



**PLAN COMMISSION AGENDA
NORTH AURORA VILLAGE HALL (25 E. STATE ST.)
TUESDAY, JULY 5, 2011
7:00 PM**

1. ROLL CALL

2. APPROVAL OF MINUTES – June 21, 2011

3. PUBLIC HEARINGS

- a. 11-004: ComEd Right-of-Way-east side of IL Route 25- Rezoning from R-2 Single Family and ER Estate Rural Districts to I-2 General Industrial District (after annexation) and a Special Use to permit underground mining operations (ComEd and Lafarge Aggregates Illinois, Inc.)

4. NEW BUSINESS

- a. 11-004: ComEd Right-of-Way-east side of IL Route 25- Rezoning from R-2 Single Family and ER Estate Rural Districts to I-2 General Industrial District (after annexation) and a Special Use to permit underground mining operations (ComEd and Lafarge Aggregates Illinois, Inc.)

5. OLD BUSINESS

- a. Zoning Ordinance Revision Review (Chapters 6-10)

6. PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES

- a. 199 Poplar Place Special Use, Moose Lake Unit 3 Plat of Vacation.

7. ADJOURNMENT

6/29/2011

SB Initials

**VILLAGE OF NORTH AURORA
PLAN COMMISSION/ZONING COMMISSION MINUTES
TUESDAY, JUNE 21, 2011**

CALL TO ORDER

Chairman Brackett called the meeting to order.

ROLL CALL

In attendance: Chairman Mike Brackett, Commissioners Andrea Rattray, Mark Rivecco, Tom Lenkart, , Connie Holbrook, Ed Sweeney, Mark Carroll.

Staff in attendance: Community Development Director Scott Buening, Village Administrator Wes Kornowske, Pete Iosue.

Absent: Jennifer Duncan

APPROVAL OF MINUTES

Approval of Minutes – June 7, 2011

Motion for approval made by Commissioner Lenkart_ and seconded by Commissioner Rivecco
All in favor. **Motion approved.**

PUBLIC HEARINGS - None.

Scott introduced Wes Kornowske, Village Administrator.

NEW BUSINESS

Blackberry Creek/Conservation Foundation Presentation.

Tara Neff, with the Conservation Foundation, was in attendance to give a presentation on the Blackberry Creek watershed. She noted that they had developed a Watershed Plan about 10 years ago. With the western half of the Village in Blackberry Creek watershed, they developed design standards for properties in this area.

Ms. Neff provided an overview of the Blackberry Creek watershed and explained what that a watershed is all the land that water flows over and down into our rivers and streams. How we use land has an impact on our water quality. The Conservation Foundation provides management for water resource issues. Some issues facing our watershed are de-icing chlorides that gets into the waterways and never go away; stream bank erosion which results in losing valuable top soil, and increases silt and sedimentation into water; herbicides that, when applied to grass, 90% runs off into streams. Flooding occurs when you change land from a natural area to impervious area. She explained that this volume and amount of water has to be managed.

Ms. Neff noted that the Conservation Foundation is looking to create a partnership with the Village, park districts, forest preserve district, environmental groups and any other groups that need to be part of the process. Commissioner Rattray commented that we need to include the farmers in this group too because the most run off with fertilizers are from the farms. Tara agreed the farming community needs to be involved. A diverse group of people is needed in order to get feedback and recommendations for updating the plan.

Ms. Neff noted that the watershed plan is not legally binding, just simply a tool to help all the stake holders within the watershed. The IEPA requires nine elements with regard to a watershed plans. The plan is not only to determine the sources of contamination but also to develop practices to be used to reduce the load into our streams; and develop a schedule for a monitoring component as well as education and outreach.

Ms. Neff noted the foundation is asking everyone to complete their survey and ordinance review and she noted that North Aurora has already submitted their survey. Blackberry Creek watershed runs into the Fox River basin which is the 3rd largest tributary to the Illinois River and it offers many recreational opportunities, home to endangered species, high quality natural resources, and open space. When looking at the Fox River basin in those terms we need to realize that population growth leads to changing land use.

Ms. Neff discussed the source of contamination and noted that it is hard to determine if flooding causes more than day to day run-off, stating studies have been done that indicates it is not non-source point pollution. She noted there are different flow conditions, and said the main point when talking about floods, where water levels are elevated, is that the water has to go someplace.

