

ORDINANCE NUMBER 2004- 39

**MAP AMENDMENT FOR 594.39 ACRES NEAR THE SW CORNER
OF GROVE ROAD AND CHERRY ROAD (EXTENDED)**

Rezone from A-1 to RPD-2

WHEREAS, Moser Enterprises & Crestview Builders did file a petition for a Map Amendment from A-1 to RPD-2, for property located near the SW corner of Grove Road and Cherry Road (extended) in Sections 5, 6, and 7 of Na-Au-Say Township; and

WHEREAS, said property is identified with the tax identification numbers 06-05-300-001, 06-05-400-001, 06-06-400-001, and 06-07-200-001 and is legally described as "Exhibit A"; and

WHEREAS, said property is currently zoned A-1 with an existing stone barn and associated agricultural structures; and

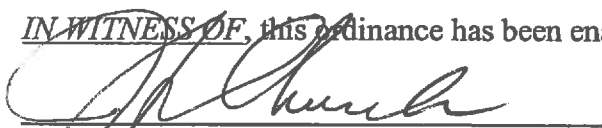
WHEREAS, the petitioner desires to rezone the property in order to develop a residential subdivision as permitted in the RPD-2 district; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, findings of fact, the granting of variances from the County's Zoning Ordinance as they relate to required side yard areas and maximum lot size, 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 RPD-2 on the tract of land legally described above in "Exhibit A" attached hereto and made a part hereof.

IN WITNESS OF, this ordinance has been enacted on November 16, 2004.



John A. Church
Kendall County Board Chairman



Paul Anderson
Kendall County Clerk

LEGAL DESCRIPTION

Parcel One – Henneberry Parcel

06-05-300-001

06-05-400-001

06-06-400-001

part of 06-06-400-001

06-07-200-001

THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE CENTER LINE OF GROVE ROAD, IN KENDALL COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE WAISH-KEE-SHAW RESERVATION; THENCE NORTHERLY, ALONG THE EAST LINE OF THE WAISH-KEE-SHAW RESERVATION, 1737.98 FEET TO ITS POINT OF INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, FOR A POINT OF BEGINNING; THENCE NORTHERLY, ALONG SAID EAST LINE 111.84 FEET TO AN EXISTING FENCE; THENCE EASTERLY, ALONG SAID EXISTING FENCE LINE, WHICH FORMS AN ANGLE OF 89 DEGREES 36 MINUTES 07 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE, THEREFROM, 2324.21 FEET, TO THE CENTERLINE OF GROVE ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, 51.80 FEET, TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE WESTERLY ALONG SAID NORTH LINE, 2296.96 FEET, TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

AND

THAT PART OF THE WAISH-KEE-SHAW RESERVATION IN SECTIONS 5, 6, 7 AND 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID RESERVATION; THENCE NORTH, ALONG THE EAST LINE THEREOF 49.38 CHAINS, TO THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION; THENCE WEST, ALONG SAID NORTH LINE 87.98 CHAINS, TO A POINT 10 CHAINS EAST OF THE WEST LINE OF SAID RESERVATION; THENCE SOUTH, PARALLEL WITH THE WEST LINE OF SAID RESERVATION, 18.653 CHAINS; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION, 10 CHAINS; THENCE SOUTH, ALONG SAID WEST LINE 23.907 CHAINS; THENCE EAST, PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID RESERVATION, 31.497 CHAINS; THENCE SOUTH, PARALLEL WITH THE WEST LINE OF SAID RESERVATION, 6.33 CHAINS, TO THE SOUTH LINE OF SAID RESERVATION; THENCE EAST, ALONG THE SOUTH LINE OF SAID RESERVATION, TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

AND
LOTS 1, 2, 3, 12, 13 AND 14, IN TOWNSENDS' SUBDIVISION OF THE NORTH HALF OF
FRACTIONAL SECTION 7, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY,
ILLINOIS.

LEGAL DESCRIPTION

06-05-400-004

06-08-200-001

THAT PART OF THE SOUTH HALF OF SECTION 5 AND PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 479.16 FEET, TO THE CENTER LINE OF GROVE ROAD, FOR A POINT OF BEGINNING; THENCE NORTHERLY, ALONG SAID WEST LINE 1738.67 FEET, TO THE SOUTH LINE OF THE FORMER WAISH-KEE-SHAW RESERVATION; THENCE EASTERLY, ALONG SAID SOUTH LINE, 137.70 FEET, TO THE SOUTHEAST CORNER THEREOF; THENCE NORTHERLY, ALONG THE EAST LINE OF SAID RESERVATION 691.68 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF $81^{\circ}-25'-00''$, WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 435.60 FEET; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF $11^{\circ}-51'-00''$, WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 854.0 FEET; THENCE WESTERLY, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 25.0 FEET; THENCE SOUTHERLY, PARALLEL WITH THE SAID WEST LINE, 713.98 FEET, TO THE CENTER LINE OF GROVE ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTER LINE, 904.60 FEET, TO THE POINT OF BEGINNING IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.