

# ALTA/NSPS LAND TITLE SURVEY

OF

PART OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP  
38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN,  
KANE COUNTY, ILLINOIS

ARC DESIGN  
RESOURCES INC.

5291 ZENITH PARKWAY  
LOVES PARK, IL 61111  
VOICE: (815) 484-4300  
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www.arcdesign.com  
Design Firm License No. 184-001334

## SYMBOL LEGEND

	PROPERTY LINE
	LOT LINE
	EASEMENT LINE
	RIGHT-OF-WAY LINE
	CENTER LINE
	OVERHEAD UTILITIES
	GAS LINE
	FIBER OPTIC LINE
	CABLE TELEVISION LINE
	TELEPHONE LINE
	ELECTRIC LINE
	WATER LINE
	SANITARY SEWER LINE
	STORM SEWER LINE
	FENCE
	CONTOUR LINE
	SANITARY MANHOLE
	CLEANOUT
	STORM MANHOLE / AREA INLET
	INLET SPECIAL
	CURB CATCHBASIN / INLET
	CONCRETE FLARED END SECTION
	METAL OR PLASTIC FLARED END SECTION
	VALVE VAULT
	VALVE BOX
	FIRE HYDRANT ASSEMBLY
	SPRINKLER
	WELL
	MONITORING WELL
	UTILITY POLE
	GUY WIRE AND ANCHOR
	ELECTRIC TRANSFORMER AND PAD
	ELECTRIC PEDESTAL
	ELECTRIC METER
	CABLE JUNCTION BOX - PAD MOUNTED
	CABLE PEDESTAL
	TELEPHONE JUNCTION VAULT
	TELEPHONE PEDESTAL
	TELEPHONE SWITCH BOX
	GAS METER
	GAS VALVE
	A.D.A. COMPLIANT PARKING LUMINAIRE AND POST
	SIGN AND POST
	BOLLARD
	AIR CONDITIONER FLAG POLE
	BENCHMARK LOCATION
	DECIDUOUS TREE
	CONIFEROUS TREE
	BUSH
	MAILBOX
	TRAFFIC SIGNAL
	SIGNAL CONTROL CABINET
	HANDHOLE
	YARD LIGHT
	PARKING BLOCK
	PARKING METER