Ms. Neff said they are looking to get the Blackberry Watershed Plan updated with and to get input from the Village with any identifying projects to be include in the watershed plan. She noted that a project included in the watershed plan gives it priority for funding; noting grants could be available for any water quality project or stabilization plan. Ms. Neff invited everyone to attend the next Blackberry Creek Watershed meeting that is being held on the 3rd Tuesday of every other month, noting the next meeting is tentatively set for July at the Village of Montgomery and noted this would be a good way to get projects included in the plan.

OLD BUSINESS

1. Lots 2 & 4 in Randall Commercial Center-Special Use for Assisted Care/Memory Care-Revocation Hearing Discussion. (Sorrentino) (Continued)

Scott Buening noted that the Plan Commission is looking at the Special Use for Lots 2 & 4 in Randall Commercial Center and whether or not to revoke the special use. Buening stated that a special use that has not had any activity after one year, can be revoked, however it does not have to be revoked. The question is whether the Plan Commission wants to look at revoking this special use. The Developer, Mark Sorrentino, is here to explain why he has not fulfilled his requirements of his special use.

Mr. Sorrentino gave some background information on the plan that was first approved and noted that they have made some modifications to actually downsize the project to 60 assisted living units and 24 memory care units with opportunity to extend the existing living units or add a medical use. Further, he noted that they had re-laid out the parking lot. He noted the need for senior living and explained the difference between assisted living and dependent living. He feels this is a need driven project, and he said he would own and operate the facility.

The Plan Commission had some concerns about the level of care and location of people who needed assisted living versus the people who would be in the memory care part of the facility. Buening noted that it was his understanding that the buildings would be connected, however the residents would not be able to go back and forth, and the buildings would house them separately.

Commissioner Brackett asked Sorrentino what was different tonight than it was six months ago and why should the Plan Commission agree to not revoke this special use. He asked if there was timing issue and noted that if the Plan Commission continued to allow his special use to drag on they would have to do it for everyone.

Commissioner Rattray asked Sorrentino how long the equipment was going to sit on the empty lot. She was concerned that there does not appear to be any proper soil erosion control and that dirt and mud has washed into the street on numerous occasions. Her concern is that Sorrentino lots aren't being maintained.

Commissioner Brackett asked Sorrentino if the project was going to happen and what reason is there to leave the special use in place. Sorrentino stated that he is seeking financing and explained that because this was a 25 million dollar project, funding has been difficult to obtain. Sorrentino noted this was a private facility Medicare he is not aware of any grants available to him. The FDA program could be another option for funding. He said that he is starting to see some projects getting funded and stated that they are actively continuing to move forward. The Plan Commission needs to know if Sorrentino has an interest in completing this project. It was noted that if the special use was revoked, he would have to go through the entire process again.

Commissioner Brackett stated that the Village needs to know that Sorrentino is pursuing the project. He asked Sorrentino for a time frame as to when he expects to get financing. Brackett added that it was understood that he is vested in the community, but we can't keep extending the special use indefinitely.

(The Plan Commission meeting was interrupted by the tornado siren at about 8:00 p.m. The meeting recessed while all attendees went to the basement.)

The meeting was reconvened at 8:45 and discussion on the Sorrentino Special Use continued. The Plan Commission agreed to continue further discussion of this matter for six months.

2. Zoning Ordinance Revision Review, Chapters 5-10. (No additional documents provided)
No Discussion

PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES

Updates: **199 Poplar Used Car Special Use, Moose Lake 3 Plat of Vacation**
None – meeting adjourned

ADJOURNMENT

Motion to Adjourn

All in Favor

Meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

Cindy Torracco
Deputy Clerk

**STAFF REPORT TO THE NORTH AURORA PLANNING COMMISSION
FROM SCOTT BUENING, COMMUNITY DEVELOPMENT DIRECTOR**

GENERAL CASEFILE INFORMATION

Meeting Date: July 5, 2011

Petition Number: 11-004

Petitioner: ComEd/Lafarge Aggregates Illinois, Inc.

Request(s): 1. Map Amendment from R-2 and ER to I-2 General Industrial District (after annexation)
2. Special Use for underground mining in an I-2 General Industrial District

Location: ComEd Right-of-Way east of IL Route 25

Parcel Number(s): 15-03-326-006, 15-03-302-009, 15-03-302-004

Size: Irregular, 180-220 feet wide, 2,000 feet+ east-west, 2,000 feet+ north-south, (20.27 acres)

Street Frontage: 141 feet on IL Route 25, 810 feet on Feltes Lane

Current Zoning: R-2 Single Family Residence District (previously annexed parcel), B-3 Business District and F Farming District in unincorporated Kane County.

