

CITY OF WARRENVILLE
DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. O2017-49

ORDINANCE EXCLUDING CERTAIN RIGHT-OF-WAY FROM THE CITY OF WARRENVILLE FOR ANNEXATION TO THE CITY OF AURORA (DUKE PARKWAY)

WHEREAS, the City of Warrenville (“Warrenville”) and the City of Aurora (“Aurora”) have previously entered into an intergovernmental agreement styled “Intergovernmental Agreement Between the City of Warrenville and the City of Aurora Re Duke Parkway and Route 59 Intersection Improvements” (the “Agreement”); and

WHEREAS, the City of Warrenville’s corporate authorities have approved the Agreement by virtue of Ordinance No. O2017-12; and

WHEREAS, pursuant to Section Two of the Agreement, Duke Realty agreed to publicly dedicate to Warrenville the necessary right-of-way for the Duke Parkway/Route 59 Improvements project (the “Duke Parkway ROW”), which right-of-way dedication has subsequently been accepted by Warrenville; and

WHEREAS, the Duke Parkway ROW is unoccupied territory within the City of Warrenville; and

WHEREAS, pursuant to Section Two of the Agreement, Warrenville agreed that within 30 days of Aurora’s approval and award of the construction contracts for the Duke Parkway/Route 59 Improvements, jurisdiction of the Duke Parkway ROW would be excluded from Warrenville and annexed to Aurora pursuant to the provisions of 65 ILCS 5/7-1-25; and

WHEREAS, Aurora has notified Warrenville that the aforesaid construction contracts have been approved and awarded;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WARRENVILLE, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The foregoing recitals shall be, and they are hereby, incorporated within this Section One as findings of fact as if said recitals were fully set forth herein.

SECTION TWO: Pursuant to 65 ILCS 5/7-1-25, the corporate authorities of the City of Warrenville hereby exclude the Duke Parkway ROW, which is legally described and visually depicted on Exhibit 1, attached hereto and made a part hereof, from the corporate boundaries and territory of the City of Warrenville subject to the annexation of the Duke Parkway ROW by Aurora as provided in the Agreement.

SECTION THREE: Upon adoption of an ordinance annexing the Duke Parkway ROW by Aurora, the chief executive officers of Warrenville and of Aurora shall file for recordation an accurate map of the Duke Parkway ROW, together with a certified copy of the ordinance for exclusion or annexation, as the case may be, with the Office of the DuPage County Recorder of Deeds.

SECTION FOUR: The remaining provisions of the Agreement are hereby ratified and affirmed.

SECTION FIVE: Any policy, resolution or ordinance that conflicts with the provisions of this Ordinance shall be and is hereby repealed and shall be of no further force and effect.

SECTION SIX: This Ordinance shall be in full force and effect after its passage and approval in the manner provide by law.

PASSED THIS _____ day of _____, 2017.

AYES:

NAYS:

ABSENT:

APPROVED THIS _____ day of _____, 2017.

MAYOR

ATTEST:

CITY CLERK

JM\657367\7/31/17

EXHIBIT 1

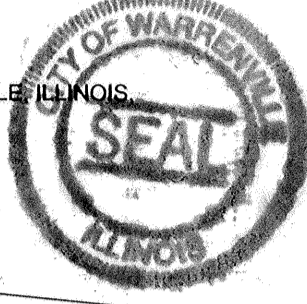
RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
I, THE UNDERSIGNED, AS THE RECORDER OF DEEDS FOR DuPage COUNTY DO HEREBY CERTIFY THAT INSTRUMENT NUMBER R2017-053822 WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DuPage COUNTY, ILLINOIS, ON THE 15 DAY OF June A.D., 2017 AT 3:54 O'CLOCK P.M.

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
Emily LANSIN CITY CLERK OF THE CITY OF WARRENVILLE, ILLINOIS HEREBY CERTIFY THAT THE PLAT WAS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE CITY COUNCIL OF SAID CITY AT ITS MEETING HELD ON MAY 15, 2017 AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF THE IMPROVEMENTS REQUIRED BY THE REGULATIONS OF SAID CITY.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF THE CITY OF WARRENVILLE, ILLINOIS.



CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, HAS REVIEWED AND APPROVED THIS PLAT.
DATED AT WARRENVILLE, DUPAGE COUNTY, ILLINOIS, THIS 15 DAY OF MAY, 2017.
MAYOR: [Signature]
ATTEST: Emily LANSIN CITY CLERK



PLAT OF DEDICATION FOR DUKE PARKWAY WARRENVILLE, ILLINOIS

BEING IN PART OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF DEDICATION OF DUKE PARKWAY

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF LOT 65 OF ROBERT BARTLETT'S GREEN ACRES SUBDIVISION, RECORDED AS DOCUMENT 454884, DESCRIBED BY BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID LOT 65 WITH A LINE 20 FEET WEST OF AND RADIAL DISTANT FROM THE WESTERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE 59 PER DOCUMENT 321382; THENCE SOUTHERLY ALONG SAID LINE WHICH IS 20 FEET WEST OF AND RADIAL DISTANT FROM SAID WESTERLY RIGHT OF WAY LINE, BEING A CURVE TO THE LEFT, HAVING A RADIUS 2361.83 FEET, ARC DISTANCE OF 131.38 FEET, CHORD 131.36 FEET, BEARING SOUTH 02 DEGREES 28 MINUTES 20 SECONDS EAST, THENCE NORTH 84 DEGREES 13 MINUTES 02 SECONDS WEST A DISTANCE OF 219.66 FEET; THENCE NORTH 76 DEGREES 01 MINUTES 51 SECONDS WEST A DISTANCE OF 309.00 FEET, THENCE NORTH 84 DEGREES 13 MINUTES 02 SECONDS WEST A DISTANCE OF 302.43 FEET TO THE NORTHEAST CORNER OF LOT 107 OF BUTTERFIELD EAST UNIT 3 SUBDIVISION; RECORDED AS DOCUMENT R2015-099332; THENCE NORTH 01 DEGREES 57 MINUTES 33 SECONDS EAST ALONG THE EAST LINE OF SAID BUTTERFIELD EAST UNIT 3 SUBDIVISION A DISTANCE OF 66.15 FEET TO THE SOUTHEAST CORNER OF LOT 104 OF SAID BUTTERFIELD EAST UNIT 3 SUBDIVISION; THENCE SOUTH 84 DEGREES 13 MINUTES 02 SECONDS EAST A DISTANCE OF 138.25 FEET; THENCE NORTH 05 DEGREE 47 MINUTES 44 SECONDS EAST A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF LOT 67 OF SAID ROBERT BARTLETT'S GREEN ACRES SUBDIVISION; THENCE SOUTH 84 DEGREES 13 MINUTES 02 SECONDS EAST ALONG THE SOUTH LINE OF SAID ROBERT BARTLETT'S GREEN ACRES SUBDIVISION A DISTANCE OF 577.99 FEET; THENCE SOUTH 87 DEGREES 07 MINUTES 50 SECONDS EAST A DISTANCE OF 96.80 FEET TO A POINT ON SAID LINE WHICH IS 20 FEET WEST OF AND RADIAL DISTANT FROM SAID WESTERLY RIGHT OF WAY LINE; THENCE SOUTHERLY ALONG SAID LINE WHICH IS 20 FEET WEST OF AND RADIAL DISTANT FROM SAID WESTERLY RIGHT OF WAY LINE, BEING A CURVE TO THE LEFT, HAVING A RADIUS 2361.83 FEET, ARC DISTANCE OF 4.95 FEET, CHORD 4.95 FEET, BEARING SOUTH 02 DEGREES 28 MINUTES 20 SECONDS EAST TO THE POINT OF BEGINNING IN THE DUPAGE COUNTY, ILLINOIS.

PIN 04-33-405-001
PIN 04-33-403-005

CITY ORDINANCE: 02017-13 PASSED ON: March 20, 2017

OWNER'S CERTIFICATE - STAHELIN PIN 04-33-403-005

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
THIS IS TO CERTIFY THAT Michael A. Stahelin IS THE RECORD OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AFFIXED HEREON, AND DOES HEREBY CONSENT TO THE DEDICATION FOR ROADWAY OF SAID PROPERTY, SHOWN HEREON.
DATED THIS 15th DAY OF May, A.D., 2017.
Michael A. Stahelin SIGNATURE
Michael A. Stahelin PRINT NAME
Trustee TITLE

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
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 CUSTODIAN 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 AFORESAID INSTRUMENT.
GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 15th DAY OF May, A.D., 2017.

BY: Alyssa Kester NOTARY



OWNER'S CERTIFICATE - DUKE REALTY LIMITED PARTNERSHIP PIN 04-33-405-001

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
THIS IS TO CERTIFY THAT DUKE REALTY LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP IS THE RECORD OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AFFIXED HEREON, AND DOES HEREBY CONSENT TO THE DEDICATION FOR ROADWAY OF SAID PROPERTY, SHOWN HEREON.
DATED THIS 15th DAY OF May, A.D., 2017.

