

City of Aurora

Development Services Department | Zoning and Planning Division

44 E. Downer Place | Aurora, IL 60505

Phone: (630) 256-3080 | Fax: (630) 256-3089 | [Web: www.aurora-il.org](http://www.aurora-il.org)



Land Use Petition

Subject Property Information

Address / Location: East of Raddant Road and north of Butterfield Road

Parcel Number(s): 12-35-200-037; 12-35-400-003

Petition Request

Requesting approval of a Final Plat for Harvest Point Subdivision, located east of Raddant Road and north of Butterfield Road;

Requesting approval of a Final Plan for Lots 1-62 of Harvest Point Subdivision located east of Raddant Road and north of Butterfield Road for an One Family Dwelling (1110) Use

Attachments Required

(a digital file of all documents is also required)

Development Tables Excel Worksheet - digital only (1-0)
Word Document and PDF of: Legal Description (2-1)

One Paper and pdf Copy of:
Qualifying Statement (2-1)
Plat of Survey (2-1)
Legal Description (2-1)
Letter of Authorization (2-2)
Existing or Proposed CC and Rs OR Lease Restrictions (2-1)

One Paper and pdf Copy of:
Final Engineered plan
Project Information sheet.
Stormwater Permit Worksheet & Application
Final SWM Report/Storm Sewer Calculations
Native Basign Design
BMP Plan Summary

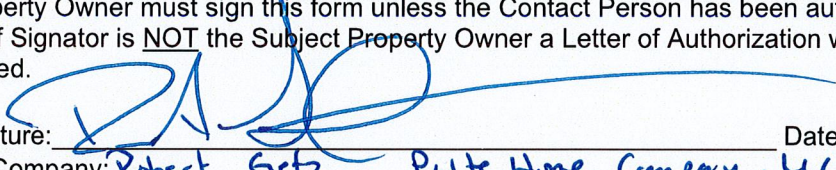
Two Paper and pdf Copy of:
Final Plan (2-4)
Final Plat (2-5)
Landscape Plan (2-7)
Building and Signage Elevations (2-11)
Address Plat
Fire Access Plan

Petition Fee: \$2,558.25

Payable to: City of Aurora

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.

The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is **NOT** the Subject Property Owner a Letter of Authorization with owner's Name and contact information is required.

Authorized Signature: 

Date

May 12, 2025

Print Name and Company: Robert Getz, Pulse Home Company, LLC

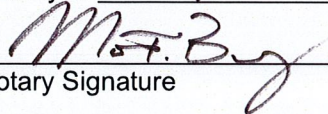
I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Given under my hand and notary seal this 12th day of MAY 2025.

State of IL)

) SS

County of Cook)


Notary Signature

NOTARY PUBLIC SEAL



Project Contact Information Sheet

Project Number: 2025.115

Petitioner Company (or Full Name of Petitioner): Pulte Homes Company LLC

Owner

First Name: Marmion Initial: _____ Last Name: _____ Title: Mr.
Company Name: Andrew E. Kolb, Esq.
Job Title: Attorney
Address: 1000 Butterfield Road
City: Aurora State: IL Zip: 50502
Email Address: akolb@vklawfirm.com Phone No.: (630) 887-1705 Mobile No.: _____

Main Contact (The individual that signed the Land Use Petition)

Relationship to Project: Contract Purchaser
Company Name: Pulte Group
First Name: Matt Initial: _____ Last Name: Brolley Title: Mr.
Job Title: Division Director of Entitlements: Illinois Division
Address: 1900 E Golf Road #300
City: Schaumburg State: IL Zip: 60173
Email Address: matt.brolley@pultegroup.com Phone No.: 847-230-5400 Mobile No.: 630-777-2973

Additional Contact #1

Relationship to Project: Other
Company Name: S.R. JACOBSON
First Name: Manny Initial: _____ Last Name: Kianicky Title: _____
Job Title: Vice President
Address: 32400 Telegraph Road
City: Bingham Farms State: MI Zip: 48025
Email Address: mkianicky@SRJ.com Phone No.: 248-642-4700 Mobile No.: 248-535-2404

Additional Contact #2

Relationship to Project: Engineer
Company Name: CEMCON, LTD.
First Name: Mark Initial: _____ Last Name: Scacco Title: _____
Job Title: Project Manager
Address: 2280 White Oak Circle
City: Aurora State: IL Zip: 60502
Email Address: mark.scacco@cemcon.com Phone No.: 630-862-2100 Mobile No.: _____

Additional Contact #3

Relationship to Project: Attorney
Company Name: Rosanova & Whitaker, Ltd.
First Name: Russell Initial: _____ Last Name: Whitaker, III Title: _____
Job Title: _____
Address: 127 Aurora Avenue
City: Naperville State: IL Zip: 60540
Email Address: russ@rw-attorneys.com Phone No.: 630-355-4600 Mobile No.: 630-880-7273

Additional Contact #4

Relationship to Project: Attorney
Company Name: Rosanova & Whitaker, Ltd.
First Name: Eric Initial: _____ Last Name: Prechtel Title: _____
Job Title: _____
Address: 127 Aurora Avenue
City: Naperville State: IL Zip: 60540
Email Address: eric@rw-attorneys.com Phone No.: 630-355-4600 Mobile No.: _____



Planning and Zoning Division 77 S. Broadway, 2nd Floor, Aurora, IL
phone (630) 256-3080 fax (630) 256-3081 email COAPlanning@aurora.il.us

1-6

Filing Fee Worksheet

Project Number: 2025.115

Petitioner: Pulte Homes Company LLC

Number of Acres: 20.95

Number of Street Frontages: 1.00

Non-Profit 0

Linear Feet of New Roadway: 2510

New Acres Subdivided (if applicable): 20.95

Area of site disturbance (acres): 20.95

Filing Fees Due at Land Use Petition:

Request(s):	Final Plan & Plat	\$	1,308.25
	Final Engineering Filing Fee	\$	1,250.00

Total: **\$2,558.25**

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By:

Date:

May 12, 2025

Jill Morgan, Planner
Zoning & Planning Division
City of Aurora
77 S. Broadway
Aurora, IL 60505

***RE: SUBMITTAL DOCUMENTS – PULTE HOME COMPANY, LLC – HARVEST
POINT – FINAL PLAN AND PLAT***

Dear Jill:

We are pleased to offer our submittal documents in connection with our request for approval of a Final Plat and Final Plan for Harvest Point subdivision, located east of Raddant Road and north of Butterfield Road. This request is made on behalf of Pulte Home Company, LLC, as Petitioner, and Marmion, an Illinois not-for-profit corporation, as owner of the Subject Property. Shown below are the documents we are submitting to the City in support of the request. The submitted documents include the following in paper and pdf format:

1. Qualifying Statement
2. Letter of Authorization
3. Legal Description
4. Land Use Petition and Filing Fee (to be submitted under separate cover)
5. Development Tables Excel Worksheet
6. Plat of Survey
7. Final Plan
8. Final Plat
9. Final Engineering Plans
10. Emergency Access Plan
11. Address Plat
12. Drain Tile Survey
13. Final Stormwater Report
14. Final Landscape Plan
15. Building Elevations
16. Proposed CCRs
17. Native Basin Design Exhibit
18. BMP Plan Summary

Should any additional documentation be deemed necessary, we are certainly happy to work with the City to that end. Please do not hesitate to call me with any questions.

