

Land Use Petition

Project Number: 2018.179

Subject Property Information

Address/Location: west side of Orchard-Gateway Road, north of Vision Court

Parcel Number(s): 14-01-300-017

Petition Request(s)

Requesting approval of an Annexation Agreement for approximately 35.05 acres located on the west side of Orchard-Gateway Road, north of Vision Court for Gottemoeller Real Estate, Ltd. Development

Attachments Required

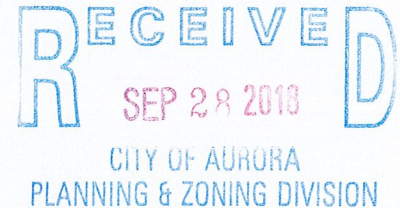
(a CD of digital files of all documents are also required)

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

One Paper and pdf Copy of:
Annexation Agreement (2-18)

One Paper and pdf Copy of:
Qualifying Statement (2-1)
Plat of Survey (2-1)
Legal Description (2-1)
Letter of Authorization (2-2)

Recording Fee of: TBD - in a check made out
to KANE COUNTY



Petition Fee: \$2,202.01 (Payable to The City of Aurora)

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

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

Authorized Signature: [Signature] Date 9/26/2018

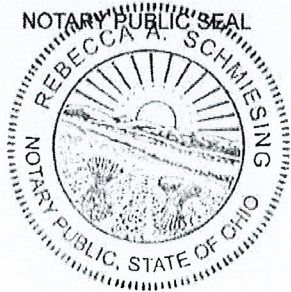
Print Name and Company: RUSSELL L GOTTEMOELLER, GOTTEMOELLER REAL ESTATE, LTD

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

Given under my hand and notary seal this 24 day of September, 2018

State of Ohio)
County of Shelby) SS

[Signature]
Notary Signature



Filing Fee Worksheet

Project Number: 2018.179
Petitioner: Gottemoeller Real Estate Ltd.
Number of Acres: 35.05
Number of Street Frontages: 1.00
Non-Profit No

Linear Feet of New Roadway: 0
New Acres Subdivided (if applicable): 0.00
Area of site disturbance (acres): 0.00

Filing Fees Due at Land Use Petition:

Request(s):	Annexation Agreement	\$	2,202.01
		\$	-
		\$	-
		\$	-
		\$	-
		\$	-

Total: **\$2,202.01**

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

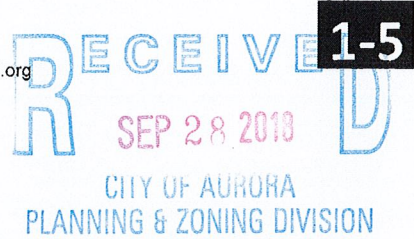
Verified By:

Date:

RECEIVED
 SEP 28 2018
 CITY OF AURORA
 PLANNING & ZONING DIVISION



Planning and Zoning Division 1 S. Broadway, 2nd Floor, Aurora, IL
phone (630) 256-3080 fax (630) 256-3081 email COAPlanning@aurora-il.org



Project Contact Information Sheet

Project Number: 2018.179

Petitioner Company (or Full Name of Petitioner): Gottemoeller Real Estate Ltd.

Owner

First Name: Russ Initial: _____ Last Name: Gottemoeller Title: Mr.
Company Name: Gottemoeller Real Estate Ltd.
Job Title: _____
Address: 4480 State Route 705
City: Fort Loramie State: OH Zip: 45845
Email Address: Russ@ceioh.com Phone No.: _____ Mobile No.: 937-239-2238

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

Relationship to Project: Attorney
Company Name: Dykema Gossett PLLC
First Name: Bruce Initial: L Last Name: Goldsmith Title: Mr.
Job Title: Attorney for Owner
Address: 2300 Cabot Drive, Suite 505
City: Lisle State: Illinois Zip: 60532
Email Address: bgoldsmith@dykema.com Phone No.: 630-577-2811 Mobile No.: 630-732-8409