Contiguous Zoning: North and South: I-2 General Industrial District; ORI Office Research Industrial District and R-1 Single Family Residential District; West: I-2 General Industrial District and R-2 Single Family Residential District; Northeast: R-2 PUD (Chesterfield Subdivision).

Contiguous Land Use: Industrial Uses to the north and south, Industrial and Single Family Uses to the east, northeast, and west.

Comprehensive Plan Designation: Retail, Office, Light Industry and Utilities.

Exhibits: Public Notice, Map Amendment Petition, Special Use Petition, Lafarge Annexation Agreement & exhibits, Memorandum of Lease, Plat of Annexation, Area Map.

CHARACTER OF THE AREA

The subject property is the ComEd Right-of-Way (CEROW) located east of IL Route 25, and north of I-88. Surface improvements include the large transmission power lines and towers. The surface of the property closest to IL 25 is also being used as a staging area for landscape contractors working for ComEd (Asplundh).

DEVELOPMENT PROPOSAL

Lafarge Aggregates Illinois, Inc. (LAI) is the applicant for the subject proposal. Their request is to annex the unincorporated parts of the CEROW, rezone them to the I-2 General Industrial District, and to receive a Special Use for expansion of their underground mining operation. LAI currently mines the adjacent property and would like to expand their operation into this property. All of the mining operation would be underground, and there would be no evidence of the operation of the surface of the CEROW.

HISTORY

The applicant received approval from the Village in April of this year to expand their mining operation onto several parcels they own that were not included in their original special use. They also were granted the ability to encroach into a 65 foot setback established by the original approvals. LAI signed an agreement with ComEd to mine under the surface of the CEROW in February 2009. However, prior to being able to mine in this area, certain zoning approvals are necessary.

Since the property is unincorporated, the property needs to be annexed to the Village and the property needs to be rezoned and granted a special use for the mining. The Village is in the process of negotiating an annexation agreement for this property. The agreement will contain similar terms and conditions as the amended agreement with Lafarge on their adjacent property.

The applicant will be present for the meeting, and will have experts available to answer any questions about the operation or the vibration that will be caused by the blasting required for the use.

COMPREHENSIVE PLAN

The Village of North Aurora Comprehensive Plan designates the subject property as Retail, Office and Light Industry and Utilities. The mining operation would not be inconsistent with these categories of land uses as they are the same as the adjacent Lafarge quarry and Geneva Construction sites.

ZONING ORDINANCE

REZONING FROM R-2 and ER to I-2.

The zoning ordinance requires that the Plan Commission base its findings on the following criteria:

1. That there is currently an error in the existing zoning district which proposed amendment will correct;

There is no error in the zoning districts, but the western part of the property being zoned R-2 is

not consistent with the current use of the property as a utility right-of-way. The annexation would put the property in a default ER District. While this is not an "error", it automatically creates a non-conforming situation for the existing use of the property. The rezoning would correct this on both parcels.

2. That there are changed conditions in the applicable area of the amendment, or in the Village generally, that make the proposed amendment reasonably necessary to the promotion of the public health, safety, or general welfare;

Conditions have changed with the use of the land over the past decades, as well as the recent rezoning and special use on the adjacent Lafarge property. The trend of land use is towards industrial uses.

3. Existing uses of property within the general area of the property in question;

Existing uses north and south of the property are industrial in nature. The uses of this property for similar purposes would be consistent.

4. The zoning classification of property within the general area of the property in question;

As residential zoning, this property would be inconsistent with the majority of the parcels that are adjacent. Rezoning to an I-2 District would create a continuous industrial district.

5. The suitability of the property in question to the uses permitted under the existing zoning changes if any, which have taken place in its present zoning classification;

As an underground mining operation, this use would be suitable to the property in question. In addition, the existence of the large overhead power lines and towers already is industrial in nature.

SPECIAL USE FOR MINING OPERATION

Section 17.20.090 of the North Aurora Zoning Ordinance sets forth the following criteria for the Plan Commission to consider when evaluating a special use:

1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

The proposed expansion of the mining operation should not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. Based on testimony from the previous expansion, it is anticipated that some vibration will be felt from the blasting operations. However, the vibration is not expected to be in violation of the vibration limits and will not cause property damage as set forth in the amended annexation agreement.