Sincerely,

Eric Prechtel
Attorney for Petitioner

HARVEST POINT SUBDIVISION LEGAL DESCRIPTION

THAT PART OF THE EAST HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF KIRKLAND FARMS SUBDIVISION UNIT 1, RECORDED AS DOCUMENT NUMBER 95K074038, SAID POINT ALSO BEING ON THE NORTH LINE OF SAVANNAH CROSSINGS SUBDIVISION, RECORDED AS DOCUMENT NUMBER 2007K066321; THENCE NORTH 02 DEGREES 12 MINUTES 24 SECONDS WEST ALONG THE WESTERLY LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 1, 412.92 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 24 MINUTES 42 SECONDS WEST 1044.28 FEET TO THE EAST LINE OF RADDANT ROAD DEDICATED PER DOCUMENT 96K024895; THENCE NORTH 00 DEGREES 38 MINUTES 30 SECONDS WEST ALONG SAID EAST LINE 916.62 FEET TO THE SOUTH LINE OF LAND DESCRIBED IN WARRANTY DEED DOCUMENT NO 91K27434; THENCE NORTH 89 DEGREES 18 MINUTES 51 SECONDS EAST, 958.26 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER THEREOF, SAID POINT BEING ON THE WEST LINE OF KIRKLAND FARMS SUBDIVISION UNIT 2, RECORDED AS DOCUMENT NO. 97K000622; THENCE SOUTH 00 DEGREES 04 MINUTES 19 SECONDS EAST, 163.11 FEET, ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF LOT 91 IN SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS EAST, 67.39 FEET ALONG THE SOUTH LINE OF LOT 91 IN SAID SUBDIVISION TO THE NORTHWEST CORNER OF LOT 93 IN SAID SUBDIVISION; THENCE SOUTH 02 DEGREES 12 MINUTES 24 SECONDS EAST ALONG THE WEST LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 2 AND THE WEST LINE OF AFOREMENTIONED KIRKLAND FARMS UNIT 1, 736.37 FEET TO THE POINT OF BEGINNING, ALL IN KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

THAT PART OF EAST HALF OF SECTION 35 OF TOWNSHIP 39 NORTH, RANGE 8
THAT PART OF THE EAST HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:
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19 SECONDS WEST, 165.96 FEET TO THE SOUTH LINE OF LAND DESCRIBED IN WARRANTY DEED DOCUMENT NO 91K27434; THENCE NORTH 89 DEGREES 18 MINUTES 51 SECONDS EAST 10.80 FEET ALONG SAID SOUTH LINE TO THE WESTERLY LINE OF KIRKLAND FARMS SUBDIVISION UNIT 2 RECORDED AS DOCUMENT 97K000622; THE FOLLOWING THREE COURSES ARE ALONG SAID WESTERLY LINE AND THE SOUTHERLY EXTENSION THEREOF; 1) THENCE SOUTH 00 DEGREES 04 MINUTES 19 SECONDS EAST, 163.11 FEET; 2) THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS EAST, 67.39 FEET; 3) THENCE SOUTH 02 DEGREES 12 MINUTES 24 SECONDS EAST, 736.37 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

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October 9th, 2024

From:

Marmion, an Illinois not-for-profit corporation
1000 Butterfield Road
Aurora, IL 60502

Via Attorney for Owner:

Andrew E. Kolb, Esq.
Vanek, Larson & Kolb, LLC
200 W. Main Street
St. Charles, IL 60174
Phone: (630) 513-9800 (ext. 2024)
Email: akolb@vklawfirm.com; kelly@vklawfirm.com

To:

City of Aurora, Planning and Zoning Division
44 E. Downer Place,
Aurora, IL 60507
630-256-3080
Email: coaplaning@aurora-il.org

Re: Authorization Letter for Parcels 12-35-200-037 and 12-35-400-004, , east of Raddant Road, north of Butterfield Road,

To whom it may concern:

As the record owner of the above stated property, I hereby affirm that I have full legal capacity to authorize S.R. Jacobson Development Corp. and its representatives, to act as the owner's agent through the Rezoning and Land Use Petition process with the City of Aurora for said property.

Signature: Albert Joel Ryzinger, D.S.B.

Date 10/9/2024

Title: Chairman

SUBSCRIBED and SWORN to before me this 9th day of October, 2024

Notary Signature

Ophelia L. Hernandez



January 16, 2025

From: S.R. Jacobson Development Corp.
32400 Telegraph Road, Suite 200 A
Bingham Farms, MI 48025
(248) 642-4700 ext. 237
Email: mkianicky@SRJ.com

To: City of Aurora, Planning and Zoning Division
44 E. Downer Place
Aurora, IL 60507
(630) 256-3080
Email: coaplaning@aurora-il.org

Re: Authorization Letter for Parcels 12-35-200-037 and 12-35-400-003, East of Raddant Road, North of Butterfield Road

To Whom it May Concern:

As the contract purchaser of the above-stated property and authorized agent of the record owner, Marmion, Inc., for purposes of Land Use Petition process, I hereby affirm that I have full legal capacity to authorize Pulte Home Company, LLC, and its representatives, including Rosanova & Whitaker, Ltd., to act as S.R. Jacobson Development Corp.'s agent through the Land Use Petition process with the City of Aurora for said property. A separate letter of authorization from Marmion, Inc. authorizing S.R. Jacobson Development Corp. to act as the owner's agent was previously provided to and is on file with the City of Aurora.

Sincerely,


S.R. Jacobson Development Corp.

Signature: Emmanuel Kniahynycky Date: Jan 16, 2025

Name: Emmanuel Kniahynycky

Its: Vice President

SUBSCRIBED and SWORN to before me this 16 day of January, 2025.

Notary Signature: 
(seal)

KERRI SELLERS
Notary Public, State of Michigan
County of Oakland
My Commission Expires 8-29-29
Acting in the County of Oakland



STATE OF ILLINOIS)
)
COUNTY OF KANE)
)
CITY OF AURORA)

PETITION TO THE CITY OF AURORA

THE UNDERSIGNED Petitioner, Pulte Home Company, LLC (hereinafter the “**Petitioner**” or “**Pulte**”), a Michigan limited liability company, respectfully submits this Petition to the City of Aurora (“**City**”) for i) approval of a Final Plat of Subdivision (“**Final Plat**”); ii) approval of a Final Plan (“**Final Plan**”); and iii) approval of such other relief to the City of Aurora’s Municipal Code (hereinafter the “**Code**”) as may be deemed necessary and appropriate to develop the property legally described on **Exhibit A** (“**Subject Property**”) and depicted on the Final Plat submitted herewith as **Exhibit B**.

