

EXHIBIT "A"

**ANNEXATION AGREEMENT FOR WHEATLAND CROSSING
LOCATED AT THE SOUTHEAST CORNER OF ROUTE 34 AND FARNSWORTH AVE.
CONSISTING OF FIFTY-SEVEN ACRES ("SUBJECT PROPERTY")**

This ANNEXATION AGREEMENT, hereinafter referred to as "AGREEMENT", is made and entered into this ____ day of _____, _____ ("Effective Date") by and between the CITY OF AURORA, ILLINOIS, a municipal corporation, ("CITY"), Keka Farms LLC, an Illinois limited liability company ("OWNER"), and D.R. Horton, Inc. - Midwest, a California corporation ("HORTON" or "DEVELOPER"). The City, Owner, and Horton are individually referred to as a "Party" or collectively as the "Parties."

W I T N E S S E T H:

1. The Owner is the record title holder of that property (the "Owner") consisting of approximately fifty-seven (57) acres, being located partly in Kane County and partly in Kendall County, as depicted and legally described on the respective Plats of Annexation, copies of which are attached hereto as Exhibit A (the "Subject Property").
2. A portion of the Subject Property, being depicted as the "Residential Property" on Exhibit B and legally described on Exhibit C, attached hereto, is intended for future residential development (hereinafter the "Residential Property").
3. A portion of the Subject Property, being depicted as the "Commercial Property" on Exhibit B and legally described on Exhibit C, attached hereto, is intended for future commercial development.
4. Horton is the contract purchaser of the Residential Property, which Horton intends to improve as a mixed-residential subdivision to be known as Wheatland Crossing, as generally depicted on the Preliminary Plan for Wheatland Crossing, a copy of which is attached hereto as Exhibit D (the "Preliminary Plan"), which is attached for reference purpose only and does not constitute approval of a Preliminary Plan which is still subject to approval as outlined by Chapter 34 of the Code of Ordinances, City of Aurora
5. The Parties to this Agreement desire that the Subject Property be annexed to the City with the benefits of the Subject Property being as follows:
 - a. Full development potential of the Subject Property;
 - b. Establishment of high quality development standards that will elevate, support and stabilize property values for the proposed land uses;
 - c. Provision of a water supply system that has been engineered to supply water services to the Subject Property;
 - d. Provision of a sanitary sewer system that has been engineered to supply services to the Subject Property through the Fox Metro Water Reclamation District's facilities, or the City's facilities;
 - e. Provision of police protection by the City's fully trained, staffed and equipped Police Department;
 - f. Provision of fire protection by the City's fully trained, staffed and equipped Fire Department; and,
 - g. Favorable insurance rates due to the City's Fire Department having a Class 3 rating.

6. The Subject Property is contiguous to the city limits of the City of Aurora, Illinois, and is not within the corporate limits of any other municipality.
7. This Agreement is made pursuant to Section 11-15.1-1 and Section 7-1-1 of the Illinois Municipal Code.
8. All notices, publications, public hearings, and all other matters attendant to said Agreement as required by State statute and the ordinances, regulations, and procedures of the City have been met prior to the execution by the Parties to this Agreement.

NOW, THEREFORE, it is agreed by and between the Parties hereto as follows:

SECTION A. Duration, Applicability and Owner/Developer Responsibility

1. This Agreement shall be binding upon and inure to the benefit of the Parties hereto as of the Effective Date stated above. The City shall cause the Agreement to be recorded following the Effective Date.
2. As of the Effective Date, this Agreement shall be binding upon the Parties and upon their successors in interest, including successor municipalities for a period of fifteen (15) years from the Effective Date, unless changed pursuant to law.
3. As used herein to describe the respective rights, duties, and obligations of the Parties, the term “**Owner**” includes any and all successors in interest to any part of the Subject Property, and their respective heirs, executors, administrators, successors, assignees, lessees. The term “**Developer**” shall mean any person, persons, entity or entities, including the Owner acting on behalf of the Owner to develop a Project or Parcel that is part of the Subject Property.
4. The Parties agree to comply with all the requirements of the Plan Description set forth in Exhibit E, and to the extent that there is a conflict between the terms of this Annexation Agreement and the Plan Description, the terms of the Plan Description shall control.
5. In the event all or any portion of the Subject Property is sold or conveyed at any time during the term of this Agreement all of the obligations and responsibilities of the owner thereof, as herein set forth, shall devolve upon and be assumed by such purchaser or grantee, and the owner shall be released from all obligations which relate to that portion of the Subject Property as may have been sold or conveyed.
6. That part of the Subject Property located in Kane County is already located in the boundaries of the Fox Valley Park District. That part of the Subject Property located in Kendall County is already located in the boundaries of the Oswegoland Park District.
7. Owner agrees to petition and diligently pursue the Aurora Public Library District for annexation of that portion of the Subject Property located in Kane County within ninety (90) days of the Effective Date. That portion of the Subject Property located in Kendall County is already located within the boundaries of the Oswego Library District.
8. Owner agrees to petition and diligently pursue the Fox Metro Water Reclamation District for annexation of the entire Subject Property within ninety (90) days of

annexation of the Subject Property to the City.

9. Owner agrees to petition and diligently pursue the appropriate U.S. Post Office for an "Aurora" mailing address associated with any development of the Subject Property, within ninety (90) days of annexation of the Subject Property to the City.
10. Owner agrees to dedicate right-of-way as depicted on the Preliminary Plat for Wheatland Crossing. The applicable right-of-way shall be dedicated pursuant to the respective final plats of subdivision for Wheatland Crossing, which final plats may be recorded in multiple phases.
11. Owner agrees that all existing structures on the Subject Property shall be razed and removed within one (1) year after the first Final Plan and/or Plat approval for any portion of the Subject Property.
12. Developer agrees to connect to the public sanitary sewer system and shall pay charges for sewer service as are prescribed by City ordinances.
13. The City shall have no obligation to pay or contribute to the construction of any public improvements required to serve any of the Projects to be constructed on the Subject Property. Except as may be required by the City's Code or as set forth in this Agreement, Developer shall have no obligation to pay or contribute to the construction of any off-site public improvements.
14. The Owner agrees to cooperate with the City and irrevocably consents and waives any subsequent objection to the City's establishment of one or more special service areas for the Subject Property (an "SSA"). Upon receiving the required documents for initiating a SSA, the City shall promptly commence the process to establish said special service area(s) upon the submittal of each respective final plat of subdivision for the Subject Property.
 - a. The Parties intend and agree that any SSA established pursuant to this paragraph shall remain "dormant" so long as the Owner or its successors in interest are adequately providing the "Special Services" for which the City may levy a tax within a special service area.
 - b. The City may levy a tax within a SSA established under this paragraph to pay the costs of the following Special Services if, and only if, not satisfied by the responsible private party:
 - i. To provide for payment of costs associated with the maintenance and repair of private stormwater management facilities required by the City and the Kane County Stormwater Ordinance Upon the Subject Property; or
 - ii. To provide for payment of the costs associated with the maintenance and repair of outdoor common areas and associated landscaping, pedestrian paths, and private roadways.
 - c. Prior to levying any tax within a dormant SSA, the City shall send notice to the applicable association and all property owners within the SSA. The notice shall specify the improvements not maintained and shall provide a reasonable opportunity to be heard prior to the levy of any tax.
 - d. Upon establishment of a SSA, the owner of the property for which the SSA was formed shall reimburse the City for its actual expenses incurred in establishing the SSA.

- e. Provided that the City has timely commenced the process to establish a SSA the City may withhold issuance of occupancy permits (not model home occupancy permits) if an owner fails or refuses to comply with the provisions of this paragraph. If an SSA contemplated under this paragraph cannot reasonably be established prior the issuance of an occupancy permit, the City shall issue a temporary occupancy permit on the condition that the applicant for occupancy, and where applicable, the homeowner or tenant who intends to occupy the property at issue, execute a written consent and irrevocable waiver of objection to the SSA provided that the City diligently pursues formation of the SSA. In the event a temporary occupancy is issued under the provision of this paragraph the City shall issue a final occupancy permit, without additional charge, upon formation of the SSA.
 - f. Nothing in this paragraph shall impose a duty upon the City to maintain or accept responsibility for the maintenance of any private road (inclusive of curb, gutter, sidewalk, landscaping, storm sewer, street lighting or similar associated "right-of-way" improvements) that is part of the Subject Property. The parties hereby agree that the ownership, operation, maintenance, repair and replacement of private roads constructed upon the Residential Property or the Commercial Property shall be the responsibility of the association formed for the respective property.
 - g. Nothing in this paragraph shall prevent the City from establishing or permitting a county to establish SSAs other than those contemplated by this paragraph in accordance with the Special Service Area Tax Law that include all or portions of the Subject Property. Nothing in this paragraph shall impair the right of any person to object to the formation of a special service area, other than one contemplated by this paragraph, in the manner authorized by law.
15. The Residential Property shall be subject to a Declarations of Covenants, Conditions and Restrictions (a "Declaration"). The Declaration shall be recorded against the common areas and residential lots comprising the Residential Property prior to the issuance of the first final certificate of occupancy for residential dwelling purposes (specifically excluding any model homes). The Declaration shall be a covenant that runs with the land. The Declaration shall, among other things: i) establish a homeowners' association ("HOA") that will govern the Residential Property; ii) establish separate committees for attached homes and detached homes; iii) require all homeowners to pay an assessment sufficient to permit the HOA to perform the functions required by this paragraph; iv) require the HOA to own, operate, and maintain stormwater control facilities and common areas within the Residential Property; v) require the HOA to own, operate, maintain, repair and replace any private roadways within the Residential Property; vi) establish appropriate use covenants; and vii establish a cap on the number of townhome dwelling units which may be rented, said cap being not more than thirty percent (30%) of the total number of townhome dwelling units constructed on the Residential Property. The Declaration shall be subject to the City's review and approval of the long-term maintenance plan for stormwater control facilities and common areas. The maintenance plan for stormwater control facilities shall be prepared in accordance with the requirements of the Kane County Stormwater Management Ordinance.
16. The Commercial Property shall be subject to a Declarations of Covenants, Conditions and Restrictions (a "Declaration"). The Declaration shall be recorded against the common areas and commercial lots comprising the Commercial

Property prior to the issuance of the first building permit for the Commercial Property. The Declaration shall be a covenant that runs with the land. The Declaration shall, among other things: i) establish a property owners' association ("POA") that will govern the Commercial Property; ii) require all property owners to pay an assessment sufficient to permit the POA to perform the functions required by this paragraph; iii) require the POA to own, operate, and maintain common areas within the Commercial Property and contribute to the maintenance of the shared detention; ; and iv) establish appropriate use covenants. Additionally, the Declaration shall either i) require the POA to own, operate, maintain, repair and replace any private drive aisles within the Commercial Property; or ii) establish cross-access easements or any private drive aisles to facilitate the maintenance, repair, and replacement and shared use thereof. The Declaration shall be subject to the City's review and approval of the long-term maintenance plan for stormwater control facilities, private drive aisles, and common areas. The maintenance plan for stormwater control facilities shall be prepared in accordance with the requirements of the Kane County Stormwater Management Ordinance.

17. Developer of the Residential Property shall pay to the City a cash contribution in lieu of land dedication for schools and parks pursuant to the requirements of Section 23-11. The Developer and the City shall enter into the City's standard Letter of Agreement at the time of final plan and plat approval for each Parcel. Said cash contribution calculation shall be based on the total number of dwelling units and bedroom count approved. The cash contribution shall be paid on a per unit basis at issuance of a building permit.
18. Residential development of the Subject Property is subject to the school impact fees set forth in Section 23-18 of the City's Code ("School Impact Fee"). The School Impact Fee shall be payable per individual dwelling unit at the time of building permit.
19. Developer of the Residential Property shall pay a Public Works Development Impact Fee pursuant to Section 23-16 of the City's Code. Any Project that does not include new public roadway (i.e. Parcel 2) shall be exempt from payment of the Public Works Development Impact Fee.
20. Developer of each Parcel shall pay a Fire Department Development Impact Fee pursuant to Section 23-17 of the City's Code.
21. Developer of the Residential Property shall pay water connection fees for each dwelling unit at the time of issuance of a building permit.

SECTION B. Annexation, Zoning and City Responsibility

1. Owner has filed with the City a petition to annex the Subject Property to the City of Aurora subject to the terms of a mutually agreeable annexation agreement. Immediately following approval of this Annexation Agreement, the City agrees to adopt ordinances annexing the Subject Property to the City subject to the terms and conditions of this Agreement (the "Annexation Ordinances"). The City shall approve two Annexation Ordinances, one ordinance approving the plat of annexation for that portion of the Subject Property located in Kane County and one ordinance approving the plat of annexation for that portion of the Subject Property located in Kendall County. The Annexation Ordinances, together with the Plats of Annexation, shall be executed and recorded upon the City's approval

thereof.

2. Immediately following approval of the Annexation Ordinances, the City shall adopt an ordinance zoning the Subject Property (the "Zoning Ordinance"). The Subject Property shall be zoned R-2(C) One Family Dwelling District, R-4A(C) Two-Family Dwelling District, B-2(C) Business District – General Retail, and OS-1 (C) Conservation, Open Space And Drainage District as legally described on Exhibit F and depicted on Exhibit G. The Zoning Ordinance shall also approve a Conditional Use for a Planned Development *with* a Plan Description, a copy of which is attached as Exhibit E (the "Plan Description"). The Plan Description shall hereafter govern the development of the Subject Property.
3. Immediately following approval of the Zoning Ordinance, the City shall adopt a resolution (the "Development Resolution") approving the Preliminary Plan, the preliminary plat of subdivision (the "Preliminary Plat"), and the building elevations for the Residential Property (the "Building Elevations").
4. The Subject Property may be platted and developed in phases as reflected in the Phasing Plan attached hereto as Exhibit H. Pending development, any part of the Subject Property may be used for agricultural purposes. Prior to commencement of development of any phase, the developer of said phase shall be responsible for posting security with the City to cover those public improvements which are part of said phase.

SECTION C. Development Review

1. The Subject Property shall be governed by all of the requirements contained in the Chapter 49 ("Zoning Ordinance") of the Code of Ordinances, City of Aurora, Illinois ("City Code") except as set forth in this Agreement or the Plan Description. The Plan Description shall control in the event of a conflict between its provisions and the provisions of this Agreement or the City Code.
2. Except as provided in this Agreement or the Plan Description, the provisions of the Chapter 43 ("Subdivision Control Ordinance") of the City Code shall govern all development of the Subject Property regardless of the size of a parcel being developed at any one time. The City shall not require a final plat of subdivision to divide the Subject Property into individual Parcels; provided, however, that any division of a Parcel shall require the City's approval of a final plat of subdivision. The City consents to the division of the Subject Property by deed, provided that any deed division of the Subject Property is in substantial conformance with the approved preliminary plans.
3. The Plan Description may be amended in part or with respect to only a portion of the Subject Property. Amendment of the Plan Description shall not require amendment of this Agreement. Amendment of the Plan Description shall not require the concurrence of the owners of all the Subject Property. The Plan Description may hereafter be amended by resolution of the City provided that the City has the consent of the owner of that portion of the Subject Property for which the amendment is applicable.
4. The City shall approve any changes to the Preliminary Plan and Preliminary Plat provided that said changes comply with the provisions of the Plan Description. The City shall approve any final plan and final plat of subdivision that

substantially conforms with the Preliminary Plan and Preliminary Plat. Final plan and plat documentation may be submitted in phases consistent with the Phasing Plan attached as Exhibit "H".

5. With the consent of the City engineer, and subject to the conditions that may be imposed by the City engineer, a Developer may, at its risk, perform site grading for residential or commercial uses following approval of a preliminary stormwater plan and utility work following approval of a preliminary plan and plat. Nothing herein is intended to restrict or limit a Developer's ability to construct off-site (outside the bounds of the Subject Property or beyond the Parcel/Phase of any present development of the Subject Property) utility improvements, stormwater improvements, transitional grading or similar type improvements prior to the approval of a preliminary plan or plat for said off-site area. No building permit (for vertical construction of a home or commercial building) shall issue for any portion of the Subject Property until such time as a final plat has been approved for said portion of the Subject Property.
6. The Subject Property shall be developed pursuant to the Chapter 12, Buildings and Building Regulations ("Building Codes"), of the City Code. The City agrees that, for the first ten years of this Agreement, no fire sprinkler system shall be required for either a single-family detached or single family attached residential dwelling unit. The foregoing notwithstanding, this provision shall not relieve Developer from complying with any change to state or federal law or county ordinance, which, by its terms, is applicable to the Subject Property.
7. All codes and ordinances of the City not amended herein by this Agreement and all codes and ordinances applicable Citywide adopted by said City after the execution and entering into of this Agreement by the Parties hereto shall apply to the Subject Property.
8. Engineering plans and specifications for the improvements to be installed in each phase of the development shall be submitted to the City together with the final subdivision plat for such phase.

SECTION D. Roads, Public Utilities and Storm Water Management

1. Hafenrichter Road – Developer shall dedicate public right-of-way for Hafenrichter Road as depicted on the Preliminary Plat, said dedication generally being forty (40) feet north of the centerline of Hafenrichter Road. Said right-of-way dedication shall occur on the first final plat of subdivision for the Subject Realty. Developer shall be responsible for the construction of a five-foot (5') concrete sidewalk on the north side of Hafenrichter and restriping of the median to create a northbound left turn lane from Hafenrichter to Wheatland Crossing Subdivision entrance at Road E as depicted on the Preliminary Plan. Developer shall complete said improvements with the first phase of development. Developer shall also be responsible for payment of recapture pursuant to the recapture agreement for Hafenrichter Road improvements that was approved by Ordinance O13-011 on March 26, 2013. Developer shall pay to the City said recapture as a condition of approval of Final Engineering by the City Engineer for the final plat of subdivision of the first development phase for the Subject Realty or provide the City with an agreement with the beneficiary of the recapture showing satisfaction thereof.
2. Farnsworth Avenue – Developer shall dedicate public right-of-way for Farnsworth

Avenue as depicted on the Preliminary Plat, said dedication generally being thirty-three (33) feet north of the existing right-of-way line as established by Document Number 9603094 recorded on March 28, 1996. Developer shall be responsible for the construction of a ten-foot (10') bike path on the north side of Farnsworth Avenue as depicted on the Preliminary Plan. Developer shall also be responsible for the construction of roadway improvements for Farnsworth Avenue (the "Farnsworth Improvements"), as depicted on the Preliminary Plan, which improvements include: i) widening on the north side of Farnsworth Avenue for an additional through lane consistent with the approved plans for Farnsworth Avenue and Hafenrichter Road Improvements Phase I and Phase II dated February 2, 1999 ; ii) restriping of the lane markings; and iii) modification of the center median north of Summerlin to: a) extend the westbound left turn lane from Farnsworth to Route 34, and b) construct an eastbound left turn lane from Farnsworth Avenue to Summerlin Drive. Developer shall be responsible for one hundred (100%) percent of the Farnsworth Improvements. In lieu of other intersection improvements, Owner and Developer shall be responsible for Cash Contribution (as defined in paragraph 4 below) associated with regional roadway intersection improvements to the intersection of Route 34 and Farnsworth. To the extent that the Farnsworth Improvements can be permitted solely by the City of Aurora, Developer shall complete said improvements with Phase I. To the extent that any Farnsworth Improvements require approval by the Illinois Department of Transportation ("IDOT"), said improvements shall be constructed within twelve months of IDOT's issuance of a permit authorizing construction of said improvements or concurrence from IDOT that no permit is required.

3. Route 34 – No dedication of public right-of-way along Route 34 shall be required by the City as a condition of this Annexation Agreement. Permits from the Illinois Department of Transportation ("IDOT") shall be obtained, as required, with each respective phase of the development as set forth in the Phasing Plan. The developer of each respective phase shall comply with the conditions established in the applicable IDOT permit. The City agrees to necessary and appropriate plan modifications (i.e. movement of landscape or pedestrian improvements outside of the right-of-way) as may be required by IDOT.
4. Intersection Improvement Contribution. The City acknowledges that the intersection of Farnsworth and Route 34 is a regional improvement which carries significant traffic volumes between multiple municipalities. Due to regional growth, future improvements to expand the capacity of the intersection are likely. Developer shall pay a cash contribution of Four Hundred and Fifty Thousand Dollars (\$450,000) (the "Cash Contribution") to the City for said future improvements to the intersection of Farnsworth and Route 34. The Cash Contribution shall be secured with surety posted by the Developer prior to the issuance of a site development permit for the Residential Property. The payment of the cash contribution shall be divided into two equal payments of Two Hundred Twenty-Five Thousand Dollars (\$225,000.00). The first payment shall be due at the time of approval of Final Engineering by the City Engineer for the final plat of subdivision of the first development phase . The second payment shall be due on May 1, 2025.
5. Interior Public Streets. Except as otherwise specified in this Agreement or as depicted on the Preliminary Plat, public right-of-way for all interior streets shall be sixty-six (66) feet as generally depicted on the Preliminary Plat. The right-of-way

for interior public streets shall be dedicated in phases, as depicted on the Phasing Plan, with each respective final plat of subdivision. Except as otherwise specified in this Agreement or as depicted on the Preliminary Plan, interior public streets shall be improved with a cross section of thirty-one (31) feet as measured from back-of-curb to back-of-curb with B6-12 curb and gutter. Five-foot (5') sidewalks within the public right-of-way shall be constructed up to one foot (1') off the property line. The developer of each respective phase shall install the required roadway and sidewalk improvements as stated above and shall be responsible for one hundred (100%) percent of the cost of said roadway and sidewalk improvements.

