

# Land Use Petition

Project Number: 2018.076

## Subject Property Information

Address/Location: 1949 County Line Road/south of Diehl Road, east of County Line Road and north of the Prairie Path

Parcel Number(s): 07-07-101-016, 07-07-101-027, 07-07-101-028, 15-12-276-013

## Petition Request(s)

Requesting approval of an Annexation Agreement for 1.0 acres located south of Diehl Road, east of County Line Road, and north of the Prairie Path for Abbey Paving Co., Inc. Development

Requesting the Annexation, pursuant to an Annexation Agreement, of 1.0 acres located south of Diehl Road, east of County Line Road, and north of the Prairie Path

Requesting the Establishment of a Special Use Planned Development on the property located south of Diehl Road, east of County Line Road, and north of the Prairie Path, to be incorporated under the existing Special Use Planned Development for MTJ, LLC, and to change the underlying zoning district to ORI(S) Office, Research, and Light Industrial District

Requesting a Plan Description Revision to the Special Use Planned Development on the property located at 1949 County Line Road being south of Diehl Road, east of County Line Road, and north of the Prairie Path

Requesting approval of a Final Plat for Lot 1 & 2 of Madden Molitor Resubdivision located at 1949 County Line Road being south of Diehl Road, east of County Line Road, and north of the Prairie Path

Requesting approval of a Final Plan for Lot 1 & 2 of Madden Molitor Resubdivision located at 1949 County Line Road being south of Diehl Road, east of County Line Road, and north of the Prairie Path for Paving and Related Businesses use

## 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:

Qualifying Statement (2-1)

Plat of Survey (2-1)

Legal Description (2-1)

Proof of Ownership (2-2)

Two Paper and One pdf Copy of:

Fire Access Plan (2-6)

Final Engineering Plans (2-16)

Stormwater Permit Application (App 1-14)

Stormwater Report (2-10)

Soil Investigation Report if available

One Paper and pdf Copy of:

Annexation Plat (2-3)

Annexation Agreement (2-18)

Plan Description Revision (2-18)

Two Paper and One pdf Copy of:

Final Plan with Photometrics (2-4)

Final Plat (2-5)

Landscape Plan (2-7)

Building and Signage Elevations (2-11)

Executed Mylars and Recording Fee will be requested upon approval:

Annexation Plat; Final Plat

Agreement; Annexation Ordinance

**RECEIVED**  
JAN - 3 2019

CITY OF AURORA  
PLANNING & ZONING DIVISION

**Petition Fee: \$4,150.00 (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: \_\_\_\_\_ Date 1/2/19

Print Name and Company: Arey Christoff Assey Paving

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 2nd day of January

State of Illinois )  
County of Kendall ) SS

NOTARY PUBLIC SEAL

[Signature]  
Notary Signature



## Filing Fee Worksheet

**Project Number:** 2018.076

**Petitioner:** Abbey Paving Company, Inc.

**Number of Acres:** 1.00

**Number of Street Frontages:** 1.00

**Non-Profit** No

**Linear Feet of New Roadway:** 0

**New Acres Subdivided (if applicable):** 8.09

**Area of site disturbance (acres):** 7.49

**Filing Fees Due at Land Use Petition:**

Request(s):	Annexation Agreement	\$ 1,000.00
	Annexation	\$ 750.00
	Plan Description Revision	\$ 800.00
	Final Plan & Plat	\$ 750.00
		\$ -
	Final Engineering Filing Fee	\$ 850.00

**Total:** **\$4,150.00**

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

Verified By: Jill N. Morgan

Date: 12/24/2018

**RECEIVED**  
JAN - 3 2019  
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

RECEIVED  
JAN - 3 2019

1-5

CITY OF AURORA  
PLANNING & ZONING DIVISION

### Project Contact Information Sheet

**Project Number:** 2018.076

**Petitioner Company (or Full Name of Petitioner):** Abbey Paving Company, Inc.

**Owner**

First Name: Greg Initial: \_\_\_\_\_ Last Name: Christoff Title: Mr.  
Company Name: Abbey Paving Company, Inc.  
Job Title: \_\_\_\_\_  
Address: 1949 County Line Road  
City: Aurora State: IL Zip: 60502  
Email Address: greg@abbey-paving.com Phone No.: 630-518-3203 Mobile No.: 708-408-8842