2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

As stated above, it is not anticipated that blasting will cause excessive vibration effects on nearby properties. Since the entire operation will be underground, it should not have a negative effect on property values.

3. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

The property in the area is already developed and the operation will be entirely underground. Thus there should be no effect on development in the surrounding area.

4. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variation with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood;

Proposed expansion of mining operations will be conducted underground. No buildings will be constructed for this expansion.

5. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;

The expansion of the mining operation will utilize existing roads and facilities and will not require additional utilities above and beyond current usage.

6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;

The proposed expansion will not alter existing ingress/egress to the site or result in additional congestion on local streets.

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board of Trustees pursuant to the recommendations of the Board of Appeals and/or Plan Commission.

Any approved expansion of property for use in the mining operation should comply with all other Village regulations and any proposed annexation agreement and special use.

PUBLIC RESPONSE

We have received several calls from residents expressing concern about the proposed rezoning and special use and how it will affect their property. Callers have been concerned about increased vibration, activity and the expansion of the use towards the adjacent subdivision.

RECOMMENDATION

The proposed request for rezoning is appropriate as it would be consistent with adjacent industrial zoning districts and the comprehensive plan.

The proposed special use would be compatible with the special use that permitted the expansion of the quarry to the south and west of this property. The use would cause the mining operation and blasting to come closer to existing residences by 180-220 feet. This would not be a definitive distance, however, because the mining operation would also be a minimum of 160 feet under the existing surface. If approved, the operation should meet the requirements of the recently approved annexation agreement for vibration limits and performance standards. In any event the approval would only be for underground mining.

Staff would recommend approval provided that the applicant meets all the requirements contained in the revised annexation agreement for the adjacent Conco property. In no circumstances should the mining operation cross the northern/eastern ComEd property line.

If the Plan Commission agrees with this report, we recommend that it be adopted as preliminary Findings of Fact.

PUBLIC HEARING NOTICE

**ZONING MAP AMENDMENTS AND SPECIAL USE AMENDMENT FOR
UNDERGROUND QUARRY OPERATIONS AT
THE COM ED RIGHT OF WAY ON IL ROUTE 25
VILLAGE OF NORTH AURORA, ILLINOIS**

PLEASE BE NOTIFIED of a hearing before the North Aurora Plan Commission on Tuesday, July 5, 2011, at 7:00 p.m. at the North Aurora Village Board Meeting Room, 25 E. State Street, North Aurora, Illinois. The applicant requests the following:

1. Rezoning from ER Estate Rural District and R-1 Single Family Residence District to I-2 General Industrial District (after annexation).
2. Granting of a Special Use to permit underground mining activities, pursuant to Section 17.20.090 and 17.40.030.D.9 of the North Aurora Zoning Ordinance, and continuing the utility uses at or near the surface of the property.
3. Other potential zoning or special uses changes as deemed appropriate.

The property is legally described in Exhibit "A" and is commonly known as the ComEd right-of-way at 141 S. River Road (IL Route 25), North Aurora, Kane County, Illinois.

Said application has been filed by Lafarge Aggregates Illinois, Inc. on behalf of ComEd. The application for Rezoning and Special Use with documentation is on file at the office of the North Aurora Community Development Department and is available for public inspection. Public comments will be taken at the public hearing. Further information is available by contacting the Community Development Department at 630-897-1457.

Dated this 6th day of June, 2011

/s/ Scott Buening
Community Development Director

EXHIBIT "A"