Additional Contact #1

Relationship to Project: _____
Company Name: _____
First Name: _____ Initial: _____ Last Name: _____ Title: _____
Job Title: _____
Address: _____
City: _____ State: _____ Zip: _____
Email Address: _____ Phone No.: _____ Mobile No.: _____

Additional Contact #2

Relationship to Project: _____
Company Name: _____
First Name: _____ Initial: _____ Last Name: _____ Title: _____
Job Title: _____
Address: _____
City: _____ State: _____ Zip: _____
Email Address: _____ Phone No.: _____ Mobile No.: _____

Additional Contact #3

Relationship to Project: _____
Company Name: _____
First Name: _____ Initial: _____ Last Name: _____ Title: _____
Job Title: _____
Address: _____
City: _____ State: _____ Zip: _____
Email Address: _____ Phone No.: _____ Mobile No.: _____

Additional Contact #4

Relationship to Project: _____
Company Name: _____
First Name: _____ Initial: _____ Last Name: _____ Title: _____
Job Title: _____
Address: _____
City: _____ State: _____ Zip: _____
Email Address: _____ Phone No.: _____ Mobile No.: _____

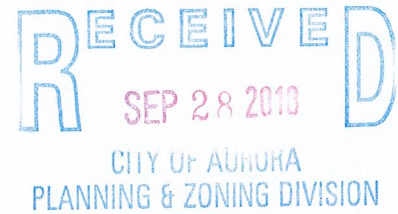
Qualifying Statement of Petition

Development of the Subject Property for a ORI type use will relate to the following:

1. *The public health, safety, morals, comfort and general welfare.* The Subject Property is currently zoned Agricultural in Kane County but pursuant to a proposed Annexation Agreement will be rezoned as ORI within the City. This use is consistent with the adjacent Orchard Gateway Business Park to the east and south. Given the compatibility of this use, it is intended to promote and protect the public health, safety, morals, comfort and general welfare of the neighborhood.
2. *The use and enjoyment of other property already established or permitted in the general area:* The Subject Property is generally surrounded by open space as part of the Kane County Forest Preserve to the west and north and by ORI uses generally to the east and south.
3. *The normal and orderly development and improvement of surrounding property for uses established within their respective zoning districts:* The proposed ORI zoning designation is consistent with the nature and character of surrounding land uses.
4. *Utilities, access roads, drainage and/or other necessary facilities:* Utilities are present or readily available to the Subject Property.
5. *Ingress and egress as it relates to traffic congestion in the public streets:* There is sufficient roadway capacity on Orchard Gateway Road to the east of the Subject Property to accommodate the development of ORI uses on the Subject Property and will not significantly impair ingress and egress, nor affect traffic congestion in the public streets.
6. *The applicable regulations of the zoning district in which the Subject Property is proposed to be or is located:* The Subject Property is intended to be zoned ORI under the proposed Annexation Agreement.
7. *Property values within the neighborhood.* The development of the Subject Property by the development of one or more ORI uses will not diminish the value of surrounding land and buildings. Development will be consistent with the surrounding uses and will protect and enhance those assets and values that establish the desirable quality and general livability of the City of Aurora.

September 25, 2018

From: Gottemoeller Real Estate, Ltd.
4480 State Route 705
Fort Loramie, OH 45845
Attn: Russ Gottemoeller
Email: Russ@ceioh.com



c/o Bruce Goldsmith
Dykema Gossett PLLC
2300 Cabot Drive, Suite 505
Lisle, IL 60532
Phone: 630-577-2811
Email: bgoldsmith@dykema.com

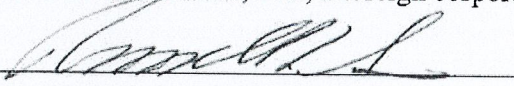
To: City of Aurora, Planning and Zoning Division
44 E. Downer Place
Aurora, IL 60507
Phone: 630-256-3080
Email: coaplanning@aurora-il-org

