

# Land Use Petition

Project Number: 2015.117

## Subject Property Information

Address/Location: Frieder Lane/south of Ferry Road and Frieder Lane

Parcel Number(s): 07-05-403-003; 07-05-403-008; 07-05-403-009; 07-05-403-010; 07-05-203-005; 07-05-203-007; 07-04-102-018, 07-04-300-021

## Petition Request(s)

Requesting approval of a Preliminary Plat for Butterfield Phase II, Unit 4B-2 Subdivision located south of Ferry Road and Frieder Lane

Requesting approval of a Preliminary Plan for Butterfield Phase II, Unit 4B-2 Subdivision located south of Ferry Road and Frieder Lane for a Warehouse, Distribution and storage services (3300) Use

## Attachments Required

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

- |   |  |   |
|---|--|---|
| Development Tables Excel Worksheet - digital only (1-0) | Two Paper and One pdf Copy of: Fire Access Plan (2-6)          | One Paper and pdf Copy of: Preliminary Plan (2-8) |
| Word Document of: Legal Description (2-1)               | Address Plat (2-17)  | Preliminary Plat (2-9)                            |
| One Paper and pdf Copy of: Contact Worksheet (1-5)      | Preliminary Engineering Stormwater Report (2-10)               |   |
| Filing Fee Worksheet (1-6)                              | Kane County Stormwater Management Permit Application (App 6-5) |   |
| Parking Worksheet (1-8)                                 | Soil Investigation Report for the Site                         |   |
| Qualifying Statement (2-1)                              | Wetland Determination Report                                   |   |
| Plat of Survey (2-1)                                    |  |   |
| Legal Description (2-1)                                 |  |   |
| Letter of Authorization (2-2)                           |  |   |
| Existing CC and Rs (2-1)                                |  |   |

## Petition Fee: \$2,349.81 (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: Bruce Goldsmith Date 5/16/17

Print Name and Company: Bruce Goldsmith Dykema

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.

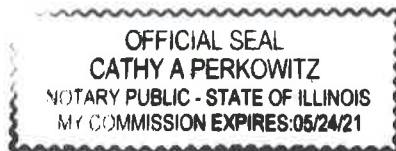
Given under my hand and notary seal this 16<sup>th</sup> day of May, 2017

State of Illinois)

NOTARY PUBLIC SEAL

County of DuPage) SS

Cathy A. Perkwitz  
Notary Signature



April 25, 2017

From: Chicago Title Land Trust Company,  
Successor Trustee to LaSalle Bank National Association,  
Under Trust Agreement dated October 8, 1971,  
Known as Trust No. 43123, by its beneficiary,  
DuPage Properties Venture

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

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 Vacant Land in Aurora, Illinois; Parcel Nos. 07-04-102-018, 07-04-300-021, 07-05-203-007, 07-05-403-003, 07-05-403-008, 07-05-403-009 and 07-05-403-010 ("Subject Property")

To whom it may concern:

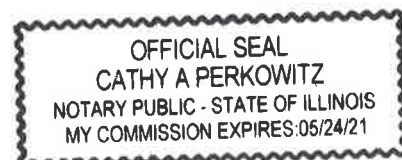
As an authorized representative DuPage Properties Venture, the beneficiary of Chicago Title Land Trust Company, as Successor Trustee to LaSalle Bank National Association, as Trustee under Trust Agreement dated October 8, 1971 known as Trust No. 43123, the Owner of the Subject Property, I hereby affirm 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 through Preliminary Plan and Preliminary Plat and Final Plan and Final Plat Land Use Petition processes with the City of Aurora for said property.

DuPage Properties Venture, as beneficiary  
of Chicago Title Land Trust Company, Successor  
Trustee to LaSalle Bank National Association,  
as Trustee under Trust Agreement dated  
October 8, 1971, known as Trust Number 43123

By: Michele Keller  
Michele Keller, Authorized Representative

Subscribed and Sworn to before me this 27<sup>th</sup> day of  
April, 2017

Notary Signature: Cathy A. Perkowitz



## Attachment "A"

### Qualifying Statement of Petition

Development of the Subject Property and approval of the proposed Final Plat and Plan will relate to the following:

1. *The public health, safety, morals, comfort and general welfare:* The Subject Property will be developed as an office/research/industrial use as allowed under the Butterfield Planned Development District (the "P.P.D."), adding to the tax base for the City of Aurora and greatly benefiting its residents. Stormwater detention and run-off will be improved, minimizing any impact to downstream residents.

2. *The use and enjoyment of other property already established or permitted in the general area:* Adjacent properties to the east are zoned ORI as part of the Butterfield P.D.D. and residential in DuPage County. Properties to the west are generally zoned I-1 light industrial for the Commonwealth Edison ROW and CN railroad tracks. The Ronald Regan Memorial Tollway (I-88) is south of the Subject Property. North of the Subject Property is open space. The Subject Property is already zoned P.D.D. pursuant to the Butterfield P.D.D. and its adopted Plan Description.