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

Relationship to Project: Owner  
Company Name: Abbey Paving Company, Inc.  
First Name: Greg Initial: \_\_\_\_\_ Last Name: Christoff Title: Mr.  
Job Title: \_\_\_\_\_  
Address: 1949 County Line Road  
City: Aurora State: IL Zip: 60502  
Email Address: greg@abbey-paving.com Phone No.: 630-518-3203 Mobile No.: 708-408-8842

**Additional Contact #1**

Relationship to Project: Engineer  
Company Name: Webster, McGrath & Ahlberg, Ltd.  
First Name: S Mark Initial: \_\_\_\_\_ Last Name: Richards Title: Mr.  
Job Title: Director of Engineering  
Address: 207 S. Naperville Road  
City: Wheaton State: IL Zip: 60187  
Email Address: markr@wmaltd.com Phone No.: 630-668-7619 Mobile No.: \_\_\_\_\_

**Additional Contact #2**

Relationship to Project: Attorney  
Company Name: Kelly & Karras, Ltd.  
First Name: James Initial: \_\_\_\_\_ Last Name: Karras Title: Mr.  
Job Title: \_\_\_\_\_  
Address: 1010 Jorie Blvd., Suite 100  
City: Joliet State: IL Zip: 60523  
Email Address: jjkarras@kellykarras.com Phone No.: 630-575-0202 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.: \_\_\_\_\_

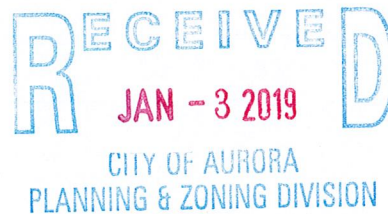
### Abbey Qualifying Statement for a Land Use Petition

Abbey purchased a 1.0 acre parcel located directly south of their existing property from the Seize the Future Development Foundation (now Invest Aurora) and has requested the City of Aurora to Annex this property into the City, rezone it and incorporate it into Abbey's existing Plan Description.

Abbey intends to build a 6,400 square foot building for covered, climate-controlled storage of construction equipment and materials. There will be a 2,400 square foot area to the north of this building (facing Abbey's current facility) which will be open air covered by an extension of the building roof. Maintenance and repair work will continue in Abbey's existing building.

The building will be designed with an attractive aesthetic resembling a barn or other agriculture-type structure. Abbey will incorporate some additional asphalt paving to the east of the building to provide access to the east door. Other than this area and the building, Abbey's current plan is to leave the remaining property as green space. The entire property (existing and new) in the revised Plan Description will have an 8 ft. or taller chain link fence with screening slats around the perimeter of all area used for storage including the entire new parcel. Canopy and evergreen trees inside the fence will add height and screening to the south in addition to the buffering effect of the building itself.

As part of this project, Abbey is requesting a revision to our existing Plan Description which would provide for a rear yard setback of 100 feet from the Prairie Path for primary buildings and 40 feet for accessory structures as measured from the building line. The proposed building described above would fit the description of the accessory structure.



SPECIAL WARRANTY DEED Stat. IL  
(Corp. to Corp.)

GRANTOR, SEIZE THE FUTURE DEVELOPMENT FOUNDATION, an Illinois not for profit Corporation, having the address of 43 West Galena Boulevard, Aurora, IL 60506, created and existing under and by virtue of the laws of the State of Illinois, for and in consideration of the sum of TEN & 00/100 (\$10.00) DOLLARS and other good and valuable considerations in hand paid, and pursuant to the authority given by the Sole Director of said corporation,



**FRED BUCHOLZ**

DUPAGE COUNTY RECORDER

SEP. 12, 2017 RHSP 11:50 AM  
DEED \$41.00 07-07-101-016

**005 PAGES R2017-093970**

(The Above Space for Recorder's Use Only)

