ORDINANCE # 2017-24

REVOKING A SPECIAL USE for
A GRAVEL MINING OPERATION ON PROPERTY OWNED BY COMMONWEALTH EDISON IN SECTIONS 6 AND 7 OF BRISTOL TOWNSHIP (PARCEL ID NUMBERS 02-06-400-002 AND 02-07-200-003)

WHEREAS, the Old Second National Bank of Aurora, as Trustee under trust No. 1582, Paul Schultz, August F. Schultz and Mildred Hankes, and Feltes Gravel Co. and Feltes Land, Inc. petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a gravel mining operation in Sections 6 and 7 of Bristol Township, now identified by Parcel Identification Numbers 02-06-400-002 and 02-07-200-003; and

WHEREAS, said property is legally described in attached documents Exhibit “B” and Exhibit “C”; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 72-8 on April 11, 1972; and

WHEREAS, restriction number 4 of the special use permit awarded by Ordinance 72-8 requires the special use be subject to annual inspection and renewal; and

WHEREAS, Commonwealth Edison acquired the property in September 1975; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Commonwealth Edison, owner, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit “A” that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 72-8 for the subject properties be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 72-8 for the subject properties.
IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:

Debbie Gillette
Kendall County Clerk

Scott R. Gryder
Kendall County Board Chairman
Matthew,
Per our conversation earlier today, please be advised that ComEd does not wish to renew the special use permit on the above parcels.
Thank you for contacting us regarding this matter.
Regards,
Nadia Chomko
ComEd Real Estate & Facilities
Nadia.Chomko@ComEd.com
Three Lincoln Centre, 4th Floor
Oakbrook Terrace, IL 60181
voice/630-576-6303
fax/630-437-2223

This Email message and any attachment may contain information that is proprietary, legally privileged, confidential and/or subject to copyright belonging to Exelon Corporation or its affiliates ("Exelon"). This Email is intended solely for the use of the person(s) to which it is addressed. If you are not an intended recipient, or the employee or agent responsible for delivery of this Email to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this Email is strictly prohibited. If you have received this message in error, please immediately notify the sender and permanently delete this Email and any copies. Exelon policies expressly prohibit employees from making defamatory or offensive statements and infringing any copyright or any other legal right by Email communication. Exelon will not accept any liability in respect of such communications. -EXCIP
LEGAL DESCRIPTION

That part of the East half of Section 6, Township 37 North, Range 7 East of the
Third Principal Meridian, described as follows: Commencing at the Southeast
corner of said Section 6; thence North along the east line of said Section 6, a
distance of 3400.85 feet (51.35 chains - Deed) to the South line of property con-
veyed to Susan Schmidt by Warranty Deed recorded December 10, 1929 in Book 80,
pages 334 and 335; thence west along the South line of property conveyed to
Susan Schmidt a distance of 120.68 feet for a point of beginning; thence con-
tinuing West along said South line of Susan Schmidt's property, a distance of
740.06 feet to the East line of property conveyed to Karl P. and Emma V. Koncak
by Warranty Deed dated December 4, 1961 recorded as Document No. 13541; thence
South along the East line of property conveyed to Karl P. Koncak and wife,
1240.82 feet (18.80 chains - Deed) to the center line of Galena Road; thence con-
tinuing South along the prolongation of the last described course a distance of
919.13 feet to an angle point which is 1312.43 feet perpendicularly distant North
of the South line of said Section 6; thence Southwesterly along a line forming
an angle of 26° 45' 38" to the right with a prolongation of the last described
course a distance of 1292.06 feet to an angle point which is 99.70 feet perpen-
dicularly distant North of said South line of Section 6; thence South along a
line forming an angle of 26° 56' 20" to the left with the prolongation of the last
described course a distance of 29.74 feet to a point on the South line of said
Section 6, which is 2200.63 feet West of the Southeast corner of said Section 6;
thence East along the South line of said Section 6 a distance of 791.83 feet;
thence Northwesterly along a line forming an angle of 61° 20' 33" to the left with
the South line of said Section 6 a distance of 1297.33 feet to an angle point
which is 1112.06 feet perpendicularly distant North of said South line of
Section 6; thence North along a straight line forming an angle of 26° 45' 38"
to the left with the prolongation of the last described course a distance of
2383.35 feet to the point of beginning; all in Kendall County, Illinois.
LEGAL DESCRIPTION

That part of the West half of the Northeast quarter of Section 7, Township 37 North, Range 7 East of the Third Principal Meridian, bounded and described as follows: Beginning at a point on the South line of said West half of the Northeast quarter of Section 7 which is 907.51 feet West of the Southeast corner thereof; thence Northeasterly along a line 125.36 feet to an angle point; which is 377.17 feet perpendicularly distant West of the East line of said West half of the Northeast quarter and 137.17 feet perpendicularly distant North of the South line of said West half of the Northeast quarter; thence North along a line 2439.25 feet to a point on the North line of said West half of the Northeast quarter of Section 7, which point is 99.70 feet West of the Northeast corner thereof; thence South along the East line of said West half of the Northeast quarter 55.88 feet to said Northeast corner; thence East along the North line of said West half of the Northeast Quarter 99.70 feet to said Northeast corner; thence South along the East line of said West half of the Northeast Quarter of Section 7, 2652.55 feet to the point of beginning; all in Kendall County, Illinois.