6. Interior Minor Collector Public Streets: The Summerlin Drive extension public right-of-way shall be dedicated with an eighty (80) foot cross section as generally depicted on the Preliminary Plat, to provide a direct connection between Farnsworth Avenue and Route 34. The right-of-way for the Summerlin Drive extension shall be improved with a cross section of thirty-nine (39) feet of roadway measured from back of curb to back of curb with B6-12 curb and gutter as depicted on the Preliminary Plan. Five-foot (5') sidewalks adjacent to the property line are required and shall be permitted within the public right-of-way up to one foot (1') off the property line. Developer of the Residential Property shall dedicate the right-of-way and construct the Summerlin Drive extension with the first phase of development.
7. The access points from the existing public right-of-way for the Subject Property shall meet all applicable codes and ordinances and shall be limited to those depicted on the Preliminary Plat, subject to the approval of IDOT, including:
 - a. One full access from Hafenrichter Road at Canyon Creek Drive
 - b. One full access from Farnsworth Avenue at Summerlin Drive.
 - c. One full access at Keating Drive.
 - d. One right-in/right-out from Route 34 south of the Rush Copley signalized entrance.
 - e. One full access from Route 34 at the location the existing mutual ingress and egress easement established by Document 200100000255 recorded January 5, 2001 in Kendall County.
 - f. Any right-in / right-out accesses that are approved for the Commercial Property by IDOT from Route 34.
8. A double-fed public water main system is required to provide adequate fire protection and water service for the Subject Property. Connections shall be made to the water main stubs at the end of Keating Drive and Edinburgh Lane and connection shall be made to watermain located in Hafenrichter Road and Route 34, all as generally depicted in the Preliminary Engineering.
9. Development of the Subject Property requires that adequate storm and sanitary discharge plans, and other related plans, have been approved by the appropriate City of Aurora Department, or agency with responsible jurisdiction.
10. Wetland and/or floodplain mitigation shall be subject to review and approval by an appropriate outside agency within responsible jurisdiction.
11. With the submittal of final engineering, a subsurface drainage investigation report shall be submitted to the City's Engineering Division for review, as per the

requirements of the Stormwater Ordinance. Any and all field tiles on the Subject Property must be protected during construction or shall be replaced/re-routed so as to not run under any building. Any filling operations must be done in such a manner so as not to raise the emergency overland flow elevations on adjacent properties. If field tile is re-routed or damaged during the course of construction, Owner or Developer (as may be applicable), shall repair all damaged field tile. Replacement field tile shall be same or better quality, provided that any tile run under a paved area, or within public right of way, shall be concrete tile.

12. Retaining walls utilized within the development shall not exceed three (3) feet in height. The stepping of retaining walls is allowed up to six (6) feet in overall height with a minimum run of three (3) feet between steps.
13. All improvements, buildings and structures shall be required to follow the Kane County Stormwater Ordinance requirements as adopted by the City.

SECTION F. General Provisions

1. In the event that any section, subsection or paragraph of this Agreement is held to be invalid, the invalidity of such section, subsection or paragraph shall not affect any of the other provisions of this Agreement. None of the parties to this Agreement shall challenge the validity or enforceability of this Agreement nor any provision of this Agreement, nor assert the invalidity or unenforceability of this Agreement or any provision thereof as defense to any claim by any other party seeking to enforce this Agreement.
2. Any notice or demand hereunder from any Party hereto to another Party hereto shall be in writing and shall be deemed served if mailed by prepaid registered or certified mail addressed as follows:

If to the City: Mayor of Aurora
City of Aurora
44 East Downer Place
Aurora, Illinois 60507

With copy to: Corporation Counsel
City of Aurora
44 East Downer Place
Aurora, Illinois 60507

If to the Owner: KEKA Farms, LLC
6275 State Route 71
Oswego, IL 60543

If to the Developer: D.R. Horton, Inc
1750 E. Golf Road, Suite 925
Schaumburg, IL 60173

With copy to: Rosanova & Whitaker, Ltd
Russell G Whitaker, III
445 Jackson Ave, Suite 200
Naperville, Illinois 60540

3. If a Party violates a provision of this Agreement, said Party shall have thirty (30) days in which to correct such violation or to substantially commence correction of such violation. The thirty-day period shall begin at the time of the mailing of said notice.
4. The Parties hereto agree to cooperate in applying the provisions of this Agreement and to fulfill the intent of the provisions set forth herein.
5. The Parties agree that the Parties or their successors in title may enforce this Agreement in any court of competent jurisdiction, in an appropriate action at law or in equity, as provided in 65 ILCS 5/11-15.1-4, as amended, including the right of any of the Parties to seek specific performance of the terms of this Agreement.
6. Owner and Developer understand and agree that the Subject Property shall be subject to any lawful fees enacted by the City with regard to development so long as said fees are uniformly applied in the City except for fees that the City elects to rebate to developers pursuant to an annexation or development agreement.
7. The City and the Owner of a Parcel may amend the terms of this Agreement with respect to said Parcel without the consent of the owner of any other Parcel provided that the Amendment does not modify rights or impose additional obligations on the owner of any other Parcel.

(SIGNATURE PAGES TO FOLLOW)

Executed in Aurora, Illinois.

SIGNED BY OWNER on the ____ day of _____, _____.

Name: Keka Farms, LLC, an Illinois limited liability company

By: _____

SIGNED BY CITY OF AURORA on the ____ day of _____, _____.
CITY OF AURORA, an Illinois
Municipal Corporation

By: _____
Mayor

Attest: _____
City Clerk

SIGNED BY HORTON on the ____ day of _____, _____.

Name: D.R. Horton, Inc. - Midwest, a California corporation

By: _____

EXHIBIT LIST

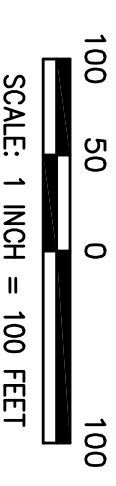
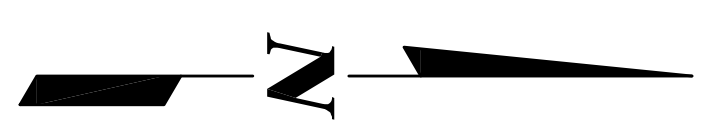
- EXHIBIT A – PLATS OF ANNEXATION
- EXHIBIT B – PARCEL EXHIBIT
- EXHIBIT C – PARCEL EXHIBIT – LEGAL DESCRIPTION
- EXHIBIT D – PRELIMINARY PLAN
- EXHIBIT E – PLAN DESCRIPTION
- EXHIBIT F – ZONING EXHIBIT – LEGAL DESCRIPTION
- EXHIBIT G – ZONING EXHIBIT
- EXHIBIT H – PHASING PLAN

EXHIBIT A
PLATS OF ANNEXATION

PLAT OF ANNEXATION TO THE CITY OF AURORA

BEING A PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

CITY RESOLUTION, _____
PASSED ON, _____



- LINE LEGEND**
- BOUNDARY LIMITS
 - ADJACENT PROPERTY OR R.O.W. LINE
 - SECTION LINE
 - QUARTER SECTION LINE
 - //// CORPORATE LIMITS OF THE CITY OF AURORA

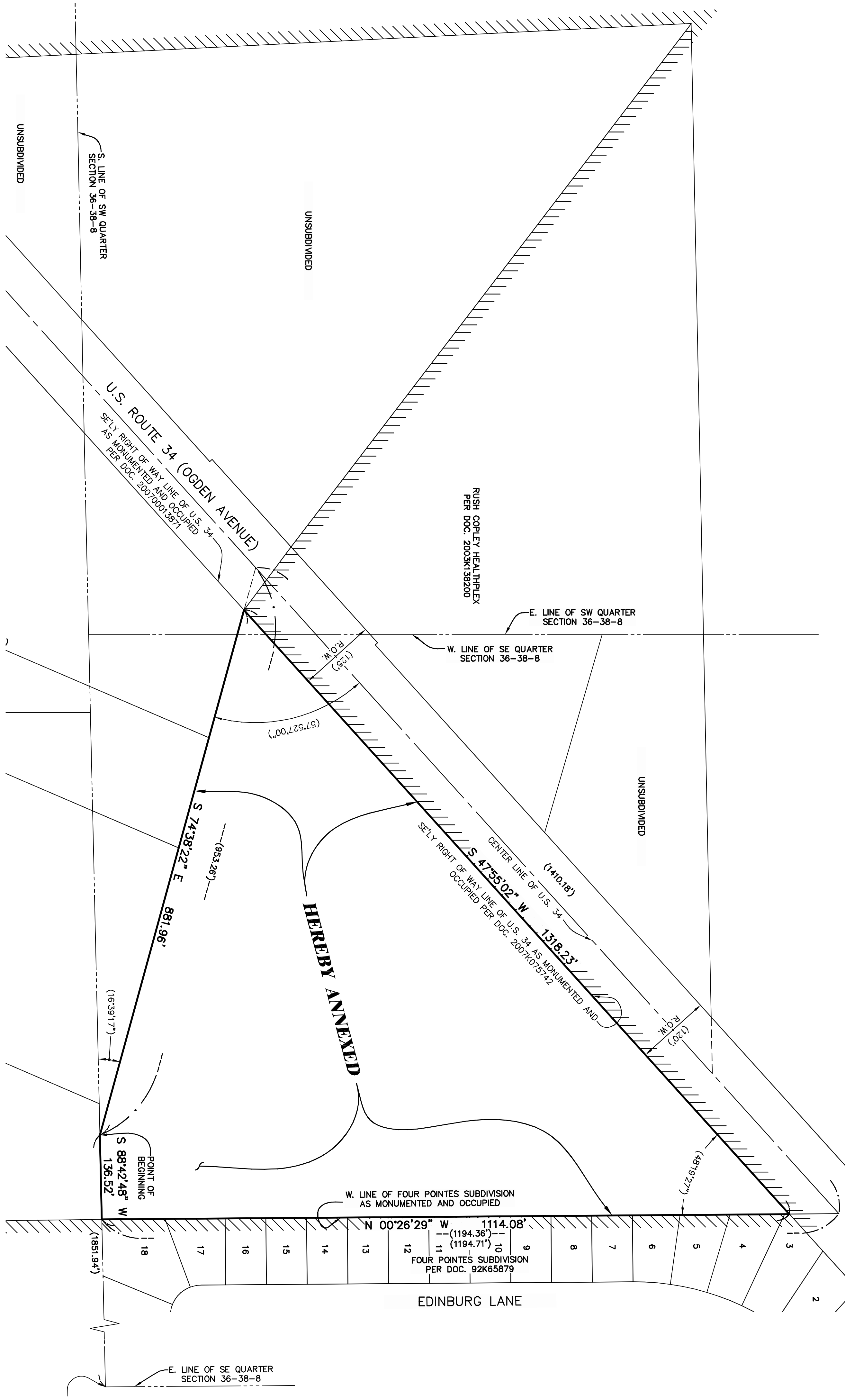
NOTES

ALL MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS SHOWN ALONG CURVED LINES ARE ARC DISTANCES.

DIMENSIONS ENCLOSED WITH () ARE RECORD DATA.

ALL OTHER DIMENSIONS ARE MEASURED.



PARCEL DESCRIPTION

KANE COUNTY LEGAL:
THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID SECTION 36, 136.52 FEET TO THE POINT OF BEGINNING, THENCE NORTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS WITH SAID SOUTH LINE OF SECTION 36 (AS MEASURED CLOCKWISE THEREFROM), 953.26 FEET TO THE CENTERLINE OF U.S. ROUTE 34; THENCE NORTHEASTERLY ALONG SAID CENTERLINE, FORMING AN ANGLE OF 57 DEGREES 27 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE (AS MEASURED CLOCKWISE THEREFROM), 1410.18 FEET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF FOUR POINTS SUBDIVISION RECORDED SEPTEMBER 17, 1992 AS DOCUMENT 92K65879 IN KANE COUNTY, ILLINOIS; THENCE SOUTHERLY ALONG SAID WEST LINE OF FOUR POINTS SUBDIVISION, FORMING AN ANGLE OF 90 DEGREES 52 MINUTES 50 SECONDS WITH SAID SOUTH LINE OF SECTION 36, THENCE WESTERLY ALONG SAID SOUTHERLY LINE, FORMING AN ANGLE OF 90 DEGREES 52 MINUTES 50 SECONDS WITH THE LAST DESCRIBED COURSE (AS MEASURED COUNTER-CLOCKWISE THEREFROM), 136.52 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR WIDENING U.S. ROUTE 34 IN CASE NO. 99 ED 5 AS DESCRIBED IN ORDER VESTING TITLE RECORDED JULY 20, 2007 AS DOCUMENT NO. 200703075742, ALL IN KANE COUNTY, ILLINOIS.

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

THIS IS TO CERTIFY THAT THE ABOVE PLAT CORRECTLY REPRESENTS THE TERRITORY ANNEXED TO THE CITY OF AURORA, KANE AND KENDALL COUNTIES, ILLINOIS, BY ORDINANCE NUMBER _____ A PROPER ORDINANCE PASSED AND APPROVED BY THE AURORA CITY COUNCIL ON _____ 20____.

CITY CLERK _____

KANE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

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 _____ DAY OF _____, A.D., 2018 AT _____ O'CLOCK _____ M.

PREPARED FOR:
D.R. HORTON, INC.-MIDWEST, A CALIFORNIA CORPORATION
1750 E. GOLF RD., SUITE 925
SCHAUMBURG, IL 60173
(847) 362-9100

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
63052-9673 PH: 630.862.2100 FAX: 630.862.2199
E-Mail: cod@cemcon.com Website: www.cemcon.com

DISC NO.: 637028 FILE NAME: ANNEX-KANE
DRAWN BY: SMR FL.D. BK. / Pg. NO.: E-11\16-18 LO #2\23-24
COMPLETION DATE: 11-3-2022 JOB NO.: 637028
CHECKED BY: JRP 11-20-23
REVISED 11-21-23\AB SHUT PLAT BY COUNTY

DEVELOPMENT DATA TABLE: ANNEXATION PLAT

DESCRIPTION	VALUE	UNIT
a) TAX IDENTIFICATION NUMBER: 15-36-400-032	12.994	ACRES
b) SUBJECT PROPERTY BEING ANNEXED:	566,006	SQUARE FEET

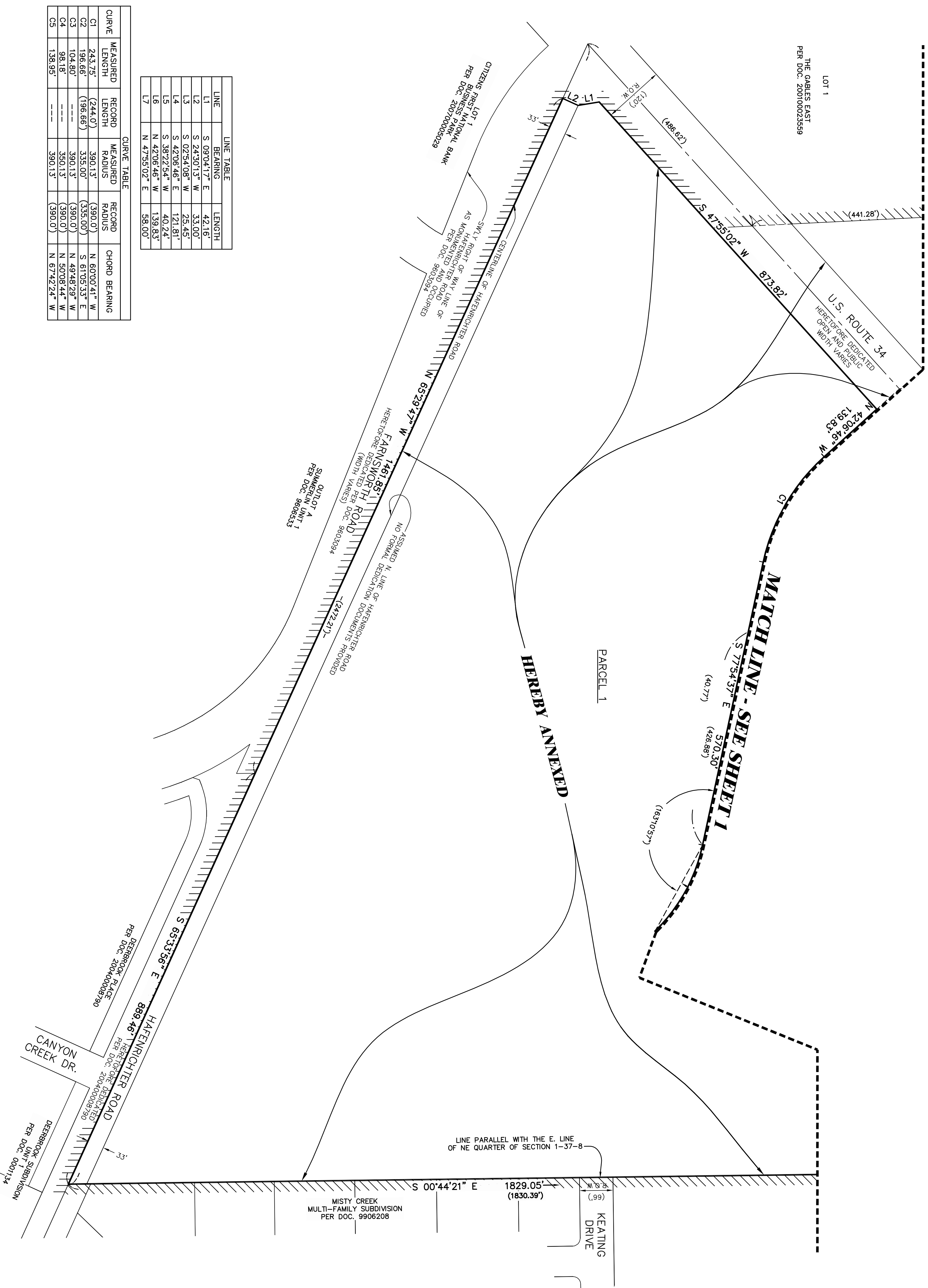
SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

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 ANNEXATION TO THE CITY OF AURORA, AND THAT THIS PLAT OF ANNEXATION ACCURATELY DEPICTS SAID PROPERTY.

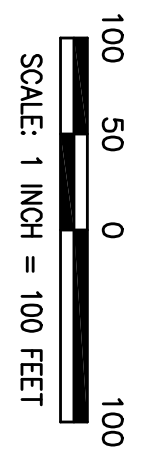
GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, A.D., 20____.

JEFFREY R. PANKOW
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3483
MY REGISTRATION EXPIRES ON NOVEMBER 30, A.D., 2022
PROFESSIONAL DESIGN FIRM LICENSE NO. 184-0029337
EXPIRES ON APRIL 30, 2023



LINE	BEARING	LENGTH
L1	S 09°04'17\"	42.16'
L2	S 24°30'13\"	33.00'
L3	S 02°54'08\"	25.45'
L4	S 42°08'46\"	121.81'
L5	S 38°22'54\"	40.24'
L6	N 42°08'46\"	139.83'
L7	N 47°55'02\"	58.00'

CURVE	MEASURED LENGTH	RECORD LENGTH	MEASURED RADIUS	RECORD RADIUS	CHORD BEARING
C1	243.75'	(244.0')	390.13'	(390.0')	N 60°02'41\"
C2	198.86'	(198.86')	335.00'	(335.00')	S 61°03'33\"
C3	104.80'	---	390.13'	(390.0')	N 49°48'29\"
C4	98.18'	---	350.13'	(390.0')	N 50°08'44\"
C5	138.95'	---	390.13'	(390.0')	N 67°42'24\"



LINE LEGEND

- BOUNDARY LIMITS
- ADJACENT PROPERTY OR R.O.W. LINE
- SECTION LINE
- QUARTER SECTION LINE
- CORPORATE LIMITS OF THE CITY OF AURORA

NOTES

ALL MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS SHOWN ALONG CURVED LINES ARE ARC DISTANCES.

DIMENSIONS ENCLOSED WITH () ARE RECORD DATA. ALL OTHER DIMENSIONS ARE MEASURED.

PREPARED BY:
CEMCON, Ltd.

Consulting Engineers, Land Surveyors & Planners
 60502-49575 Pk. 6336822100 Aurora, IL 63082-2199
 E-Mail: codd@cemcon.com Website: www.cemcon.com

DISC NO.: 637028 FILE NAME: ANNEX-KENDALL
 DRAWN BY: SMR FLD. BK. / PG. NO.: E-11\16-18 LO #2\23-24
 COMPLETION DATE: 11-3-2022 JOB NO.: 637028
 CHECKED BY: JRP 11-20-23
 REVISED 11-21-23\AB SPLIT PLAT BY COUNTY

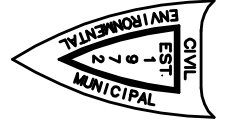


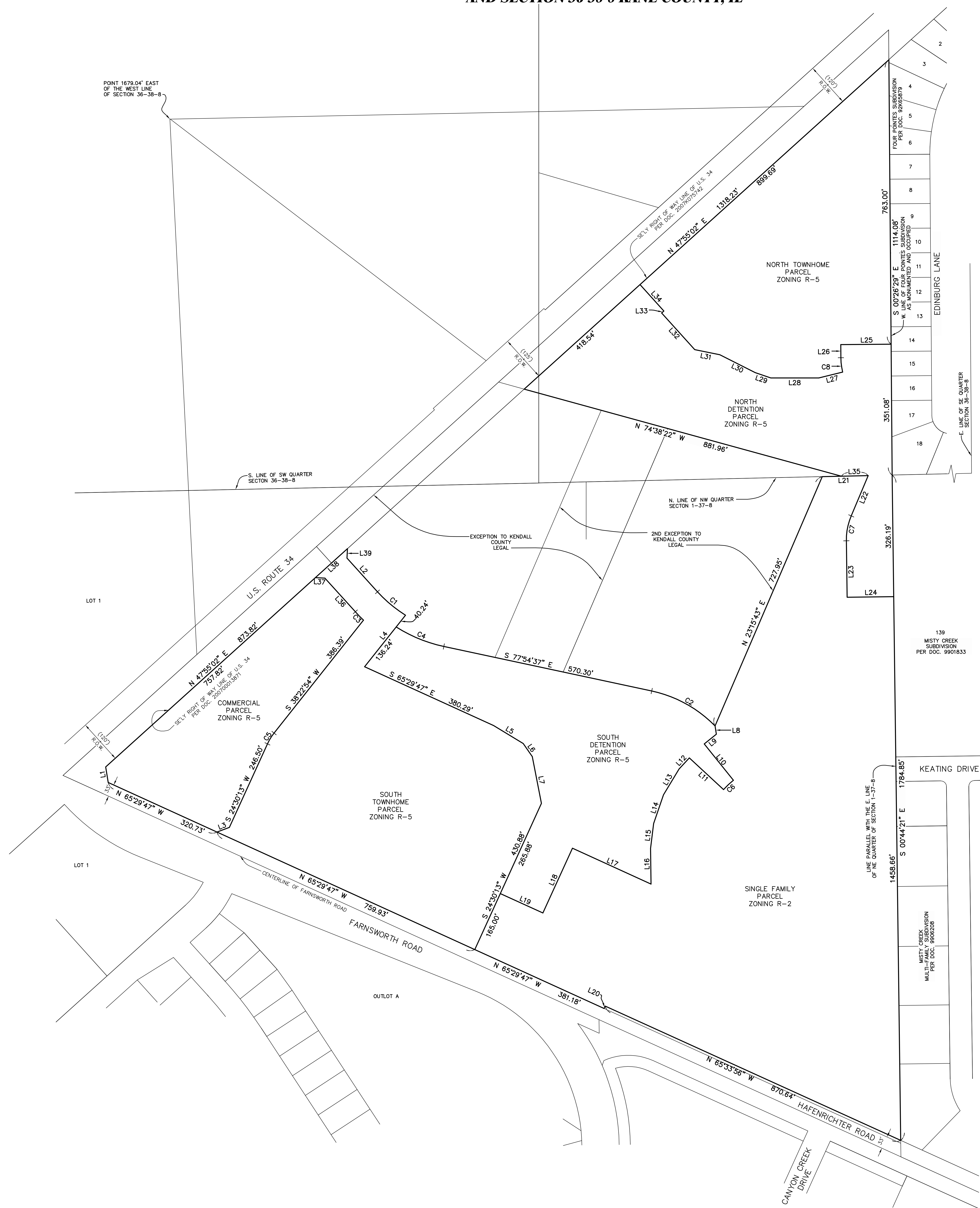
EXHIBIT B
PARCEL EXHIBIT

PARCEL EXHIBIT

PART OF SECTION 1-37-8 IN KENDALL COUNTY AND SECTION 36-38-8 KANE COUNTY, IL



100 50 0 100
SCALE: 1 INCH = 100 FEET



LINE TABLE		
LINE	BEARING	LENGTH
L1	N 09°04'17" W	42.16'
L2	S 42°06'46" E	121.81'
L3	S 69°30'13" W	35.36'
L4	S 38°22'54" W	176.48'
L5	S 58°40'34" E	92.85'
L6	S 34°47'29" E	42.57'
L7	S 11°03'58" E	127.98'
L8	S 08°58'03" E	22.61'
L9	S 51°18'14" W	41.38'
L10	S 38°41'46" E	125.00'
L11	S 47°07'39" W	125.00'
L12	S 42°52'21" W	40.62'
L13	S 30°55'11" W	80.88'
L14	S 19°04'17" W	81.30'
L15	S 06°59'51" W	67.27'
L16	S 00°44'21" W	95.71'
L17	N 65°29'47" W	231.64'
L18	S 24°30'13" W	191.00'
L19	N 65°29'47" W	125.67'
L20	S 24°26'04" W	7.00'
L21	N 88°42'48" W	123.40'
L22	S 22°49'29" W	117.22'
L23	S 00°44'21" E	151.37'
L24	N 89°15'39" E	125.00'
L25	S 89°33'31" W	135.00'
L26	S 00°26'29" E	35.20'
L27	S 76°13'12" W	66.00'
L28	N 90°00'00" W	128.63'
L29	N 71°15'52" W	44.11'
L30	N 63°14'38" W	106.38'
L31	N 78°24'50" W	68.69'
L32	N 42°04'43" W	132.41'
L33	N 47°55'17" E	7.97'
L34	N 42°04'58" W	95.63'
L35	S 88°42'48" W	72.31'
L36	N 42°06'46" W	121.85'
L37	S 87°05'52" E	25.46'
L38	N 47°55'02" E	116.00'
L39	S 02°54'08" W	25.45'