REMISES, RELEASES, ALIENS and CONVEYS to GRANTEE, **ABBEY PAVING & SEALCOATING CO.**, an Illinois Corporation, having the address of 1949 County Line Road, Aurora, IL 60502, the following described Real Estate situated in the County of DuPage, in the State of Illinois, to wit:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 34 MINUTES 29 SECONDS WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 723 FEET TO THE SOUTH LINE OF A PARCEL DESCRIBED IN DOCUMENT NUMBER R2002-359683, FOR A POINT OF BEGINNING; THENCE NORTH 89 DEGREES 18 MINUTES 26 SECONDS EAST, ALONG SAID SOUTH LINE, 445.42 FEET TO THE EAST LINE OF THE PARCEL DESCRIBED IN DOCUMENT NUMBER R2002-356783; THENCE SOUTH 00 DEGREES 33 MINUTES 23 SECONDS EAST, 51.64 FEET TO THE NORTH LINE OF THE FORMER CHICAGO, AURORA AND ELGIN RAILROAD; THENCE SOUTH 77 DEGREES 41 MINUTES 19 SECONDS WEST ALONG THE NORTH LINE OF SAID RAILROAD, 454.95 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER ; THENCE NORTH 00 DEGREES 34 MINUTES 29 SECONDS WEST ALONG SAID WEST LINE 143.26 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Permanent Real Estate Index Number(s): 07-07-101-016-0000

Address(es) of Real Estate: RT 2 Vacant Land, Aurora, IL 60502  
KAUTZ Rd NEAR DIEHL/MOLITOR Rd *JA*

RECEIVED  
JAN - 3 2019  
CITY OF AURORA  
PLANNING & ZONING DIVISION

17NW 200011 AS RD null

CHARGE C.T.I.C. DUPAGE

2

TO HAVE AND TO HOLD, the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto Grantee, its successors and assigns; said Grantor hereby covenanting with Grantee that the premises are free and clear of any encumbrance done or suffered by it, and that it will warrant and defend title to said premises unto Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons claiming under Grantor but none other.

In Witness Whereof, said Grantor has caused its name to be signed to these presents by its president/ceo, this 7th day of September, 2017.

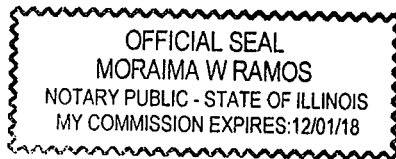
**SEIZE THE FUTURE DEVELOPMENT FOUNDATION, an Illinois not for profit corporation**

By: David Hulseberg  
David Hulseberg, President/CEO

STATE OF ILLINOIS            )  
  ) S.S.  
COUNTY OF                    )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that David Hulseberg, personally known to me to be the President/CEO of SEIZE THE FUTURE FOUNDATION, an Illinois not for profit Corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me and signed and delivered the said instrument pursuant to authority given by the Sole Director of said corporation, as his free and voluntary act, as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 7th day of September, 2017.



Moraima W Ramos  
Notary Public

~~MAIL SUBSEQUENT TAX BILLS TO:~~  
And AFTER RECORDING, MAIL TO:

James J. Karras, Esquire  
Kelly & Karras, Ltd.  
1010 Jorie Boulevard, Suite 100  
Oak Brook, IL 60523

THIS INSTRUMENT PREPARED BY:


James D. Healy  
GOLDSTINE, SKRODZKI, RUSSIAN,  
NEMEC AND HOFF, LTD.  
835 McClintock Drive, Second Floor  
Burr Ridge, IL 60527  
(630) 655-6000

**MAIL SUBSEQUENT TAX BILLS TO:  
ABBEY PAVING + SEAL COATING CO.  
194A COUNTY LINE ROAD  
AURORA, ILL 60502**

Example of the procedure of the Agent (b)  
Section 91-02. Property Tax  
9/7/17 James D. Healy Agent

**EXHIBIT A TO WARRANTY DEED**

SEIZE THE FUTURE DEVELOPMENT FOUNDATION  
to  
ABBHEY PAVING & SEALCOATING CO.

