



## 1395 Butterfield Road Legal Description:

### PARCEL 1:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP AND RANGE AFORESAID; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 35, 403.79 FEET TO THE CENTER LINE OF CHURCH ROAD; THENCE NORTH 09 MINUTES WEST ALONG SAID CENTER LINE 208.3 FEET TO THE SOUTHERLY LINE OF FEDERAL AID ROUTE 131; THENCE EASTERLY ALONG SAID SOUTHERLY LINE 603.8 FEET TO AN ANGLE IN SAID SOUTHERLY LINE; THENCE NORTH 79 DEGREES 59 MINUTES EAST ALONG SAID SOUTHERLY LINE 364.4 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 16 MINUTES WEST TO THE SOUTH LINE OF SAID SECTION 36; THENCE WEST ALONG SAID SOUTH LINE TO A POINT 416.84 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH AT RIGHT ANGLES TO SAID SOUTH LINE 334.74 FEET TO THE SOUTHERLY LINE OF SAID FEDERAL AID ROUTE 131; THENCE NORTH 79 DEGREES 59 MINUTES EAST ALONG SAID SOUTHERLY LINE 139.33 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

### PARCEL 2:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH EAST CORNER OF SECTION 35; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 35, 403.79 FEET TO THE CENTER LINE OF CHURCH ROAD; THENCE NORTH 0 DEGREES, 9 MINUTES, 0 SECONDS WEST ALONG THE CENTER LINE OF SAID ROAD 208.3 FEET TO THE SOUTH LINE OF FEDERAL AID ROUTE NO. 131, THENCE EAST ALONG THE SOUTHERLY LINE OF SAID ROAD 603.8 FEET TO AN ANGLE IN SAID SOUTHERLY LINE; THENCE CONTINUING ALONG SAID SOUTHERLY LINE NORTH 79 DEGREES, 59 MINUTES, 0 SECONDS EAST, 364.4 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY LINE OF SAID ROAD NORTH 79 DEGREES, 59 MINUTES, 0 SECONDS EAST 136 FEET; THENCE SOUTH 0 DEGREES, 16 MINUTES, 0 SECONDS WEST 379.4 FEET TO THE SOUTH LINE OF SECTION 36; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 36 TO A POINT IN A LINE DRAWN SOUTH 0 DEGREES, 16 MINUTES, 0 SECONDS WEST FROM A POINT IN A LINE DRAWN SOUTH 0 DEGREES, 16 MINUTES, 0 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES, 16 MINUTES, 0 SECONDS EAST TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART CONVEYED TO THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS IN FINAL JUDGMENT ORDER ENTERED IN CASE NUMBER 07 ED K 10, CIRCUIT COURT OF KANE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2 IN NADLER SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 13, 1998 AS DOCUMENT NUMBER 98K105199, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 1 AND PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID POINT BEING ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36; THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 88 DEGREES 45 MINUTES 03 SECONDS WEST, 20.17 FEET; THENCE ALONG A LINE LYING 20.17 FEET WESTERLY OF AND PARALLEL WITH THE WESTERLY RIGHT OF WAY LINE OF FARNSWORTH AVENUE, NORTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, 375.85 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF FAP ROUTE 365; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, NORTH 79 DEGREES 24 MINUTES 19 SECONDS EAST, 20.42 FEET TO THE WESTERLY RIGHT OF WAY LINE OF FARNSWORTH AVENUE; THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID FARNSWORTH AVENUE, SOUTH 00 DEGREES 09 MINUTES 25 SECONDS EAST, 379.15 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER, RETURNING TO THE POINT OF BEGINNING.

