

ORDINANCE NO. 2019-09

***An Ordinance Annexing Certain Real Estate
at the Southwest Corner of Recreation Drive and Randall Road
to the Village of West Dundee***

WHEREAS, Kurt W. Anstaett, as Successor Trustee of the Eleanor Heuser Anstaett Declaration of Trust, dated January 14, 1997; Rosemary H. Bentley, as Trustee of the Bentley Family Trust, dated June 9, 1978; H. Frederick Heuser and Judith Surrige Heuser Revocable Living Trust under Trust Agreement dated January 14, 1995; and Richard R. Heuser, individually (collectively, the "Owners"), submitted a petition to the Village Clerk requesting certain property, as hereinafter described, be annexed to the Village of West Dundee (the "Village"); and

WHEREAS, the Owners have represented to the Village that there are no electors residing upon said territory; and

WHEREAS, said territory is not within the corporate limits of any other municipality, other than the County of Kane, and is contiguous to the corporate boundaries of the Village; and

WHEREAS, the Village does not provide public library services; and

WHEREAS, all petitions, documents and other necessary legal requirements are in full compliance with the statutes of the State of Illinois, including but not limited to, 65 ILCS 5/7-1-1, *et seq.*; and

WHEREAS, it is in the best interests of the Village that said territory be annexed thereto.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the VILLAGE OF WEST DUNDEE, Kane County, Illinois, as follows:

SECTION 1: That the territory legally described as follows is hereby annexed to the Village of West Dundee, Kane County, Illinois:

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.

SECTION 2: That the Village Clerk of the Village of West Dundee is hereby directed to record in the Office of the Recorder and to file in the Office of the County Clerk of Kane County, Illinois, and the post office serving the territory within 30 days of the effective date of this Ordinance, a certified copy of this Ordinance, together with a plat of annexation, attached hereto as Exhibit A and made a part hereof by this reference.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

PASSED this 1st day of July, 2019.

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

APPROVED:



Christopher Nelson
Village President

(SEAL)

ATTEST:

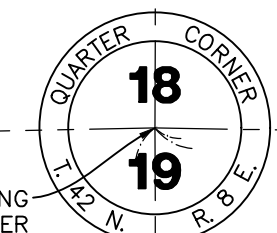
Barbara Traver
Barbara Traver
Village Clerk

**EXHIBIT A
PLAT OF ANNEXATION**

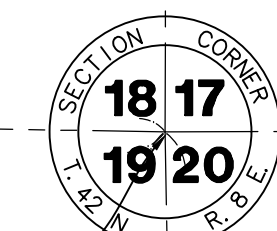
PLAT OF ANNEXATION TO THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS

PIN'S

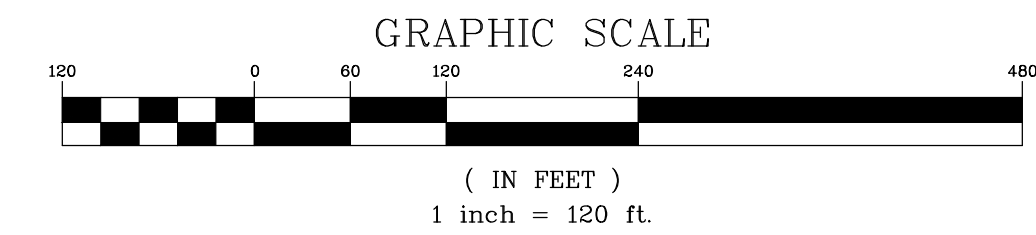
03-19-200-005
03-19-201-016



FOUND STEEL CONNECTING SHAFT AT CORNER PER DOC. 1884300



FOUND 3/4" IRON PIPE AT CORNER PER DOC. 92K64362



BASIS OF BEARINGS

COORDINATES AND BEARINGS ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83), ADJUSTED TO GROUND VALUES AS ESTABLISHED BY A REAL-TIME KINEMATIC (RTK) GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) UTILIZING THE TRIMBLE VRS NOW NETWORK.

SURVEY PREPARED FOR

FRED-WEST DUNDEE, LLC
789 NORTH WATER STREET, SUITE 200
MILWAUKEE, WISCONSIN 53202

LEGAL DESCRIPTION OF TERRITORY TO BE ANNEXED

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 89 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.
TOGETHER WITH THAT PART OF RANDALL ROAD (F.A.U. 2505) LYING EAST OF AND ADJOINING THE ABOVE DESCRIBED PROPERTY, NOT HERETOFORE ANNEXED.