Re: Authorization Letter for Land Use Request Approval of an Annexation Agreement for approximately 35.05 acres located on the west side of Orchard Gateway Road, North of Vision Court, Parcel No. 14-01-300-017 ("Subject Property")

To whom it may concern:

As an authorized representative of Gottemoeller Real Estate, Ltd., the Owner of the Subject Property, I hereby affirm that I have full legal capacity to authorize Bruce Goldsmith and other attorneys at Dykema Gossett PLLC, 2300 Cabot Drive, Suite 505, Lisle, and its representatives, to act as the owner's agent to seek the approval of an Annexation Agreement for the Subject Property through the processes with the City of Aurora.

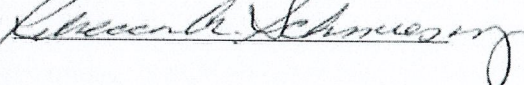
Gottemoeller Real Estate, Ltd., a foreign corporation

By: 

Printed: RUSSELL L GOTTEMOELLER

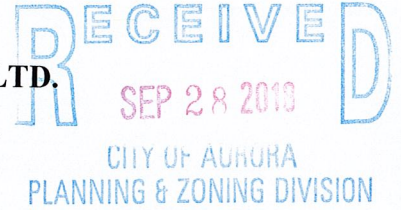
Its: PRESIDENT

Subscribed and Sworn to before me this 26 day of
September, 2018

Notary Signature: 



**ATTACHMENT TO LAND USE PETITION
SUBMITTED BY GOTTEMOELLER REAL ESTATE, LTD.**



LEGAL DESCRIPTION OF SUBJECT PROPERTY

Commonly known as: vacant land at Orchard Gateway
Tax Parcel Number: 14-01-300-017

That part of the Northeast 1/4 of the Southwest 1/4 of Section 1, Township 38 North Range 7 East of the Third Principal Meridian, lying Northerly of a line drawn Southwesterly from a point on the East line of said Northeast 1/4 39.0 feet North of the Southeast corner thereof, to a point on the West 1/2 of said Northeast 1/4 16.5 feet North of the Southwest corner thereof;

Excepting therefrom that part conveyed to Commonwealth Edison Company in Warranty Deed recorded April 22, 1953 in Book 1624 page 211, document number 722286, more particularly described as follows: the North 100 feet of the Southwest 1/4 of Section 1, Township 38 North, Range 7, East of the Third Principal Meridian;

Also, Excepting therefrom that part conveyed to Commonwealth Edison Company in Warranty Deed recorded November 27, 1992 as document number 1247441, more particularly described as follows: that part of the Southwest 1/4 of Section 1, Township 38 North, Range 7 East of the Third Principal Meridian, bounded and described as follows: Beginning at the Southeast corner of the West 1/2 of the Southwest 1/4 of Section 1 aforesaid (said point being 1323.54 feet East of the Southwest corner of the Southwest 1/4 of said Section 1, as measured along the South line thereof); thence North along the East line of the West 1/2 of the Southwest 1/4 of said Section 1, a distance of 2416.81 feet to a point on a line 230.00 feet South of and parallel with the North line of the Southwest 1/4 of said Section 1; thence East along said parallel line a distance of 160.00 feet to a point on a line 160.00 feet East of and parallel with the East line of the West line of the Southwest 1/4 of said Section 1; thence North along said last mentioned parallel line a distance of 130.00 feet to the South line of the existing Commonwealth Edison Company right-of-way as conveyed by Warranty Deed dated March 12, 1953 and recorded on April 22, 1953, as Document No. 722286; thence West along said South line of the existing Commonwealth Edison right-of-way, a distance of 525.00 feet to a point of intersection with a line 365 feet West of and parallel with the East line of the West 1/2 of the Southwest 1/4 of said Section 1; thence South along said last mentioned parallel line a distance of 130.0 feet to a point on a line 230.0 feet South of and parallel with the North line of the Southwest 1/4 of said Section 1; thence East along said last mentioned parallel line a distance of 160.00 feet to a point on a line 205.00 feet (as measured perpendicular) West of and parallel with the East line of the West 1/2 of the Southwest 1/4 of said Section 1; thence South on said line 205.00 feet West of and parallel with the East line of the West 1/2 of the Southwest 1/4 of said Section 1, a distance of 2416.59 feet to the South line of the Southwest 1/4 of said Section One; thence East on the South line of the Southwest 1/4 of said Section 1 a distance of 205.00 feet to the point of beginning, excepting that part taken for the East-West Tollway Extension, as described in parcel E-8-42A and being located from the center line of said East-West Tollway Extension, as said center line is surveyed and staked out by the Illinois State Toll Highway Authority and recorded as document no. 1184505 in records of Kane County, Illinois;

