

RESOLUTION 19-05

**A RESOLUTION OF THE VILLAGE OF WEST DUNDEE, ILLINOIS, EXPRESSING
PRELIMINARY APPROVAL SUBJECT TO AN ANNEXATION AGREEMENT OF THE
REZONING FROM KANE COUNTY FARMING TO THE VILLAGE'S R-5 MEDIUM DENSITY
MULTIPLE-FAMILY DISTRICT AND THE B-3 BUSINESS SERVICE DISTRICT, A SPECIAL
USE FOR A PRELIMINARY PLANNED DEVELOPMENT AND A PRELIMINARY PLAT OF
SUBDIVISION FOR A MULTI-FAMILY RENTAL HOUSING DEVELOPMENT AT THE
SOUTHWEST CORNER OF
RANDALL ROAD AND RECREATION DRIVE**

WHEREAS, The Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Resolution constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and,

WHEREAS, The Village of West Dundee has been requested by an application filed by Fiduciary Real Estate Development, Inc., (the "Developer") to consider upon annexation of the territory under contract by the Developer, the rezoning from Kane County Farming to the Village's R-5 Medium Density Multiple-Family District and B-3 Business-Service District; (2) a Special Use for Preliminary Planned Development; and, (3) a Preliminary Plat of Subdivision for the purpose of development of a multi-family rental housing development upon the territory as further described in the application; and

WHEREAS, the territory is legally described as:

THAT PART OF THE NORTHEAST 1/4, SECTION 19, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 5 IN THE FIRST ADDITION TO COUNTRY VIEW HIGHLANDS SUBDIVISION, RECORDED JULY 30, 1956 PER DOCUMENT 813223; THENCE NORTH 01 DEGREES 19 MINUTES 06 SECONDS WEST ALONG THE NORTHERLY EXTENSION OF SAID LOT 5, A DISTANCE OF 237.43 FEET TO A LINE PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 88 DEGREES 59 MINUTES 26 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 666.23 FEET TO A LINE PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 00 DEGREES 14 MINUTES 50 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 750.00 FEET TO A LINE PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 88 DEGREES 59 MINUTES 26 SECONDS EAST ALONG SAID PARALLEL NORTH LINE, A DISTANCE OF 1920.31 FEET TO THE WESTERLY RIGHT-OF-WAY OF RANDALL ROAD (F.A.U. 2505) AS WIDENED PER DOCUMENT 97K066511 AND A POINT ON A NON-TANGENT CURVE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY FOR THE FOLLOWING 2 COURSES: 1) THENCE SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 11394.16 FEET SUBTENDING A CHORD BEARING SOUTH 02 DEGREES 18 MINUTES 28 SECONDS WEST, A CHORD DISTANCE OF 245.31 FEET AND AN ARC DISTANCE OF 245.31 FEET TO A POINT OF A NON-TANGENT CURVE; 2) THENCE CONTINUING SOUTHERLY ALONG SAID CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 11524.16 FEET SUBTENDING A CHORD BEARING SOUTH 02 DEGREES 08 MINUTES 52 SECONDS WEST A CHORD DISTANCE OF 312.46 FEET AND AN ARC DISTANCE OF 312.47 FEET TO THE NORTH LINE OF PROPERTY CONVEYED IN A DEED PER DOCUMENT 1222228 ALSO BEING PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 88 DEGREES 59 MINUTES 26 SECONDS WEST ALONG SAID NORTH LINE, A

DISTANCE OF 366.43 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 13 IN THE SECOND ADDITION TO COUNTRY VIEW HIGHLANDS RECORDED JUNE 9, 1956 PER DOCUMENT 891700; THENCE SOUTH 00 DEGREES 27 MINUTES 29 SECONDS WEST ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 283.99 FEET ALONG SAID NORTHERLY EXTENSION TO THE NORTHERLY LINE OF SAID SECOND ADDITION TO COUNTRY VIEW HIGHLANDS; THENCE ALONG SAID NORTHERLY LINE FOR THE FOLLOWING 2 COURSES: 1) THENCE NORTH 89 DEGREES 32 MINUTES 31 SECONDS WEST, A DISTANCE OF 392.95 FEET; 2) THENCE SOUTH 27 DEGREES 26 MINUTES 52 SECONDS WEST, A DISTANCE OF 185.90 FEET TO THE NORTHEAST CORNER OF SAID FIRST ADDITION TO COUNTRY VIEW HIGHLANDS; THENCE NORTH 85 DEGREES 13 MINUTES 31 SECONDS WEST ALONG SAID NORTHERLY LINE, A DISTANCE OF 377.64 FEET TO SAID POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS; and,

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on March 11, 2019 after due notice in the manner provided by law; and,

WHEREAS, the West Dundee Planning and Zoning Commission, after deliberation of the Developer's application, has made findings of fact and a recommendation of approval that the granting of said rezoning, special use for preliminary planned development, and preliminary subdivision plat meets the requirements of the West Dundee Municipal Code; and,

~~WHEREAS, the Village President and Board of Trustees (the "Corporate Authorities") have considered the recommendation and findings of fact of the West Dundee Planning and Zoning Commission.~~

NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, as follows:

Section 1: That the Corporate Authorities hereby express its preliminary approval subject to the terms of an annexation agreement agreed to between the Developer and the Village annexing the territory into the Village of the rezoning from Kane County Farming to R-5 Medium Density Multiple-Family District and B-3 Business-Service District, a Special Use for a Preliminary Planned Development and a Preliminary Plat of Subdivision as described in the Developer's application.

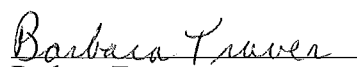
Section 2: That the Developer is advised to work with the Village staff to develop an annexation agreement for the annexation and development of the territory for review and consideration by the Corporate Authorities.

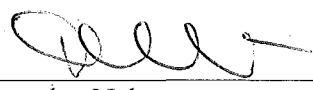
Section 3: This Resolution shall be in full force and effect upon its passage and approval according to law.

Passed this 18th day of March, 2019.

AYES: Trustees Price, Hanley, Anderley, Wilbrandt and Kembitzky
NAYS: None
ABSENT: Trustee Yuscka

ATTEST:


Barbara Traver
Village Clerk


Christopher Nelson
Village President