**1387, 33W991, and 34W015 Butterfield Road Legal Description:**

PARCEL I:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 35, AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF AFORESAID SECTION 35 AND RUNNING WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 19.36 FEET TO A PLACE OF BEGINNING, THENCE NORTHERLY AT A RIGHT ANGLE TO AFORESAID SOUTH LINE OF SECTION 35 A DISTANCE OF 266.01 FEET TO A POINT IN THE SOUTH RIGHT OF WAY OF FEDERAL AID ROAD 131, THENCE EASTERLY ALONG THE AFORESAID RIGHT OF WAY 158.55 FEET, THENCE SOUTHERLY 289.85 FEET TO A POINT IN THE SOUTH LINE OF AFORESAID SECTION 36 A DISTANCE OF 137.39 FEET FROM THE SOUTHWEST CORNER OF AFORESAID SECTION 36, THENCE WESTERLY ALONG THE SOUTH LINE OF AFORESAID SECTION 36 A DISTANCE OF 137.39 FEET TO THE PLACE OF BEGINNING, (EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE EAST ALONG SAID SOUTH LINE OF SECTION 36, 13.64 FEET TO AN IRON PIPE FOUND AT THE POINT OF BEGINNING; THENCE NORTHERLY 66.05 FEET TO AN IRON PIPE FOUND; THENCE EASTERLY, 124.00 FEET TO AN IRON PIPE FOUND THENCE SOUTHERLY, 65.62 FEET TO AN IRON PIPE; THENCE WESTERLY ALONG SAID SOUTH LINE OF SECTION 36, 123.69 FEET TO SAID POINT OF BEGINNING) IN KANE COUNTY, ILLINOIS; AND THE EAST 33 FEET, AS MEASURED ALONG THE SOUTH LINE OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 35 AND RUNNING THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 19.36 FEET FOR A POINT OF BEGINNING, THENCE NORTHERLY AT RIGHT ANGLES TO THE AFORESAID SOUTH LINE OF SECTION 35, 266.01 FEET TO A POINT IN THE SOUTH RIGHT OF WAY OF FEDERAL AID ROAD 131, THENCE WESTERLY ALONG THE AFORESAID SOUTH RIGHT OF WAY 388.85 FEET TO THE CENTER OF CHURCH ROAD, THENCE SOUTHERLY ALONG THE CENTER OF AFORESAID CHURCH ROAD 208.3 FEET TO THE SOUTH LINE OF AFORESAID SECTION 35, THENCE EASTERLY ALONG SAID SOUTH LINE 384.43 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BATAVIA, KANE COUNTY, ILLINOIS.

PARCEL II:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION, 137.39 FEET; THENCE NORTH AT RIGHT ANGLES TO THE SOUTH LINE OF SAID QUARTER SECTION, 289.85 FEET TO THE SOUTHERLY LINE OF FEDERAL AID ROAD NO. 131 FOR THE POINT OF BEGINNING; THENCE SOUTH ALONG THE LAST MENTIONED LINE 289.85 FEET TO THE SOUTH LINE OF SAID QUARTER SECTION; THENCE EAST ALONG SAID SOUTH LINE, 144.93 FEET; THENCE NORTH AT RIGHT ANGLES TO THE SOUTH LINE OF SAID QUARTER SECTION, 312.84 FEET TO THE SOUTHERLY LINE OF SAID FEDERAL AID ROAD NO. 131; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID ROAD, 88.7 FEET TO AN ANGLE IN SAID ROAD; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID ROAD, 58.06 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BATAVIA, KANE COUNTY, ILLINOIS.

PARCEL III:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION, 282.32 FEET, THENCE NORTH AT A RIGHT ANGLE TO THE SOUTH LINE OF SAID QUARTER SECTION 312.84 FEET TO THE SOUTHERLY LINE OF FEDERAL AID ROUTE NO. 131 FOR THE POINT OF BEGINNING, THENCE SOUTH ALONG LAST MENTIONED LINE 312.84 FEET TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE EAST ALONG SAID SOUTH LINE 134.52 FEET, THENCE NORTH AT A RIGHT ANGLE TO THE SOUTH LINE OF SAID QUARTER SECTION, 334.74 FEET TO THE SOUTHERLY LINE OF SAID FEDERAL AID ROUTE NO. 131, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID ROAD 136.29 FEET TO THE POINT OF BEGINNING, TOWNSHIP OF BATAVIA, KANE COUNTY, ILLINOIS.