BACKGROUND INFORMATION

1. The owner of the Subject Property is Marmion, Inc., an Illinois not-for-profit corporation having an address of 1000 Butterfield Rd. Aurora, IL 60502 (“**Owner**” or “**Marmion**”).
2. The contract purchaser of the Subject Property and Petitioner herein is Pulte Home Company, LLC, a Michigan limited liability company having an office at 1900 E. Golf Road, Suite 300, Schaumburg, IL 60173.
3. The Subject Property consists of approximately twenty-one (21) acres located at the northeast corner of Butterfield Road and Raddant Road in the City of Aurora, County of Kane, State of Illinois.
4. The existing land uses surrounding the Subject Property are as follows:
 - a. North: “F” Farmland in Unincorporated Kane County (single-family home)
 - b. East: R-1(S) – Kirkland Farms subdivision

- c. South: R-1(S) – Vacant (future Abbey Meadows subdivision)
- d. West: R-1(S) – The Vineyards subdivision

5. The Subject Property is zoned R-2 (approximately fifteen (15) acres) and OS-1 (approximately six (6) acres) pursuant to Ordinance No. 025-025 passed April 22, 2025 (“**Harvest Point Ordinance**”).

6. The Harvest Point Ordinance also granted approval of a conditional use for a planned development and associated plan description (“**Plan Description**”) for the Subject Property to permit the development of 59 single-family detached homes, which subdivision is to be known as “**Harvest Point**”.

7. The City passed Resolution No. R25-127 on April 22, 2025 approving the Preliminary Plat and Preliminary Plan for Harvest Point.

8. The Final Plat and Final Plan are in substantial conformance with the Preliminary Plat and Preliminary Plan, such that Petitioner now seeks approval of a Final Plat and Final Plan for Harvest Point.

QUALIFYING STATEMENT

The Petitioner and builder is Pulte Home Company, LLC. Pulte is a multi-brand homebuilding company capable of serving homeowners during all phases of life. Pulte has been building homes in the Chicago area since the 1960s, bringing decades of construction and development experience to each project. Petitioner has found success building communities that offer quality housing options designed to serve the diverse needs of the local community, and Petitioner looks forward to providing a new housing option for Aurora’s existing residents as well as those that would like to live in a well-respected municipality with excellent schools and park

facilities.

Petitioner seeks to acquire the Harvest Point Parcel to develop the Harvest Point subdivision with fifty-nine (59) traditional detached single-family residences. Harvest Point will consist of Petitioner's "Meadows" series of homes, which is Petitioner standard home line-up consisting of 40'-wide homes situated on 55'-wide lots. The Meadows were recently offered in the Lincoln Crossing subdivision located east of the intersection of Eola Road and US Route 30 in the City of Aurora and were received with overwhelming success.

It has been Pulte's experience in recent years that in the single-family residential market, homebuyers are interested in smaller lots, reducing the time and money spent on maintenance and upkeep of larger lots. Families lead much busier lives and choose to spend time and money on other activities and products rather than the upkeep of a large yard. In fact, over the last ten (10) years, minimum lot sizes in Pulte's residential subdivisions have been steadily decreasing. Instead, there is increased purchaser demand for more options associated with the livability of the home, including sunrooms, smart home upgrades, upgraded flooring, gourmet kitchens, upgraded bathroom options, and less yard.

The proposed Harvest Point development and Meadows Series homes reflect this market demand, offering different entrance points for prospective purchasers based on home/lot size and price. The Meadows Series will feature 5 floor plan options, each with four or five different elevations to provide a diversity of architecture along the streetscape. The architecture is modern American, blending a variety of design features to create attractive facades. The community will feature homes based on traditional styling that includes farmhouse, low country, heritage, and craftsman designs.

The use of professional landscaping design and materials will enhance the overall

aesthetics of the development. Landscaping materials will include a mix of parkway trees, decorative trees and shrubs and other landscape materials, improving the aesthetics of Harvest Point. Generous perimeter yards will provide the opportunity for landscape buffering, including a large setback between Raddant Road and the homes on the west side of the development.

Large stormwater detention basins will be positioned along the southern and eastern perimeters of the development to provide a significant buffer between Harvest Point, future development, and the homes in the Kirkland Farms subdivision. The stormwater management facilities have been designed efficiently to provide sufficient stormwater storage for Harvest Point. Fox Metro sanitary sewer and potable water are available in the requisite capacity to serve Harvest Point.

The proposed development will be located in close proximity to key transportation corridors including Butterfield Road, and I-88 will be easily accessible for commuting residents. Access to Harvest Point will be from the west via two access points from Raddant Road. Both access points have been aligned with the access points to the Vineyards subdivision to the west, consistent with best engineering practices. The curvilinear roadways internal to the Harvest Point development will be dedicated to the City and are designed to circulate traffic efficiently and safely. As part of the Harvest Point development, sidewalks throughout Harvest Point will provide interconnectivity and walkability within the neighborhood. The future residents will benefit from the development's proximity to shopping districts, recreational amenities, and employment centers. Within a 3-mile radius, there are a large variety of retail establishments, groceries, restaurants, entertainment opportunities, and recreational amenities. Nearby employment corridors will offer future residents the additional feature of conveniently located employment opportunities.

Harvest Point will be an appropriate use along a major collector roadway corridor like Raddant Road and will complement the existing Vineyards and Kirkland Farms subdivisions to the east and west in addition to the future Abbey Meadows subdivision planned to the south. Further, residential development is a natural use in nearby proximity to the Marmion Academy to the west and the Hoover Wood Elementary School to the north, providing prospective students and families with reduced transportation costs. The proposed homes will also help support the existing commercial and retail uses at the intersection of Butterfield Road and Kirk Road, which uses include a Walmart Supercenter, Walgreens, Jersey Mike's Subs, Wendy's, Sonic restaurant, Anytime Fitness, Space Saver Self Storage, and the PRIDE gas station.

STANDARDS

I. The Qualifying Statement shall provide information on how the proposal relates to the following standards:

a. The public health, safety, morals, comfort or general welfare.

It is essential to the public health, comfort, safety, convenience and general welfare to provide diverse housing types and additional housing stock to accommodate the needs of Aurora's growing population to support the residents of the City and surrounding areas. While the Subject Property has been annexed and zoned for nearly 30 years, it remains undeveloped and is no longer necessary or accretive to Marmion's operations. The proposed development will facilitate development of the Subject Property to its highest and best use.