CURVE TABLE					
CURVE	MEASURED LENGTH	RECORD LENGTH	MEASURED RADIUS	RECORD RADIUS	CHORD BEARING
C1	98.18'	---	350.13'	---	S 50°08'44" E
C2	196.66'	(196.66')	335.00'	(335.00')	S 61°05'33" E
C3	31.30'	---	430.13'	---	N 44°11'51" W
C4	138.95'	---	390.13'	(390.0')	S 67°42'24" E
C5	33.91'	---	140.00'	---	S 31°26'34" W
C6	36.49'	---	263.00'	---	S 46°50'49" W
C7	68.68'	---	167.00'	---	S 11°02'34" W
C8	38.88'	---	167.00'	---	S 07°06'39" E

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
 www.cemcon.com
 DISC NO.: 637028 FILE NAME: PARCEL EXHIBIT
 DRAWN BY: AJB FLD. BK. / PG. NO.: E-11'16-18 LO #2/23-24
 COMPLETION DATE: 11-14-22 JOB NO.: 637.028
 CHECKED BY: JRP 11-14-23 & 11-21-23
 REVISED 08-24-23 AJB REVISED PARCEL LIMITS
 REVISED 09-12-23 AJB REVISED PARCEL CONFIGURATION
 REVISED 10-06-23 AJB REVISED COMMERCIAL AND SOUTH TOWNHOME PARCEL
 REVISED 11-21-23 AJB REVISED COMMERCIAL AND SOUTH TOWNHOME PARCEL
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DRAWING PATH: P:\2023\11\27\2023 01:10\111618-18 LO #2\23-24
 PLOT FILE CREATED: 11/27/2023 01:10:11

EXHIBIT C

PARCEL EXHIBIT – LEGAL DESCRIPTION

COMMERCIAL PARCEL LEGAL:

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF MISTY CREEK MULTI-FAMILY SUBDIVISION PER DOCUMENT 9906208; THENCE NORTH 65 DEGREES 33 MINUTES 56 SECONDS WEST, 870.64 FEET; THENCE SOUTH 24 DEGREES 26 MINUTES 04 SECONDS WEST, 7.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 1,141.11 FEET TO THE POINT OF BEGINNING, THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 320.73 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S. ROUTE 34; THE FOLLOWING TWO COURSES ARE ALONG SAID EASTERLY RIGHT OF WAY LINE THENCE NORTH 09 DEGREES 04 MINUTES 17 SECONDS WEST, 42.16 FEET; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 757.82 FEET; THENCE SOUTH 87 DEGREES 05 MINUTES 52 SECONDS EAST, 25.46 FEET; THENCE SOUTH 42 DEGREES 06 MINUTES 46 SECONDS EAST, 121.85 FEET; THENCE SOUTHEASTERLY, 31.30 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 430.13 FEET AND A CHORD BEARING SOUTH 44 DEGREES 11 MINUTES 51 SECONDS EAST; THENCE SOUTH 38 DEGREES 22 MINUTES 54 SECONDS WEST, 386.39 FEET; THENCE SOUTHERLY 33.91 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 140.00 FEET AND A CHORD BEARING SOUTH 31 DEGREES 26 MINUTES 34 SECONDS WEST; THENCE SOUTH 24 DEGREES 30 MINUTES 13 SECONDS WEST, 246.50 FEET; THENCE SOUTH 69 DEGREES 30 MINUTES 13 SECONDS WEST, 35.36 FEET TO THE POINT OF BEGINNING IN KENDALL COUNTY, ILLINOIS.

SOUTH TOWNHOME PARCEL

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF MISTY CREEK MULTI-FAMILY SUBDIVISION PER DOCUMENT 9906208; THENCE NORTH 65 DEGREES 33 MINUTES 56 SECONDS WEST 870.64 FEET; THENCE SOUTH 24 DEGREES 26 MINUTES 04 SECONDS WEST 7.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST 381.18 FEET TO THE POINT OF BEGINNING; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 759.93 FEET; THENCE NORTH 69 DEGREES 30 MINUTES 13 SECONDS EAST, 35.36 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 246.50 FEET; THENCE NORTHERLY, 33.91 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 140.00 FEET AND A CHORD BEARING NORTH 31 DEGREES 26 MINUTES 34 SECONDS EAST; THENCE NORTH 38 DEGREES 22 MINUTES 54 SECONDS EAST, 386.39 FEET; THENCE NORTHWESTERLY, 31.30 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 430.13 FEET AND A CHORD BEARING NORTH 44 DEGREES 11 MINUTES 51 SECONDS WEST; THENCE NORTH 42 DEGREES 06 MINUTES 46 SECONDS WEST, 121.85 FEET; THENCE NORTH 87 DEGREES 05 MINUTES 52 SECONDS WEST, 25.46 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S. ROUTE 34; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 116.00 FEET ALONG SAID SOUTHEASTERLY LINE; THENCE SOUTH 02 DEGREES 54 MINUTES 08 SECONDS WEST, 25.45 FEET; THENCE SOUTH 42 DEGREES 06

MINUTES 46 SECONDS EAST, 121.81 FEET; THENCE SOUTHEASTERLY 98.18 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 350.13 FEET AND A CHORD BEARING SOUTH 50 DEGREES 08 MINUTES 44 SECONDS EAST; THENCE SOUTH 38 DEGREES 22 MINUTES 54 SECONDS WEST, 176.48 FEET; THENCE SOUTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 380.29 FEET; THENCE SOUTH 58 DEGREES 40 MINUTES 34 SECONDS EAST, 92.85 FEET; THENCE SOUTH 34 DEGREES 47 MINUTES 29 SECONDS EAST, 42.57 FEET; THENCE SOUTH 11 DEGREES 03 MINUTES 58 SECONDS EAST, 127.98 FEET; THENCE SOUTH 24 DEGREES 30 MINUTES 13 SECONDS WEST, 430.88 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

SOUTH DETENTION PARCEL

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF MISTY CREEK MULTI-FAMILY SUBDIVISION PER DOCUMENT 9906208; THENCE NORTH 65 DEGREES 33 MINUTES 56 SECONDS WEST, 870.64 FEET; THENCE SOUTH 24 DEGREES 26 MINUTES 04 SECONDS WEST, 7.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 381.18 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 165.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 265.88 FEET; THENCE NORTH 11 DEGREES 03 MINUTES 58 SECONDS WEST, 127.98 FEET; THENCE NORTH 34 DEGREES 47 MINUTES 29 SECONDS WEST, 42.57 FEET; THENCE NORTH 58 DEGREES 40 MINUTES 34 SECONDS WEST, 92.85 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 380.29 FEET; THENCE NORTH 38 DEGREES 22 MINUTES 54 SECONDS EAST, 136.24 FEET; THENCE EASTERLY, 138.95 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 390.13 AND A CHORD BEARING SOUTH 67 DEGREES 42 MINUTES 24 SECONDS EAST; THENCE SOUTH 77 DEGREES 54 MINUTES 37 SECONDS EAST, 570.30 FEET; THENCE EASTERLY, 196.66 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 335.00 FEET AND A CHORD BEARING SOUTH 61 DEGREES 05 MINUTES 33 SECONDS EAST; THENCE SOUTH 08 DEGREES 58 MINUTES 03 SECONDS EAST, 22.61 FEET; THENCE SOUTH 51 DEGREES 18 MINUTES 14 SECONDS WEST, 41.38 FEET; THENCE SOUTH 38 DEGREES 41 MINUTES 46 SECONDS EAST, 125.00 FEET; THENCE SOUTHWESTERLY, 36.49 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 263.00 FEET AND A CHORD BEARING SOUTH 46 DEGREES 50 MINUTES 49 SECONDS WEST; THENCE NORTH 47 DEGREES 07 MINUTES 39 SECONDS WEST, 125.00 FEET; THENCE SOUTH 42 DEGREES 52 MINUTES 21 SECONDS WEST, 40.62 FEET; THENCE SOUTH 30 DEGREES 55 MINUTES 11 SECONDS WEST, 80.88 FEET; THENCE SOUTH 19 DEGREES 04 MINUTES 17 SECONDS WEST, 81.30 FEET; THENCE SOUTH 06 DEGREES 59 MINUTES 51 SECONDS WEST, 67.27 FEET; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS WEST, 95.71 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 231.64 FEET; THENCE SOUTH 24 DEGREES 30 MINUTES 13 SECONDS WEST, 191.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 125.67 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

SINGLE FAMILY PARCEL:

THAT PART OF THE NORTH HALF OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF MISTY CREEK MULTI-FAMILY SUBDIVISION PER DOCUMENT 9906208; THENCE NORTH 65 DEGREES 33 MINUTES 56 SECONDS WEST, 870.64 FEET; THENCE SOUTH 24 DEGREES 26 MINUTES 04 SECONDS WEST, 7.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 381.18 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 165.00 FEET; THENCE SOUTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 125.67 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 191.00 FEET; THENCE SOUTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 231.64 FEET; THENCE NORTH 00 DEGREES 44 MINUTES 21 SECONDS WEST, 95.71 FEET; THENCE NORTH 06 DEGREES 59 MINUTES 51 SECONDS EST, 67.27 FEET; THENCE NORTH 19 DEGREES 04 MINUTES 17 SECONDS EAST, 81.30 FEET; THENCE NORTH 30 DEGREES 55 MINUTES 11 SECONDS EAST, 80.88 FEET; THENCE NORTH 42 DEGREES 52 MINUTES 21 SECONDS EAST, 40.62 FEET; THENCE SOUTH 47 DEGREES 07 MINUTES 39 SECONDS EAST, 125.00 FEET; THENCE NORTHEASTERLY, 36.49 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 263.00 FEET AND A CHORD BEARING NORTH 46 DEGREES 50 MINUTES 49 SECONDS EAST, THENCE NORTH 38 DEGREES 41 MINUTES 46 SECONDS WEST, 125.00 FEET; THENCE NORTH 51 DEGREES 18 MINUTES 14 SECONDS EAST, 41.38 FEET; THENCE NORTH 08 DEGREES 58 MINUTES 03 SECONDS WEST, 22.61 FEET; THENCE NORTH 23 DEGREES 15 MINUTES 43 SECONDS EAST, 727.95 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE NORTH 88 DEGREES 42 MINUTES 48 SECONDS EAST, 123.40 FEET; THENCE SOUTH 22 DEGREES 49 MINUTES 29 SECONDS WEST, 117.22 FEET; THENCE SOUTHERLY, 68.68 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF SOUTH 11 DEGREES 02 MINUTES 34 SECONDS WEST; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, 151.37 FEET; THENCE NORTH 89 DEGREES 15 MINUTES 39 SECONDS EAST; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, 1458.66 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

NORTH TOWNHOME PARCEL

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHWESTERLY CORNER OF LOT 3 IN FOUR POINTES SUBDIVISION PER DOCUMENT 92K65879; THENCE SOUTH 00 DEGREES 26 MINUTES 29 SECONDS EAST, 763.00 FEET; THENCE SOUTH 89 DEGREES 33 MINUTES 31 SECONDS WEST, 135.00 FEET; THENCE SOUTH 00 DEGREES 26 MINUTES 29 SECONDS EAST, 35.20 FEET; THENCE SOUTHERLY, 38.88 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 167.00 FEET AND A CHORD BEARING SOUTH 07 DEGREES 06 MINUTES 39 SECONDS EAST; THENCE SOUTH 76 DEGREES 13 MINUTES 12 SECONDS WEST, 66.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 128.63 FEET; THENCE NORTH 71 DEGREES 15 MINUTES 52 SECONDS WEST 44.11 FEET; THENCE NORTH 63 DEGREES 14 MINUTES 38 SECONDS WEST, 106.38 FEET; THENCE NORTH 78 DEGREES 24 MINUTES 50 SECONDS WEST, 68.69 FEET THENCE NORTH 42 DEGREES 04 MINUTES 43 SECONDS WEST, 132.41

FEET; THENCE NORTH 47 DEGREES 55 MINUTES 17 SECONDS EAST, 7.97 FEET; THENCE NORTH 42 DEGREES 04 MINUTES 58 SECONDS WEST, 95.63 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S. ROUTE 34 DEDICATED PER DOCUMENT 2007K075742; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 899.69 FEET ALONG SAID SOUTHEASTERLY LINE TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS

NORTH DETENTION PARCEL

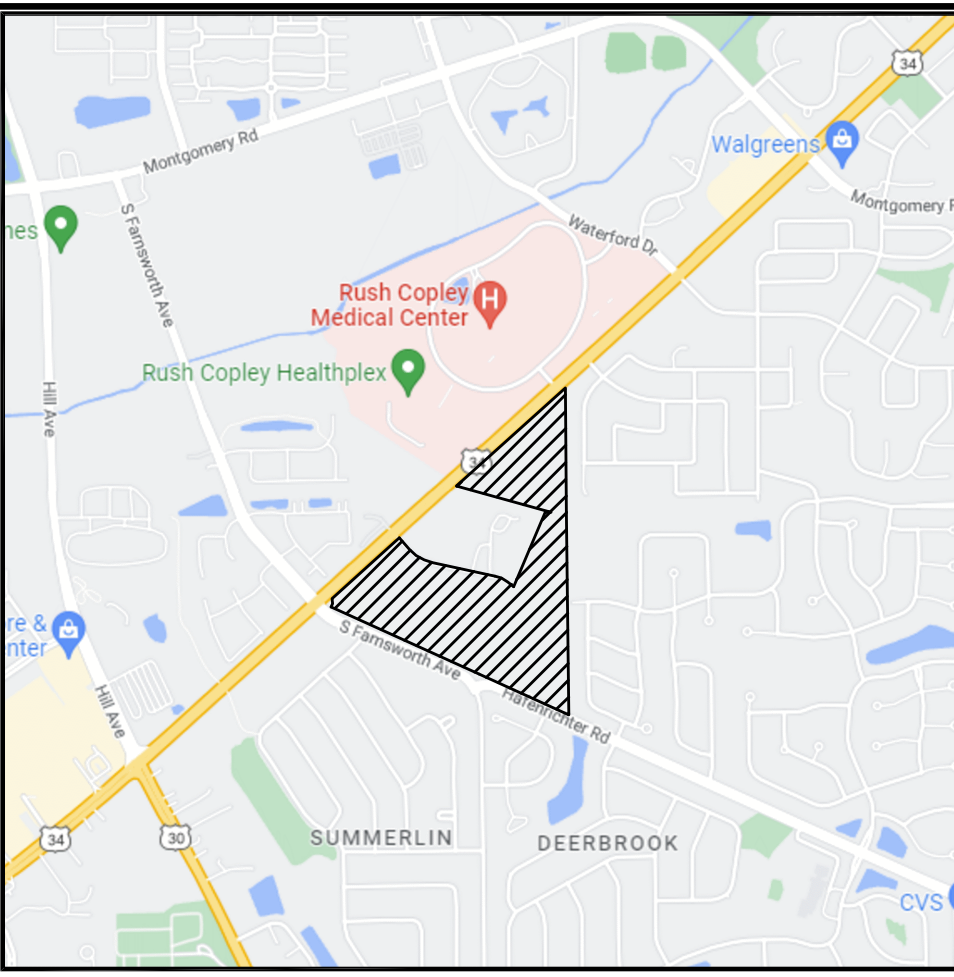
THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN ALSO PART OF THE NORTH HALF OF SECTION 1 TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 139 IN MISTY CREEK SUBDIVISION PER DOCUMENT 9901833; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, 326.19 FEET; THENCE SOUTH 89 DEGREES 15 MINUTES 39 SECONDS WEST, 125.00 FEET; THENCE NORTH 00 DEGREES 44 MINUTES 21 SECONDS WEST, 151.37 FEET; THENCE NORTHERLY, 68.68 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 167.00 FEET AND A CHORD BEARING NORTH 11 DEGREES 02 MINUTES 34 SECONDS EAST; THENCE NORTH 22 DEGREES 49 MINUTES 29 SECONDS EAST, 117.22 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE SOUTH 88 DEGREES 42 MINUTES 48 SECONDS WEST, 72.31 FEET; THENCE NORTH 74 DEGREES 38 MINUTES 22 SECONDS WEST, 881.96 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S ROUTE 34 DEDICATED PER DOCUMENT 2007K075742 FEET; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 418.54 FEET ALONG SAID SOUTHEASTERLY LINE; THENCE SOUTH 42 DEGREES 04 MINUTES 58 SECONDS EAST, 95.63 FEET; THENCE SOUTH 47 DEGREES 55 MINUTES 17 SECONDS WEST, 7.97 FEET; THENCE SOUTH 42 DEGREES 04 MINUTES 43 SECONDS EAST, 132.41 FEET; THENCE SOUTH 78 DEGREES 24 MINUTES 50 SECONDS EAST, 68.69 FEET; THENCE SOUTH 63 DEGREES 14 MINUTES 38 SECONDS EAST, 106.38 FEET; THENCE SOUTH 71 DEGREES 15 MINUTES 52 SECONDS EAST, 44.11 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 128.63 FEET; THENCE NORTH 76 DEGREES 13 MINUTES 12 SECONDS EAST, 66.00 FEET; THENCE NORTHERLY, 38.88 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 167.00 FEET AND A CHORD BEARING NORTH 07 DEGREES 06 MINUTES 39 SECONDS WEST; THENCE NORTH 00 DEGREES 26 MINUTES 29 SECONDS WEST, 35.20 FEET; THENCE NORTH 89 DEGREES 33 MINUTES 31 SECONDS EAST, 135.00 FEET TO THE WEST LINE OF FOUR POINTES SUBDIVISION PER DOCUMENT 92K65879; THENCE SOUTH 00 DEGREES 26 MINUTES 29 SECONDS EAST, 351.08 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

EXHIBIT D
PRELIMINARY PLAN

PRELIMINARY PLAN FOR WHEATLAND CROSSING

PART OF SECTION 1-37-8 IN KENDALL COUNTY AND SECTION 36-38-8 IN KANE COUNTY.