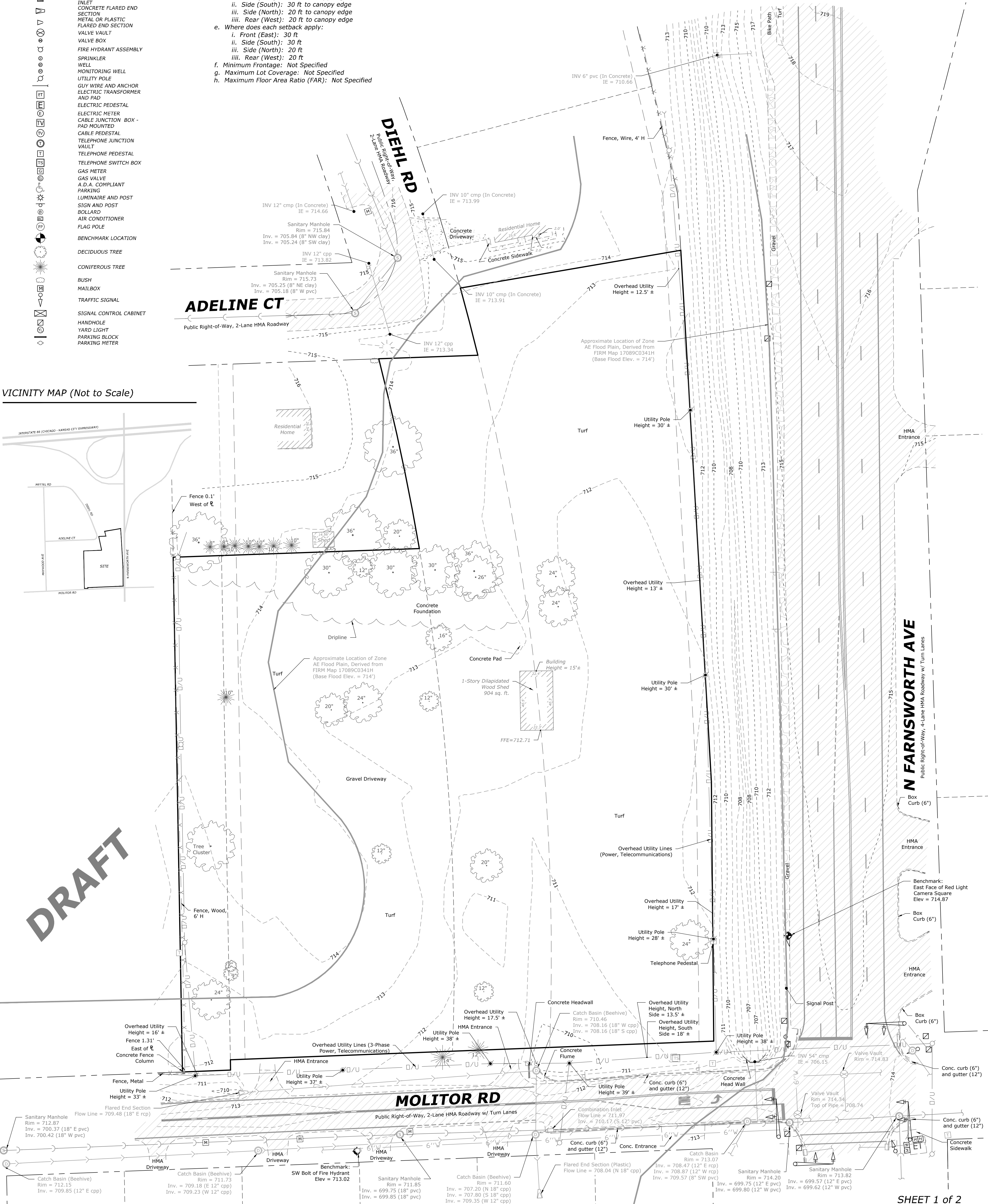
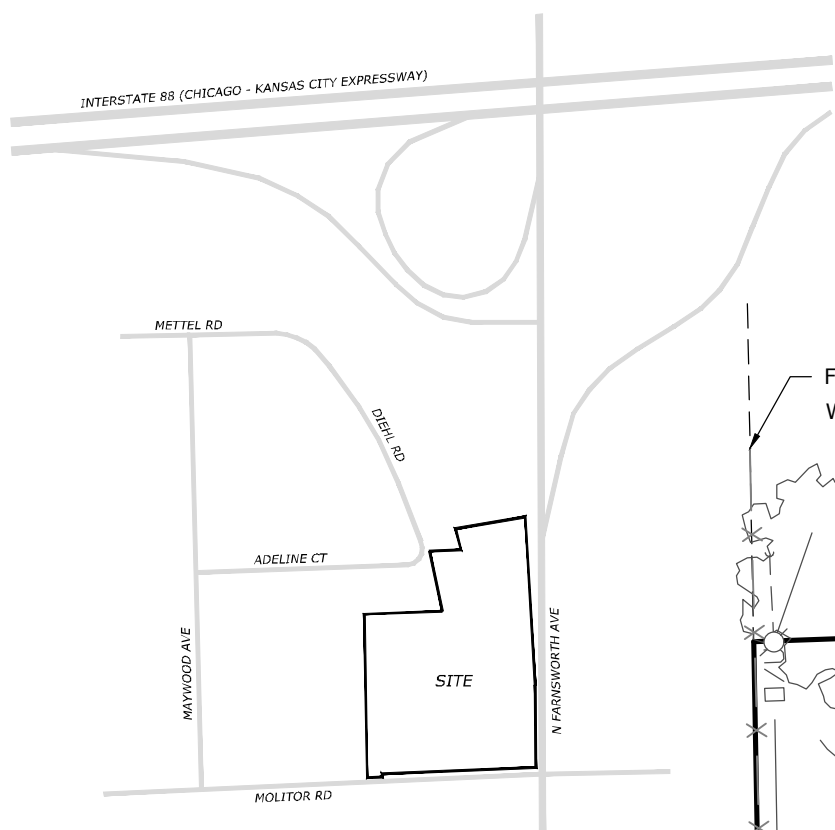
### Existing Zoning/ Land Use