RYAN O'LEARY SENIOR VICE PRESIDENT DUKE REALTY LIMITED PARTNERSHIP 1301 W. 22ND ST. OAK BROOK, IL 60523 PHONE: 847.232.5400

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
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 CUSTODIAN 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 AFORESAID INSTRUMENT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 15th DAY OF MAY, A.D., 2017.

BY: Alyssa Kester NOTARY

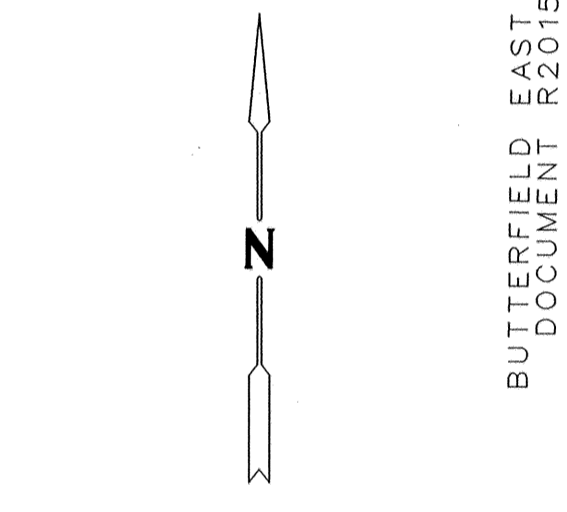
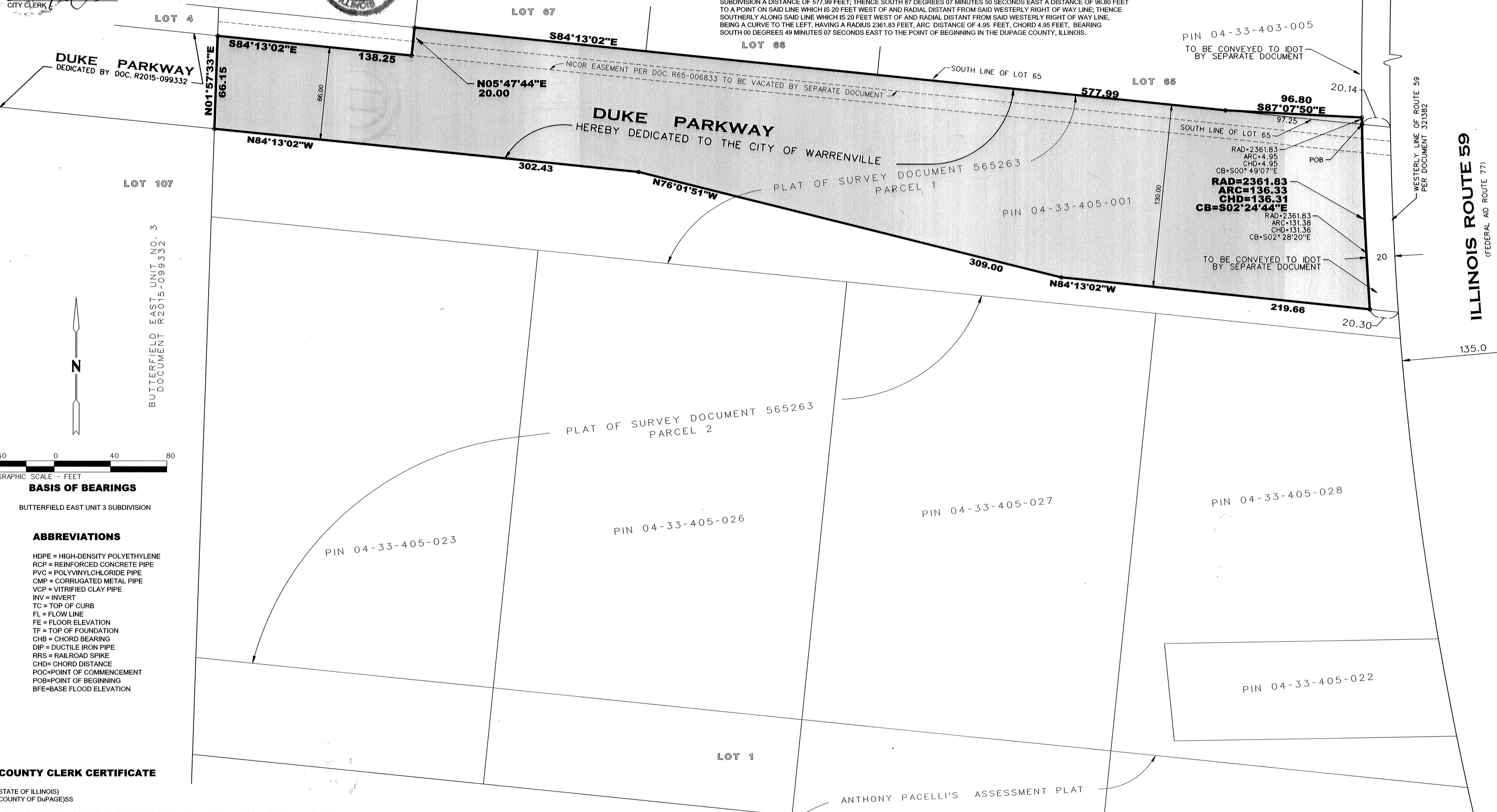
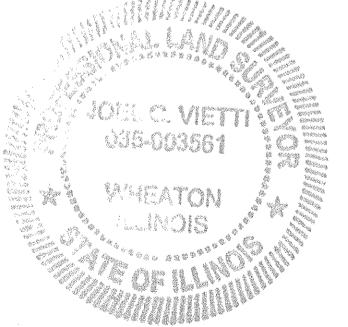


SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED THE ABOVE-DESCRIBED PROPERTY, AND THAT THIS PLAT WAS PREPARED FOR THE PURPOSE OF DEDICATING SAID PROPERTY TO THE CITY OF WARRENVILLE FOR PUBLIC RIGHT-OF-WAY, AND THAT THIS PLAT OF DEDICATION ACCURATELY DEPICTS SAID PROPERTY.

GIVEN UNDER MY HAND AND SEAL THIS 15th DAY OF MAY, A.D., 2017.

JOEL C. VETTI SIGNATURE
WEBSTER, McGRATH & AHLBERG, INC. ILLINOIS LAND SURVEYOR NO. 63561 LICENSE EXPIRATION DATE: NOVEMBER 30, 2018 207 S. NAPERVILLE STREET WHEATON, ILLINOIS 60187 (630) 668-7603



GRAPHIC SCALE - FEET

BASIS OF BEARINGS BUTTERFIELD EAST UNIT 3 SUBDIVISION

ABBREVIATIONS
HDPE = HIGH-DENSITY POLYETHYLENE
RCP = REINFORCED CONCRETE PIPE
PVC = POLYVINYLCHLORIDE PIPE
CMP = CORRUGATED METAL PIPE
VCP = VITRIFIED CLAY PIPE
INV = INVERT
TC = TOP OF CURB
FL = FLOW LINE
FE = FLOOR ELEVATION
TF = TOP OF FOUNDATION
CHB = CHORD BEARING
DIP = DUCTILE IRON PIPE
RRS = RAILROAD SPIKE
CHD = CHORD DISTANCE
POC = POINT OF COMMENCEMENT
POB = POINT OF BEGINNING
BFE = BASE FLOOD ELEVATION

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
I, THE UNDERSIGNED, AS COUNTY CLERK OF DUPAGE 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 WHEATON, ILLINOIS, THIS 15th DAY OF June, A.D., 2017.

Paul Hinds COUNTY CLERK

CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
I, Kristine Hoekings, CITY ENGINEER OF THE CITY OF WARRENVILLE, ILLINOIS, HEREBY CERTIFY THAT THE LAND IMPROVEMENTS DESCRIBED IN THE PLAT, AND THE PLANS AND SPECIFICATIONS THEREOF, MEET THE MINIMUM REQUIREMENTS OF SAID CITY AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.
DATED AT WARRENVILLE, DUPAGE COUNTY, ILLINOIS THIS 15 DAY OF May, 2017.
Kristine Hoekings CITY ENGINEER
062.060430 REGISTRATION NUMBER

ANTHONY PACELLI'S ASSESSMENT PLAT

CITY OF WARRENVILLE
28 W 701 STAFFORD PL.
WARRENVILLE, IL 60555

AREA OF DEDICATION
PIN 04-33-403-005 - STAHELIN = 239 SQ. FT. 0.01 ACRES
PIN 04-33-405-001 - DUKE REALTY = 83,759 SQ. FT OR 1.92 ACRES
TOTAL 83,998 SQ. FT OR 1.93 ACRES

Table with 4 columns: Rev, Date, Description, By. Includes revision history and project details.

LEGAL DESCRIPTION OF DEDICATION OF DUKE PARKWAY

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