

ORDINANCE NUMBER 2005- 38

**MAP AMENDMENT FOR 3.0016 ACRES AT THE CORNER OF YORKVILLE ROAD  
AND RIVERSIDE STREET**

Rezone from A-1 to R-3

WHEREAS, Brian and Kelly Henrichs (hereinafter "Petitioners") did file a petition for a Map Amendment from A-1 to R-3, for property located at the corner of Yorkville Road and Riverside Street in Section 34 of Bristol Township with a common street address of 55 Riverside Street; and

WHEREAS, said property is identified with the tax identification number 02-34-130-004, legally described as Lot 184, Fox River Gardens, Township of Bristol, Kendall County, Illinois, and is referenced as "A1" on Exhibit "A", attached; and

WHEREAS, said property is currently zoned A-1 with an existing single family residence; and

WHEREAS, the petitioner desires to rezone and the property in order to subdivide the property into two (2) parcels, as permitted in the R-3 district and which said subdivision is exempt from the provisions of the Illinois Plat Act; and

WHEREAS, per Section 6.03.A of the Kendall County Zoning Ordinance, zoning districts extend to the center line of easements, including rights-of-way; and

WHEREAS, per the preceding clause the map amendment request includes to the centerline of the unplatted Kendall Road and is included in the depiction of "A1" on Exhibit "A"; and

WHEREAS, Petitioners also petitioned for a Map Amendment from A-1 to R-3, for property adjacent to Lot 184, Fox River Gardens, Township of Bristol, Kendall County, Illinois referenced on Exhibit "A" as "A2" and is commonly known as the northern half of the right-of-way of Kendall Road; and

WHEREAS, the ownership of the northern half of the right-of-way of Kendall Road is currently in litigation; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, findings of fact, and recommendation by the Zoning Board of Appeals; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions of the Kendall County Zoning Ordinance;

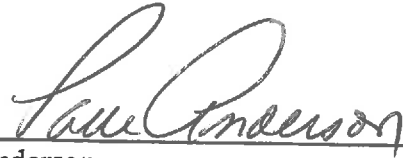
NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants a zoning map amendment from A-1 to R-3 on the tract of land at 55 Riverside Street, legally described above and referenced in Exhibit "A" as "A1"; and

BE IT FURTHER ORDAINED that in the event a court of competent jurisdiction, and after all appeals have been exhausted in the current litigation, determines that the Petitioners are title owners of the parcel depicted on Exhibit "A" as "A2", the approval for map amendment from A-1 to R-3 will include said parcel depicted on "Exhibit A" as "A2".

IN WITNESS OF, this ordinance has been enacted on July 19, 2005.



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John A. Church  
Kendall County Board Chairman