LEGAL DESCRIPTION OF THE COMMONWEALTH EDISON PARCEL

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF LOTS 6 AND 7 IN BLOCK 1 OF JACOB DICKES ADDITION TO NORTH AURORA DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH $89^{\circ} 45'$ WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER 220 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER 2352.97 FEET; THENCE SOUTH $87^{\circ} 45'$ WEST ALONG A LINE WHICH IF EXTENDED WOULD INTERSECT THE EASTERLY LINE OF LOT 8 IN BLOCK 1 OF SAID JACOB DICKES ADDITION TO NORTH AURORA AT A POINT 10.7 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID LOT 8, 2129.61 FEET TO A POINT 194.09 FEET EASTERLY OF THE POINT ON THE EASTERLY LINE OF LOT 8 AFORESAID; THENCE NORTHERLY 20.9 FEET ALONG A LINE MAKING AN ANGLE OF $89^{\circ} 11'$ MEASURED FROM EAST TO NORTH, WITH THE LAST DESCRIBED COURSE, THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 350.94 FEET TO THE EASTERLY LINE OF THE WESTERLY 5 FEET OF SAID LOT 6, BEING THE EASTERLY LINE OF STATE HIGHWAY NO. 25; THENCE NORTH $16^{\circ} 24'$ WEST ALONG SAID EASTERLY LINE 47.35 FEET TO THE NORTHERLY LINE OF SAID LOT 6; THENCE EASTERLY ALONG SAID NORTHERLY LINE 145.3 FEET TO THE NORTHEAST CORNER OF SAID LOT 6, THENCE NORTH $16^{\circ} 24'$ WEST ALONG THE EASTERLY LINE OF SAID BLOCK 1, 94.95 FEET TO A POINT 5.05 FEET SOUTHERLY OF THE SOUTHEAST CORNER OF LOT 3 IN SAID BLOCK 1; THENCE EASTERLY 400 FEET ALONG A LINE MAKING AN ANGLE OF $75^{\circ} 02'$ MEASURED FROM SOUTH TO EAST WITH SAID EASTERLY LINE OF BLOCK 1; THENCE CONTINUING WESTERLY 1982.15 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER, 50.85 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG SAID EAST LINE 2539.70 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART WHICH LIES SOUTH OF A STRAIGHT LINE DRAWN FROM A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER, WHICH IS 314.64 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER TO A POINT ON A LINE 220.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER, WHICH IS 272.83 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER) IN THE VILLAGE OF NORTH AURORA AND TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

VILLAGE OF NORTH AURORA Board of Trustees 25 East State Street North Aurora, Illinois 60542	PETITION NO.: <u>11-004</u> FILE NAME: <u>ComEd Annexation</u> DATE STAMP: <u>5/25/2011</u>
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APPLICATION FOR MAP AMENDMENT

I. APPLICANT AND OWNER DATA

Name of Applicant* Lafarge Aggregates Illinois, Inc., an Illinois corporation, as mine operator of the Conco North Mine and on behalf of Lafarge North America, Inc., a Maryland corporation, Lessee of the Subject Property from Owner Commonwealth Edison Company, and the law firm of Dykema Gossett PLLC, as attorneys for Lafarge North America, Inc. ("Lafarge")

Address of Applicant 1300 S. IL Route 31, South Elgin, IL 60177

Telephone No. (847) 742-6060 Attn: John Fay

Name of Owner(s)* Commonwealth Edison Company ("ComEd")

Telephone No. (630) 437-2219

If applicant is other than owner, attach letter of authorization from Owner.

Title of record to the real estate was acquired by Owner on prior to 1950

II. ADDRESS, USE AND ZONING OF PROPERTY

Address of Property Utility ROW commencing South of 139 S. River Road, North Aurora, IL and generally north and east of the Conco North Mine
(indicate location if no common address)

Legal Description: Attached

Parcel Size Approximately 22 acres

Present Use Public utility & all utility uses, including high wire electrical
(business, manufacturing, residential, etc.)

Present Zoning District Part R-1/Village of N. Aurora and part farming – Kane County
(Zoning Ordinance Classification)

*In the event the applicant or Owner is a trustee of a land trust or a beneficiary or beneficiaries of a land trust, a statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be attached hereto. Such statement shall be verified by the trustee or by a beneficiary.

III. PROPOSED MAP AMENDMENT

Proposed Zoning District I-2, with Special Use (Zoning Ordinance Classification)

Has the present applicant previously sought to rezone the property or any part thereof? No

If so, when N/A

To what zoning district classification? N/A

What type of improvement to the Property is planned?

The Applicant will undertake underground mining of the Subject Property consistent with the 2011 Annexation Agreement between the Village and Lafarge. ComEd, as Owner, will continue all public utility and related utility uses at the surface of the Subject Property.

What will be the actual use of such improvement(s)? Underground mining and continuing above ground electrical utility use.

What are the existing uses of property within the general area of the Property in question?Commercial, industrial and residential.

IV. CHECKLIST FOR ATTACHMENTS

The following items are attached hereto and made a part hereof:

1. Legal Description (may be included in items 2 or 5 below).
2. Two (2) copies of an Illinois Land Surveyor's plat of survey showing the nearest dedicated east-west and north-south streets, the right-of-way width and the distance of each street from the property in question.
3. Twenty five (25) copies of a plot plan, 8 1/2" x 11" or 8 1/2" x 14" showing proposed construction, if any.
4. A written certified list containing the names of the registered owners, their mailing addresses and tax parcel numbers, of all properties adjoining the property for which the amendment is requested.
5. A copy of owner's title insurance policy commitment or deed for the subject property.
6. Filing fee in the amount of \$4,300.00; if paid by check make payable to the Village of North Aurora.
7. Letter of authorization from owner, if applicable.
- N/A 8. Disclosure of beneficiaries of land trust, if applicable.