- Current Site Zoning: B-2(S) Business District (Special Use)
- Current Site Use: Vacant Lot
- Surrounding Land Use and Zoning:
  - North: Unincorporated Residential
  - East: Across N Farnsworth Ave, Business District (B-2)(Circle K) and Unincorporated Residential
  - South: Across Molitor Rd, Business District (B-2)(7-Eleven) and Unincorporated Residential
  - West: Unincorporated Residential
- Zoning Site Restrictions/Requirements:
  - Minimum Lot Area: Not Specified
  - Maximum Building Height: None
  - Minimum Building Setbacks
    - Front (East): 30 ft
    - Side (South): 30 ft
    - Side (North): 20 ft
    - Rear (West): 20 ft
  - Minimum Canopy Setbacks
    - Front (East): 30 ft to canopy edge
    - Side (South): 30 ft to canopy edge
    - Side (North): 20 ft to canopy edge
    - Rear (West): 20 ft to canopy edge
  - Where does each setback apply:
    - Front (East): 30 ft
    - Side (South): 30 ft
    - Side (North): 20 ft
    - Rear (West): 20 ft
  - Minimum Frontage: Not Specified
  - Maximum Lot Coverage: Not Specified
  - Maximum Floor Area Ratio (FAR): Not Specified

### Notes:

- All Storm and Sanitary Main are Gravity Main unless otherwise noted on the survey.

## VICINITY MAP (Not to Scale)



SHEET 1 of 2

ARC 17195  
Rev. 09/18/2020



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## SCHEDULE B, PART II EXCEPTIONS

1. Rights or claims of parties in possession not shown by Public Records. **(Not a survey matter.)**
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land. **(Please refer to the survey.)**
3. Easements, or claims of easements, not shown by the Public Records. **(Not a survey matter.)**
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records. **(Not a survey matter.)**
5. Taxes or special assessments which are not shown as existing liens by the Public Records. **(Not a survey matter.)**
6. We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically. **(This survey is provided to satisfy this exception.)**
7. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met. **(Not a survey matter.)**
8. Taxes for the years 2019 and 2020. **(Not a survey matter.)**

Taxes for the year 2019 are payable in two installments.  
The first installment amounting to \$639.42 is paid of record.  
The second installment amounting to \$639.42 is not delinquent before September 1, 2020.  
Taxes for the year 2020 are not yet due and payable.  
Permanent Tax No.: 15-11-229-007
9. Taxes for the years 2019 and 2020. **(Not a survey matter.)**

Taxes for the year 2019 are payable in two installments.  
The first installment amounting to \$452.31 is paid of record.  
The second installment amounting to \$45,231.00 is not delinquent before September 1, 2020.  
Taxes for the year 2020 are not yet due and payable.  
Permanent Tax No.: 15-11-228-010
10. Please be advised that our search did not disclose any open mortgages of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing. **(Not a survey matter.)**

11. Terms, powers, provisions, and limitations of the Trust under which title to the Land is held. **(Not a survey matter.)**
12. Note for Information: Title to this property is vested in an Illinois Land Trust. Please contact Chicago Title Land Trust Company at 312-223-4134 for further information on the requirements necessary to proceed with your transaction. **(Not a survey matter.)**
13. The Deed in Trust - Quit Claim Deed recorded as Document No. 2019K001642 from Donald Brummel, Sr., Shirley Parr, Arlene M. Bonifas and Marilee Bacchi to Chicago Title Land Trust Company as Trustee under Trust Agreement dated February 8, 1974 and known as Trust Number 303 was not executed by one of the heirs of Arlene Diehl, Joan Brummel. It appears that Joan Brummel is deceased. Relative to the death of Joan Brummel, the Company should be furnished the following: **(Not a survey matter.)**
  - A) A certified or uncertified copy of the decedent's death certificate;
  - B) An Affidavit of Heirship;
  - C) Evidence of the value of the Estate for federal estate tax purposes; and a copy of the Will, if the decedent died testate. In the event that the decedent died within the last two years and insurance over claims against the estate is desired, such coverage may be obtained by the completion of a Personal Undertaking, a Statement of Information and the payment of an additional premium.The Company reserves the right to add additional items or make further requirements after review of the requested information, including but not limited to, possible claims against the Estate of said decedent and possible estate taxes.  
(Affects Parcel 2)
14. A copy of the death certificate (certified or uncertified) of Harry J. Diehl, deceased, should be furnished and this commitment is subject to such further exceptions, if any, as then may be deemed necessary. **(Not a survey matter.)**  
(Affects Parcel 2)
15. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below. **(Not a survey matter.)**