LOCATION MAP

Description	Value	Unit	Description	Value	Unit
a) Tax/Parcel Identification Number(s) (PINs):	0		j) Total Number of Residential Dwelling Units	194	units
			i. Gross Density	3.37	du/acre
			ii. Net Density	4.39	Net Density
b) Proposed land use(s):	0		k) Number of Single Family Dwelling Units	70	units
			i. Gross Density	2.45	du/acre
			ii. Net Density	3.02	Net Density
c) Total Property Size	57.5472681	Acres	iii. Unit Square Footage (average)	2,372	square feet
	2,506,759	Square feet	iv. Bedroom Mix	0%	% 1 bdr
d) Total Lot Coverage	530,787	Square feet		0%	% 2 bdr
(buildings and pavement)	21%	Percent		15%	% 3 bdr
e) Open space / landscaping	-	Square feet		85%	% 4 bdr
	0%	Percent	v. Number of Single Family Corner Lots	8	units
f) Land to be dedicated to the School District	0	Acres	l) Number of Single Family Attached Dwelling Units	124	units
g) Land to be dedicated to the Park District	0	Acres	i. Gross Density	5.03	du/acre
h) Number of parking spaces provided (individually accessible)	-	spaces	ii. Net Density	6.64	Net Density
i. surface parking lot	0	spaces	iii. Unit Square Footage (average)	1,695	square feet
perpendicular	0	spaces	iv. Bedroom Mix	0%	% 1 bdr
parallel	0	spaces		90%	% 2 bdr
angled	0	spaces		10%	% 3 bdr
handicapped	0	spaces		0%	% 4 bdr
ii. enclosed	388	spaces	m) Number of Multifamily Dwelling Units	0	units
iii. bike	0	spaces	i. Gross Density	0.00	du/acre
	0	spaces	ii. Net Density	0.00	Net Density
	0	spaces	iii. Unit Square Footage (average)	-	square feet
	0	spaces	iv. Bedroom Mix	0%	Efficiency
	0	spaces		40%	% 1 bdr
	0	spaces		50%	% 2 bdr
	0	spaces		10%	% 3 bdr
j) Number of buildings	25				
i. Number of stories	2	stories			
ii. Building Square Footage (typical)	-	square feet			
iii. Square Footage of retail floor area	0	square feet			
iv. First Floor Building Square Footage (typical)	-	Square feet			

MINIMUM DESIGN STANDARDS

Single Family Attached

Building Front to ROW	25'
Building Side to ROW	20'
Building Rear to ROW	40'
Neighborhood Setback	35'
Commercial Setback	18'

Building Front to Front	60'
Building Front to Side	50'
Building Side to Side	20'
Building Side to Rear	30'
Building Rear to Rear	50'

MINIMUM DESIGN STANDARDS

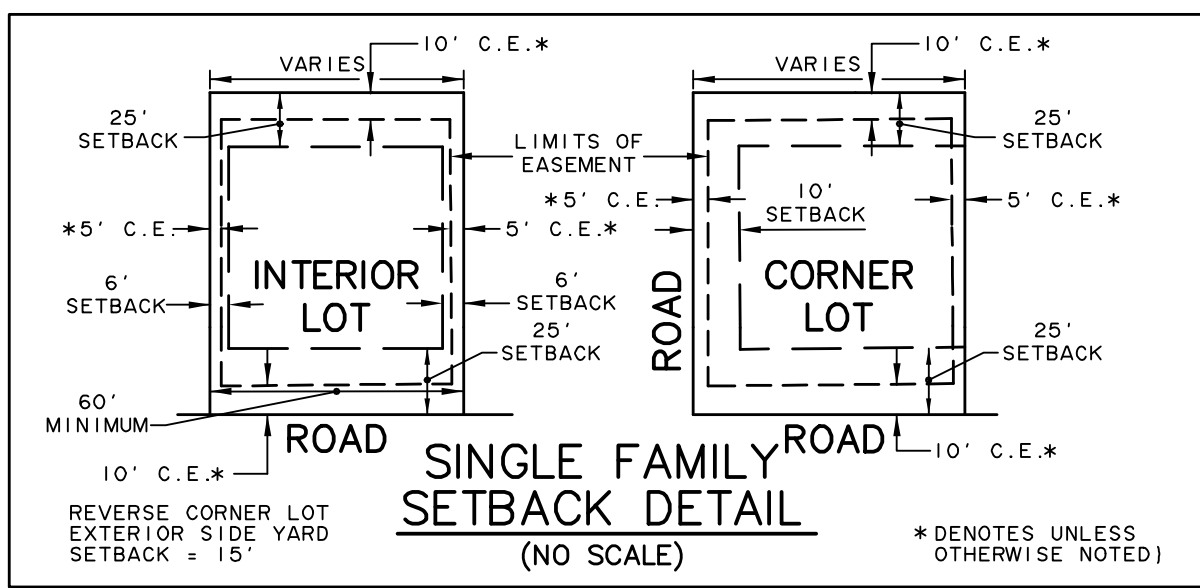
Single Family Detached

Front Yard	25'
Rear Yard	25'
Exterior Side Yard Corner Lot	10'
Exterior Side Yard Reverse Corner	15'
Interior Side Yard	6'

UTILITY NOTES:

- ALL STORM SEWER TO BE SIZED AT THE TIME OF FINAL ENGINEERING.
- ALL WATERMAIN IS 8" D.I.W.M. CLASS 52 UNLESS OTHERWISE NOTED.
- ALL SANITARY SEWER IS 8" P.V.C. SDR 26 UNLESS OTHERWISE NOTED.

	SUBDIVISION BOUNDARY LINE (Heavy Solid Line)
	LOT LINE/PROPERTY LINE (Solid Line)
	BUILDING LINE (Long Dashed Lines)
	EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Lines)
	CENTERLINE (Single Dashed Lines)
	QUARTER SECTION LINE (Double Dashed Lines)



LEGEND

EXISTING PROPOSED DESCRIPTION

	MANHOLE
	CATCH BASIN
	INLET
	CLEANOUT
	SLOPE INLET BOX
	HEADWALL
	END SECTION
	STORM SEWER
	SANITARY SEWER
	WATERMAIN
	VALVE & BOX
	WATER VALVE IN VAULT
	FIRE HYDRANT
	CONTOURS
	ELEVATIONS
	STREET LIGHT
	WATERMAIN PROTECTION
	SILT FENCE INLET PROTECTOR
	TEMPORARY STRAW BALE DITCH CHECK
	SILT FENCE DITCH CHECK
	RIP-RAP
	OVERFLOW ROUTE

PARCEL DESCRIPTION:

KANE COUNTY LEGAL:
 THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 36 FOR 1851.94 FEET TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS WITH SAID SOUTH LINE OF SECTION 36 (AS MEASURED CLOCKWISE THEREFROM), 953.26 FEET TO THE CENTERLINE OF U.S. ROUTE 34; THENCE NORTHWESTERLY ALONG SAID CENTERLINE, FORMING AN ANGLE OF 57 DEGREES 27 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE (AS MEASURED CLOCKWISE THEREFROM), 1410.18 FEET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF FOUR POINTS SUBDIVISION RECORDED SEPTEMBER 17, 1992 AS DOCUMENT 92K65879, IN KANE COUNTY, ILLINOIS; THENCE SOUTHERLY ALONG SAID NORTHERLY EXTENSION, AND ALONG SAID WESTERLY LINE, FORMING AN ANGLE OF 48 DEGREES 19 MINUTES 27 SECONDS WITH THE LAST DESCRIBED COURSE (AS MEASURED COUNTER-CLOCKWISE THEREFROM), 1194.71 FEET TO SAID SOUTH LINE OF SECTION 36; THENCE WESTERLY ALONG SAID SOUTHERLY LINE, FORMING AN ANGLE OF 90 DEGREES 52 MINUTES 50 SECONDS WITH THE LAST DESCRIBED COURSE (AS MEASURED COUNTER-CLOCKWISE THEREFROM), 135.94 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PART TAKEN FOR WIDENING U.S. ROUTE 34 IN CASE NO. 99 ED 5 AS DESCRIBED IN ORDER VESTING TITLE RECORDED JULY 20, 2007 AS DOCUMENT NO. 2007K075742, ALL IN KANE COUNTY, ILLINOIS.

KENDALL COUNTY LEGAL:

PARCEL 1:
 THAT PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 36, 1716.0 FEET TO THE POINT OF BEGINNING; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SECTION 36, 1194.70 FEET TO THE CENTERLINE OF U.S. ROUTE NO. 34; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE 306.50 FEET; THENCE WEST ALONG A LINE FORMING AN ANGLE OF 139 DEGREES, 03 MINUTES, 06 SECONDS WITH THE LAST DESCRIBED COURSE, AS MEASURED COUNTERCLOCKWISE THEREFROM, 1700.90 FEET TO A POINT THAT IS 1679.04 FEET EASTERLY OF THE WEST LINE OF SAID SECTION 36; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 88 DEGREES, 17 MINUTES, 17 SECONDS WITH THE LAST DESCRIBED COURSE, AS MEASURED CLOCKWISE THEREFROM, 997.93 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 36 THAT IS 1727.22 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE CONTINUING SOUTHERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE 441.28 FEET TO THE CENTERLINE OF SAID U.S. ROUTE NO. 34; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE 486.62 FEET TO THE CENTERLINE OF HAFENRICHTER ROAD; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID HAFENRICHTER ROAD 2472.21 FEET TO A LINE DRAWN PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1 FROM THE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID PARALLEL LINE 1830.39 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ALL THAT PART FALLING WITHIN THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN FALLING WITHIN THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 36, 1851.94 FEET; THENCE NORTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS, MEASURED CLOCKWISE FROM THE PROLONGATION OF THE LAST DESCRIBED COURSE, 667.53 FEET TO A POINT; THENCE SOUTHWESTERLY AT AN ANGLE OF 97 DEGREES 52 MINUTES 31 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 721.67 FEET; THENCE SOUTHEASTERLY AT AN ANGLE OF 78 DEGREES 49 MINUTES 41 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 426.88 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT CONCAVE TO THE SOUTHWEST, THE CHORD OF WHICH FORMS AN ANGLE OF 163 DEGREES 10 MINUTES 57 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE HAVING A RADIUS OF 335.00 FEET, AN ARC DISTANCE OF 196.66 FEET AND A CHORD DISTANCE OF 193.85 FEET TO A POINT; THENCE NORTHEASTERLY AT AN ANGLE OF 84 DEGREES 21 MINUTES 17 SECONDS, MEASURED CLOCKWISE FROM THE CHORD OF THE LAST DESCRIBED COURSE, 727.61 FEET TO THE SOUTH LINE OF AFORESAID SOUTHEAST 1/4; THENCE EASTERLY ALONG THE SOUTH LINE OF THE AFORESAID SOUTHEAST 1/4 51.42 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS AND IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS, AND ALSO EXCEPT THAT PART OF THE LAND CONVEYED TO DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS BY INSTRUMENT RECORDED APRIL 26, 2007 AS DOCUMENT 20070013871, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL 2:
 THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, 1851.94 FEET ALONG SAID SOUTH LINE; THENCE NORTH 74 DEGREES 38 MINUTES 22 SECONDS WEST, 881.96 FEET TO THE SOUTHEAST CORNER OF U.S. ROUTE 34 (ODGEN AVENUE) DEDICATED PER DOCUMENT 20070013871; THENCE WEST 638.51 FEET ALONG SAID SOUTHEASTERLY LINE TO THE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 54 MINUTES 08 SECONDS WEST, 25.45 FEET; THENCE SOUTH 42 DEGREES 06 MINUTES 22 SECONDS EAST, 121.81 FEET; THENCE SOUTHEASTERLY 98.18 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 350.13 FEET AND A CHORD BEARING SOUTH 50 DEGREES 08 MINUTES 44 SECONDS EAST, 121.81 FEET; THENCE SOUTHEASTERLY 98.18 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 350.13 FEET AND A CHORD BEARING SOUTH 50 DEGREES 08 MINUTES 44 SECONDS EAST, 121.81 FEET; THENCE WEST 244.0 FEET; THENCE NORTHWESTERLY 104.80 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 390.13 FEET AND A CHORD BEARING NORTH 49 DEGREES 48 MINUTES 29 SECONDS WEST; THENCE NORTH 42 DEGREES 06 MINUTES 46 SECONDS WEST, 139.83 FEET TO THE SOUTHEASTERLY LINE OF U.S. ROUTE 34; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 58.00 FEET TO THE POINT OF BEGINNING IN KENDALL COUNTY, ILLINOIS.

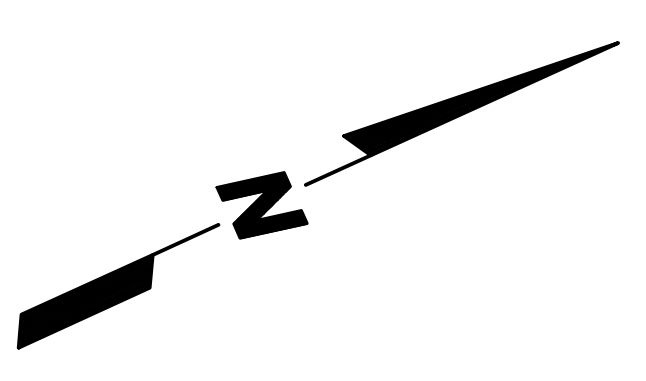
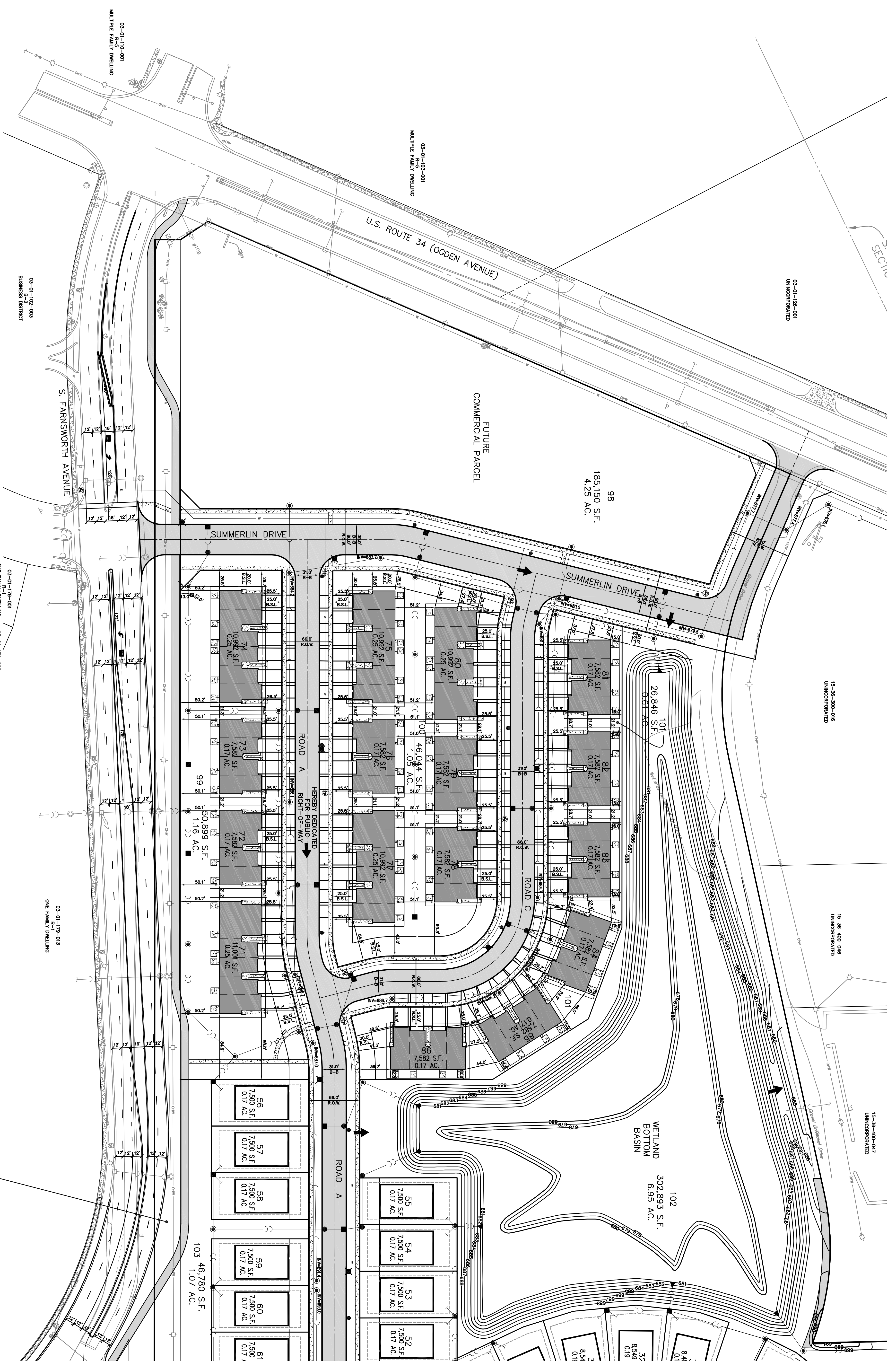
AND ALSO EXCEPTING ALL THAT PART LYING NORTHERLY OF THE CENTERLINE OF U.S. 34.

NO.	DATE	DESCRIPTION
1	08-21-23	REVISED SITE PLAN
2	09-13-23	REVISED STREET NAMES
3	11-17-23	REVISED SITE PLAN
4	12-15-23	UPDATED LOT NUMBERS

PETITIONER:
 D.R. HORTON, INC.—MIDWEST, A CALIFORNIA CORPORATION
 1750 E. GOLF RD., SUITE 925
 SCHAUMBURG, IL 60173
 (847) 362-9100

PREPARED BY:
CEMCON, Ltd.
 Consulting Engineers, Land Surveyors & Planners
 2280 White Oak Circle, Suite 100
 Aurora, Illinois 60502-9675
 Phone: 630.862.2100 FAX: 630.862.2199
 E-Mail: info@cemcon.com Website: www.cemcon.com

DISC NO.: 637028 FILE NAME: PREOVER
 DRAWN BY: BCD FLD. BK. / PG. NO.: BK./PG.
 COMPLETION DATE: 05-11-2023 JOB NO.: 637.028
 XREF : TOPO PROJECT MANAGER : KTS
 TAB: PREPLAN-01



60 30 0 60
SCALE: 1 INCH = 60 FEET

PETITIONER:
D.R. HORTON, INC.-MIDWEST, A CALIFORNIA CORPORATION
 1750 E. GOLF RD., SUITE 925
 SCHAMBURG, IL 60173
 (847) 362-9100

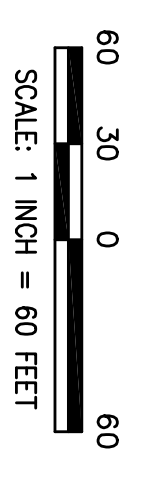
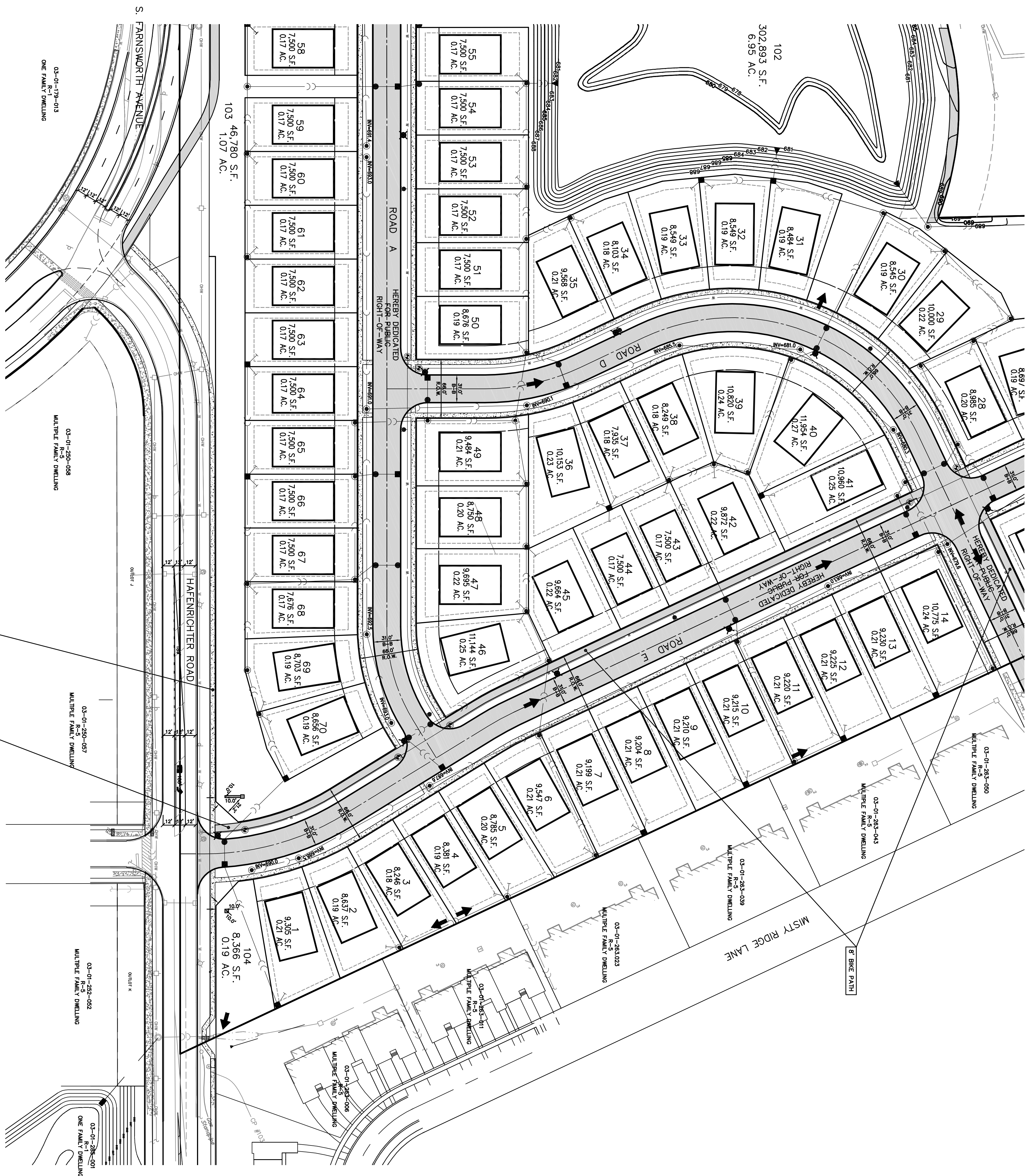
NO.	DATE	REVISION
1	08-21-23	REVISED SITE PLAN
2	09-13-23	REVISED STREET NAMES
3	11-17-23	REVISED SITE PLAN
4	12-15-23	UPDATED LOT NUMBERS

10' BIRMINGHAM MULTI-USE PATH

PREPARED BY:
CEMCON, Ltd.