The proposed development is consistent and compatible with the surrounding uses, including the Vineyards and Kirkland Farms subdivisions to the east and west, single-family home to the north, and future Abbey Meadows subdivision planned to the south. Residential

development is also a natural use near schools such as Marmion Academy and Harvest Wood Elementary School, providing reduced transportation costs for prospective students and families. Further, the development's close proximity to the nearby commercial uses will help support the existing retail and commercial uses at the intersection of Butterfield Road and Kirk Road, enhancing the City's revenue streams through new property, utility, and sales taxes.

b. The use and enjoyment of other property already established or permitted in the general area.

The development of Harvest Point as a single-family detached residential community will not have a negative effect on the use or enjoyment of the other property in the general area. The proposed Harvest Point subdivision will provide for the highest and best use of the Subject Property complementary to the residential nature of the area. In addition, the proposed Harvest Point development will help support the existing commercial and retail uses along Butterfield Road, increase the City's workforce, and enhance the City's revenue streams through new property, utility, and sales taxes.

The use of professional landscaping design and materials will be utilized to enhance the overall aesthetics and visual appeal of the Harvest Point community, including a mix of parkway trees, shade trees and shrubs. The landscape design enhancements will include decorative plantings around the perimeter of the development. Landscape buffers will be provided throughout and around the perimeter of the community to create the feel of a residential enclave. Large stormwater detention basins will be positioned along the southern and eastern perimeter of the Harvest Point development to provide a significant buffer between Harvest Point, future development, and the homes in Kirkland Farms.

c. Property values within the neighborhood.

Petitioner's development of Harvest Point will not be a detriment to the property values

within the neighborhood. Rather, the development of Harvest Point will improve the City's housing stock, serve under-represented demographics, and create new revenue streams through property, utility, and sales taxes. Harvest Point will preserve and increase property values by developing a property which has historically been vacant and will eliminate uncertainty with development of the Subject Property. Given the proposed development's location and proximity to nearby retail uses, the development will support the nearby retail and commercial uses.

- d. *The normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts.*

The development is consistent with the normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts. The Subject Property remains vacant and undeveloped. The proposed Harvest Point development is consistent with the adjacent residential uses and will provide for the Subject Property's highest and best use. With the Vineyards subdivision to the west, the Kirkland Farms subdivision to the east, a single-family home to the north, and future Abbey Meadows subdivision planned to the south, the proposed development will be a natural and complementary addition to the area.

- e. *Utilities, access road, drainage and/or other necessary facilities.*

City water is available in the requisite capacity and Fox Metro Water Reclamation District sanitary sewer will be able to serve the Harvest Point development. Two stormwater management facilities will be located along the south and east perimeter of the development. These detention facilities have been designed efficiently to provide sufficient stormwater storage for Harvest Point. Sufficient access to Harvest Point will be provided from the west via two access points along Raddant Road. Both entrances to Harvest Point have been aligned with the access points to the Vineyards subdivision to the west, consistent with best engineering practices.

f. *Ingress and egress as it relates to traffic congestion in the public streets*

Sufficient ingress and egress access points will be provided from the west via two access points from Raddant Road. KLOA performed a Traffic Report dated October 10, 2024 (“**Traffic Report**”), which Traffic Report has been included with the submittal material. The Traffic Report found that the ingress and egress points are sufficient for Harvest Point, concluding:

- The existing roadway system will have sufficient reserve capacity to accommodate the traffic that will be generated by the proposed development and no additional roadway improvements and/or traffic control modifications are required; and
- The proposed access system will adequately accommodate site-generated traffic and ensure that efficient and flexible access to and from the site is provided.

g. *The applicable regulations of the zoning district in which the subject property is proposed to be or is located.*

The proposed Harvest Point subdivision is consistent with the R-2 and OS-1 zoning designations for the development. The stated purpose of the R-2 zoning designation is to provide the City with a wide range of quality housing opportunities by providing single-family areas of a medium-density character. The intent of the Harvest Point development is to facilitate the development of a medium density single-family detached residential community consistent with the intent of the R-2 zoning district. Likewise, the stated intent and purpose of the OS-1 zoning district is to regulate and protect public and private drainage area, stormwater management facilities and passive open space. As such, two stormwater management facilities will be located along the south and east perimeter of the development to efficiently provide sufficient stormwater storage for Harvest Point.

h. *A bullet point list of any variances, modifications or exceptions that you are seeking from the City’s Codes and Ordinances.*

All modifications and exceptions under the City’s Codes and Ordinances were approved

as set forth in the approved Plan Description for the Subject Property and as depicted on the approved Preliminary Plan and Preliminary Plat.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests i) approval of a Final Plat of Subdivision; ii) approval of a Final Plan; and iii) approval of such other relief to the City of Aurora's Municipal Code as may be deemed necessary and appropriate to develop the Subject Property.

RESPECTFULLY SUBMITTED this 5th day of May, 2025

PETITIONER:

PULTE HOME COMPANY, LLC
A Michigan limited liability company

A handwritten signature in black ink, appearing to read "Rosanova & Whitaker", written over a horizontal line.

Rosanova & Whitaker, Ltd.
Attorney for the Petitioner

EXHIBIT A
LEGAL DESCRIPTION – SUBJECT PROPERTY

THAT PART OF THE EAST HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF KIRKLAND FARMS SUBDIVISION UNIT 1, RECORDED AS DOCUMENT NUMBER 95K074038, SAID POINT ALSO BEING ON THE NORTH LINE OF SAVANNAH CROSSINGS SUBDIVISION, RECORDED AS DOCUMENT NUMBER 2007K066321; THENCE NORTH 02 DEGREES 12 MINUTES 24 SECONDS WEST ALONG THE WESTERLY LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 1, 412.92 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 24 MINUTES 42 SECONDS WEST 1044.28 FEET TO THE EAST LINE OF RADDANT ROAD DEDICATED PER DOCUMENT 96K024895; THENCE NORTH 00 DEGREES 38 MINUTES 30 SECONDS WEST ALONG SAID EAST LINE 916.62 FEET TO THE SOUTH LINE OF LAND DESCRIBED IN WARRANTY DEED DOCUMENT NO 91K27434; THENCE NORTH 89 DEGREES 18 MINUTES 51 SECONDS EAST, 958.26 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER THEREOF, SAID POINT BEING ON THE WEST LINE OF KIRKLAND FARMS SUBDIVISION UNIT 2, RECORDED AS DOCUMENT NO. 97K000622; THENCE SOUTH 00 DEGREES 04 MINUTES 19 SECONDS EAST, 163.11 FEET, ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF LOT 91 IN SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS EAST, 67.39 FEET ALONG THE SOUTH LINE OF LOT 91 IN SAID SUBDIVISION TO THE NORTHWEST CORNER OF LOT 93 IN SAID SUBDIVISION; THENCE SOUTH 02 DEGREES 12 MINUTES 24 SECONDS EAST ALONG THE WEST LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 2 AND THE WEST LINE OF AFOREMENTIONED KIRKLAND FARMS UNIT 1, 736.37 FEET TO THE POINT OF BEGINNING, ALL IN KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