Limited Liability Company: RDK Ventures LLC

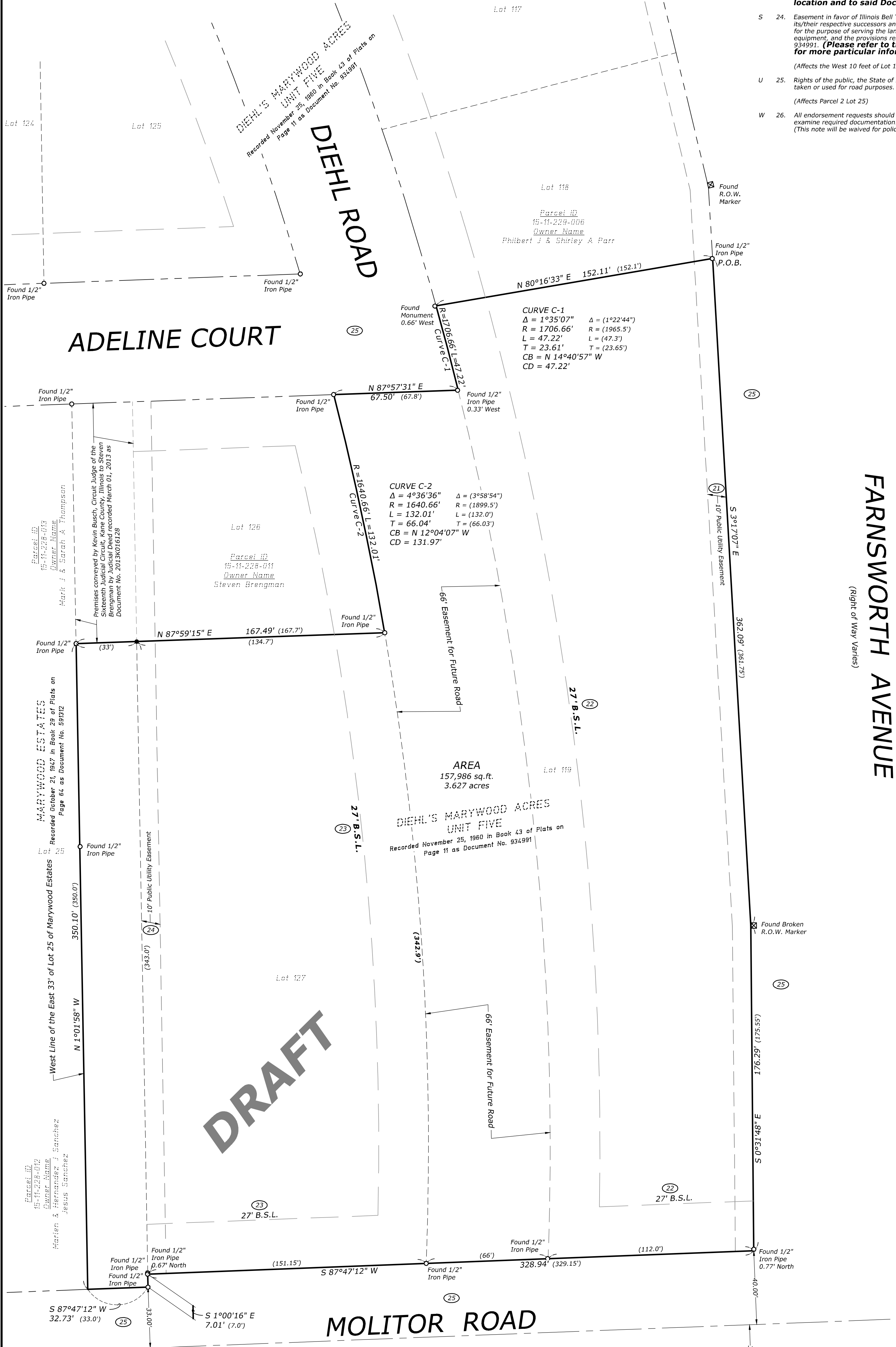
  - A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
  - If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
  - If the Limited Liability Company is member-managed a full and complete current list of

members certified by the appropriate manager or member.

