

ORDINANCE NUMBER 08 - 33

**ORDINANCE AMENDING THE COMPREHENSIVE PLAN
FOR THE PROPERTY COMMONLY KNOWN AS 507 ROCK ROAD,
VILLAGE OF EAST DUNDEE, ILLINOIS**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, application has been made by PAL Group, Inc. ("Owner") under Petition No. P/Z 08-05-01 for an amendment to the Village of East Dundee's Comprehensive Plan to reflect that property commonly known as 507 Rock Road, Village of East Dundee, State of Illinois; shall be designated as M-1, Limited Manufacturing District instead of a portion designated as R-1, Single Family Residence District and a portion designated as M-1, Limited Manufacturing District.

WHEREAS, the Planning and Zoning Commission (hereinafter the "Commission") of the Village of East Dundee, pursuant to notice and pursuant to the East Dundee Code of Ordinances, Chapter 156.05(B)(3) held a hearing on June 12, 2008, on Petition No. P/Z 08-05-01; and

WHEREAS, pursuant to said hearing, the Commission recommended approval of the request for re-zoning of the property commonly known as 507 Rock Road, Village of East Dundee, Illinois, by a vote of 9 ayes, 0 nays, and 0 absent.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE AND COOK COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the recommendation of the Commission is hereby approved and adopted and that the request for an amendment to the Village of East Dundee's Comprehensive Plan to reflect that the property commonly known as 507 Rock Road, East Dundee, Illinois shall be designated as M-1, Limited Manufacturing District instead of the current designation in the Comprehensive Plan as R-1, Single Residence District for a portion of the parcel, and M-1 for a portion of the parcel

commonly known as 507 Rock Road, Village of East Dundee, State of Illinois under Petition No. 08-05-01 is hereby granted.

Section Two. That the Comprehensive Plan for the property commonly known as 507 Rock Road, Village of East Dundee, Illinois, is hereby amended to reflect that the following described property shall be designated as M-1, Limited Manufacturing District instead of R-1, Single Family District for a portion of the property and M-1, Limited Manufacturing District, for a portion of the property:

That part of Section 25, Township 42 North, Range 8, East of the Third Principal Meridian, Described as follows: Commencing at the Northwest Corner of Lot 10 in Rock Road Industrial Phase II, being a Subdivision of part of the North ½ of Section 25, Township 42 North, Range 8, East of the Third Principal Meridian, according to the plat thereof recorded July 31, 1989 as Document 1987463; thence South 80 Degrees 49 Minutes 39 Seconds East along the Northerly line of said Lot 10, 51.67 feet to the Point of Beginning; thence continuing South 80 Degrees 49 Minutes 39 Seconds East along the Northerly line of said Lot 10 along the Northerly line of Rock Road Industrial Phase II Resubdivision 1, being a resubdivision of Lots 5 thru 9, both inclusive, in Rock Road Industrial Phase II aforesaid, according to the plat of said Rock Road Industrial Phase II Resubdivision 1 Recorded October 26, 1999 as Document 1999K102206, and along the Northerly line of Rock Road Industrial Phase II Resubdivision II, a resubdivision of Lots 2, 2, and 4 in Rock Road Industrial Phase II aforesaid, according to the plat of said Rock Road Industrial Phase II Resubdivision II recorded October 26, 1999 as Document 199K102207, and along the Northerly line of Rock Road Industrial Subdivision – Unit No. 1, being a subdivision of part of the North ½ of Section 25, aforesaid, according to the plat of said Rock Road Industrial Subdivision – Unit 1 Recorded April 1, 1974, as Document 1293775, a distance of 1774.60 feet to the West line of Rock Road Drive, heretofore dedicated by Rocky Road Power Subdivision, being a subdivision of part of the Northeast ¼ of Section 25 aforesaid, according to the plat of said Rock Road Power Subdivision recorded February 19, 1999 by Document 1999K018491, said West line being a non-tangent curbed line, concave to the West, having a radius of 260.00 feet; thence Northeasterly along said West line, an arc distance of 127.87 feet (the Chord of said arc bears North 13 Degrees 56 Minutes 20 Seconds East, 162.58 feet); thence continuing along said West line of Rock Road Drive North 00 Degrees 08 Minutes 59 Seconds West, 429.86 feet to the Northwest corner thereof; thence North 89 Degrees 51 Minutes 01 Seconds East along the Northerly line of said Rock Road Drive, 47.00 feet; thence North 00 Degrees 08 Minutes 59 Seconds West, 530.59 feet [the last described line, if extended Northerly, would intersect the South line of the Southeast ¼ of Section 24, Township 42 North, Range 8, East of the Third Principal Meridian, at a point 988.94 feet (Deed = 989.3 feet) West of the Southeast corner of said Section 24, as measured along said South line]; thence South 87 Degrees 56 Minutes 54 Seconds West, 1498.76 feet to a line that is 50.00 feet Easterly of (as measured perpendicular to) and parallel with the Northeasterly extension of the Westerly line of Lot 10 in Rock Road Industrial Phase II

aforesaid; thence South 23 Degrees 46 Minutes 47 Seconds West along the last described line, 816.17 feet to the Point of Beginning; in the Township of Dundee, in Kane County, Illinois.

Section Three. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Four. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Five. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 16th day of June, 2008, pursuant to a roll call vote as follows:
AYES: Ruffalo, Gorman, Curtini, Lynam, Cichowski,
Mahony, Pres. O'Leary
NAYES: _____

ABSENT: _____

Approved by me this 16th day of June, 2008.

Daniel O'Leary
DANIEL O'LEARY, President

Published in pamphlet form this 18th day of June, 2008, under the authority of the President and Board of Trustees.

ATTEST:

Susan Norton
SUSAN NORTON, Village Clerk

Recorded in the Village Records on June 18, 2008.