Consulting Engineers, Land Surveyors & Planners
 2280 White Oak Circle, Suite 100
 Schaumburg, IL 60196
 P: 630.862.2100 FAX: 630.862.2199
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 COMPLETION DATE: 05-11-2023 JOB NO.: 637.028
 XREF: TOPO PROJECT MANAGER: KTS
 TAB: PREPLAN-02

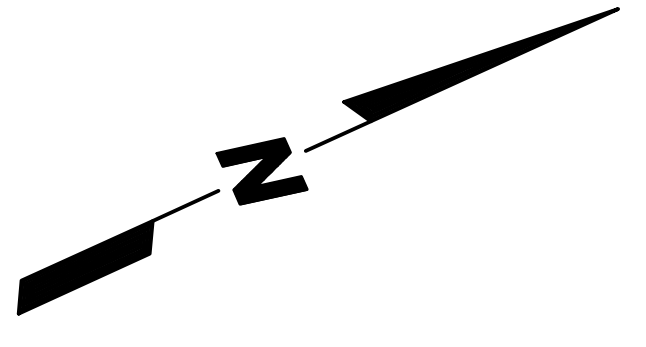
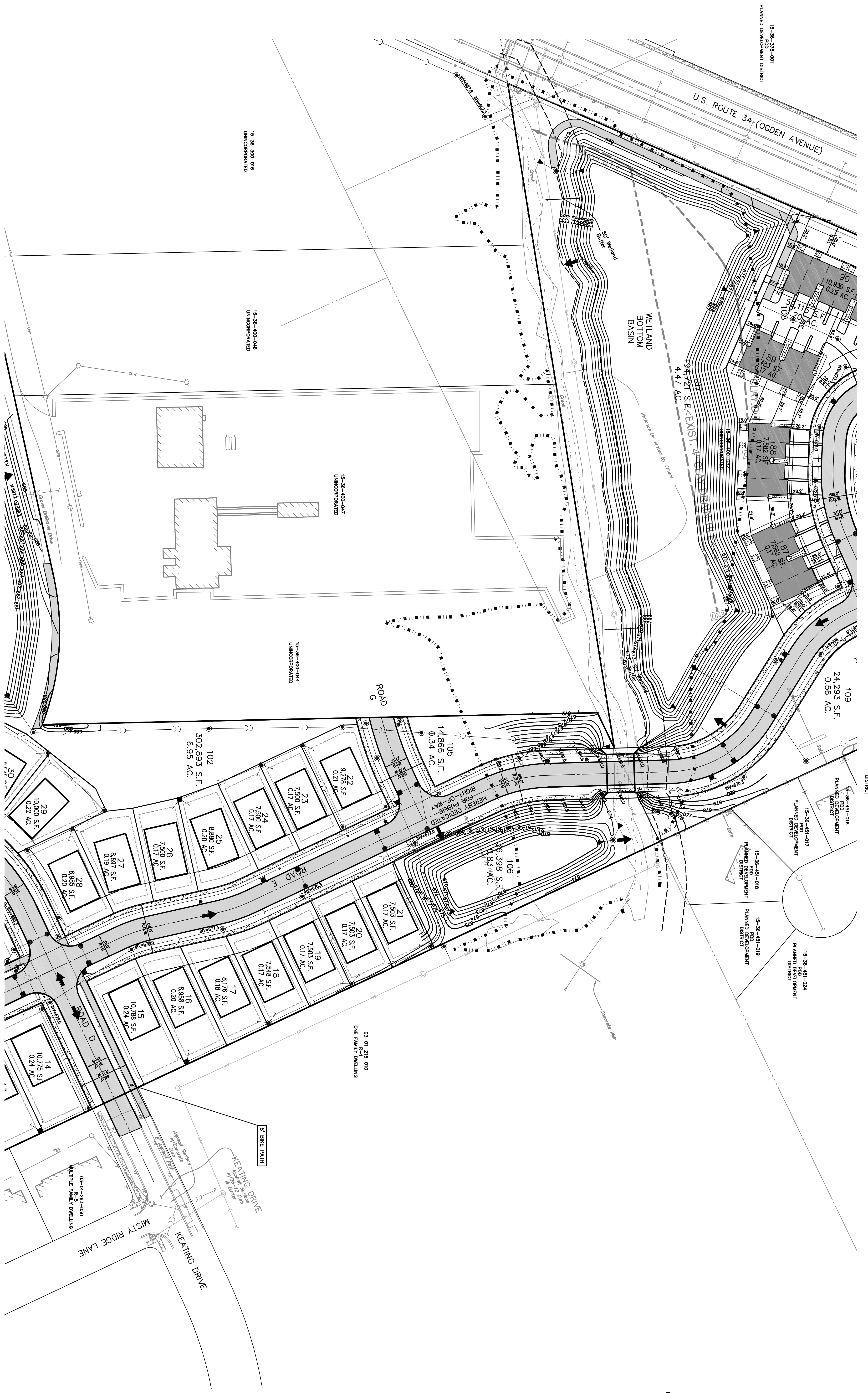


PETITIONERS:
D.R. HORTON, INC.-MIDWEST, A CALIFORNIA CORPORATION
 1750 E. GOLF RD., SUITE 925
 SCHAMBURG, IL 60173
 (847) 362-9100

NO.	DATE	REVISIONS
1	08-21-23	REVISED SITE PLAN
2	09-13-23	REVISED STREET NAMES
3	11-17-23	REVISED SITE PLAN
4	12-15-23	UPDATED LOT NUMBERS

CEMCON, Ltd.
 PREPARED BY:
 Consulting Engineers, Land Surveyors & Planners
 2280 White Oak Circle, Suite 100
 Schaumburg, IL 60196
 PH: 630.882.2100 FAX: 630.882.2199
 E-Mail: info@cemcon.com Website: www.cemcon.com

DISC NO.: 637028 FILE NAME: PRECOVER
 DRAWN BY: BCD FLD. BK. / PG. NO.: BK./PG.
 COMPLETION DATE: 05-11-2023 JOB NO.: 637.028
 XREF : TOPO PROJECT MANAGER : KTS
 TAB: PREPLAN-03



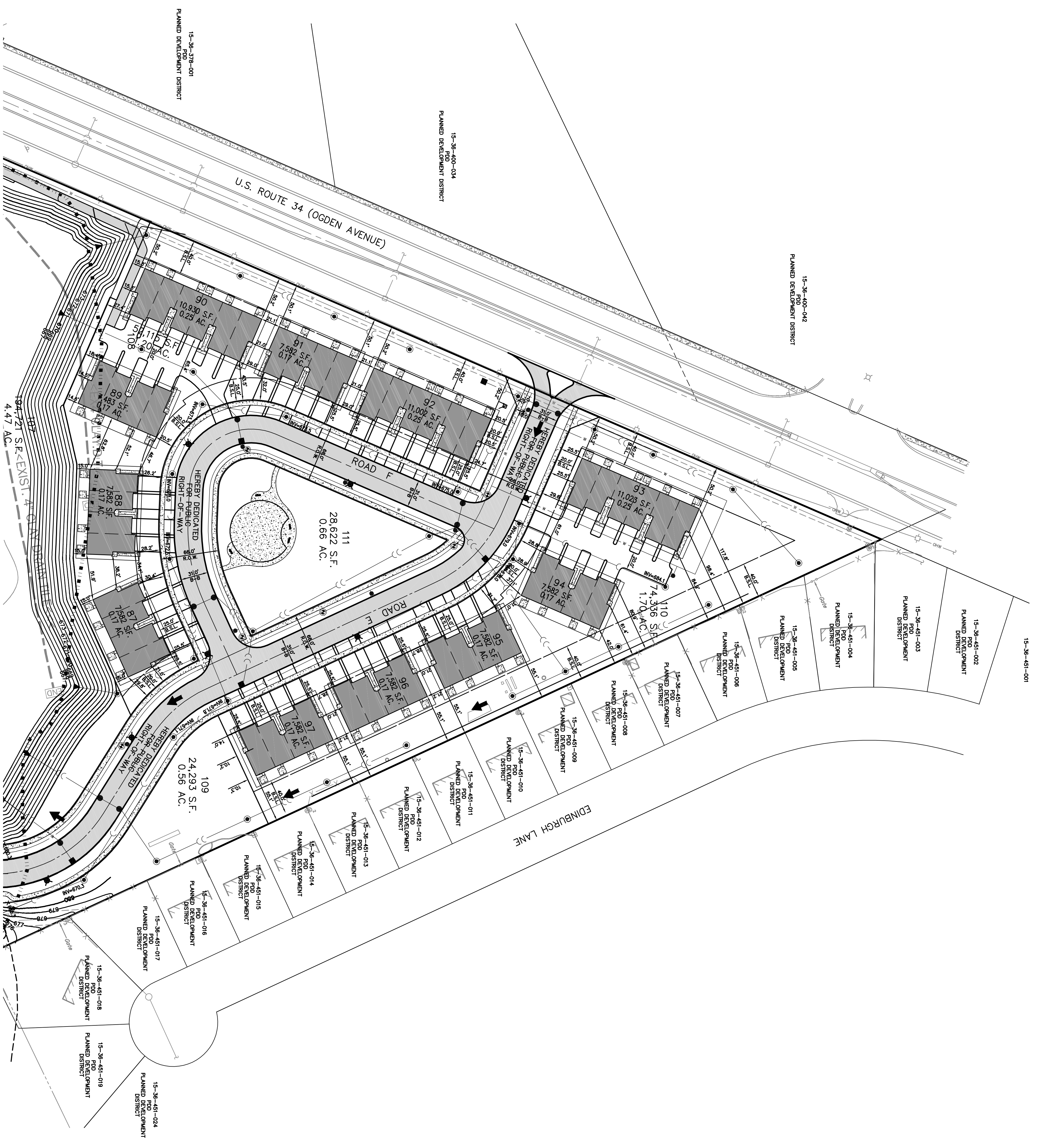
60 30 0 60
SCALE: 1 INCH = 60 FEET

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100
P.O. Box 60302-9675 Schaumburg, IL 60193
E-Mail: info@cemcon.com Website: www.cemcon.com
FAX: 630.852.2199
TEL: 630.852.2100

DR. R. HORTON, INC.-MIDWEST, A CALIFORNIA CORPORATION
1750 E. GOLF RD., SUITE 925
SCHAMBURG, IL 60173
(847) 362-9100

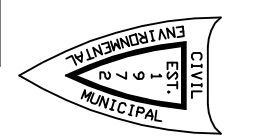
NO.	DATE	REVISIONS	DESCRIPTION
1	08-21-23		REVISED SITE PLAN
2	09-13-23		REVISED STREET NAMES
3	11-17-23		REVISED SITE PLAN
4	12-15-23		UPDATED LOT NUMBERS

DISC NO.: 637028 FILE NAME: PRECOVER
DRAWN BY: BCD FLD. BK. / PG. NO.: BK./PG.
COMPLETION DATE: 05-11-2023 JOB NO.: 637.028
XREF : TOPO PROJECT MANAGER : KTS
TAB: PREPLAN-04



PETITIONER:
D.R. HORTON, INC.-MIDWEST, A CALIFORNIA CORPORATION
 1750 E. GOLF RD., SUITE 925
 SCHAMBURG, IL 60173
 (847) 362-9100

NO	DATE	REVISIONS DESCRIPTION
1	08-21-23	REVISED SITE PLAN
2	09-13-23	REVISED STREET NAMES
3	11-17-23	REVISED SITE PLAN
4	12-15-23	UPDATED LOT NUMBERS


CEMCON, Ltd.
 PREPARED BY:
 Consulting Engineers, Land Surveyors & Planners
 2280 White Oak Circle, Suite 100
 Schaumburg, IL 60196
 PH: 630.862.2100 FAX: 630.862.2199
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DISC NO.: 637028 FILE NAME: PRECOVER
 DRAWN BY: BCD FLD. BK. / PG. NO.: BK./PG.
 COMPLETION DATE: 05-11-2023 JOB NO.: 637.028
 XREF: TOPO PROJECT MANAGER: KTS
 TAB: PREPLAN-05

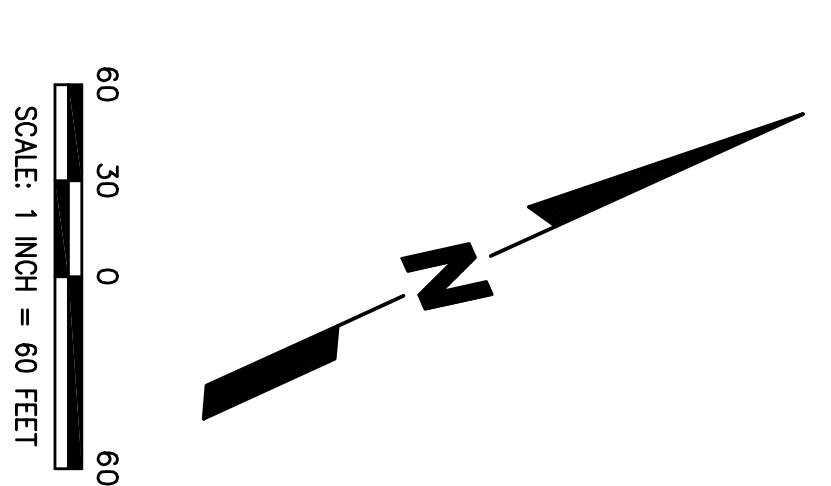


EXHIBIT E
PLAN DESCRIPTION

EXHIBIT “B”

**A PLAN DESCRIPTION FOR WHEATLAND CROSSING
LOCATED AT THE SOUTHEAST CORNER OF ROUTE 34 AND FARNSWORTH AVE.
CONSISTING OF FIFTY-SEVEN ACRES (“SUBJECT PROPERTY”)**

A Plan Description for the property at the southeast corner of Route 34 and Farnsworth Avenue with R-2 (C), R-4A (C), B-2 (C), and O-S-1 (C) District Zoning, with a Conditional Use Planned Development for the Wheatland Crossing development Pursuant to the Code of Ordinances, City of Aurora, Illinois (“City Code”).

I. QUALIFYING STATEMENTS

A. PURPOSE

This Conditional Use Planned Development has evolved to assist the Planning and Zoning Commission (“Commission”) and the City Council (“City Council”) of the City of Aurora, Illinois (“City”) in governing their recommendations and actions on this development as it relates to the existing zoning and land uses in the area.

The proposed development of the Subject Property will consist of both residential and commercial uses. Petitioner, D.R. Horton, Inc. – Midwest is the contract purchaser of the portion of the Subject Property designated for residential use. The current owner, KEKA Farms, LLC, will retain ownership of the portion of the Subject Property designated for commercial use. Developer shall mean the person(s) or entity who brings the Subject Property described herein to a more complete, complex, or desirable state.

Owner shall mean the person(s) or entity who is described as the legal owner of record of the Subject Property described herein.

B. INTENT

This Plan Description has been prepared pursuant to the requirements of Sec. 34-602 of Chapter 34 of the City Code. It is the intent of this document to promote and protect the public health, safety, morals, comfort, and general welfare of the area; and to guide the development toward the realization of the appropriate Physical Development Policies of the Comprehensive Plan of the City (“Comprehensive Plan”). These policies include:

10.0 To provide for the orderly, balanced and efficient growth and redevelopment of the City through the positive integration of land-use patterns, functions, and circulation systems. To protect and enhance those assets and values that establish the desirable quality and general livability of the City. To promote the City’s position as a regional center.

11.1(3) To encourage new development contiguous to existing development.

11.1(5) To guide and promote development to areas where public utilities, public roads, and municipal services are either available or planned.

12.0 To plan and provide for the growth of the City through the integration of land use patterns and functions that promote complementary interactions between different land use components.

12.1(2) To provide convenient services and visual diversity within the City by developing a hierarchy of commercial centers appropriately spaced throughout the

City.

12.1(3) To encourage residential development in close proximity to places of work, shopping and recreation.

12.1(5) To encourage a gradation from high-density residential areas to lower density residential areas.

12.1(9) To guide development and redevelopment into energy efficient land use patterns.

14.0(4) To encourage quality site design throughout the City of Aurora

20.0 To insure the provision of decent housing and a quality living environment for every resident of Aurora.

20.0(1) To promote access to housing opportunities for all economic, racial, religious, ethnic and age groups.

21.1(2) To promote a wide variety of housing types.

21.1(3) To promote housing in all price ranges for purchase or rent.

22.1(1) To achieve appropriate zoning protection for residential areas designated in the land use plan.

23.1(3) To encourage quality design and practicable innovations in both housing structures and site development.

23.1(10) To promote the provision of paved roads, sidewalks, utilities and other public works and improvements to each residence within the City through subdivision requirements or special assessments.

30.0 To develop and maintain an adequate supply of properly zoned areas for commercial facilities to serve existing and future population needs.

31.0 To promote and plan for the location of commercial centers, based on their functions and interrelationships, in order to provide a balanced distribution of commercial facilities that are conveniently accessible to all segments of the population.

31.1(6) To promote through comprehensive rezoning the availability and adequate distribution of a sufficient variety of convenience-type retail good and service areas to serve the daily needs of all city residents.

32.0 To enhance the positive and minimize the negative impacts and relationships that the location, design and appearance of commercial activities have on traffic patterns and on the stability and vitality of surrounding neighborhoods, other commercial centers, and the City as a whole.

32.1(3) To minimize the adverse effects of commercial activity on neighboring development, particularly residential and open space areas through the provision of buffering land uses and/or screening.

71.1(3) To work toward accomplishing complete utilities, including water mains and separated storm and sanitary sewer in all parts of the City.

II. GENERAL CHARACTER

A. EXISTING CONDITIONS

1. Subject Property

The Subject Property consists of approximately fifty-seven acres lying at the southeast corner of Route 34 and Farnsworth Avenue. The property is currently used for farming. The property lies within the Oswego School District #308 boundaries. The Property is currently zoned M2-SU Heavy Industrial – Special Use in Kendall County and F-Farming in Kane County. The Comprehensive Plan designates the Subject Property as Commercial, Low Density Residential, and Conservation, Open Space, Recreation, and Drainage.

2. Surrounding Property

Northwest: The surrounding properties to the north across Route 34 consist of the Rush Copley Hospital, which is zoned PDD in the City of Aurora with a City of Aurora Comprehensive Plan designation of Quasi – Public, Kendall County Concrete, a portion of which is zoned F in Kane County and a portion of which is zoned M2 in Kendall County with a City of Aurora Comprehensive Plan designation of Office, Research, and Light Industrial, and the Aurora at Summerfield Apartments which are zoned R-5(C) in the City of Aurora with a City of Aurora Comprehensive Plan designation of High Density Residential.

Southwest: The surrounding properties to the southwest across Farnsworth Avenue are Heartland Bank and Trust, which is zoned B-2-(C) in the City of Aurora with a City of Aurora Comprehensive Plan designation of Commercial, the Summerlin subdivision which is zoned R-1(C) in the City of Aurora with a City of Aurora Comprehensive Plan designation of Low Density Residential and Conservation, Open Space, Recreation, and Drainage, and the Deerbrook Place subdivision which is zoned R-5(C) in the City of Aurora with a City of Aurora

Comprehensive Plan designation of Medium Density Residential.

East: The surrounding properties to the east are the Four Pointes and Misty Creek subdivisions which are zoned PDD, R-1(C), and R-5(C) in the City of Aurora with a City of Aurora Comprehensive Plan designation of Low Density Residential, Medium Density Residential, and Conservation, Open Space, Recreation, and Drainage.

Middle: In the middle of the property surrounded by the Subject Property is the Prairie Materials plant and the adjacent vacant parcel, a portion of which is zoned F in Kane County, and a portion of which is zoned M2 and M2-SU in Kendall County, with a City of Aurora Comprehensive Plan designation of Low Density Residential and Conservation, Open Space, Recreation, and Drainage.

III. DEVELOPMENT STANDARDS FOR EACH PARCEL

A. ZONING

The Subject Property shall be divided into four (4) zoning parcel(s) as legally described on Attachment "A" and Attachment "B", and generally depicted on Attachment "C". Pending development, any part of the Subject Property may be used for agricultural purposes.

Development of the zoning parcel(s) shall be regulated as follows:

1. Parcel A – "R-2" (C) One-Family Dwelling District

1.1. Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains approximately twenty-two (22) acres. Upon approval of this document, said property shall be designated as "R-2" (C) One-Family Dwelling District Zoning, with a Conditional Use Planned Development on the Zoning Map of the City ("Zoning Map"), and be regulated by the Chapter 49 of the City Code ("Zoning Ordinance"), including but not limited to the provisions for the underlying base zoning district set forth in Section 49-107.6 titled "R-2" One-Family Dwelling District, except as modified herein.

1.2. Statement of Intent

The "R-2" One-Family Dwelling District, has been chosen as the underlying base zoning for this Parcel A to provide for the long-term viability of the property and to ensure consistency and compatibility with the adjacent zoning and uses. The Parcel is intended to be developed with not more than seventy (70) single family detached dwelling unit subdivision as permitted in the "R-2" One-Family Dwelling District and as modified by the Conditional Use Planned Development. Primary

access to the property will be via Hafenrichter Road, with a secondary access point from the east at Keating Drive.

1.3 Use Regulations

1. This property shall be limited to those uses permitted in the "R-2" One-Family Dwelling District, Section 49-107.6 of the Zoning Ordinance, with the following modifications:

a. The following additional uses shall be permitted:

(1) Planned development (8000).

1.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the "R-2" One-Family Dwelling District, Section 49-107.6, and Section 49-105 with the following modifications:

a. Minimum setbacks shall be as follows:

(1) Front Yard Setback: Twenty-five feet (25')

(2) Rear Yard Setback: Twenty-five feet (25')

(3) Exterior Side Yard:

a. Corner lot: Ten feet (10')

b. Reverse corner lot: Fifteen feet (15')

(4) Interior Side Yard Setback: Six feet (6')

b. Minimum lot size:

(1) Area: The minimum lot size shall not be less than 7,500 square feet.

(2) Width: Every one-family detached dwelling hereafter erected or structurally altered shall be on a lot having a width at the established building line of not less than sixty feet (60').

c. Minimum building size:

(1) One -story dwelling. Every one-story dwelling hereafter erected shall have a total ground floor area of not less than one thousand five hundred (1,500) square feet.

(2) Dwellings more than one-story. Every dwelling hereafter erected of more than one story, shall have a total floor area of not less than two thousand (2,000)

square feet.

- d. Maximum Lot Coverage: Forty-Five Percent (45%)
- e. Maximum Height: Thirty-Five Feet (35') and not to exceed two and one-half (2 1/2) stories
- f. Parking: All parking and loading shall be pursuant to Section 5.13., "Off-Street Parking and Loading" of the Aurora Zoning Ordinance.
- g. A full or partial basement shall be required for all single family detached dwelling units.

2. Parcel B – “R-4A” (C) Two-Family Dwelling District Zoning

2.1 Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel B contains approximately seventeen (17) acres. Upon approval of this document, said property shall be designated as “R-4A” (C) Two-Family Dwelling District Zoning, with a Conditional Use Planned Development on the Zoning Map of the City (“Zoning Map”), and be regulated by the Chapter 49 of the City Code (“Zoning Ordinance”), including but not limited to the provisions for the underlying base zoning district set forth in Section 49-107.9 titled “R-4A” Two-Family Dwelling District, except as modified herein.

2.2. Statement of Intent

The “R-4A” Two-Family Dwelling District, has been chosen as the underlying base zoning for this Parcel B to provide for the long-term viability of the property and to ensure consistency and compatibility with the adjacent zoning and uses. The Parcel will be developed with not more than a one hundred twenty-four (124) dwelling unit townhome subdivision use as permitted in the “R-4A” Two-Family Dwelling District and as modified by the Conditional Use Planned Development. Primary access points to the property will be via the north side of S. Farnsworth Avenue and along the east side of Route 34.

2.3 Use Regulations

- 1. This property shall be limited to those uses permitted in the “R-4A” Two-Family Dwelling District, Section 49-107.9 of the Zoning Ordinance, with the following modifications:
 - a. The following additional uses shall be permitted:
 - (1) Planned development (8000).