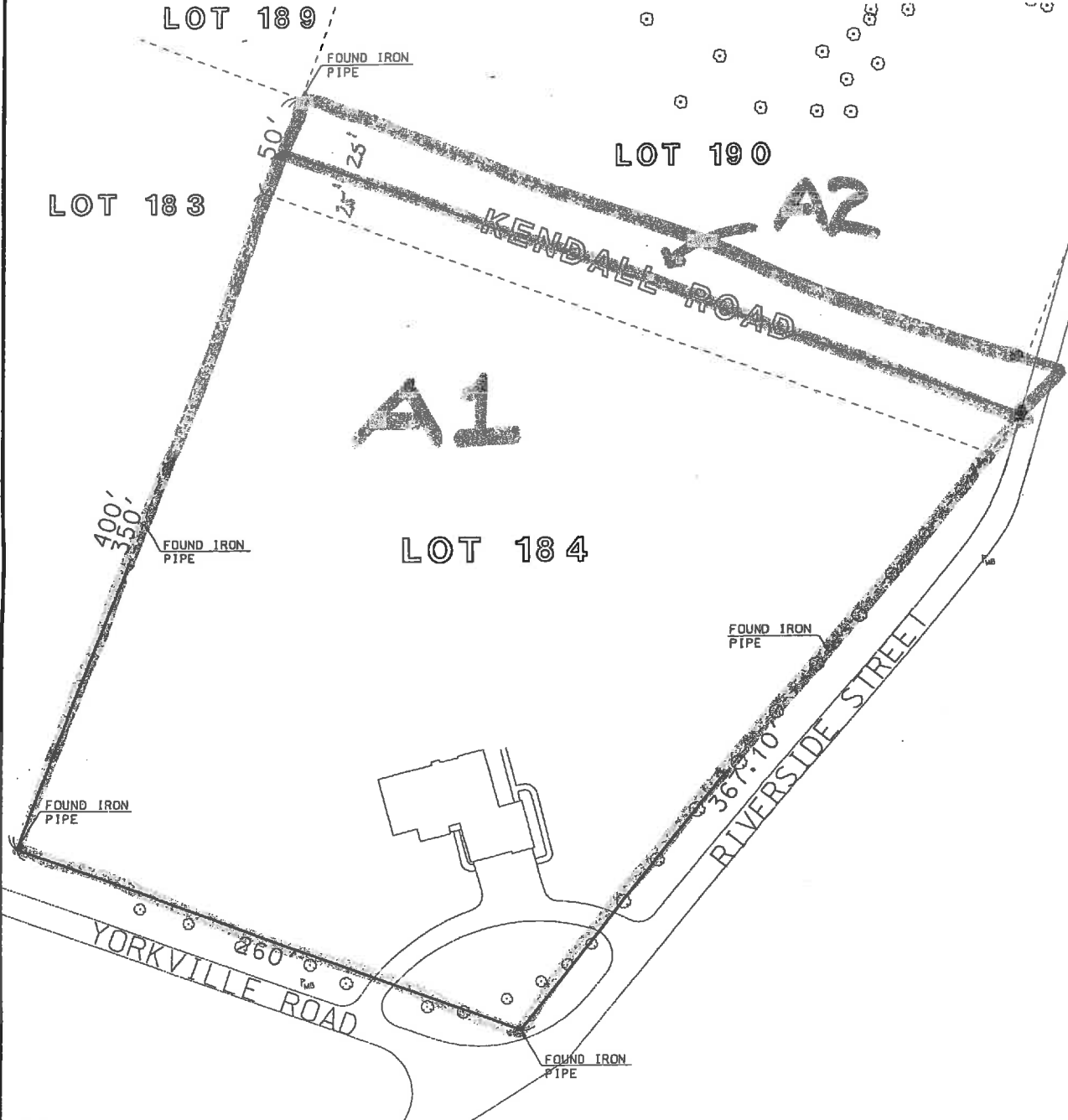
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Paul Anderson  
Kendall County Clerk

# PLAT OF SURVEY

BY  
-  
-  
-  
OF



LOT 184 AND THAT PART OF KENDALL ROAD LYING NORTHWESTERLY OF AND ADJOINING SAID LOT (EXCEPT THE NORTH TWO (2) ACRES LYING PARALLEL WITH THE SOUTH LINE OF SAID LOT 184) OF FOX RIVER GARDENS IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY.  
PARCEL AREA = 43535.00 SQ. FT.



NOTE:  
1. PLEASE CHECK LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCY IMMEDIATELY.  
2. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND REPORT ANY DISCREPANCIES AT ONCE.  
3. BUILDING LINES, IF ANY, SHOWN HEREON ARE BUILDING LINES SHOWN ON THE RECORDED SUBDIVISION PLAT.  
4. ALL TIES SHOWN ON THE PLAT ARE TO THE PROPERTY LINES, UNLESS OTHERWISE NOTED.

TO ALL PERSONS INTERESTED IN TITLE TO PREMISES SURVEY:  
I HEREBY CERTIFY THAT I PERSONALLY MADE AN ACTUAL SURVEY OF THE PREMISES SHOWN HEREON ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004, AND THAT THIS SURVEY IS A CORRECT REPRESENTATION OF THE PREMISES AS DETERMINED BY SAID SURVEY. I FURTHER CERTIFY THAT THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS ANY BOUNDARY LINE OF THE PREMISES EXCEPT AS SHOWN HEREON.

CHICAGO ILLINOIS \_\_\_\_\_, A. D. 20\_\_\_\_\_  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2378

<b>PLAT OF SURVEY</b> <b>CITY OF YORKVILLE</b> YORKVILLE, KENDALL COUNTY, ILLINOIS	
BY:	-
SCALE:	1" = 50'
DATE:	DEC 15, 2004
FOX RIVER GARDEN SUBDIVISION	<b>PARCEL:</b> 184