THAT PART OF EAST HALF OF SECTION 35 OF TOWNSHIP 39 NORTH, RANGE 8 THAT PART OF THE EAST HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF KIRKLAND FARMS SUBDIVISION UNIT 1, RECORDED AS DOCUMENT NUMBER 95K074038, SAID POINT ALSO BEING ON THE NORTH LINE OF SAVANNAH CROSSINGS SUBDIVISION, RECORDED AS DOCUMENT NUMBER 2007K066321; THENCE NORTH 02 DEGREES 12 MINUTES 24 SECONDS WEST ALONG THE WESTERLY LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 1, 412.92 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 24 MINUTES 42 SECONDS WEST, 16.27 FEET; THENCE NORTH 03 DEGREES 02 MINUTES 04 SECONDS WEST, 130.56 FEET; THENCE NORTH 01 DEGREE 59 MINUTES 44 SECONDS WEST, 603.30 FEET; THENCE NORTH 89 DEGREES 52 MINUTES 13 SECONDS WEST, 62.36 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 19 SECONDS WEST, 165.96 FEET TO THE SOUTH LINE OF LAND DESCRIBED IN

WARRANTY DEED DOCUMENT NO 91K27434; THENCE NORTH 89 DEGREES 18 MINUTES 51 SECONDS EAST 10.80 FEET ALONG SAID SOUTH LINE TO THE WESTERLY LINE OF KIRKLAND FARMS SUBDIVISION UNIT 2 RECORDED AS DOCUMENT 97K000622; THE FOLLOWING THREE COURSES ARE ALONG SAID WESTERLY LINE AND THE SOUTHERLY EXTENSION THEREOF; 1) THENCE SOUTH 00 DEGREES 04 MINUTES 19 SECONDS EAST, 163.11 FEET; 2) THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS EAST, 67.39 FEET; 3) THENCE SOUTH 02 DEGREES 12 MINUTES 24 SECONDS EAST, 736.37 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

EXHIBIT B
FINAL PLAT OF HARVEST POINT

FINAL PLAT FOR HARVEST POINT SUBDIVISION

PART OF THE EAST HALF OF SECTION 35, TOWNSHIP 39
NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN,
IN KANE COUNTY, ILLINOIS

City Resolution: _____

SHEET 1 OF 2

Passed On: _____

SUBMITTED BY AND PLEASE RETURN TO:
CITY OF AURORA PLANNING DIVISION
44 E. DOWNER PLACE
AURORA, IL 60507

LEGEND	
	SUBDIVISION BOUNDARY LINE
	LOT LINE/PROPERTY LINE
	ADJACENT LOT LINE/PROPERTY LINE
	EASEMENT LINE/LIMITS OF EASEMENT
	CENTERLINE
	QUARTER SECTION LINE
	SECTION LINE
	SET CONCRETE MONUMENT

50 25 0 50
SCALE: 1 INCH = 50 FEET

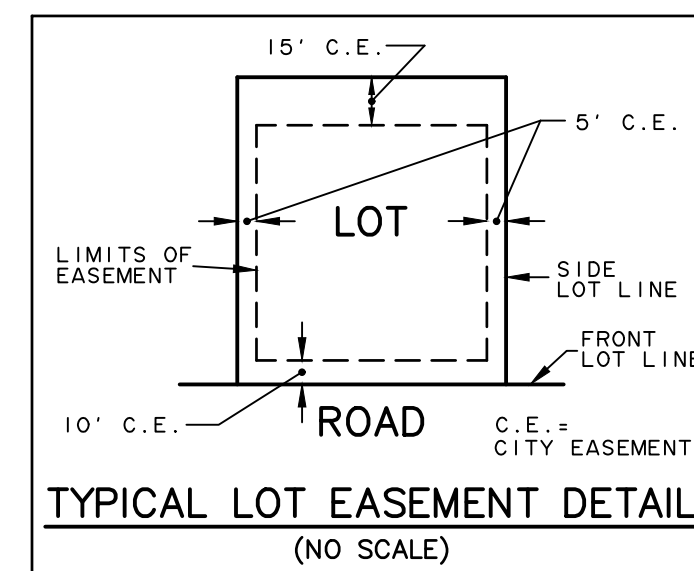
NOTES

3/4 INCH IRON PIPE SET AT ALL LOT CORNERS AND POINTS OF CURVATURE UNLESS OTHERWISE NOTED.
ALL MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
DIMENSIONS ENCLOSED WITH () ARE RECORD DATA. ALL OTHER DIMENSIONS ARE MEASURED.
ALL EASEMENTS ARE HEREBY GRANTED UNLESS OTHERWISE NOTED.
C.E. - INDICATES CITY EASEMENT HEREBY GRANTED. SEE PROVISIONS CONTAINED HEREIN.
S.L. - SETBACK LINE
THE MEASURED BEARINGS SHOWN ARE BASED ON THE WEST LINE OF THE SUBJECT SITE BEING N 00°38'30" W.
FIP = FOUND IRON PIPE (Ø AS SHOWN)
FIR = FOUND IRON ROD (Ø AS SHOWN)
LOTS 60, 61 AND 62 TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 45°38'30" E	42.43'
L2	N 44°21'30" E	42.43'
L3	N 89°21'30" E	30.00'
L4	S 45°38'30" E	42.43'
L5	N 44°21'30" E	42.43'
L6	S 00°38'30" E	32.04'
L7	S 71°56'44" E	73.38'
L8	S 87°32'53" E	22.44'
L9	S 87°32'53" E	16.94'
L10	N 72°48'04" E	79.14'
L11	N 21°24'27" E	21.20'
L12	S 89°21'30" W	30.00'
L13	N 89°52'13" W	62.36'
L14	S 01°35'18" E	41.06'

DEVELOPMENT DATA TABLE: FINAL PLAT HARVEST POINT

Description	Value / Unit
A. TAX PARCEL IDENTIFICATION NUMBER(S) (PINs):	12-35-200-037 PART OF 12-35-400-003
B. SUBDIVIDED AREA	20.945 Acres / 912,381 S.F.
C. PROPOSED R.O.W. DEDICATION	4.121 Ac. / 179,523 S.F. 2,510 L.F. of Centerline
D. PROPOSED NEW EASEMENTS	9.734 Ac. / 424,033 S.F.