**SUBJECT TO:** a) general and special real estate taxes and assessments for 2016 and subsequent years; ~~to~~   
~~permitted exceptions.~~ b) zoning and building laws and ordinances; d) encroachments which do not interfere with  
Grantee's use and enjoyment of the Property; and e) acts done or suffered by Grantee.

**Property Address:** RT 2 Vacant Land, Aurora, IL 60502

**Permanent Index Number(s):** 07-07-101-016-0000





2

RECORDER  
AFFIDAVIT - METES AND BOUNDS

STATE OF Illinois  
COUNTY OF DuPAGE

Document No.: \_\_\_\_\_

Seize the Future Development Foundation, being duly sworn on oath, states that \_\_\_\_\_ resides at Vacant Lot, Aurora, IL 60502. That the attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

- ① The sale or exchange is of an entire tract of land not being a part of a larger tract of land.
- 2. The division or subdivision of the land is into parcels or tracts of five (5) acres or more of size which does not involve any new streets or easements of access.
- 3. The division is of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access.
- 4. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
- 5. The conveyance is of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
- 6. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
- 7. The conveyance is of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
- 8. The conveyance is made to correct descriptions in prior conveyances.
- 9. The sale or exchange is of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
- ⑩ The sale is of a single lot of less than five (5) acres from a larger tract, the dimensions and configurations of said larger tract having been determined by the dimensions and configurations of said larger tract on October 1, 1973, and no sale prior to this sale, or any lot or lots from said larger tract having taken place since October 1, 1973, and a survey of said single lot having been made by a registered land surveyor.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

Affiant further states that HE makes this affidavit for the purpose of inducing the Recorder of DuPage County, Illinois, to accept the attached deed for recording.

**AFFIDAVIT - METES AND BOUNDS**

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Seize the Future Development Foundation

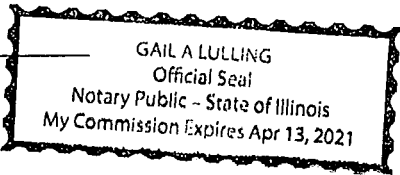
BY: *[Signature]* AGENT

STATE OF Illinois

COUNTY OF Du PAGE

Subscribed and sworn to before me this 7 of September, 2017.

*Gail A Lulling*  
Notary Public





Over 100 Years of Service to Our Clients

**WEBSTER, MCGRATH & AHLBERG, LTD.**

LAND SURVEYING – CIVIL ENGINEERING – LANDSCAPE ARCHITECTURE

207 S NAPERVILLE ROAD, WHEATON, IL 60187

PH: 630-668-7603 WEB: WWW.WMALTD.COM

**EXISTING SITE:**

LOTS 1 AND 2 IN MADDEN MOLITOR SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 9 EAST AND PART OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 26, 2008 AS DOCUMENT R2008-170836, IN DUPAGE AND KANE COUNTIES, ILLINOIS.

**ADDITIONAL ACQUIRED PROPERTY:**

THAT PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 34 MINUTES 29 SECONDS WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 723 FEET TO THE SOUTH LINE OF A PARCEL DESCRIBED IN DOCUMENT NUMBER R2002-359683, FOR A POINT OF BEGINNING; THENCE NORTH 89 DEGREES 18 MINUTES 26 SECONDS EAST, ALONG SAID SOUTH LINE, 445.42 FEET TO THE EAST LINE OF THE PARCEL DESCRIBED IN . DOCUMENT NUMBER R2002-356783; THENCE SOUTH 00 DEGREES 33 MINUTES 23 SECONDS EAST, 51.64 FEET TO THE NORTH LINE OF THE FORMER CHICAGO, AURORA AND ELGIN RAILROAD; THENCE SOUTH 77 DEGREES 41 MINUTES 19 SECONDS WEST ALONG THE NORTH LINE OF SAID RAILROAD, 454.95 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 34 MINUTES 29 SECONDS WEST ALONG SAID WEST LINE 143.26 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

RECEIVED  
JAN - 3 2019  
CITY OF AURORA  
PLANNING & ZONING DIVISION