ORDINANCE NUMBER 2008- 08-23

MAP AMENDMENT FOR 1.09 ACRES LOCATED AT 1132B Route 34
Rezone from B-2 to B-3

WHEREAS, Marissa Galindo did file a petition for a Map Amendment from B-2 to B-3, for property located on the south side of Route 34, approximately 600' west of Route 30, commonly known as 1132B State Route 34 (PIN# 03-02-277-007), in Oswego Township, as legally described in “Exhibit A”; and

WHEREAS, said property is currently zoned B-2; and

WHEREAS, the petitioner desires to rezone the property in order to allow a larger scope of commercial uses for the property, as permitted in the B-3 district; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, findings of fact, and recommendation for approval by the Zoning Board of Appeals on June 24, 2008; 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 B-2 to B-3 on the tract of land located at 1132B Route 34, as legally described in “Exhibit A” and depicted on the Plat of Survey attached as “Exhibit B” attached hereto and made a part hereof.

IN WITNESS OF, this ordinance has been enacted on July 15, 2008.

Attest:  

[Signature]
John A. Church
Kendall County Board Chairman

[Signature]
Rennetta Mickelson
Kendall County Clerk
EXHIBIT "A"

THAT PART OF THE EAST HALF OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE SOUTH 89 DEGREES 35 MINUTES 32 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 577.50 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 30 SECONDS WEST 2686.06 FEET; THENCE NORTH 34 DEGREES 04 MINUTES 00 SECONDS 265.62 FEET FOR A POINT OF BEGINNING; THENCE NORTH 34 DEGREES 04 MINUTES 00 SECONDS WEST 204.40 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF U.S. ROUTE NO. 34; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE 231.03 FEET TO THE NORTHEASTERLY LINE OF A TRACT CONVEYED TO DONALD C. GEPHARD AND MARGERY S. GEPHARD, HIS WIFE, BY WARRANTY DEED RECORDED MARCH 31, 1956 IN BOOK 117 AT PAGE 102; THENCE SOUTH 39 DEGREES 03 MINUTES 24 SECONDS EAST ALONG SAID LINE 190.16 FEET; THENCE NORTH 50 DEGREES 56 MINUTES 36 SECONDS EAST 20.0 FEET; THENCE SOUTH 82 DEGREES 39 MINUTES 34 SECONDS EAST 58.0 FEET; THENCE NORTH 52 DEGREES 42 MINUTES 40 SECONDS EAST 150.0 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART THEREOF TAKEN FOR ROAD PURPOSES DESCRIBED IN DOCUMENT NO. 20020019477) IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 1.013 ACRES.
Plat of Survey and Zoning Sketch of Part of the East Half of Section 2–37–8 Oswego Township Kendall County Illinois

Prepared for:
Marissa Galindo
113 Bell Court
Oswego, IL 60543

Edward P. Beranger, Jr.
Revocable Trust – MT-SU

Northwest corner and
Savings Bank – B-2

"Exhibit B"

U.S. Route No. 34

S 23’6” W 9.56’

S 23’6” W 1.64’

N 23’6” E 6.22’

N 23’6” E 11.63’

N 23’6” E 29.62’

N 23’6” E 50.00’

N 23’6” E 98.00’

N 23’6” E 150.00’

1.013 Acres

Edward P. Beranger, Jr.
Revocable Trust – MT-SU

Prepared for:
Marissa Galindo
113 Bell Court
Oswego, IL 60543

Plat of the East Half of Section 2, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Southeast corner of said Section 2; thence South 57° 50’ East along the South line of said section 577.50 feet; thence North 00° 02’ 30” West 349’4’ 9” West 265.62 feet for a point of beginning; thence North 57° 50’ East 204.40 feet to the southerly right of way line of U.S. Route No. 34; thence South 87° 39’ 34” East along said southerly right of way line 231.03 feet to the northeasterly line of a tract owned by Donald C. Gephard and Margaret S. Gephard, his wife, by Warranty Deed recorded March 11, 1976 in Book 117 at page 102; thence South 82° 39’ 34” East 38.0 feet; thence North 50° 36’ 36” East 20.0 feet; thence South 39° 39’ 34” East 190.16 feet; thence North 59° 36’ 16” East 150.0 feet to the point of beginning (except that part thereof taken for roadbed line of Section 2–37–8) containing 1.013 acres.

Certification:

James M. Olson
Illinois Professional Land Surveyor No. 2253

This survey and plan were prepared and executed on June 6, 2008.

James M. Olson
Illinois Professional Land Surveyor No. 2253

Survey completed November 30, 2008
James M. Olson Associates, Ltd.
107 West Madison Street
Yorkville, Illinois 60560
(630) 553-0050

Said as indicated in "Soil Survey of Kendall County, Illinois are 1458, Saybrook Silt Loam."