AREA OF ANNEXATION

AREA (EXCLUDING R.O.W.) = 1,504,501 SQ.FT. (#34,539 ACRES)
AREA OF EXISTING R.O.W. = 86,496 SQ.FT. (#1.984 ACRES)
TOTAL AREA = 1,590,997 SQ. FT. (#36,523 ACES)

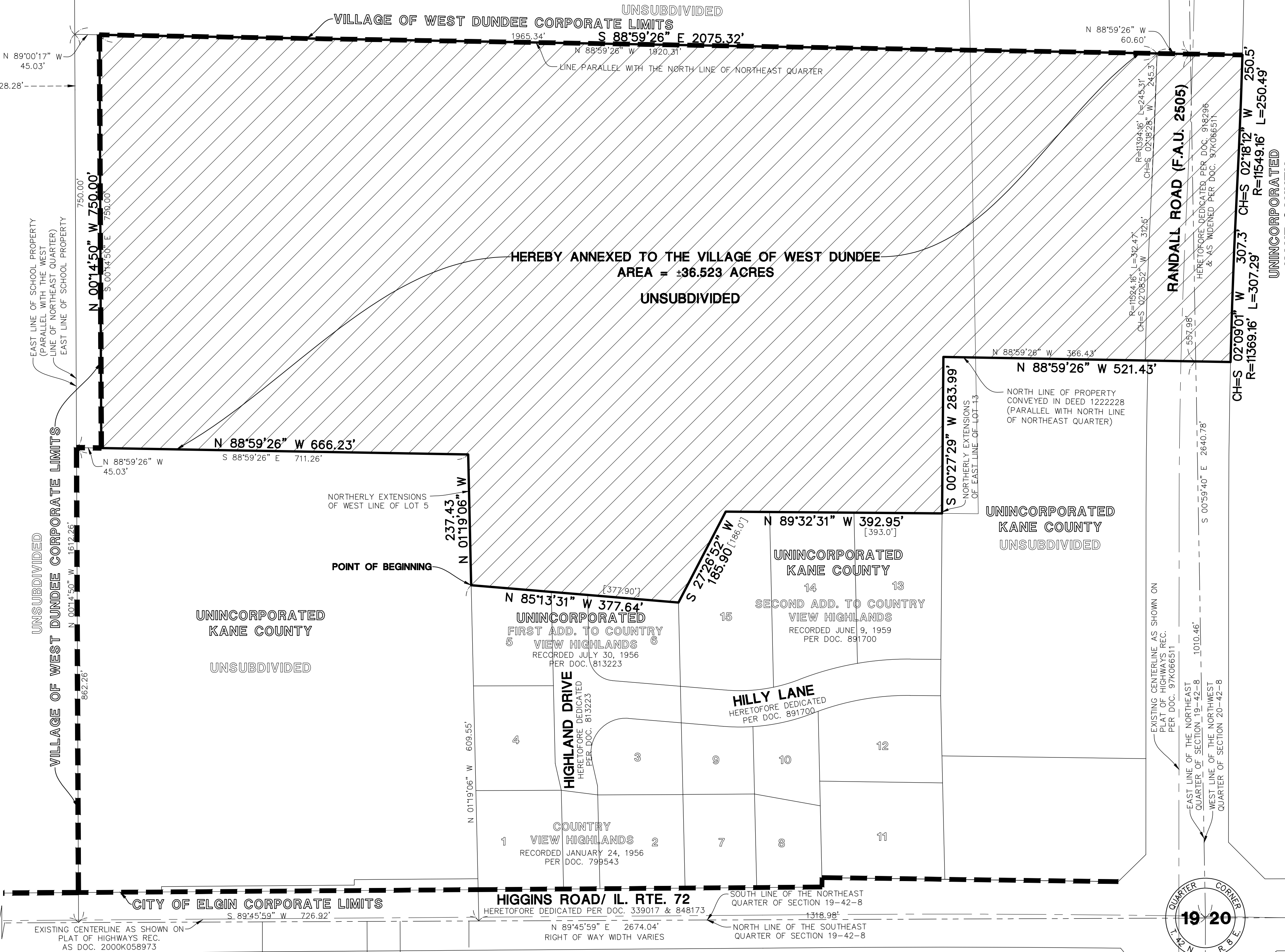
GENERAL NOTES

- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF; NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (456.67') ARE RECORD OR DEED VALUES, NOT FIELD MEASURED.
- THIS SURVEY IS SUBJECT TO MATTERS OF TITLE, WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT, EASEMENTS, SETBACKS AND OTHER RESTRICTIONS WHICH MAY BE FOUND IN A CURRENT TITLE REPORT, LOCAL ORDINANCES, DEEDS OR OTHER INSTRUMENTS OF RECORD HAVE NOT BEEN (MAY NOT BE) SHOWN.
- MANHARD CONSULTING, LTD. IS A PROFESSIONAL DESIGN FIRM, REGISTRATION NUMBER 184003350, EXPIRES APRIL 30, 2017.

LEGEND

- EX. PROPERTY LINE
- EX. SECTION LINE
- AREA TO BE ANNEXED INTO THE VILLAGE OF WEST DUNDEE
- MUNICIPALITY CORPORATE LIMITS

THERE ARE NO HABITABLE STRUCTURES OR ELECTORS ON THE PROPERTY



OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF)
THIS IS TO CERTIFY THAT FRED-WEST DUNDEE, LLC IS THE OWNER OF RECORD OF THE HEREON DESCRIBED PROPERTY AND THAT AS SUCH OWNER HEREBY CONSENTS TO THE ANNEXATION OF SAID PROPERTY TO THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS.
DATED THIS ____ DAY OF _____ A.D., 20____
OWNER
TITLE

NOTARY PUBLIC

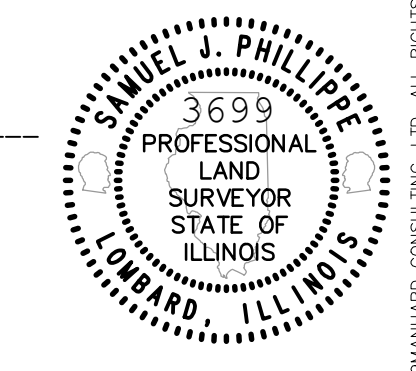
STATE OF _____)
COUNTY OF _____)
I, NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT _____ WHO IS/ARE PERSONALLY KNOWN TO ME TO BE THE SAME WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/THEY DID SIGN AND DELIVER THIS INSTRUMENT AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES HEREIN SET FORTH.
GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS ____ DAY OF _____ A.D., 20____
NOTARY PUBLIC

VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE)
APPROVED BY THE VILLAGE BOARD AT A MEETING HELD THIS ____ DAY OF _____ A.D., 20____
VILLAGE OF WEST DUNDEE, ILLINOIS
BY: _____ PRESIDENT OF VILLAGE BOARD OF TRUSTEES
ATTEST: _____ VILLAGE CLERK

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
THIS IS TO CERTIFY THAT WE, MANHARD CONSULTING LTD., HAVE PLATTED THE ABOVE DESCRIBED PROPERTY FOR THE PURPOSE OF ANNEXING SAID PROPERTY INTO THE VILLAGE OF WEST DUNDEE AND THAT THE PLAT DRAWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF SAID PROPERTY.
DATED THIS ____TH DAY OF _____ A.D. 20____
FOR REVIEW ONLY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003699
EMAIL ADDRESS: SPHILLIPPE@MANHARD.COM
LICENSE EXPIRES NOVEMBER 30, 2020



Manhard CONSULTING
700 Springer Drive, Lombard, IL 60148 ph:630.691.8500 fx: 630.691.8585 manhard.com
Engineering, Surveying, Planning, Design, Construction Management & Environmental Sciences | Landscaping, Architecture | Interiors

PROJ MGR: SJP
PROJ ASSOC: MGS
DRAWN BY: MGS
DATE: 01/25/19
SCALE: 1"=120'
SHEET 1 OF 1
HSJ.WDLO1

June 24, 2019 - 11:09 Doc Name: P:\Hawaii\03\Drawings\Plat of Annexation\HSDLO1.PA.PARCEL 1.dwg Updated by: MGS/mst