2.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the “R-4A” Two-Family Dwelling District, Section 49-107.9, and Section 49-105 of the Zoning Ordinance with the following modifications:
 - a. Minimum setbacks shall be as follows:
 - (1) Building Front to ROW: Twenty-Five Feet (25')
 - (2) Building Side to ROW: Twenty Feet (20')
 - (3) Building Rear to ROW: Forty Feet (40')
 - (4) Neighborhood Setback abutting adjacent residential: Thirty-Five Feet (35') from building to external property line.
 - b. Minimum separations between buildings, which shall be measured from the building foundation, shall be as follows:
 - (1) Building Front to Front: Sixty Feet (60')
 - (2) Building Front to Side: Fifty Feet (50')
 - (3) Building Side to Side: Twenty Feet (20')
 - (4) Building Side to Rear: Thirty Feet (30')
 - (5) Building Rear to Rear: Fifty Feet (50')
 - c. Maximum Height: Thirty-Five Feet (35') and not to exceed two and one-half (2 1/2) stories.
 - d. Minimum Lot Size: Not Applicable.
 - e. Minimum Building Size:
 - (1) One Story Dwelling. Every one-story dwelling unit shall have a total ground floor area of not less than one thousand one hundred (1,100) square feet.
 - (2) Dwellings more than one-story. Every dwelling of more than one story shall have a total floor area of not less than one thousand three hundred (1,300) square feet.
 - f. Maximum Lot Coverage: Not applicable.
 - g. Maximum Density: Net density, which includes the townhome pads (Lot 71 through Lot 97), the common areas upon which the pads sit (Lots 99, 100, 101, 108, 110), and Lots 107, 109, and 111 (detention/open space), but excludes ROW, shall not

exceed 8 dwelling units per acre.

- h. Parking: All parking and loading shall be pursuant to Section 105.13., "Off-Street Parking and Loading" of Chapter 49 of the Zoning Ordinance. Minimum parking – 2.0 enclosed garage spaces and 2.0 driveway spaces per dwelling unit. Because the development roadways are a minimum of 31' back-to-back, additional guesting parking is not required.

3. Parcel C – "OS-1" (C) Conservation, Open Space And Drainage District

3.1. Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains approximately thirteen (13) acres. Upon approval of this document, said property shall be designated as "OS-1" (C) Conservation, Open Space And Drainage District Zoning, with a Conditional Use Planned Development on the Zoning Map of the City ("Zoning Map"), and be regulated by the Chapter 49 of the City Code ("Zoning Ordinance"), including but not limited to the provisions for the underlying base zoning district set forth in Section 49-106.4 titled "OS-1" Conservation, Open Space And Drainage District, except as modified herein.

3.2. Statement of Intent

The "OS-1" Conservation, Open Space And Drainage District, has been chosen as the underlying base zoning for this Parcel to provide for the long-term viability of the property and to ensure consistency and compatibility with the adjacent zoning and uses. The Parcel is intended to be developed as three (3) detention basins located within the subdivision.

3.3 Use Regulations

- 1. This property shall be limited to those uses permitted in the "OS-1" Conservation, Open Space And Drainage District, Section 49-106.4 of the Zoning Ordinance, with the following modifications:
 - a. The following additional uses shall be permitted:
 - (1) Planned development (8000).

3.4 Bulk Restrictions

- 1. This property shall be subject to the Bulk Restrictions in the "OS-1" Conservation, Open Space And Drainage District, Section 49-106.4, and Section 49-105 of the Zoning Ordinance with the following

modifications:

- a. No building shall be erected within the "OS-1" Conservation, Open Space and Drainage District.

4. Parcel D – "B-2" (C) Business District – General Retail District

4.1. Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains approximately four (4) acres. Upon approval of this document, said property shall be designated as "B-2" (C) Business District – General Retail District Zoning, with a Conditional Use Planned Development on the Zoning Map of the City ("Zoning Map"), and be regulated by the Chapter 49 of the City Code ("Zoning Ordinance"), including but not limited to the provisions for the underlying base zoning district set forth in Section 49-108.3 titled "B-2" Business District – General Retail District, except as modified herein.

4.2. Statement of Intent

The "B-2" Business District – General Retail District, has been chosen as the underlying base zoning for this Parcel to provide for the long-term viability of the property and to ensure consistency and compatibility with the adjacent zoning and uses. Access to the property will be from Route 34 and S. Farnsworth Avenue.

4.3 Use Regulations

1. This property shall be limited to those uses permitted in the "B-2" Business District – General Retail District, Section 49-108.3 of the Zoning Ordinance, with the following modifications:
 - a. The following additional uses shall be permitted:
 - (1) Planned development (8000)
 - (2) Gasoline Station (2831)
 - (3) Car Wash, Single Bay (2832)
 - (4) Restaurant with a Drive-Through Facility (2530)
 - b. The following uses shall be prohibited:
 - (1) Pawnshop (2160)
 - (2) Used Clothing Stores (2120)
 - (3) Alternative Financial Institutions (2220)
 - (4) Laundromat (2610)
 - (5) Tattoo Salon (2630)

4.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the "B-2" Business District – General Retail District, Section 49-108.3, and Section 49-105 of the Zoning Ordinance.
2. Any development in this "B-2" Business District – General Retail District shall require amendment to the Planned Development to approve the Site Plan.

B. BUILDING, STRUCTURES AND SIGNAGE

1. Building Elevations shall be presented for approval with either the Final Plat and Plan or the Preliminary Plat and Plan and will be evaluated based on quality and variety of building materials, orientation and presentation from the public street, and the use of architectural elements and environmentally sustainable design and construction. Any subsequent Developer of the Subject Property agrees that any new structure(s) shall be designed and constructed to create a uniform theme architecturally with any structure(s) on adjacent properties that are a part of the Development, by incorporating common exterior façade elements and materials. Any new or amended building elevations and any modification of color packages shall be approved by the Zoning Administrator without City Council approval, provided that the proposed building elevation or color package changes are consistent with the character of the approved Architectural Package.
2. Monument Signage Elevations, quantity and locations are subject to approval with the Final Plan. Signage Elevations or revisions will be evaluated based on the quality and variety of materials, orientation and presentation to the public street and the use of architectural elements matching the buildings. To the extent any revised elevations submitted with Building Permit approval are substantially similar to the approved Signage Elevations approved with the Final Plan, the Zoning Administrator shall have the authority to approve the revised elevations. The signage on the property shall be subject to Chapter 41 of the City Code ("Sign Ordinance"). The requirements set forth herein this paragraph are not intended to restrict the marketing or model home signage permitted under Attachment D.

C. MODEL HOMES AND SALES TRAILERS, CONSTRUCTION TRAILERS

1. Model Homes

Prior to the issuance of the first building permit, Developer will submit to the City a plan showing the location of the model homes with related sales offices, including parking areas, fencing, signage and landscape treatment, which improvements shall generally comply with City Code. At the Developer's sole risk, not more than five model homes shall be permitted.

Upon approval of the model plan, which approval shall not be unreasonably withheld, the City shall permit the construction of not more than fifteen homes, which homes may be commenced upon installation of a gravel base to provide emergency access thereto. Model homes may be run on a generator. Prior to issuance of any occupancy permit, binder course shall be installed across the entire frontage of the lot for which occupancy is sought. Model Homes are subject to the following:

- a. Permits for model units will not be issued until a final plat is approved containing the model unit area.
- b. Tested and approved water with sufficient fire hydrant coverage for the model homes (subject to the review of the Fire Marshal), gravel street, street signs, and stormwater detention with a functioning overland flood route from the model home area to the detention facility, and a secondary access, gravel surface roadway for construction, emergency and inspection vehicles shall be provided prior to model permit issuance.
- c. Sanitary and water services do not need to be provided until approval of residential occupancy.
- d. Model homes may also be used as sales office.

2. Sales, Storage and Construction Trailers

One construction trailer and one material storage trailer shall be permitted for each of the Residential Property and the Commercial Property. The Developer may use the construction trailer and material storage area for the purposes of its construction and sales activities subject to the following:

- a. Upon Preliminary plan approval for the Subject Property and in advance of final engineering, final plat approval and the construction of sanitary, storm sewer, storm water detention facilities, water main, streets, curbs and gutters, the Developer shall be permitted to set temporary construction office, storage and sales trailers on the site. Approval for placement of trailers shall be subject only to staff review, which includes meeting the requirements of Article 18-V of Chapter 18 of the City Code of Ordinances. Planning Commission or City Council approval shall not be required.
- b. Installation of sanitary sewer and public water shall not be a condition to the issuance of permits for construction, storage and sales trailers.
- c. Sales Trailers shall be removed at such time as the Developer receives occupancy permits for the Sales/Model homes.
- d. The Developer shall be permitted to construct and maintain other appurtenant facilities for said trailers including temporary driveways.
- e. The Developer, upon approval of the City Engineer may construct temporary parking facilities, haul roads, and other pertinent facilities in advance of receipt of approved formal permits applicable to any parcel. The City Engineer's approval shall not be unreasonably withheld.

- f. Construction and storage trailers shall be removed within sixty (60) days following the completion of construction activity on the affected parcel.

D. PUBLIC WORKS

1. The property shall be governed by Declarations of Covenants, Conditions and Restrictions (“CCRs”) that will be recorded against the property prior to the first final certificate of occupancy for a residential dwelling or first building permit for the Commercial Property. The CCRs will provide for the creation of associations to administer the requirements of the CCRs and shall set forth such rules, regulations, policies and procedures necessary, including providing the contribution of maintenance of the shared detention by the Residential and Commercial Property.
2. Hafenrichter Road – Developer shall dedicate public right-of-way for Hafenrichter Road as depicted on the Preliminary Plat, said dedication generally being forty (40) feet north of the centerline of Hafenrichter Road. Said right-of-way dedication shall occur on the first final plat of subdivision for the Subject Realty. Developer shall be responsible for the construction of a five-foot (5’) concrete sidewalk on the north side of Hafenrichter and restriping of the median to create a northbound left turn lane from Hafenrichter to Wheatland Crossing Subdivision entrance at Road E as depicted on the Preliminary Plan. Developer shall complete said improvements with the first phase of development. Developer shall also be responsible for payment of recapture pursuant to the recapture agreement for Hafenrichter Road improvements that was approved by Ordinance O13-011 on March 26, 2013. Developer shall pay to the City said recapture as a condition of approval of Final Engineering by the City Engineer for the final plat of subdivision of the first development phase for the Subject Realty or provide the City with an agreement with the beneficiary of the recapture showing satisfaction thereof or concurrence from IDOT that no permit is required.
3. Farnsworth Avenue – Developer shall dedicate public right-of-way for Farnsworth Avenue as depicted on the Preliminary Plat, said dedication generally being thirty-three (33) feet north of the existing right-of-way line as established by Document Number 9603094 recorded on March 28, 1996. Developer shall be responsible for the construction of a ten-foot (10’) bike path on the north side of Farnsworth Avenue as depicted on the Preliminary Plan. Developer shall also be responsible for the construction of roadway improvements for Farnsworth Avenue (the “Farnsworth Improvements”), as depicted on the Preliminary Plan, which improvements include: i) widening on the north side of Farnsworth Avenue for an additional through lane consistent with the approved plans for Farnsworth Avenue and Hafenrichter Road Improvements Phase I and Phase II dated February 2, 1999 ; ii) restriping of the lane markings; and iii) modification of the center median north of Summerlin to: a) extend the westbound left turn lane from Farnsworth to Route 34, and b) construct an eastbound left turn lane from Farnsworth Avenue to Summerlin Drive. Developer shall be responsible for one hundred (100%) percent of the Farnsworth Improvements. In lieu of other intersection improvements, Owner and Developer shall be responsible for Cash

Contribution (as defined in paragraph 4 below) associated with regional roadway intersection improvements to the intersection of Route 34 and Farnsworth. To the extent that the Farnsworth Improvements can be permitted solely by the City of Aurora, Developer shall complete said improvements with Phase I. To the extent that any Farnsworth Improvements require approval by the Illinois Department of Transportation (“IDOT”), said improvements shall be constructed within twelve months of IDOT’s issuance of a permit authorizing construction of said improvements.

4. Route 34 – No dedication of public right-of-way along Route 34 shall be required by the City as a condition of this Annexation Agreement. Permits from the Illinois Department of Transportation (“IDOT”) shall be obtained, as required, with each respective phase of the development as set forth in the Phasing Plan. The developer of each respective phase shall comply with the conditions established in the applicable IDOT permit. The City agrees to necessary and appropriate plan modifications (i.e. movement of landscape or pedestrian improvements outside of the right-of-way) as may be required by IDOT.
5. Intersection Improvement Contribution. The City acknowledges that the intersection of Farnsworth and Route 34 is a regional improvement which carries significant traffic volumes between multiple municipalities. Due to regional growth, future improvements to expand the capacity of the intersection are likely. Developer shall pay a cash contribution of Four Hundred and Fifty Thousand Dollars (\$450,000) (the “Cash Contribution”) to the City for said future improvements to the intersection of Farnsworth and Route 34. The Cash Contribution shall be secured with surety posted by the Developer prior to the issuance of a site development permit for the Residential Property. The first payment shall be due at the time of approval of Final Engineering by the City Engineer for the final plat of subdivision of the first development phase. The second payment shall be due on May 1, 2025.
6. Interior Public Streets. Except as otherwise specified in this Agreement or as depicted on the Preliminary Plat, public right-of-way for all interior streets shall be sixty-six (66) feet as generally depicted on the Preliminary Plat. The right-of-way for interior public streets shall be dedicated in phases, as depicted on the Phasing Plan, with each respective final plat of subdivision. Except as otherwise specified in this Agreement or as depicted on the Preliminary Plan, interior public streets shall be improved with a cross section of thirty-one (31) feet as measured from back-of-curb to back-of-curb with B6-12 curb and gutter. Five-foot (5’) sidewalks within the public right-of-way shall be constructed up to one foot (1’) off the property line. The developer of each respective phase shall install the required roadway and sidewalk improvements as stated above and shall be responsible for one hundred (100%) percent of the cost of said roadway and sidewalk improvements.
7. Interior Minor Collector Public Streets: The Summerlin Drive extension public right-of-way shall be dedicated with an eighty (80) foot cross section as generally

depicted on the Preliminary Plat, to provide a direct connection between Farnsworth Avenue and Route 34. The right-of-way for the Summerlin Drive extension shall be improved with a cross section of thirty-nine (39) feet of roadway measured from back of curb to back of curb with B6-12 curb and gutter as depicted on the Preliminary Plan. Five-foot (5') sidewalks adjacent to the property line are required and shall be permitted within the public right-of-way up to one foot (1') off the property line. Developer of the Residential Property shall dedicate the right-of-way and construct the Summerlin Drive extension with the first phase of development.

8. The access points from the existing public right-of-way for the Subject Property shall meet all applicable codes and ordinances and shall be limited to those depicted on the Preliminary Plat, subject to the approval of IDOT, including:
 - a. One full access from Hafenrichter Road at Canyon Creek Drive
 - b. One full access from Farnsworth Avenue at Summerlin Drive.
 - c. One full access at Keating Drive.
 - d. One right-in/right-out from Route 34 south of the Rush Copley signalized entrance.
 - e. One full access from Route 34 at the location the existing mutual ingress and egress easement established by Document 200100000255 recorded January 5, 2001 in Kendall County.
 - f. Any right-in / right-out accesses that are approved for the Commercial Property by IDOT from Route 34.
9. A double-fed public water main system is required to provide adequate fire protection and water service for the Subject Property. Connections shall be made to the water main stubs at the end of Keating Drive and Edinburgh Lane and connection shall be made to watermain located in Hafenrichter Road and Route 34, all as generally depicted in the Preliminary Engineering.
10. Development of the Subject Property requires that adequate storm and sanitary discharge plans, and other related plans, have been approved by the appropriate City of Aurora Department, or agency with responsible jurisdiction.
11. Wetland and/or floodplain mitigation shall be subject to review and approval by an appropriate outside agency within responsible jurisdiction.
12. With the submittal of final engineering, a subsurface drainage investigation report shall be submitted to the City's Engineering Division for review, as per the requirements of the Stormwater Ordinance. Any and all field tiles on the Subject Property must be protected during construction or shall be replaced/re-routed so as to not run under any building. Any filling operations must be done in such a manner so as not to raise the emergency overland flow elevations on adjacent properties. If field tile is re-routed or damaged during the course of construction, Owner or Developer (as may be applicable), shall repair all damaged field tile. Replacement field tile shall be same or better quality, provided that any tile run under a paved area, or within public right of way, shall be concrete tile.

13. Retaining walls utilized within the development shall not exceed three (3) feet in height. The stepping of retaining walls is allowed up to six (6) feet in overall height with a minimum run of three (3) feet between steps.
14. All improvements, buildings and structures shall be required to follow the Kane County Stormwater Ordinance requirements as adopted by the City.

IV. GENERAL PROVISIONS

A. PLAN DESCRIPTION DOCUMENT

1. Amendments to this Plan Description document shall be subject to City Code. Public notice shall be provided in accordance with said code and, to all current owners of property subject to this Plan Description, provided however, that a revision to this Plan Description that affects only a part of the Subject Property governed hereby shall only require consent of the owner of said part.
2. This Plan Description document shall be mutually binding upon the heirs, executors, administrators, successors and assigns of present or future owners who use the property for the same permitted use.
3. If any section, subsection or paragraph of this Plan Description document shall be held invalid, the invalidity of such section, subsection or paragraph shall not affect any of the other provisions of this Plan Description document.
4. Any provisions contained within this Plan Description document that are in conflict shall be enforced in accordance with the more restrictive provision.

V. LIST OF ATTACHMENTS

ATTACHMENT "A" – LEGAL DESCRIPTION OF SUBJECT PROPERTY
ATTACHMENT "B" – LEGAL DESCRIPTION OF PARCEL A, PARCEL B, PARCEL C, and PARCEL D
ATTACHMENT "C" – ZONING EXHIBIT
ATTACHMENT "D" – SPECIAL SIGN DISTRICT

ATTACHMENT "A"
LEGAL DESCRIPTION OF SUBJECT PROPERTY

KANE COUNTY LEGAL:

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36, THENCE WESTERLY, ALONG THE SOUTH LINE OF SAID SECTION 36 FOR 1851.94 FEET TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS WITH SAID SOUTH LINE OF SECTION 36 (AS MEASURED CLOCKWISE THEREFROM), 953.26 FEET TO THE CENTERLINE OF U.S. ROUTE 34; THENCE NORTHEASTERLY ALONG SAID CENTERLINE, FORMING AN ANGLE OF 57 DEGREES 27 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE (AS MEASURED CLOCKWISE THEREFROM), 1410.18 FEET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF FOUR POINTS SUBDIVISION RECORDED SEPTEMBER 17, 1992 AS DOCUMENT 92K65879, IN KANE COUNTY, ILLINOIS; THENCE SOUTHERLY ALONG SAID NORTHERLY EXTENSION, AND ALONG SAID WESTERLY LINE, FORMING AN ANGLE OF 48 DEGREES 19 MINUTES 27 SECONDS WITH THE LAST DESCRIBED COURSE (AS MEASURED COUNTER-CLOCKWISE THEREFROM), 1194.71 FEET TO SAID SOUTH LINE OF SECTION 36; THENCE WESTERLY ALONG SAID SOUTHERLY LINE, FORMING AN ANGLE OF 90 DEGREES 52 MINUTES 50 SECONDS WITH THE LAST DESCRIBED COURSE (AS MEASURED COUNTER-CLOCKWISE THEREFROM), 136.52 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR WIDENING U.S. ROUTE 34 IN CASE NO. 99 ED 5 AS DESCRIBED IN ORDER VESTING TITLE RECORDED JULY 20, 2007 AS DOCUMENT NO. 2007K075742, ALL IN KANE COUNTY, ILLINOIS.

KENDALL COUNTY LEGAL:

PARCEL 1:

THAT PART OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 36, 1716.0 FEET FOR THE POINT OF BEGINNING; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SECTION 36, 1194.70 FEET TO THE CENTER LINE OF U. S. ROUTE NO. 34; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 306.50 FEET; THENCE WEST ALONG A LINE FORMING AN ANGLE OF 139 DEGREES, 03 MINUTES, 06 SECONDS WITH THE LAST DESCRIBED COURSE, AS MEASURED COUNTERCLOCKWISE THEREFROM, 1700.90 FEET TO A POINT THAT IS 1679.04 FEET EASTERLY OF THE WEST LINE OF SAID SECTION 36; THENCE SOUTHERLY ALONG A LINE

FORMING AN ANGLE OF 88 DEGREES, 17 MINUTES, 17 SECONDS WITH THE LAST DESCRIBED COURSE, AS MEASURED CLOCKWISE THEREFROM, 997.93 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 36 THAT IS 1727.22 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE CONTINUING SOUTHERLY ALONG THE PROLONGATION OF THE LAST DESCRIBED COURSE 441.28 FEET TO THE CENTER LINE OF SAID U. S. ROUTE NO. 34; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 486.62 FEET TO THE CENTER LINE OF HAFENRICHTER ROAD; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID HAFENRICHTER ROAD 2472.21 FEET TO A LINE DRAWN PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1 FROM THE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID PARALLEL LINE 1830.39 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ALL THAT PART FALLING WITHIN THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN FALLING WITHIN THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 36, 1851.94 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS WITH SAID SOUTH LINE, MEASURED FROM WEST TO NORTH, 482.53 FEET, THIS LINE HEREINAFTER REFERRED CALLED LINE "A", FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 97 DEGREES 52 MINUTES 31 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 710.83 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 101 DEGREES 10 MINUTES 19 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTERCLOCKWISE THEREFROM, 327.11 FEET; THENCE NORTHWESTERLY ALONG A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 390.0 FEET, 244.0 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH IS TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT, 200.0 FEET TO THE CENTER LINE OF U.S. ROUTE NO. 34; THENCE NORTHEASTERLY ALONG SAID CENTER LINE 653.09 FEET TO THE NORTHWESTERLY EXTENSION OF SAID LINE "A"; THENCE SOUTHEASTERLY ALONG SAID EXTENDED LINE "A", 470.73 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS AND THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, FALLING WITHIN THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, 1851.94 FEET TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY AT AN ANGLE OF 16 DEGREES 39 MINUTES 17 SECONDS, MEASURED CLOCKWISE FROM THE PROLONGATION OF THE LAST DESCRIBED COURSE, 667.53 FEET TO A POINT; THENCE

SOUTHWESTERLY AT AN ANGLE OF 97 DEGREES 52 MINUTES 31 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 721.67 FEET; THENCE SOUTHEASTERLY AT AN ANGLE OF 78 DEGREES 49 MINUTES 41 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 426.88 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT CONCAVE TO THE SOUTHWEST, THE CHORD OF WHICH FORMS AN ANGLE OF 163 DEGREES 10 MINUTES 57 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE HAVING A RADIUS OF 335.00 FEET, AN ARC DISTANCE OF 196.66 FEET AND A CHORD DISTANCE OF 193.85 FEET TO A POINT; THENCE NORTHEASTERLY AT AN ANGLE OF 84 DEGREES 21 MINUTES 17 SECONDS, MEASURED CLOCKWISE FROM THE CHORD OF THE LAST DESCRIBED COURSE, 727.61 FEET TO THE SOUTH LINE OF AFORESAID SOUTHEAST 1/4; THENCE EASTERLY ALONG THE SOUTH LINE OF THE AFORESAID SOUTHEAST 1/4 51.42 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS AND IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS, AND ALSO EXCEPT THAT PART OF THE LAND CONVEYED TO DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS BY INSTRUMENT RECORDED APRIL 26, 2007 AS DOCUMENT 200700013871, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

AND ALSO EXCEPTING ALL THAT PART LYING NORTHERLY OF THE CENTERLINE OF U.S. 34.