The Applicant authorizes the Village of North Aurora representatives to enter on to the property to make inspection during the hearing process.

The Applicant is responsible for publishing a legal notice in the newspaper, sending certified mail notices to properties within 250 feet, and posting a sign on the property advertising the public hearing

These shall be in accordance with Village Ordinances at the times decided by the Village of North Aurora.

The undersigned hereby agrees to reimburse the Village for all costs of court reporter fees for attendance at and transcript of hearing(s) and other professional service fees for services rendered in connection with this application as defined in Appendix B of the North Aurora Zoning Ordinance. Such reimbursement shall be made promptly upon receipt of invoices from the Village, whether or not this application for special use is approved.

STATE OF ILLINOIS)
COUNTY OF Kane) ss

I (we) certify that all of the above statements and the statements contained in any documents submitted herewith are true to the best of my (our) knowledge and belief.

APPLICANT:

LAFARGE NORTH AMERICA, INC.,
a Maryland corporation, as Lessee
of the Conco North Mine

By: LAFARGE AGGREGATES ILLINOIS, INC.,
an Illinois corporation, as Mine Operator of
the Conco North Mine and Mine Operator of
the proposed mine on the Subject Property

By: Alan T. Fay
Its: LAND MANAGER

Subscribed and sworn to before me this 25 day of MAY, 2011.

Cynthia Torracco
Notary Public

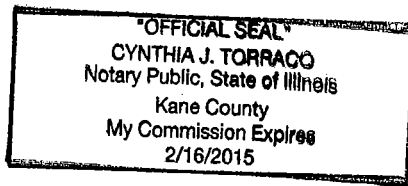


EXHIBIT "A"

LEGAL DESCRIPTION OF THE COMMONWEALTH EDISON PARCEL
APPLICATION FOR MAP AMENDMENT AND APPLICATION FOR SPECIAL USE

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF LOTS 6 AND 7 IN BLOCK 1 OF JACOB DICKES ADDITION TO NORTH AURORA DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH $89^{\circ} 45'$ WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER 220 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER 2352.97 FEET; THENCE SOUTH $87^{\circ} 45'$ WEST ALONG A LINE WHICH IF EXTENDED WOULD INTERSECT THE EASTERLY LINE OF LOT 8 IN BLOCK 1 OF SAID JACOB DICKES ADDITION TO NORTH AURORA AT A POINT 10.7 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID LOT 8, 2129.61 FEET TO A POINT 194.09 FEET EASTERLY OF THE POINT ON THE EASTERLY LINE OF LOT 8 AFORESAID; THENCE NORTHERLY 20.9 FEET ALONG A LINE MAKING AN ANGLE OF $89^{\circ} 11'$ MEASURED FROM EAST TO NORTH, WITH THE LAST DESCRIBED COURSE, THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 350.94 FEET TO THE EASTERLY LINE OF THE WESTERLY 5 FEET OF SAID LOT 6, BEING THE EASTERLY LINE OF STATE HIGHWAY NO. 25; THENCE NORTH $16^{\circ} 24'$ WEST ALONG SAID EASTERLY LINE 47.35 FEET TO THE NORTHERLY LINE OF SAID LOT 6; THENCE EASTERLY ALONG SAID NORTHERLY LINE 145.3 FEET TO THE NORTHEAST CORNER OF SAID LOT 6, THENCE NORTH $16^{\circ} 24'$ WEST ALONG THE EASTERLY LINE OF SAID BLOCK 1, 94.95 FEET TO A POINT 5.05 FEET SOUTHERLY OF THE SOUTHEAST CORNER OF LOT 3 IN SAID BLOCK 1; THENCE EASTERLY 400 FEET ALONG A LINE MAKING AN ANGLE OF $75^{\circ} 02'$ MEASURED FROM SOUTH TO EAST WITH SAID EASTERLY LINE OF BLOCK 1; THENCE CONTINUING WESTERLY 1982.15 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER, 50.85 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG SAID EAST LINE 2539.70 FEET TO THE POINT OF BEGINNING, IN THE VILLAGE OF NORTH AURORA AND TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