3. The normal and orderly development and improvement of surrounding property for uses established within their respective zoning districts: The proposed uses are consistent with the nature and character of surrounding land uses, the Butterfield P.D.D., and the comprehensive land use plan of the City of Aurora.

4. *Utilities, access roads, drainage and/or other necessary facilities:* City water is already extended to the Subject Property and sanitary service is available from the nearby lift station. All other utilities are present or readily available to the Subject Property. Access to the Subject Property will be obtained via a full access intersection from Ferry Road.

5. *Ingress and egress as it relates to traffic congestion in the public streets:* Development of the Subject Property will not significantly impair ingress and egress, nor significantly 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 currently zoned P.D.D. pursuant to the Butterfield P.D.D. and adopted Plan Description.

**Attachment “B”**

**Disclosure of Beneficiaries to Land Trust**

DuPage Properties Venture

4822-1974-3274.2  
090893\000012

## Project Contact Information Sheet

**Project Number:** 2015.117

**Petitioner Company (or Full Name of Petitioner):** DuPage Properties Venture

### **Owner**

First Name: Michele Initial: Last Name: Keller Title: Mr.  
 Company Name: Chicago Title Land Trust 43123 dated 10/8/71, by its beneficiary DuPage Properties Venture  
 Job Title: Senior Vice President  
 Address: 400 East Ohio St., Suite 1004  
 City: Chicago State: IL Zip: 60611  
 Email Address: mkeller@leyorganization.com Phone No.: 312-208-3612 Mobile No.: 312-208-3612

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

Relationship to Project: Owner  
 Company Name: DuPage Properties Venture  
 First Name: Michele Initial: Last Name: Keller Title: Mr.  
 Job Title: Senior Vice President  
 Address: 400 East Ohio St., Suite 1004  
 City: Chicago State: IL Zip: 60611  
 Email Address: mkeller@levyorganization.com Phone No.: 312-208-3612 Mobile No.: 312-208-3612

### **Additional Contact #1**

Relationship to Project: Engineer  
 Company Name: Manhard Consulting LTD  
 First Name: Jim Initial: P Last Name: D'Alexander Title: Mr.  
 Job Title: Project Engineer  
 Address: 700 Springer Drive  
 City: Lombard State: IL Zip: 80148  
 Email Address: jdalexander@manhard.com Phone No.: 630-925-1114 Mobile No.:

### **Additional Contact #2**

Relationship to Project: Architect  
 Company Name: Cornerstone Architects, LTD  
 First Name: Michael Initial: Last Name: Baumstark Title: Mr.  
 Job Title: Architect  
 Address: 1152 Spring Lake Drive  
 City: Itasca State: IL Zip: 60143  
 Email Address: mjb@cstonearchitects.com Phone No.: 630-773-8363, x Mobile No.: 630-841-2528

### **Additional Contact #3**

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

### **Additional Contact #4**

Relationship to Project: Consultant  
 Company Name: Compass Surveying Ltd.  
 First Name: Dan Initial: Last Name: Walter Title: Mr.  
 Job Title: Surveyor  
 Address: 2631 Ginger Woods Parkway, Suite 100  
 City: Aurora State: IL Zip: 60502  
 Email Address: dwalter@clsurveying.com Phone No.: 630-820-9100 Mobile No.:

LEGAL DESCRIPTION FOR BUTTERFIELD PHASE II UNIT 4B

THAT PART OF THE WEST HALF OF SECTION 4 AND PART OF THE EAST HALF OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF NORTHERN ILLINOIS GAS COMPANY NAPERVILLE TOWNSHIP ASSESSMENT PLAT NO. 1, RECORDED AS DOCUMENT R64-27940 WITH THE EAST LINE OF PROPERTY CONVEYED TO COMMONWEALTH EDISON COMPANY BY DOCUMENT 998841; THENCE NORTH 03 DEGREES 10 MINUTES 54 SECONDS EAST, ALONG SAID EAST LINE, SAID EAST LINE BEING A LINE DRAWN 130 FEET EAST OF THE WEST LINE OF LOT 8 OF THE ASSESSMENT PLAT OF THE LANDS OF JAMES J. NICHOLS ESTATE, RECORDED AS DOCUMENT 563662, A DISTANCE OF 572.94 FEET TO THE NORTH LINE OF SAID LOT 8; THENCE NORTH 88 DEGREES 07 MINUTES 57 SECONDS EAST ALONG SAID NORTH LINE, 47.16 FEET TO THE EAST LINE OF LANDS OF THE ELGIN, JOLIET AND EASTERN RAILROAD; THENCE NORTH 06 DEGREES 43 MINUTES 24 SECONDS EAST, ALONG SAID EAST LINE, 662.03 FEET TO THE SOUTHWEST CORNER OF LOT 16 IN BUTTERFIELD PHASE II UNIT 4A, RECORDED AS DOCUMENT NUMBER R2003-203000; THENCE NORTH 87 DEGREES 57 MINUTES 22 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 16, A DISTANCE OF 1027.62 FEET TO THE SOUTHEAST CORNER OF SAID LOT 16, SAID SOUTHEAST CORNER BEING ON THE EASTERLY LINE OF SAID BUTTERFIELD PHASE II UNIT 4A; THENCE NORTH 49 DEGREES 31 MINUTES 40 SECONDS EAST ALONG SAID EASTERLY LINE, 150.58 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE NORTH 32 DEGREES 49 MINUTES 30 SECONDS EAST ALONG SAID EASTERLY LINE, 147.14 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE NORTH 06 DEGREES 39 MINUTES 01 SECONDS EAST ALONG SAID EASTERLY LINE, 55.18 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE NORTH 73 DEGREES 41 MINUTES 13 SECONDS WEST ALONG SAID EASTERLY LINE, 103.90 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE NORTH 56 DEGREES 48 MINUTES 24 SECONDS WEST ALONG SAID EASTERLY LINE, 65.86 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE NORTH 31 DEGREES 36 MINUTES 17 SECONDS WEST ALONG SAID EASTERLY LINE, 60.52 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE NORTH 42 DEGREES 50 MINUTES 39 SECONDS WEST ALONG SAID EASTERLY LINE, 106.05 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE NORTH 52 DEGREES 12 MINUTES 26 SECONDS EAST ALONG SAID EASTERLY LINE, 222.13 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE; THENCE NORTH 80 DEGREES 09 MINUTES 42 SECONDS EAST ALONG SAID EASTERLY LINE, 87.89 FEET TO THE WESTERLY LINE OF LOT 15 IN SAID BUTTERFIELD PHASE II UNIT 4A; THENCE SOUTH 09 DEGREES 46 MINUTES 02 SECONDS EAST ALONG SAID WESTERLY LINE, 57.00

FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE SOUTH 85 DEGREES 27 MINUTES 46 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 15, A DISTANCE OF 48.92 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15, SAID SOUTHEAST CORNER ALSO BEING THE SOUTHWEST CORNER OF FRIEDER LANE AS DEDICATED BY SAID BUTTERFIELD PHASE II UNIT 4A; THENCE NORTH 84 DEGREES 32 MINUTES 59 SECONDS EAST ALONG THE SOUTH LINE OF SAID FRIEDER LANE AS DEDICATED BY SAID BUTTERFIELD PHASE II UNIT 4A, A DISTANCE OF 66.00 FEET TO THE SOUTHEAST CORNER OF SAID FRIEDER LANE AS DEDICATED BY SAID BUTTERFIELD PHASE II UNIT 4A; THENCE SOUTHERLY ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF SAID FRIEDER LANE AS DEDICATED BY SAID BUTTERFIELD PHASE II UNIT 4A, BEING A CURVE CONCAVE WESTERLY, NOT TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 983.00 FEET, A CHORD BEARING OF SOUTH 00 DEGREES 46 MINUTES 11 SECONDS WEST, A CHORD LENGTH OF 213.01 FEET, AN ARC LENGTH OF 213.43 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 283.00 FEET, A CHORD BEARING OF SOUTH 19 DEGREES 54 MINUTES 27 SECONDS WEST, A CHORD LENGTH OF 126.53 FEET, AN ARC LENGTH OF 127.61 FEET TO A POINT OF TANGENCY; THENCE SOUTH 32 DEGREES 49 MINUTES 30 SECONDS WEST, TANGENT TO THE LAST DESCRIBED COURSE, 260.54 FEET; THENCE SOUTH 66 DEGREES 28 MINUTES 09 SECONDS EAST, 187.95 FEET TO THE SOUTHWEST CORNER OF LOT 14 IN ARTHUR T. MCINTOSH AND CO.'S FERRY ROAD FARMS, RECORDED AS DOCUMENT NUMBER 455751; THENCE SOUTH 06 DEGREES 30 MINUTES 06 SECONDS WEST ALONG THE WESTERLY LINE OF SAID ARTHUR T. MCINTOSH AND CO.'S FERRY ROAD FARMS, 591.95 FEET TO THE SOUTHWEST CORNER OF LOT 13 IN SAID ARTHUR T. MCINTOSH AND CO.'S FERRY ROAD FARMS; THENCE SOUTH 87 DEGREES 51 MINUTES 45 SECONDS WEST, 107.10 FEET TO THE NORTHEAST CORNER OF LOT 8 OF THE ASSESSMENT PLAT OF THE LANDS OF JAMES J. NICHOLS ESTATE, RECORDED AS DOCUMENT 563662; THENCE SOUTH 01 DEGREE 49 MINUTES 38 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 505.28 FEET TO THE NORTH LINE OF THE NORTHERN ILLINOIS GAS COMPANY NAPERVILLE TOWNSHIP ASSESSMENT PLAT NO. 1, RECORDED AS DOCUMENT R64-27940; THENCE SOUTH 85 DEGREES 04 MINUTES 11 SECONDS WEST ALONG SAID NORTH LINE, 1311.55 FEET TO THE POINT OF BEGINNING; IN DUPAGE COUNTY, ILLINOIS.