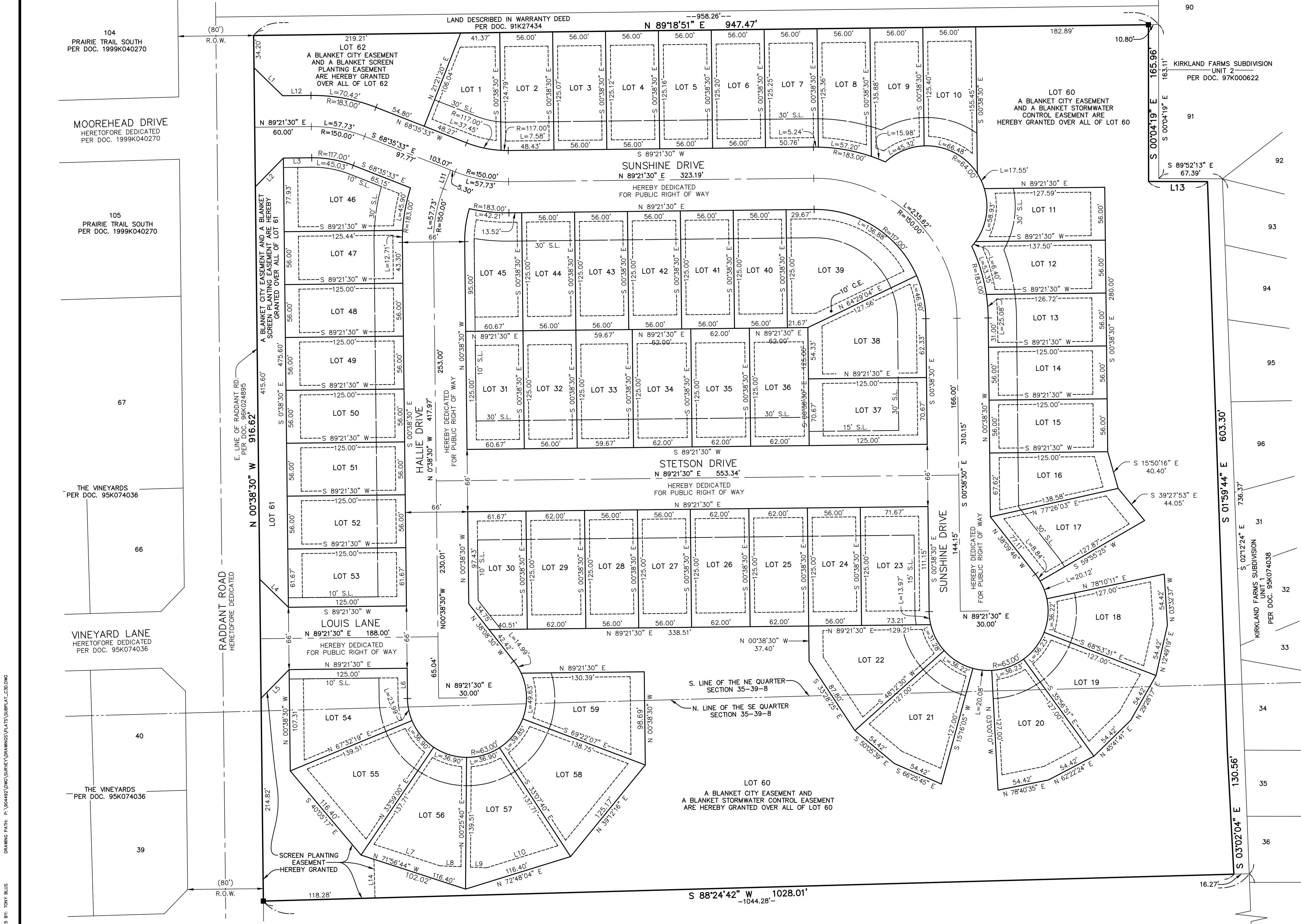
*TYPICAL DIMENSIONS UNLESS NOTED OTHERWISE.

PREPARED FOR:
PULTE HOME COMPANY, LLC
1900 E. SCHAUMBURG ROAD, SUITE 300
SCHAUMBURG, IL 60173
(847) 230-2592

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
E-Mail: info@cemcon.com Website: www.cemcon.com
DISC NO.: 402178 FILE NAME: SUBPLAT
DRAWN BY: AJB FLD. BK. / PG. NO.: E-34
COMPLETION DATE: 04-29-25 JOB NO.: 402.178
PROJECT REFERENCE: 904.492 & 608.087
CHECKED BY:



POINT OF COMMENCEMENT
SW CORNER KIRKLAND FARMS



DRAWING PATH: P:\04482\DWG\SURVEY\04482\PLATS\SUBPLAT_03.DWG
PLOT FILE CREATED: 4/29/2025 BY: TONY BILIS

DRAWING PATH: P:\04482\DWG\SURVEY\ORDNANCE\PLATS\SUBPLAT_1230.DWG
PLOT FILE CREATED: 4/29/2025 BY: TONY BILIS

OWNER’S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF COOK)

THIS IS TO CERTIFY THAT PULTE HOME COMPANY, LLC, A MICHIGAN LIMITED LIABILITY COMPANY IS THE RECORD OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR’S CERTIFICATE AFFIXED HEREON, AND DOES HEREBY CONSENT TO THE SUBDIVISION OF SAID PROPERTY, AND THE VARIOUS DEDICATIONS, GRANTS AND RESERVATIONS OF EASEMENT AND RIGHTS-OF-WAY DEPICTED HEREON.

ALSO, THIS IS TO CERTIFY THAT THE PROPERTY BEING SUBDIVIDED AFORESAID AND, TO THE BEST OF OWNER’S KNOWLEDGE AND BELIEF, SAID SUBDIVISION LIES ENTIRELY WITHIN THE LIMITS OF BATAVIA PUBLIC SCHOOL DISTRICT 101.

DATED THIS ____ DAY OF _____, A.D., 20____

SIGNATURE

PLEASE PRINT NAME, TITLE

PULTE HOME COMPANY, LLC
1900 E. SCHAUMBURG ROAD, SUITE 300
SCHAUMBURG, IL 60173

AFFIX CORPORATE SEAL
IF APPROPRIATE

NOTARY CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DUPAGE)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE AFORESAID COUNTY AND STATE, DO HEREBY CERTIFY THAT THE FOREGOING SIGNATOR OF THE OWNER’S CERTIFICATE IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND THAT SAID INDIVIDUAL APPEARED AND DELIVERED SAID INSTRUMENT AS A FREE AND VOLUNTARY ACT OF THE CORPORATION AND THAT SAID INDIVIDUAL DID ALSO THEN AND THERE ACKNOWLEDGE THAT HE OR SHE IS A CUSTOMER OF THE CORPORATE SEAL OF SAID CORPORATION AND DID AFFIX SAID SEAL OF SAID CORPORATION TO SAID INSTRUMENT AS HIS OR HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION, AS OWNER, FOR THE USES AND PURPOSES THEREIN SET FORTH IN THE AFORESAID INSTRUMENT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL
THIS ____ DAY OF _____, A.D., 20____