PARCEL 2:

THAT PART OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, 1851.94 FEET ALONG SAID SOUTH LINE; THENCE NORTH 74 DEGREES 38 MINUTES 22 SECONDS WEST, 881.96 FEET TO THE SOUTHEASTERLY LINE OF U.S. ROUTE 34 (OGDEN AVENUE) DEDICATED PER DOCUMENT 200700013871; THENCE SOUTH 47 DEGREES 55 MINUTES 02 SECONDS WEST, 638.51 FEET ALONG SAID SOUTHEASTERLY LINE TO THE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 54 MINUTES 08 SECONDS WEST, 25.45 FEET; THENCE SOUTH 42 DEGREES 06 MINUTES 46 SECONDS EAST, 121.81 FEET; THENCE SOUTHEASTERLY, 98.18 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 350.13 FEET AND A CHORD BEARING SOUTH 50 DEGREES 08 MINUTES 44 SECONDS EAST; THENCE SOUTH 38 DEGREES 22 MINUTES 54 SECONDS WEST, 40.24 FEET; THENCE NORTHWESTERLY, 104.80 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 390.13 FEET AND A CHORD BEARING NORTH 49 DEGREES 48 MINUTES 29 SECONDS WEST; THENCE NORTH 42 DEGREES 06 MINUTES 46 SECONDS WEST, 139.83 FEET TO THE SOUTHEASTERLY LINE OF U.S. ROUTE 34; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 58.00 FEET TO THE POINT OF BEGINNING IN KENDALL COUNTY, ILLINOIS.

ATTACHMENT "B"
LEGAL DESCRIPTION OF PARCEL A, PARCEL B, PARCEL C, and PARCEL D

PARCEL A – “R-2” (C) ONE-FAMILY DWELLING DISTRICT:

THAT PART OF THE NORTH HALF OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF MISTY CREEK MULTI-FAMILY SUBDIVISION PER DOCUMENT 9906208; THENCE NORTH 65 DEGREES 33 MINUTES 56 SECONDS WEST, 870.64 FEET; THENCE SOUTH 24 DEGREES 26 MINUTES 04 SECONDS WEST, 7.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 381.18 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 165.00 FEET; THENCE SOUTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 125.67 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 191.00 FEET; THENCE SOUTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 231.64 FEET; THENCE NORTH 00 DEGREES 44 MINUTES 21 SECONDS WEST, 95.71 FEET; THENCE NORTH 06 DEGREES 59 MINUTES 51 SECONDS EST, 67.27 FEET; THENCE NORTH 19 DEGREES 04 MINUTES 17 SECONDS EAST, 81.30 FEET; THENCE NORTH 30 DEGREES 55 MINUTES 11 SECONDS EAST, 80.88 FEET; THENCE NORTH 42 DEGREES 52 MINUTES 21 SECONDS EAST, 40.62 FEET; THENCE SOUTH 47 DEGREES 07 MINUTES 39 SECONDS EAST, 125.00 FEET; THENCE NORTHEASTERLY, 36.49 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 263.00 FEET AND A CHORD BEARING NORTH 46 DEGREES 50 MINUTES 49 SECONDS EAST, THENCE NORTH 38 DEGREES 41 MINUTES 46 SECONDS WEST, 125.00 FEET; THENCE NORTH 51 DEGREES 18 MINUTES 14 SECONDS EAST, 41.38 FEET; THENCE NORTH 08 DEGREES 58 MINUTES 03 SECONDS WEST, 22.61 FEET; THENCE NORTH 23 DEGREES 15 MINUTES 43 SECONDS EAST, 727.95 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE NORTH 88 DEGREES 42 MINUTES 48 SECONDS EAST, 123.40 FEET; THENCE SOUTH 22 DEGREES 49 MINUTES 29 SECONDS WEST, 117.22 FEET; THENCE SOUTHERLY, 68.68 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF SOUTH 11 DEGREES 02 MINUTES 34 SECONDS WEST; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, 151.37 FEET; THENCE NORTH 89 DEGREES 15 MINUTES 39 SECONDS EAST; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, 1458.66 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL B – “R-4A” (C) TWO-FAMILY DWELLING DISTRICT ZONING:

NORTH TOWNHOME PARCEL

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHWESTERLY CORNER OF LOT 3 IN FOUR POINTES SUBDIVISION PER DOCUMENT 92K65879; THENCE SOUTH 00 DEGREES 26 MINUTES 29 SECONDS EAST, 763.00 FEET; THENCE SOUTH 89 DEGREES 33 MINUTES 31 SECONDS WEST, 135.00 FEET; THENCE SOUTH 00 DEGREES 26 MINUTES 29 SECONDS EAST, 35.20 FEET; THENCE SOUTHERLY, 38.88 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 167.00 FEET AND A CHORD BEARING SOUTH 07 DEGREES 06 MINUTES 39 SECONDS EAST; THENCE SOUTH 76 DEGREES 13 MINUTES 12 SECONDS WEST, 66.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 128.63 FEET; THENCE NORTH 71 DEGREES 15 MINUTES 52 SECONDS WEST 44.11 FEET; THENCE NORTH 63 DEGREES 14 MINUTES 38 SECONDS WEST, 106.38 FEET; THENCE NORTH 78 DEGREES 24 MINUTES 50 SECOND WEST, 68.69 FEET THENCE NORTH 42 DEGREES 04 MINUTES 43 SECONDS WEST, 132.41 FEET; THENCE NORTH 47 DEGREES 55 MINUTES 17 SECONDS EAST, 7.97 FEET; THENCE NORTH 42 DEGREES 04 MINUTES 58 SECONDS WEST, 95.63 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S. ROUTE 34 DEDICATED PER DOCUMENT 2007K075742; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 899.69 FEET ALONG SAID SOUTHEASTERLY LINE TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

PARCEL B (CONTINUED) - SOUTH TOWNHOME PARCEL - "R-4A" (C) TWO-FAMILY DWELLING DISTRICT ZONING:

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF MISTY CREEK MULTI-FAMILY SUBDIVISION PER DOCUMENT 9906208; THENCE NORTH 65 DEGREES 33 MINUTES 56 SECONDS WEST 870.64 FEET; THENCE SOUTH 24 DEGREES 26 MINUTES 04 SECONDS WEST 7.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST 381.18 FEET TO THE POINT OF BEGINNING; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 752.93 FEET; THENCE NORTH 69 DEGREES 30 MINUTES 13 SECONDS EAST, 35.36 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 246.50 FEET; THENCE NORTHERLY, 32.21 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 133.00 FEET AND A CHORD BEARING NORTH 31 DEGREES 26 MINUTES 34 SECONDS EAST; THENCE NORTH 38 DEGREES 22 MINUTES 54 SECONDS EAST, 392.81 FEET; THENCE NORTHWESTERLY, 37.17 FEET ALONG A

CURVE TO THE RIGHT, HAVING A RADIUS OF 423.13 FEET AND A CHORD BEARING NORTH 44 DEGREES 37 MINUTES 45 SECONDS WEST; THENCE NORTH 42 DEGREES 06 MINUTES 46 SECONDS WEST, 114.83 FEET; THENCE NORTH 87 DEGREES 04 MINUTES 41 SECONDS WEST, 35.38 FEET TO THE SOUTHEASTERLY LINE OF U.S. ROUTE 34; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 58.00 FEET ALONG SAID SOUTHEASTERLY LINE; THENCE SOUTH 42 DEGREES 06 MINUTES 46 SECONDS EAST, 139.83 FEET; THENCE SOUTHEASTERLY 97.76 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 390.13 FEET AND A CHORD BEARING SOUTH 49 DEGREES 17 MINUTES 30 SECONDS EAST; THENCE SOUTH 38 DEGREES 22 MINUTES 54 SECONDS WEST, 137.32 FEET; THENCE SOUTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 387.51 FEET; THENCE SOUTH 58 DEGREES 40 MINUTES 34 SECONDS EAST, 92.85 FEET; THENCE SOUTH 34 DEGREES 47 MINUTES 29 SECONDS EAST, 42.57 FEET; THENCE SOUTH 11 DEGREES 03 MINUTES 58 SECONDS EAST, 127.98 FEET; THENCE SOUTH 24 DEGREES 30 MINUTES 13 SECONDS WEST, 430.88 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL C – “OS-1” (C) CONSERVATION, OPEN SPACE AND DRAINAGE DISTRICT:

NORTH DETENTION

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN ALSO PART OF THE NORTH HALF OF SECTION 1 TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 139 IN MISTY CREEK SUBDIVISION PER DOCUMENT 9901833; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, 326.19 FEET; THENCE SOUTH 89 DEGREES 15 MINUTES 39 SECONDS WEST, 125.00 FEET; THENCE NORTH 00 DEGREES 44 MINUTES 21 SECONDS WEST, 151.37 FEET; THENCE NORTHERLY, 68.68 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 167.00 FEET AND A CHORD BEARING NORTH 11 DEGREES 02 MINUTES 34 SECONDS EAST; THENCE NORTH 22 DEGREES 49 MINUTES 29 SECONDS EAST, 117.22 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE SOUTH 88 DEGREES 42 MINUTES 48 SECONDS WEST, 72.31 FEET; THENCE NORTH 74 DEGREES 38 MINUTES 22 SECONDS WEST, 881.96 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S ROUTE 34 DEDICATED PER DOCUMENT 2007K075742 FEET; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 418.54 FEET ALONG SAID SOUTHEASTERLY LINE; THENCE SOUTH 42 DEGREES 04 MINUTES 58 SECONDS EAST, 95.63 FEET; THENCE

SOUTH 47 DEGREES 55 MINUTES 17 SECONDS WEST, 7.97 FEET; THENCE SOUTH 42 DEGREES 04 MINUTES 43 SECONDS EAST, 132.41 FEET; THENCE SOUTH 78 DEGREES 24 MINUTES 50 SECONDS EAST, 68.69 FEET; THENCE SOUTH 63 DEGREES 14 MINUTES 38 SECONDS EAST, 106.38 FEET; THENCE SOUTH 71 DEGREES 15 MINUTES 52 SECONDS EAST, 44.11 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 128.63 FEET; THENCE NORTH 76 DEGREES 13 MINUTES 12 SECONDS EAST, 66.00 FEET; THENCE NORTHERLY, 38.88 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 167.00 FEET AND A CHORD BEARING NORTH 07 DEGREES 06 MINUTES 39 SECONDS WEST; THENCE NORTH 00 DEGREES 26 MINUTES 29 SECONDS WEST, 35.20 FEET; THENCE NORTH 89 DEGREES 33 MINUTES 31 SECONDS EAST, 135.00 FEET TO THE WEST LINE OF FOUR POINTES SUBDIVISION PER DOCUMENT 92K65879; THENCE SOUTH 00 DEGREES 26 MINUTES 29 SECONDS EAST, 351.08 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

PARCEL C (CONTINUED) - SOUTH DETENTION - "OS-1" (C) CONSERVATION, OPEN SPACE AND DRAINAGE DISTRICT:

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHWESTERLY CORNER OF LOT 3 IN FOUR POINTES SUBDIVISION PER DOCUMENT 92K65879; THENCE SOUTH 47 DEGREES 55 MINUTES 02 SECONDS EAST 2,014.75 FEET; THENCE SOUTH 42 DEGREES 06 MINUTES 46 SECONDS EAST 139.83 FEET; THENCE SOUTHEASTERLY, 31.68 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 390.13 FEET AND A CHORD BEARING SOUTH 44 DEGREES 26 MINUTES 22 SECONDS EAST TO THE POINT OF BEGINNING; THENCE CONTINGUING EASTERLY, 97.76 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 390.13 AND A CHORD BEARING SOUTH 49 DEGREES 17 MINUTES 30 SECONDS EAST; THENCE SOUTH 77 DEGREES 54 MINUTES 37 SECONDS EAST, 570.30 FEET; THENCE EASTERLY, 196.66 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 335.00 FEET AND A CHORD BEARING SOUTH 61 DEGREES 05 MINUTES 33 SECONDS EAST; THENCE SOUTH 08 DEGREES 58 MINUTES 03 SECONDS EAST, 22.61 FEET; THENCE SOUTH 51 DEGREES 18 MINUTES 14 SECONDS WEST, 41.38 FEET; THENCE SOUTH 38 DEGREES 41 MINUTES 46 SECONDS EAST, 125.00 FEET; THENCE SOUTHWESTERLY, 36.49 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 263.00 FEET AND A CHORD BEARING SOUTH 46 DEGREES 50 MINUTES 49 SECONDS WEST; THENCE NORTH 47 DEGREES 07 MINUTES 39 SECONDS WEST, 125.00 FEET; THENCE SOUTH 42 DEGREES 52 MINUTES 21 SECONDS WEST, 40.62 FEET; THENCE SOUTH 30 DEGREES 55 MINUTES 11 SECONDS WEST, 80.88 FEET; THENCE SOUTH 19 DEGREES 04 MINUTES 17 SECONDS WEST, 81.30 FEET; THENCE SOUTH 06 DEGREES 59 MINUTES 51

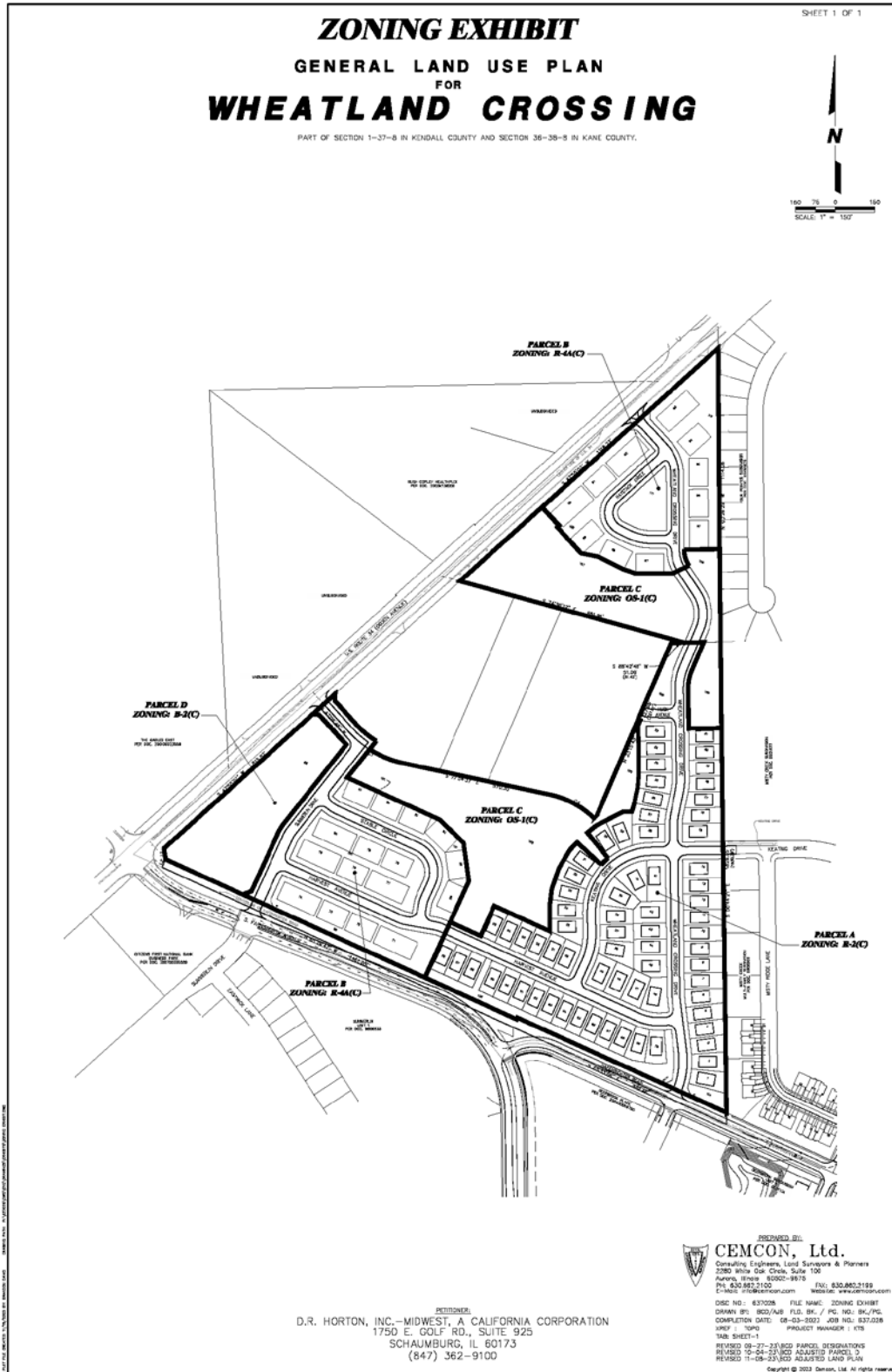
SECONDS WEST, 67.27 FEET; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS WEST, 95.71 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 231.64 FEET; THENCE SOUTH 24 DEGREES 30 MINUTES 13 SECONDS WEST, 191.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 125.67 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 265.88 FEET; THENCE NORTH 11 DEGREES 03 MINUTES 58 SECONDS WEST, 127.98 FEET; THENCE NORTH 34 DEGREES 47 MINUTES 29 SECONDS WEST, 42.57 FEET; THENCE NORTH 58 DEGREES 40 MINUTES 34 SECONDS WEST, 92.85 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 387.51 FEET; THENCE NORTH 38 DEGREES 22 MINUTES 54 SECONDS EAST, 137.32 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL D – "B-2" (C) BUSINESS DISTRICT – GENERAL RETAIL DISTRICT:

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF MISTY CREEK MULTI-FAMILY SUBDIVISION PER DOCUMENT 9906208; THENCE NORTH 65 DEGREES 33 MINUTES 56 SECONDS WEST, 870.64 FEET; THENCE SOUTH 24 DEGREES 26 MINUTES 04 SECONDS WEST, 7.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 1,135.05 FEET TO THE POINT OF BEGINNING, THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 327.73 FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. ROUTE 34; THE FOLLOWING TWO COURSES ARE ALONG SAID EASTERLY RIGHT OF WAY LINE THENCE NORTH 09 DEGREES 04 MINUTES 17 SECONDS WEST, 42.16 FEET; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 757.82 FEET; THENCE SOUTH 87 DEGREES 04 MINUTES 41 SECONDS EAST, 35.38 FEET; THENCE SOUTH 42 DEGREES 06 MINUTES 46 SECONDS EAST, 114.83 FEET; THENCE SOUTHEASTERLY, 37.17 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 423.13 FEET AND A CHORD BEARING SOUTH 44 DEGREES 37 MINUTES 45 SECONDS EAST; THENCE SOUTH 38 DEGREES 22 MINUTES 54 SECONDS WEST, 392.81 FEET; THENCE SOUTHERLY 32.21 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 133.00 FEET AND A CHORD BEARING SOUTH 31 DEGREES 26 MINUTES 34 SECONDS WEST; THENCE SOUTH 24 DEGREES 30 MINUTES 13 SECONDS WEST, 246.50 FEET; THENCE SOUTH 69 DEGREES 30 MINUTES 13 SECONDS WEST, 35.36 FEET TO THE POINT OF BEGINNING IN KENDALL COUNTY, ILLINOIS.

ATTACHMENT "C"
DEVELOPMENT PARCELS



ATTACHMENT "D"
SPECIAL SIGN DISTRICT REGULATIONS

In addition to any signs permitted by City ordinance, pursuant to Chapter 41, Section 41-14 of the City Code, the City hereby establishes a special sign district for the Subject Property and adopts the special sign district regulations and specifications in this Attachment "D" to Plan Description. The regulations in this Attachment "D" shall supplement the regulations in the City sign ordinance. In the case of a conflict between the regulations in the City sign ordinance and this Attachment "D", the Special Sign District shall apply.

1. Temporary Signage

- a. Development Identification: Three (3) community marketing signs for the Residential Property and should be regulated as follows:
 - (1) One community marketing sign shall be permitted along the Route 34 frontage of the Subject Property, which sign shall be not taller than twenty feet nor have a sign face greater than 15' x 20'.
 - (2) One community marketing sign shall be permitted along the Hafenrichter frontage, which sign shall be not taller than fifteen feet nor have a sign face greater than 10' x 10'.
 - (3) One community marketing sign shall be permitted along the Farnsworth frontage, which sign shall be not taller than fifteen feet nor have a sign face greater than 10' x 10'.
 - (4) Said community marketing signs shall be removed prior to the issuance of the last occupancy permit for the Residential Property.
 - (5) The community marketing signs shall be used solely for the purposes of marketing homes for sale on the Residential Property.

- b. Identification, Directional and Model Signs: Developer shall be permitted the additional identification, directional and model signs and should be regulated as follows:
 - (1) Not more than two 4' x 8' community or model identification signs.
 - (2) Not more than two 2' x 3' sales center signs at the model locations.
 - (3) Not more than two 18" x 24" model home identifier signs.
 - (4) Signs shall be used exclusively in association with the sales operation on the Residential Property.