PARCEL NO. 15-03-326-006

Appendix G-2

VILLAGE OF NORTH AURORA Board of Trustees 25 East State Street North Aurora, Illinois 60542	FILE NAME: <u>Com Ed Annexation 11-Only</u> DATE STAMP: <u>5/25/2011</u>
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APPLICATION FOR SPECIAL USE

I. APPLICANT AND OWNER DATA

Name of Applicant* Lafarge Aggregates Illinois, Inc., an Illinois corporation, as mine operator of the Conco North Mine and on behalf of Lafarge North America, Inc., a Maryland corporation, Lessee of the Subject Property, and the law firm of Dykema Gossett PLLC, as attorneys for Lafarge North America, Inc. ("Lafarge"), as authorized agent for Lafarge Aggregates Illinois, Inc.

Address of Applicant 1300 S. IL Route 31, South Elgin, IL 60177

Telephone No. (847) 742-6060 Attn: John Fay

Name of Owner(s)* Commonwealth Edison Company ("ComEd")

Telephone No. _____

If applicant is other than owner, attach letter of authorization from Owner.

Title of record to the real estate was acquired by Owner on prior to 1950

II. ADDRESS, USE AND ZONING OF PROPERTY

Address of Property South of 139 S. River Road, North Aurora, IL

(indicate location if no common address)

Legal Description: Attached

Parcel Size Approximately 22 acres

Present Use ... Utility/high wire electrical

(business, manufacturing, residential, etc.)

Present Zoning District Farming – Kane County

(Zoning Ordinance Classification)

*In the event the applicant or Owner is a trustee of a land trust or a beneficiary or beneficiaries of a land trust, a statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be attached hereto. Such statement shall be verified by the trustee or by a beneficiary.

III. PROPOSED SPECIAL USE

Proposed Special Use Underground mining consistent with the 2011 Annexation Agreement between the Village and Lafarge for the Conco North Mine and continuing utility use at the surface. I-2 with Special Use

(Zoning Ordinance Classification)

Has the present applicant previously sought to rezone the property or any part thereof? No

If so, when? N/A / _____ / _____; to what district?

Describe briefly the type of use and improvement proposed.

The Applicant will undertake underground mining of the Subject Property consistent with the 2011 Annexation Agreement between the Village and Lafarge; and ComEd, as Owner, will continue all public utility and related utility uses at surface of the Subject Property.

.....

What are the existing uses of property within the general area of the Property in question?Commercial, industrial and residential._____

.....

To the best of your knowledge, can you affirm that there is a need for the special use at the particular location? (Explain)

The Applicant is in need of extending its mining operation to meet required IDOT specifications in order to fulfill customer demands. The 2011 Annexation Agreement provides detailed performance standards established to protect adjacent properties. The Applicant intends to extend these standards under the Annexation Agreement proposed for the Subject Property.

Attach hereto is a statement with supporting data that the proposed special use will conform to the following standards:

RESPONSES TO SPECIAL USE STANDARDS

- A. That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

Response: The proposed Annexation Agreement and requested Special Use will not alter the longstanding operational characteristics of the adjacent mining operations and aggregate stone processing taking place next to the Subject Property. The underground mining operations shall conform to all of the performance standards of the proposed Annexation Agreement. The mining of the Subject Property is essential to meet customer demands in order to comply with IDOT specifications for certain road materials. With the continued application of and compliance with the performance standards under the 2011 Annexation Agreement of the adjacent Conco North Mine and the proposed Annexation Agreement the requested mining will have no detrimental impact on, nor endanger, the public health, safety, comfort or general welfare.

- B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish or impair property values within the neighborhood.

Response: The performance standards under the Special Use are consistent with the 2011 Annexation Agreement for the Conco North Mine and will continue to govern the underground mining operations within the Subject Property pertaining to blasting, vibration, noise, safety and hours of operation, will continue in effect without modification under the proposed Annexation Agreement; and will protect the use and enjoyment of other property in the vicinity and the value thereof. The requested Special Use will not alter this protection.

- C. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Response: The adjacent properties are already developed with commercial, industrial and residential uses and have been in use next to the Conco North Mine for many years. As a result, the requested Special Use will not impact, alter or impede the orderly development of the surrounding area. All mining activities within the area of the Subject Property are being conducted at levels more than two hundred feet below the surface of the Subject Property.