- A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

16. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees. **(Not a survey matter.)**
17. The Land described in Schedule A either is unsplit property or constitutes part of a subdivided lot. As a result, a Plat Act Affidavit should accompany any conveyance to be recorded. In the alternative, compliance should be had with the provisions of the Plat Act (765 ILCS 205/1 et seq.) **(Not a survey matter.)**
18. Municipal Real Estate Transfer Tax Stamps (or proof of exemption) must accompany any conveyance and certain other transfers or property located in Aurora. Please contact said municipality prior to closing for its specific requirements, which may include the payment of fees, an inspection or other approvals. **(Not a survey matter.)**
19. Notice recorded June 5, 1967 as Document No. 1090399 by the City Council of Aurora, Illinois relating to Farnsworth Avenue is a freeway and that no additional means of access is allowed or change in any existing means without approval. **(Affects Lot 119, please refer to said Document for more particular information.)**  
(Affects Lot 119 in Parcel 1)
20. Rights of way for drainage tiles, ditches, feeders, laterals and underground pipes, if any. **(No field tile risers were evidenced at the time of this survey.)**
21. Easement in favor of Illinois Bell Telephone Company and Commonwealth Edison Company, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with the right of access to said equipment, and the provisions relating thereto contained in the plat recorded/filed as Document No. 934991. **(Please refer to the survey for the location and to said Document for more particular information.)**  
(Affects the Easterly 10 feet of Lot 119 in Parcel 1)
22. Building line(s) as shown on the Plat of Subdivision recorded as Document No. 934991. **(Affects 27 feet of Lot 119 in Parcel 1) (Please refer to the survey for the location and to said Document for more particular information.)**
23. Building line(s) as shown on the Plat of Subdivision recorded as Document No. 934991. **(Affects the East and South 27 feet of Lot 127 in Parcel 2) (Please refer to the survey for the location and to said Document for more particular information.)**
24. Easement in favor of Illinois Bell Telephone Company and Commonwealth Edison Company, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with the right of access to said equipment, and the provisions relating thereto contained in the plat recorded/filed as Document No. 934991. **(Please refer to the survey for the location and to said Document for more particular information.)**  
(Affects the West 10 feet of Lot 127 in Parcel 2)
25. Rights of the public, the State of Illinois and the Municipality in and to that part of the land, if any, taken or used for road purposes. **(Please refer to the survey.)**  
(Affects Parcel 2 Lot 25)
26. All endorsement requests should be made prior to closing to allow ample time for the company to examine required documentation. **(Not a survey matter.)**  
(This note will be waived for policy.)



## SYMBOL LEGEND

---	PROPERTY LINE
---	SECTION LINE
---	RIGHT-OF-WAY LINE
---	LOT LINE
---	EASEMENT LINE
---	SETBACK LINE
---	CENTER LINE
11	TITLE EXCEPTION NUMBER
o	SET SURVEY MONUMENT
o	FOUND SURVEY MONUMENT
85.00'	RECORD DISTANCE
85.00'	MEASURED DISTANCE

Legal Description as contained in Commitment for Title Insurance issued by Chicago Title Company, LLC Commitment No. 19CNW66701SGV dated August 24, 2020.

PARCEL 1:  
LOT 119 OF DIEHL'S MARYWOOD ACRES, UNIT FIVE, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

PARCEL 2:  
LOT 127 IN DIEHL'S MARYWOOD ACRES UNIT 5 AND THE WEST 33 FEET OF LOT 25 IN MARYWOOD ESTATES, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 2, AND PART OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

ALSO DESCRIBED AS:  
Lots 119 and 127 as designated upon Diehl's Marywood Acres Unit 5, being a subdivision of part of the Southeast Quarter of Section 2, and part of the Northeast Quarter of Section 11, all in Township 38 North, Range 8 East of the Third Principal Meridian, the plat of which subdivision was recorded November 25, 1960 as Document No. 934991 in the Recorder's Office of Kane County, Illinois, also part of Lot 25 as designated upon Marywood Estates, being a subdivision of part of the Southeast Quarter of Section 2, and part of the Northeast Quarter of Section 11, all in Township 38 North, Range 8 East of the Third Principal Meridian, the plat of which subdivision was recorded October 21, 1947 as Document No. 591312 in said Recorder's Office, described as follows:

Beginning at the Northeast corner of said Lot 119 thence South 3 degrees 17 minutes 07 seconds East along the East line of said Lot 119, a distance of 362.09 feet; thence South 0 degrees 31 minutes 48 seconds East along the East line of said Lot 119, a distance of 176.29 feet to the Southeast corner thereof; thence South 87 degrees 47 minutes 12 seconds West along the South line of said Lot 119 and 127, a distance of 326.94 feet to the Southwest corner of said Lot 127; said point also lying in the East line of said Lot 25 of said Marywood Estates; thence South 1 degree 00 minutes 16 seconds East along the East line of said Lot 25, a distance of 7.01 feet to the Southeast corner thereof; thence South 87 degrees 47 minutes 12 seconds West along the South line of said Lot 25, a distance of 32.73 feet; thence North 1 degree 01 minute 58 seconds West, a distance of 350.10 feet to the Southwest corner of the premises conveyed by Kevin Busch, Circuit Judge of the Sixteenth Judicial Circuit, Kane County, Illinois to Steven Brengman by Judicial Deed recorded March 01, 2013 as Document No. 2013K016128 in said Recorder's Office; thence North 87 degrees 59 minutes 15 seconds East along the South line of said premises so conveyed and the North line of said Lot 127, a distance of 167.49 feet to the Northeast corner of said Lot 127; thence Northerly along the Westerly line of said Lot 119 along a circular curve to the left whose radius is 1640.66 feet and whose center lies to the West, the long chord of which curve bears North 12 degrees 04 minutes 07 seconds West, a chord distance of 131.37 feet to the Northwestern most corner of said Lot 119; thence North 87 degrees 57 minutes 31 seconds East along the Northerly line of said Lot 119, a distance of 67.50 feet; thence Northerly along a North and South jog in the Northerly line of said Lot 119 along a circular curve to the left whose radius is 1706.66 feet and whose center lies to the West, the long chord of which curve bears North 14 degrees 40 minutes 57 seconds West, a chord distance of 47.22 feet; thence North 80 degrees 16 minutes 33 seconds East along the Northerly line of said Lot 119, a distance of 152.11 feet to the Point of Beginning, containing 3.627 acres, more or less, all being situated in the County of Kane and the State of Illinois.

## SURVEYOR'S NOTES

1. Survey is based on field work performed by Arc Design Resources on April 10, 2020.
2. No investigation concerning environmental and subsurface conditions, or for the existence of underground or overhead containers or facilities which may affect the use or development of this property was made as part of this survey.
3. The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although the surveyor does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.
4. The above described property is located within regulated flood zone AE according to the Flood Insurance Rate Map (17098C0341M) for Kane County, Illinois revised August 3, 2009.
5. Surveyed property is based upon the legal description contained in Commitment for Title Insurance, Commitment No. 19CNW66701SGV issued by Donat & Donat, P.C. agent for Chicago Title Insurance Company effective date August 24, 2020.
6. Bearings are based upon G.P.S. observations and referenced to the Illinois State Plane Coordinate System - East Zone Vertical Datum - NAD83
7. There was no evidence of any recent earth moving activity at the time of survey.
8. Utility Company Contacts:  
AT&T/DISTRIBUTION: 1-800-244-4444  
COMCAST: 1-800-534-6489  
COMED: 1-800-334-7661  
NICOR GAS: 1-800-642-6748  
FOX METRO WATER RECLAMATION DISTRICT: 1-630-301-6811  
CITY OF AURORA: 1-630-256-4636

## SURVEYOR'S CERTIFICATION:

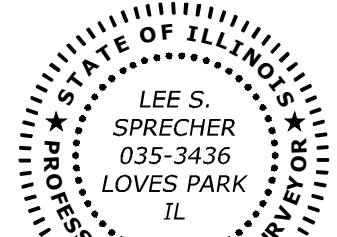
To Donat & Donat, P.C. agent for Chicago Title Insurance Company and Circle K Stores Inc.:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 3, 4, 5, 6a, 7b, 7b.1, 7c, 8, 11, 13, 15, 17 and 18 of Table A thereof. The fieldwork was completed on April 10, 2020.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Lee S. Sprecher  
Illinois Professional Land Surveyor No. 3436  
Arc Design Resources, Inc.  
5291 Zenith Parkway  
Loves Park, IL 61111  
(815) 484-4300

My current license expires \_\_\_\_\_



SHEET 2 of 2

ARC 17195  
Rev. 09/18/2020