1387, 33W991, and 34W015 Butterfield Road Legal Description:

PARCEL I:

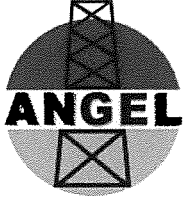
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**ANGEL ASSOCIATES, LP**

381 E. ST. CHARLES Rd  
CAROL STREAM, IL 60188-2166  
FAX: (630)-653-2335  
TEL: (630)-668-0141

July 15, 2014

City of Aurora  
Development Services Department  
44 E. Downer Place, Aurora, IL 60507-2067

**RE: Preliminary Plan & Plat Petition 2013.217  
SWC Butterfield Road and Farnsworth Road**

**To Whom It May Concern:**

**I, Peter M. Spina, authorized agent of Angel Associates, LP, the owner of the property located 34W015 and 33W991 Butterfield Road, give my consent to Dan Soltis of CIMA Developers, Inc, to apply and proceed with any City of Aurora zoning proceedings necessary in relation to the accompanying Zoning Applications and Petitions.**

**Thank you for your assistance in this matter.**

**Sincerely,**

**Peter M. Spina  
Authorized Agent  
Angel Associates, LP**



**ANGEL ASSOCIATES, LP**

381 E. ST. CHARLES Rd  
CAROL STREAM, IL 60188-2166  
FAX: (630)-653-2335  
TEL: (630)-668-0141

July 15, 2014

City of Aurora  
Development Services Department  
44 E. Downer Place, Aurora, IL 60507-2067

**RE: Rezoning /Special Use Petition 2013.217  
34W015 and 33W991 Butterfield Road**

**To Whom It May Concern:**

**I, Peter M. Spina, authorized agent of Angel Associates, LP, the owner of the property located 34W015 and 33W991 Butterfield Road, give my consent to Dan Soltis of CIMA Developers, Inc, to apply and proceed with any City of Aurora zoning proceedings necessary in relation to the accompanying Zoning Applications and Petitions.**

**Thank you for your assistance in this matter.**

**Sincerely,**

**Peter M. Spina  
Authorized Agent  
Angel Associates, LP**



**CIMA DEVELOPERS**

381 E. ST. CHARLES Rd  
CAROL STREAM, IL 60188-2166  
FAX: (630)-653-2335  
TEL: (630)-653-1700

July 15, 2014

City of Aurora  
Development Service Department  
44 E. Downer Place  
Aurora, IL 60507-2067

Re: PAS Plaza –SWC Butterfield Road and Farnsworth Road  
Qualifying Statement For Land Use Petitions

To Whom It May Concern:

Please see our detailed response to the City of Aurora's Standards pertaining to our proposed Land Use Petitions.

1 ) The Public health, safety, morals, comfort or general welfare:

**We will develop the Site in compliance with all applicable State, Federal and local laws, statutes, codes, regulations, ordinances, EPA regulations, State Fire Marshal regulations, and City of Aurora regulations.**

**The Development will provide a beneficial service and added amenity to the existing Retail corridor and will offer an added level of convenience to customers and Residents.**

2 ) The use and enjoyment of other property already established or permitted in the general area:

**Our Development proposal is consistent with the current Retail Developments along Butterfield Road and Farnsworth Road**

3 ) Property values within the neighborhood:

**Property values in the vicinity will not be diminished in any capacity due to our Development.**

4 ) The normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts:

**The Development will not interfere with surrounding property, or other property in that respect.**

5 ) Utilities, access roads, drainage and/or other necessary facilities:

**Utilities are already in place and have been established. Drainage Plans have been prepared and are in full review with the City Departments. All access roads and additional development facilities will be in accordance with the approved plan.**

6 ) Ingress and egress as it relates to traffic congestion in the public streets:

**The Development Plan has been designed for optimal traffic flow and drive-thru staking. Cross access points to the east and west further allow optimal flow. Our proposed plan reduces several of the existing drives on Butterfield Road.**

7 ) The applicable regulations of the zoning district in which the subject property is proposed to be or is located:

**We will develop the site in compliance with all applicable Municipal and local laws, statutes, codes, regulations, and ordinances.**

Thank You.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Soltis', with a stylized flourish at the end.

Dan Soltis  
CIMA Developers, Inc.