NOTARY

AFFIX SEAL

PLEASE TYPE/PRINT NAME

SURVEYOR’S CERTIFICATE

STATE OF ILLINOIS)
SS.
COUNTY OF DUPAGE)

THIS IS TO CERTIFY THAT I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE EAST HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF KIRKLAND FARMS SUBDIVISION UNIT 1, RECORDED AS DOCUMENT NUMBER 95K074038, SAID POINT ALSO BEING ON THE NORTH LINE OF SAVANNAH CROSSINGS SUBDIVISION, RECORDED AS DOCUMENT NUMBER 2007K066321; THENCE NORTH 02 DEGREES 12 MINUTES 24 SECONDS WEST ALONG THE WESTERLY LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 1, 412.92 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 24 MINUTES 42 SECONDS WEST 1044.28 FEET TO THE EAST LINE OF RADDANT ROAD DEDICATED PER DOCUMENT 96K024895; THENCE NORTH 00 DEGREES 38 MINUTES 30 SECONDS WEST ALONG SAID EAST LINE 916.62 FEET TO THE SOUTH LINE OF LAND DESCRIBED IN WARRANTY DEED DOCUMENT NO 91K27434; THENCE NORTH 89 DEGREES 18 MINUTES 51 SECONDS EAST; 958.26 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER THEREOF, SAID POINT BEING ON THE WEST LINE OF KIRKLAND FARMS SUBDIVISION UNIT 2, RECORDED AS DOCUMENT NO. 97K000622; THENCE SOUTH 00 DEGREES 04 MINUTES 19 SECONDS EAST, 163.11 FEET, ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF LOT 91 IN SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS EAST, 67.39 FEET ALONG THE SOUTH LINE OF LOT 91 IN SAID SUBDIVISION TO THE NORTHWEST CORNER OF LOT 93 IN SAID SUBDIVISION; THENCE SOUTH 02 DEGREES 12 MINUTES 24 SECONDS EAST ALONG THE WEST LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 2 AND THE WEST LINE OF AFOREMENTIONED KIRKLAND FARMS UNIT 1, 736.37 FEET TO THE POINT OF BEGINNING, ALL IN KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

THAT PART OF EAST HALF OF SECTION 35 OF TOWNSHIP 39 NORTH, RANGE 8 THAT PART OF THE EAST HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

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THE PLAT HEREON DRAWN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AND ACCURATELY DEPICTS SAID PROPERTY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WHICH HAS ADOPTED A COMPREHENSIVE PLAN AND WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE, AND THAT THE PLAT MEETS THE PROVISIONS OF CHAPTER 43 "SUBDIVISIONS" OF THE AURORA MUNICIPAL CODE. I FURTHER CERTIFY THAT, BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NUMBER 17089C0333H, EFFECTIVE DATE AUGUST 3, 2009, NO PORTION OF THE DESCRIBED PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____, A.D., 20____

JEFFREY R. PANKOW
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3483
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2026
PROFESSIONAL DESIGN FIRM LICENSE NUMBER 184-002937
EXPIRES APRIL 30, 2027

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

CITY ENGINEER’S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KANE)

I, THE UNDERSIGNED, AS CITY ENGINEER OF THE CITY OF AURORA, KANE, DUPAGE, KENDALL AND WILL COUNTIES, ILLINOIS, DO HEREBY CERTIFY THAT THIS DOCUMENT IS APPROVED UNDER MY OFFICES THIS ____DAY OF _____, A.D., 20____

CITY ENGINEER

PLEASE TYPE/PRINT NAME

PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KANE)

I, THE UNDERSIGNED, AS CHAIRMAN OF THE PLANNING COMMISSION OF THE CITY OF AURORA, KANE, DUPAGE, WILL AND KENDALL COUNTIES, ILLINOIS, DO HEREBY CERTIFY THAT THIS DOCUMENT HAS BEEN APPROVED BY SAID PLANNING AND ZONING COMMISSION THIS ____ DAY OF _____, A.D., 20____

PLANNING AND ZONING COMMISSION, CITY OF AURORA

CHAIRMAN

PLEASE TYPE/PRINT NAME

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KANE)

APPROVED THIS ____ DAY OF _____, A.D., 20____ BY THE CITY COUNCIL OF THE CITY OF AURORA, PURSUANT TO ORDINANCE/RESOLUTION NO. _____

BY: _____
MAYOR

ATTEST: _____
CITY CLERK

SURFACE WATER STATEMENT

STATE OF ILLINOIS)
SS
COUNTY OF DUPAGE)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD FOR DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

OWNER OR ATTORNEY

PLEASE TYPE/PRINT NAME

ENGINEER

PLEASE TYPE/PRINT NAME

KANE COUNTY CLERK’S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KANE)

I, THE UNDERSIGNED, AS COUNTY CLERK OF KANE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID OR FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND DEPICTED HEREON. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT DEPICTED HEREON.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT GENEVA, ILLINOIS, THIS ____ DAY OF _____, A.D., 20____

COUNTY CLERK

PLEASE TYPE/PRINT NAME

KANE COUNTY RECORDER’S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF KANE)

I, THE UNDERSIGNED, AS THE RECORDER OF DEEDS FOR KANE COUNTY DO HEREBY CERTIFY THAT INSTRUMENT NUMBER _____ WAS FILED FOR RECORD IN THE RECORDER’S OFFICE OF KANE COUNTY, ILLINOIS, ON THE ____ DAY OF _____, A.D., 20____ AT _____ O’CLOCK ____M.

RECORDER OF DEEDS

PLEASE TYPE/PRINT NAME

CITY EASEMENT

A CITY EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF AURORA ("CITY") AND ITS FRANCHISEES, PERMITEES OR LICENSEES FOR ALL AREAS HEREON PLATTED AND DESIGNATED "CITY EASEMENT", TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES IN, UNDER, OVER, ACROSS, ALONG AND UPON THE SURFACE OF SAID EASEMENT, INCLUDING BUT NOT LIMITED TO THE FOLLOWING WITHOUT LIMITATION, WATER MAINS, STORMWATER RUNOFF, STORM SEWERS, SANITARY SEWERS, GAS MAINS, TELEPHONE CABLES, ELECTRICAL LINES, AND CABLE TELEVISION AND WHERE ADJACENT TO PUBLIC RIGHT OF WAY OR STORMWATER CONTROL EASEMENTS FOR PUBLIC PEDESTRIAN EGRESS AND INGRESS TO SIDEWALKS OR PATHWAY SYSTEMS. NO ENCROACHMENT OF ANY KIND SHALL BE ALLOWED WITHIN SAID EASEMENT UNLESS THE CITY DETERMINES THAT SAID ENCROACHMENT SHALL NOT INTERFERE WITH THE PROPER FUNCTIONING OF ALL SUCH PERMITTED USES, SUCH AS ENCROACHMENT BY NON-INTERFERING GARDENS, SHRUBS AND OTHER LANDSCAPING MATERIAL. THE CITY AND ITS FRANCHISEES, PERMITEES OR LICENSEES WITH PERMITS FROM THE CITY MAY ENTER UPON SAID EASEMENT FOR THE USES HEREIN SET FORTH AND HAVE THE RIGHT TO CUT, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED "CITY EASEMENT" WHICH ENCROACH ON AND INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND SUCH FACILITIES APPURTENANT THERETO.