EXHIBIT F
ZONING EXHIBIT – LEGAL DESCRIPTION

LEGAL DESCRIPTION OF PARCEL A, PARCEL B, PARCEL C, and PARCEL D

PARCEL A – “R-2” (C) ONE-FAMILY DWELLING DISTRICT:

THAT PART OF THE NORTH HALF OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF MISTY CREEK MULTI-FAMILY SUBDIVISION PER DOCUMENT 9906208; THENCE NORTH 65 DEGREES 33 MINUTES 56 SECONDS WEST, 870.64 FEET; THENCE SOUTH 24 DEGREES 26 MINUTES 04 SECONDS WEST, 7.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 381.18 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 165.00 FEET; THENCE SOUTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 125.67 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 191.00 FEET; THENCE SOUTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 231.64 FEET; THENCE NORTH 00 DEGREES 44 MINUTES 21 SECONDS WEST, 95.71 FEET; THENCE NORTH 06 DEGREES 59 MINUTES 51 SECONDS EST, 67.27 FEET; THENCE NORTH 19 DEGREES 04 MINUTES 17 SECONDS EAST, 81.30 FEET; THENCE NORTH 30 DEGREES 55 MINUTES 11 SECONDS EAST, 80.88 FEET; THENCE NORTH 42 DEGREES 52 MINUTES 21 SECONDS EAST, 40.62 FEET; THENCE SOUTH 47 DEGREES 07 MINUTES 39 SECONDS EAST, 125.00 FEET; THENCE NORTHEASTERLY, 36.49 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 263.00 FEET AND A CHORD BEARING NORTH 46 DEGREES 50 MINUTES 49 SECONDS EAST, THENCE NORTH 38 DEGREES 41 MINUTES 46 SECONDS WEST, 125.00 FEET; THENCE NORTH 51 DEGREES 18 MINUTES 14 SECONDS EAST, 41.38 FEET; THENCE NORTH 08 DEGREES 58 MINUTES 03 SECONDS WEST, 22.61 FEET; THENCE NORTH 23 DEGREES 15 MINUTES 43 SECONDS EAST, 727.95 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE NORTH 88 DEGREES 42 MINUTES 48 SECONDS EAST, 123.40 FEET; THENCE SOUTH 22 DEGREES 49 MINUTES 29 SECONDS WEST, 117.22 FEET; THENCE SOUTHERLY, 68.68 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF SOUTH 11 DEGREES 02 MINUTES 34 SECONDS WEST; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, 151.37 FEET; THENCE NORTH 89 DEGREES 15 MINUTES 39 SECONDS EAST; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, 1458.66 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL B – “R-4A” (C) TWO-FAMILY DWELLING DISTRICT ZONING:

NORTH TOWNHOME PARCEL

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHWESTERLY CORNER OF LOT 3 IN FOUR POINTES SUBDIVISION PER DOCUMENT 92K65879; THENCE SOUTH 00 DEGREES 26 MINUTES 29 SECONDS EAST, 763.00 FEET; THENCE SOUTH 89 DEGREES 33 MINUTES 31 SECONDS WEST, 135.00 FEET; THENCE SOUTH 00 DEGREES 26 MINUTES 29 SECONDS EAST, 35.20 FEET; THENCE SOUTHERLY, 38.88 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 167.00 FEET AND A CHORD BEARING SOUTH 07 DEGREES 06 MINUTES 39 SECONDS EAST; THENCE SOUTH 76 DEGREES 13 MINUTES 12 SECONDS WEST, 66.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 128.63 FEET; THENCE NORTH 71 DEGREES 15 MINUTES 52 SECONDS WEST 44.11 FEET; THENCE NORTH 63 DEGREES 14 MINUTES 38 SECONDS WEST, 106.38 FEET; THENCE NORTH 78 DEGREES 24 MINUTES 50 SECOND WEST, 68.69 FEET THENCE NORTH 42 DEGREES 04 MINUTES 43 SECONDS WEST, 132.41 FEET; THENCE NORTH 47 DEGREES 55 MINUTES 17 SECONDS EAST, 7.97 FEET; THENCE NORTH 42 DEGREES 04 MINUTES 58 SECONDS WEST, 95.63 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S. ROUTE 34 DEDICATED PER DOCUMENT 2007K075742; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 899.69 FEET ALONG SAID SOUTHEASTERLY LINE TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

PARCEL B (CONTINUED) - SOUTH TOWNHOME PARCEL - "R-4A" (C) TWO-FAMILY DWELLING DISTRICT ZONING:

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF MISTY CREEK MULTI-FAMILY SUBDIVISION PER DOCUMENT 9906208; THENCE NORTH 65 DEGREES 33 MINUTES 56 SECONDS WEST 870.64 FEET; THENCE SOUTH 24 DEGREES 26 MINUTES 04 SECONDS WEST 7.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST 381.18 FEET TO THE POINT OF BEGINNING; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 752.93 FEET; THENCE NORTH 69 DEGREES 30 MINUTES 13 SECONDS EAST, 35.36 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 246.50 FEET; THENCE NORTHERLY, 32.21 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 133.00 FEET AND A CHORD BEARING NORTH 31 DEGREES 26 MINUTES 34 SECONDS EAST; THENCE NORTH 38 DEGREES 22 MINUTES 54 SECONDS EAST, 392.81 FEET; THENCE NORTHWESTERLY, 37.17 FEET ALONG A

CURVE TO THE RIGHT, HAVING A RADIUS OF 423.13 FEET AND A CHORD BEARING NORTH 44 DEGREES 37 MINUTES 45 SECONDS WEST; THENCE NORTH 42 DEGREES 06 MINUTES 46 SECONDS WEST, 114.83 FEET; THENCE NORTH 87 DEGREES 04 MINUTES 41 SECONDS WEST, 35.38 FEET TO THE SOUTHEASTERLY LINE OF U.S. ROUTE 34; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 58.00 FEET ALONG SAID SOUTHEASTERLY LINE; THENCE SOUTH 42 DEGREES 06 MINUTES 46 SECONDS EAST, 139.83 FEET; THENCE SOUTHEASTERLY 97.76 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 390.13 FEET AND A CHORD BEARING SOUTH 49 DEGREES 17 MINUTES 30 SECONDS EAST; THENCE SOUTH 38 DEGREES 22 MINUTES 54 SECONDS WEST, 137.32 FEET; THENCE SOUTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 387.51 FEET; THENCE SOUTH 58 DEGREES 40 MINUTES 34 SECONDS EAST, 92.85 FEET; THENCE SOUTH 34 DEGREES 47 MINUTES 29 SECONDS EAST, 42.57 FEET; THENCE SOUTH 11 DEGREES 03 MINUTES 58 SECONDS EAST, 127.98 FEET; THENCE SOUTH 24 DEGREES 30 MINUTES 13 SECONDS WEST, 430.88 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL C – “OS-1” (C) CONSERVATION, OPEN SPACE AND DRAINAGE DISTRICT:

NORTH DETENTION

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN ALSO PART OF THE NORTH HALF OF SECTION 1 TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 139 IN MISTY CREEK SUBDIVISION PER DOCUMENT 9901833; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, 326.19 FEET; THENCE SOUTH 89 DEGREES 15 MINUTES 39 SECONDS WEST, 125.00 FEET; THENCE NORTH 00 DEGREES 44 MINUTES 21 SECONDS WEST, 151.37 FEET; THENCE NORTHERLY, 68.68 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 167.00 FEET AND A CHORD BEARING NORTH 11 DEGREES 02 MINUTES 34 SECONDS EAST; THENCE NORTH 22 DEGREES 49 MINUTES 29 SECONDS EAST, 117.22 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE SOUTH 88 DEGREES 42 MINUTES 48 SECONDS WEST, 72.31 FEET; THENCE NORTH 74 DEGREES 38 MINUTES 22 SECONDS WEST, 881.96 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S ROUTE 34 DEDICATED PER DOCUMENT 2007K075742 FEET; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 418.54 FEET ALONG SAID SOUTHEASTERLY LINE; THENCE SOUTH 42 DEGREES 04 MINUTES 58 SECONDS EAST, 95.63 FEET; THENCE

SOUTH 47 DEGREES 55 MINUTES 17 SECONDS WEST, 7.97 FEET; THENCE SOUTH 42 DEGREES 04 MINUTES 43 SECONDS EAST, 132.41 FEET; THENCE SOUTH 78 DEGREES 24 MINUTES 50 SECONDS EAST, 68.69 FEET; THENCE SOUTH 63 DEGREES 14 MINUTES 38 SECONDS EAST, 106.38 FEET; THENCE SOUTH 71 DEGREES 15 MINUTES 52 SECONDS EAST, 44.11 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 128.63 FEET; THENCE NORTH 76 DEGREES 13 MINUTES 12 SECONDS EAST, 66.00 FEET; THENCE NORTHERLY, 38.88 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 167.00 FEET AND A CHORD BEARING NORTH 07 DEGREES 06 MINUTES 39 SECONDS WEST; THENCE NORTH 00 DEGREES 26 MINUTES 29 SECONDS WEST, 35.20 FEET; THENCE NORTH 89 DEGREES 33 MINUTES 31 SECONDS EAST, 135.00 FEET TO THE WEST LINE OF FOUR POINTES SUBDIVISION PER DOCUMENT 92K65879; THENCE SOUTH 00 DEGREES 26 MINUTES 29 SECONDS EAST, 351.08 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

PARCEL C (CONTINUED) - SOUTH DETENTION - "OS-1" (C) CONSERVATION, OPEN SPACE AND DRAINAGE DISTRICT:

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHWESTERLY CORNER OF LOT 3 IN FOUR POINTES SUBDIVISION PER DOCUMENT 92K65879; THENCE SOUTH 47 DEGREES 55 MINUTES 02 SECONDS EAST 2,014.75 FEET; THENCE SOUTH 42 DEGREES 06 MINUTES 46 SECONDS EAST 139.83 FEET; THENCE SOUTHEASTERLY, 31.68 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 390.13 FEET AND A CHORD BEARING SOUTH 44 DEGREES 26 MINUTES 22 SECONDS EAST TO THE POINT OF BEGINNING; THENCE CONTINGUING EASTERLY, 97.76 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 390.13 AND A CHORD BEARING SOUTH 49 DEGREES 17 MINUTES 30 SECONDS EAST; THENCE SOUTH 77 DEGREES 54 MINUTES 37 SECONDS EAST, 570.30 FEET; THENCE EASTERLY, 196.66 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 335.00 FEET AND A CHORD BEARING SOUTH 61 DEGREES 05 MINUTES 33 SECONDS EAST; THENCE SOUTH 08 DEGREES 58 MINUTES 03 SECONDS EAST, 22.61 FEET; THENCE SOUTH 51 DEGREES 18 MINUTES 14 SECONDS WEST, 41.38 FEET; THENCE SOUTH 38 DEGREES 41 MINUTES 46 SECONDS EAST, 125.00 FEET; THENCE SOUTHWESTERLY, 36.49 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 263.00 FEET AND A CHORD BEARING SOUTH 46 DEGREES 50 MINUTES 49 SECONDS WEST; THENCE NORTH 47 DEGREES 07 MINUTES 39 SECONDS WEST, 125.00 FEET; THENCE SOUTH 42 DEGREES 52 MINUTES 21 SECONDS WEST, 40.62 FEET; THENCE SOUTH 30 DEGREES 55 MINUTES 11 SECONDS WEST, 80.88 FEET; THENCE SOUTH 19 DEGREES 04 MINUTES 17 SECONDS WEST, 81.30 FEET; THENCE SOUTH 06 DEGREES 59 MINUTES 51

SECONDS WEST, 67.27 FEET; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS WEST, 95.71 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 231.64 FEET; THENCE SOUTH 24 DEGREES 30 MINUTES 13 SECONDS WEST, 191.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 125.67 FEET; THENCE NORTH 24 DEGREES 30 MINUTES 13 SECONDS EAST, 265.88 FEET; THENCE NORTH 11 DEGREES 03 MINUTES 58 SECONDS WEST, 127.98 FEET; THENCE NORTH 34 DEGREES 47 MINUTES 29 SECONDS WEST, 42.57 FEET; THENCE NORTH 58 DEGREES 40 MINUTES 34 SECONDS WEST, 92.85 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 387.51 FEET; THENCE NORTH 38 DEGREES 22 MINUTES 54 SECONDS EAST, 137.32 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL D – "B-2" (C) BUSINESS DISTRICT – GENERAL RETAIL DISTRICT:

THAT PART OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF MISTY CREEK MULTI-FAMILY SUBDIVISION PER DOCUMENT 9906208; THENCE NORTH 65 DEGREES 33 MINUTES 56 SECONDS WEST, 870.64 FEET; THENCE SOUTH 24 DEGREES 26 MINUTES 04 SECONDS WEST, 7.00 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS WEST, 1,135.05 FEET TO THE POINT OF BEGINNING, THENCE NORTH 65 DEGREES 29 MINUTES 47 SECONDS EAST, 327.73 FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. ROUTE 34; THE FOLLOWING TWO COURSES ARE ALONG SAID EASTERLY RIGHT OF WAY LINE THENCE NORTH 09 DEGREES 04 MINUTES 17 SECONDS WEST, 42.16 FEET; THENCE NORTH 47 DEGREES 55 MINUTES 02 SECONDS EAST, 757.82 FEET; THENCE SOUTH 87 DEGREES 04 MINUTES 41 SECONDS EAST, 35.38 FEET; THENCE SOUTH 42 DEGREES 06 MINUTES 46 SECONDS EAST, 114.83 FEET; THENCE SOUTHEASTERLY, 37.17 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 423.13 FEET AND A CHORD BEARING SOUTH 44 DEGREES 37 MINUTES 45 SECONDS EAST; THENCE SOUTH 38 DEGREES 22 MINUTES 54 SECONDS WEST, 392.81 FEET; THENCE SOUTHERLY 32.21 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 133.00 FEET AND A CHORD BEARING SOUTH 31 DEGREES 26 MINUTES 34 SECONDS WEST; THENCE SOUTH 24 DEGREES 30 MINUTES 13 SECONDS WEST, 246.50 FEET; THENCE SOUTH 69 DEGREES 30 MINUTES 13 SECONDS WEST, 35.36 FEET TO THE POINT OF BEGINNING IN KENDALL COUNTY, ILLINOIS.

EXHIBIT G
ZONING EXHIBIT

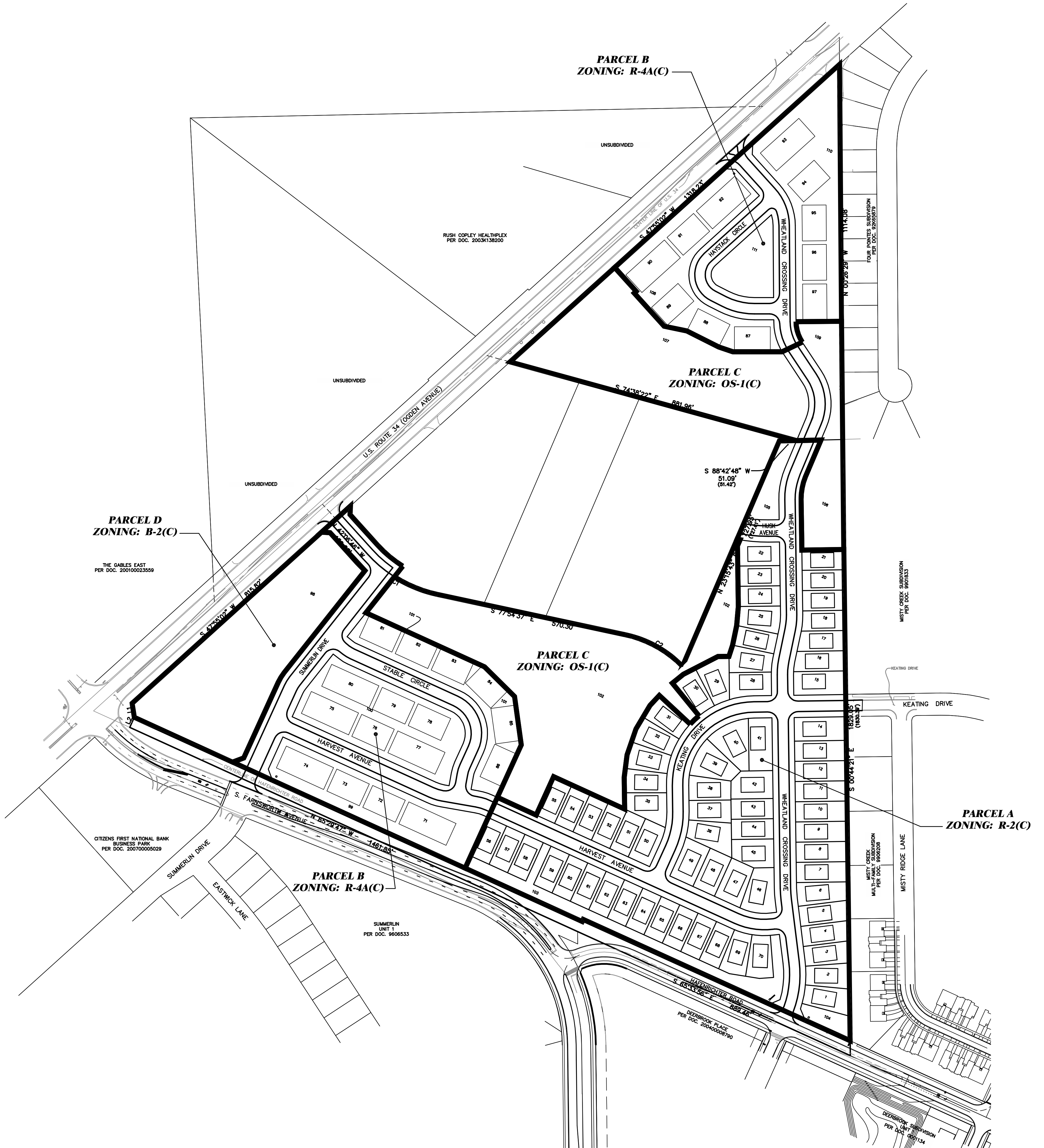
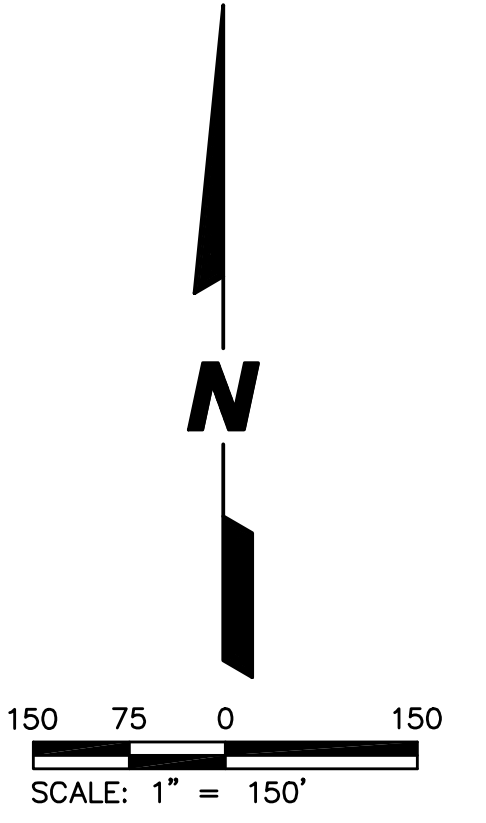
ZONING EXHIBIT

GENERAL LAND USE PLAN

FOR

WHEATLAND CROSSING

PART OF SECTION 1-37-8 IN KENDALL COUNTY AND SECTION 36-38-8 IN KANE COUNTY.



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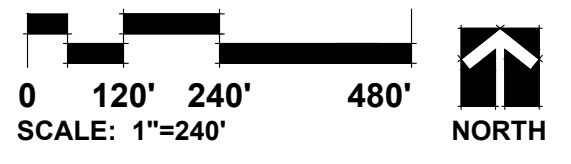
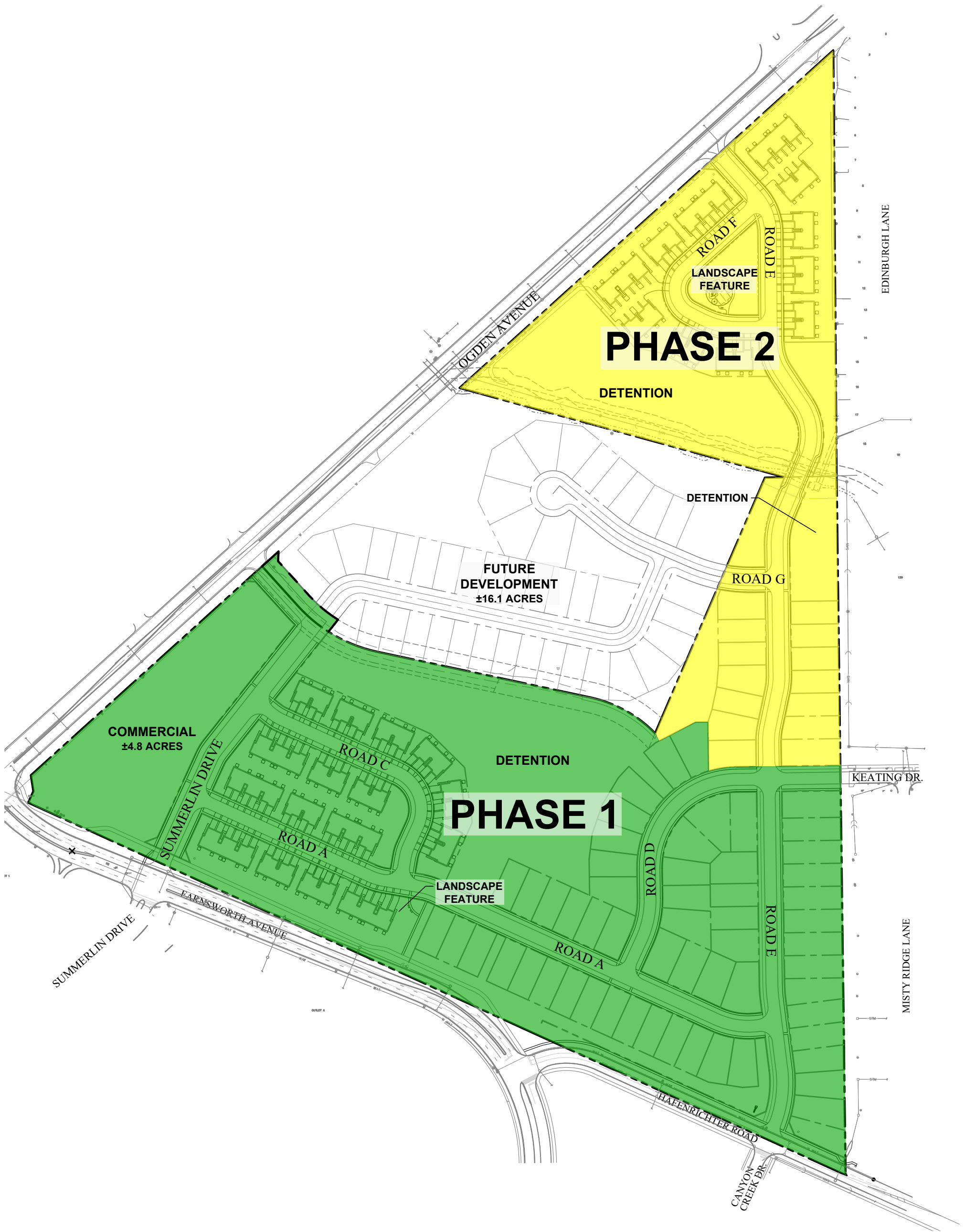
PETITIONER:
D.R. HORTON, INC.-MIDWEST, A CALIFORNIA CORPORATION
1750 E. GOLF RD., SUITE 925
SCHAUMBURG, IL 60173
(847) 362-9100

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

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COMPLETION DATE: 08-03-2023 JOB NO.: 637.028
XREF: TOPO PROJECT MANAGER: KTS
TAB: SHEET-1
REVISED 09-27-23\BCD PARCEL DESIGNATIONS
REVISED 10-04-23\BCD ADJUSTED PARCEL D
REVISED 11-08-23\BCD ADJUSTED LAND PLAN

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EXHIBIT H
PHASING PLAN



PHASING PLAN
WHEATLAND CROSSING
AURORA, ILLINOIS

12/06/2023



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LANDSCAPE ARCHITECTURE
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