Also except therefrom that part conveyed to Commonwealth Edison Company in Warranty Deed recorded July 3, 1974 as document number 1302867, more particularly described as follows: that part of the Southwest 1/4 of Section 1, Township 38 North, Range 7 East of the Third Principal Meridian, bounded and described as follows: Beginning at the point of intersection of a line 160.00 feet perpendicularly distant East of and parallel with the East line of the West 1/2 of the Southwest 1/4 of said Section 1, with a line 100.00 feet perpendicularly distant South of and parallel with the North line of said Southwest 1/4 of Section 1 (being also the South line of existing Commonwealth Edison Company Right

of Way as conveyed by Warranty Deed dated March 12, 1953 and recorded April 22, 1953 as document number 722286); thence East along said line 100.00 feet South of and parallel with the North line of said Southwest 1/4 of Section 1, a distance of 132.00 feet; thence Southwesterly along a straight line, 135.51 feet to a point on said line, 160.00 feet East of and parallel with the East line of the West 1/2 of the Southwest 1/4 of said Section 1, which point is 129.00 feet perpendicularly distant South of the North line of said Southwest 1/4 of Section 1; thence North 29.00 feet to the point of beginning;

Also Except therefrom that part conveyed to Commonwealth Edison Company in Warranty Deed recorded July 3, 1974 as document number 1302867, more particularly described as follows: that part of the Southwest 1/4 of Section 1, Township 38 North, Range 7 East of the Third Principal Meridian, bounded and described as follows: Beginning at the point of intersection of a line 365.00 feet perpendicularly distant West of and parallel with the East line of the West 1/2 of the Southwest 1/4 of said Section 1, with a line 100.00 feet perpendicularly distant South of and parallel with the North line of said Southwest 1/4 of Section 1, (being also the South line of the existing Commonwealth Edison Company Right of Way as conveyed by Warranty Deed dated March 12, 1953 and recorded April 22, 1953 as document number 722286; thence West along said line 100.00 feet South of and parallel with the North line of said Southwest 1/4 of Section 1, a distance of 132.00 feet; thence Southeasterly along a straight line 134.78 feet to a point on said line 365.00 feet West of and parallel with the East line of the West 1/2 of the Southwest 1/4 of said Section 1, which point is 129.00 feet perpendicularly distant South of the North line of said Southwest 1/4 of Section 1; thence North 29.00 feet to the point of beginning;

Also Except therefrom that part conveyed to Aurora Christian Schools, Inc. in Warranty Deed recorded February 4, 2003 as document number 2003K020858 and more particularly described as follows: that part of the Northeast 1/4 of the Southwest 1/4 of Section 1, Township 38 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of the Northeast 1/4 of said Southwest 1/4; thence North 00 degrees 00 minutes 00 seconds East, along the East line of said Southwest 1/4 39.00 feet to the point of beginning; thence South 88 degrees 01 minutes 30 seconds West 80.05 feet; thence North 02 degrees 44 minutes 32 seconds East 687.61 feet; thence North 89 degrees 02 minutes 12 seconds East 47.11 feet to the East line of said Southwest 1/4; thence South 00 degrees 00 minutes 00 seconds West along said East line 684.86 feet to the Point of Beginning, all in the Township of Sugar Grove, Kane County, Illinois.