FOLLOWING ANY WORK TO BE PERFORMED BY CITY FRANCHISEES, PERMITEES OR LICENSEES WITH PERMITS FROM THE CITY, IN THE EXERCISE OF THE EASEMENT RIGHTS GRANTED HEREIN, SAID ENTITIES SHALL MAKE SURFACE RESTORATIONS, INCLUDING BUT NOT, LIMITED TO THE FOLLOWING: BACKFILL ANY TRENCH, RESTORE CONCRETE AND ASPHALT SURFACES, TOPSOIL AND SEED, REMOVE EXCESS DEBRIS, MAINTAIN AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION. ALL SAID RESTORATION SHALL BE COMPLETED IN ACCORDANCE WITH CITY STANDARDS AND SUBJECT TO CITY APPROVAL.

FOLLOWING ANY WORK TO BE PERFORMED BY THE CITY IN THE EXERCISE OF ITS EASEMENT RIGHTS GRANTED HEREIN, THE CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE LAWN OR SHRUBBERY.

STORMWATER CONTROL EASEMENT PROVISIONS

A STORMWATER CONTROL EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF AURORA ("CITY") FOR ALL AREAS HEREON PLATTED AND DESIGNATED AS "STORMWATER CONTROL EASEMENT", FOR A STORMWATER CONTROL FACILITY TO BE MAINTAINED BY THE OWNER OF SAID FACILITY IN ACCORDANCE WITH CITY ORDINANCES, APPROVED ENGINEERING PLANS AND APPROVED MAINTENANCE PLAN FOR THE CITY CASEFILE NUMBER _____

SAID EASEMENT SHALL FURTHER GRANT AND ALLOW THE CITY, ITS CONTRACTORS AND OR ASSIGNS, THE RIGHT TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE AND OPERATE STORM SEWER PIPES AND STRUCTURES WITHIN SAID EASEMENT AND TO CONVEY STORMWATER WITHIN ANY SAID STORM SEWERS. NO ENCROACHMENT OF ANY KIND SHALL BE ALLOWED WITHIN SAID EASEMENT UNLESS THE CITY HAS DETERMINED THAT SAID ENCROACHMENT SHALL NOT INTERFERE WITH THE PROPER FUNCTIONING OF SUCH FACILITY. SUCH AS GARDENS, SHRUBS AND OTHER LANDSCAPING MATERIAL.

THE CITY SHALL HAVE THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY TIME FOR THE PURPOSES OF ACCESS TO AND INSPECTION OF THE STORMWATER CONTROL FACILITIES LOCATED WITHIN SAID EASEMENT. IF, UPON INSPECTION, THE CITY DISCOVERS THAT THE OWNER HEREOF ("OWNER") HAS FAILED TO MAINTAIN SAID FACILITIES. THE CITY SHALL NOTIFY OWNER OF ITS FINDINGS, AND OWNER SHALL MAKE REQUIRED REPAIRS WITHIN 15 DAYS AFTER THE CITY’S NOTICE. IF SUCH REPAIRS ARE NOT CAPABLE OF BEING COMPLETED WITHIN 15 DAYS, OWNER SHALL HAVE AS LONG AS IS REASONABLY NECESSARY TO COMPLETE SUCH REPAIRS, PROVIDED THAT THE CITY HAS GIVEN ITS APPROVAL.

IN THE EVENT THAT THE OWNER HAS NOT RESPONDED TO THE CITY’S NOTICE, THEN THE CITY MAY CAUSE SUCH REPAIRS TO BE MADE AND BILL OWNER FOR ALL COSTS THEREOF, AND SHALL HAVE THE RIGHT TO CUT TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED "STORMWATER CONTROL EASEMENT" WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF SAID FACILITIES AND STRUCTURES.

FOLLOWING ANY WORK TO BE PERFORMED BY THE CITY IN THE EXERCISE OF ITS EASEMENT RIGHTS GRANTED HEREIN, THE CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE LAWN OR SHRUBBERY, PROVIDED, HOWEVER, THAT SAID CITY SHALL BE OBLIGATED FOLLOWING SUCH MAINTENANCE WORK TO BACKFILL AND MOUND ANY TRENCH CREATED SO AS TO RETAIN SUITABLE DRAINAGE, TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPOIL AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

SCREEN PLANTING EASEMENT PROVISIONS

A SCREEN PLANTING EASEMENT IS HEREBY RESERVED FOR THE BENEFIT OF AND GRANTED TO PULTE HOME COMPANY, LLC AND ITS RESPECTIVE SUCCESSORS AND ASSIGNS, OVER ALL OF LOTS 61 AND 62 AND PORTIONS OF LOT 60 WITHIN THE AREA SHOWN BY DASHED LINES ON THE PLAT AND MARKED "SCREEN PLANTING EASEMENT" TO PLANT TREES, SHRUBS, BUSHES AND OTHER FORMS OF VEGETATION AND CONSTRUCTING BERMS FOR THE PURPOSES OF SCREENING, PROTECTING AND SEPARATING THE DEVELOPMENT FROM RADDANT ROAD. NO PERMANENT BUILDINGS, STRUCTURES, FENCES, DRIVEWAYS OR OTHER MEANS OF VEHICULAR ACCESS SHALL BE CONSTRUCTED OR MAINTAINED ON, ACROSS, OR THROUGH ANY OF THE AREAS MARKED ON THE PLAT AS "SCREEN PLANTING EASEMENT". INITIAL PLANTING AND MAINTENANCE OF THE SCREEN PLANTING EASEMENT SHALL BE THE RESPONSIBILITY OF PULTE HOME COMPANY, LLC. UPON NOTIFICATION BY PULTE HOME COMPANY, LLC TO THE SUCCESSOR OWNERS HEREOF AND/OR LAND OWNERS ASSOCIATION, MAINTENANCE OF THE SCREEN PLANTING EASEMENT SHALL BECOME THE RESPONSIBILITY OF SAID OWNERS OF SAID LOTS AND/OR LAND OWNERS ASSOCIATION. IN THE EVENT THAT THE SUCCESSOR OWNERS AND/OR THE LANDOWNERS ASSOCIATION FAIL TO MAINTAIN SAID EASEMENT, THE CITY MAY ESTABLISH A SPECIAL SERVICE AREA OVER THE PROPERTY SUBJECT OF THIS PLAT TO MAINTAIN SAID EASEMENT.

PREPARED BY:



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CHECKED BY: