMPANY LANDS DESCRIBED IN DOCUMENT 127020 AT THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

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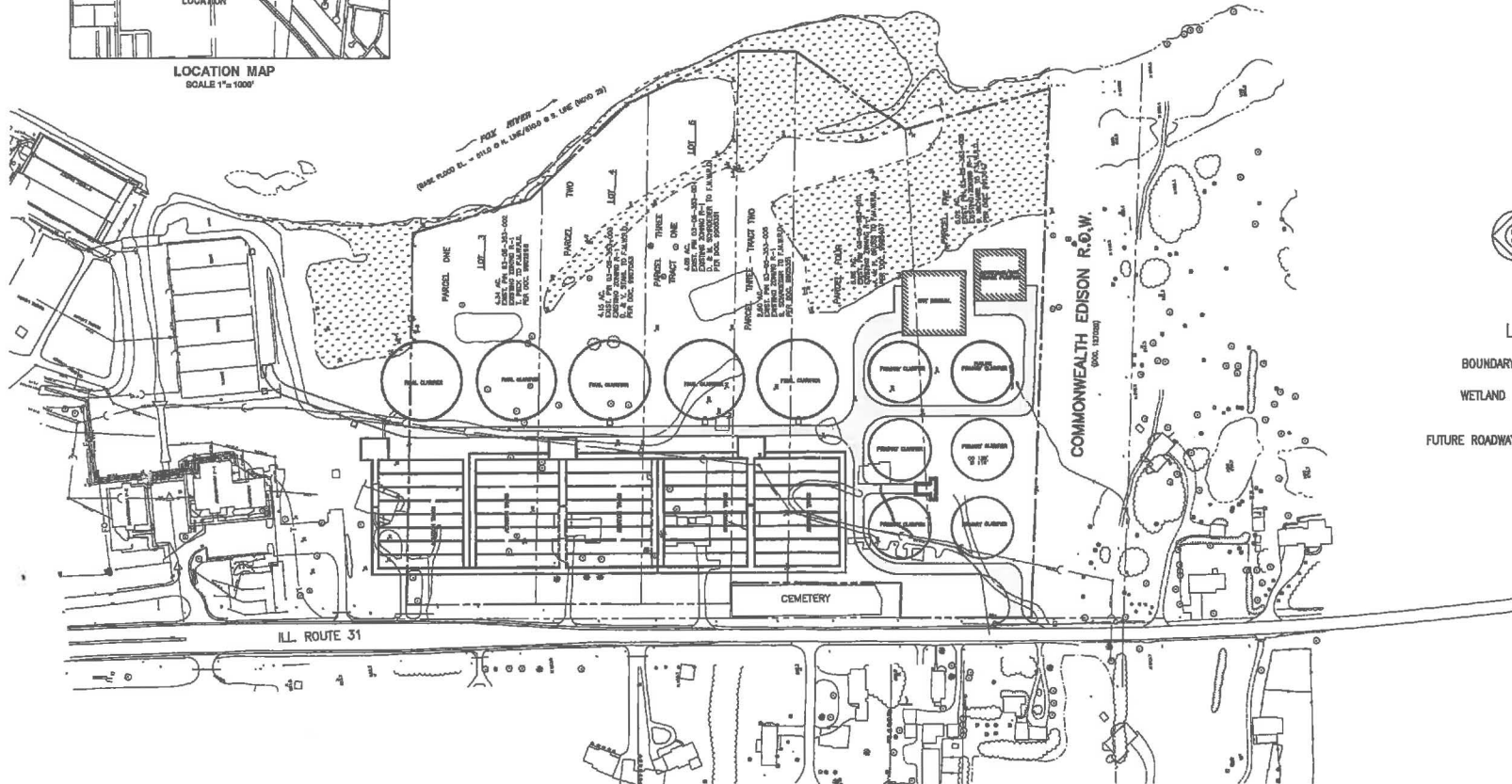
FOX METRO WATER RECLAMATION DISTRICT
2011 - SOUTH PLANT ADDITION



LOCATION MAP
SCALE 1"=100'

FOX METRO WATER RECLAMATION DISTRICT SOUTH EXPANSION CONCEPT PLAN

EXHIBIT B



- LEGEND**
- BOUNDARY ———
 - WETLAND [stippled pattern]
 - FUTURE ROADWAY [dashed line]

WALTER E. DEUCHLER ASSOCIATES, INC.
Consulting Engineers - Aurora, Illinois

REVISIONS					
DATE	BY	CHKD BY	APP'D BY	BOOK	SCALE
05/05/11	DEUCHLER	DEUCHLER			1"=100'

**FMWRD - SOUTH EXPANSION
CONCEPT PLAN**

SHEET
OF