- D. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.

Response: This standard is not applicable to this application, as the public utility uses/high wires are already in place and the mining is all subterranean.

E. That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.

Response: The Conco North Mine and the Subject Property have been and will continue to be served by public utilities, access roads and drainage through the Conco North Mine property. The requested Special Use will not alter or increase the demand for those services.

F. That adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in public streets.

Response: The existing access infrastructure will remain unchanged and no additional demands thereon will be generated as a result of the requested Special Use.

G. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board of Trustees pursuant to the recommendations of the Board of Appeals and/or Plan Commission.

Response: In all other respects, the Applicant will continue to operate under the 2011 Annexation Agreement with respect to the Conco North Mine and under the proposed Annexation Agreement with respect to the operation of the Subject Property pursuant to the Special Use and consistent with and in compliance with all standards and regulations applicable thereto.

IV. CHECKLIST FOR ATTACHMENTS

The following items are attached hereto and made a part hereof:

- _____ 1. Legal Description (may be included in items 2 or 6 below).
- _____ 2. Two (2) copies of an Illinois Land Surveyor's plat of survey showing the nearest dedicated east-west and north-south streets, the right-of-way width and the distance of each street from the property in question.
- _____ 3. One (1) copy of a plot plan, 8 1/2" x 11" or 8 1/2" x 14", showing existing and proposed structures and parking areas.
- _____ 4. A written certified list containing the names of the registered Owners, their mailing addresses and tax parcel numbers, of all properties adjoining the property for which the special use is requested.
- _____ 5. Statement and supporting data regarding standards for special uses.
- _____ 6. Copy of owner's title insurance policy for the subject property.
- _____ 7. Filing fee in the amount of \$300.00 and notification sign fee in the amount of \$50.00 per sign; if paid by check, make payable to the Village of North Aurora.
- _____ 8. Letter of authorization from owner, if applicable.
- _____ N/A 9. Disclosure of beneficiaries of land trust, if applicable.

The undersigned hereby authorizes the Village of North Aurora or its agent to install a sign or signs upon the Property, at such location(s) selected by the Zoning Administrator. Such sign(s) shall be maintained on the Property in accordance with Section 6.9-5 of the North Aurora Zoning Ordinance.

The undersigned hereby agrees to reimburse the Village for all costs of publication of legal notices, certified mailing, court reporter fees for attendance at and transcript of hearing(s), and other professional service fees for services rendered in connection with this application, as defined in Appendix B of the North Aurora Zoning Ordinance. Such reimbursement shall be made promptly upon receipt of invoices from the Village, whether or not this application for special use is approved.

EXHIBIT "A"

LEGAL DESCRIPTION OF THE COMMONWEALTH EDISON PARCEL
APPLICATION FOR MAP AMENDMENT AND APPLICATION FOR SPECIAL USE

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF LOTS 6 AND 7 IN BLOCK 1 OF JACOB DICKES ADDITION TO NORTH AURORA DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89° 45' WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER 220 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER 2352.97 FEET; THENCE SOUTH 87° 45' WEST ALONG A LINE WHICH IF EXTENDED WOULD INTERSECT THE EASTERLY LINE OF LOT 8 IN BLOCK 1 OF SAID JACOB DICKES ADDITION TO NORTH AURORA AT A POINT 10.7 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID LOT 8, 2129.61 FEET TO A POINT 194.09 FEET EASTERLY OF THE POINT ON THE EASTERLY LINE OF LOT 8 AFORESAID; THENCE NORTHERLY 20.9 FEET ALONG A LINE MAKING AN ANGLE OF 89° 11' MEASURED FROM EAST TO NORTH, WITH THE LAST DESCRIBED COURSE, THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 350.94 FEET TO THE EASTERLY LINE OF THE WESTERLY 5 FEET OF SAID LOT 6, BEING THE EASTERLY LINE OF STATE HIGHWAY NO. 25; THENCE NORTH 16° 24' WEST ALONG SAID EASTERLY LINE 47.35 FEET TO THE NORTHERLY LINE OF SAID LOT 6; THENCE EASTERLY ALONG SAID NORTHERLY LINE 145.3 FEET TO THE NORTHEAST CORNER OF SAID LOT 6, THENCE NORTH 16° 24' WEST ALONG THE EASTERLY LINE OF SAID BLOCK 1, 94.95 FEET TO A POINT 5.05 FEET SOUTHERLY OF THE SOUTHEAST CORNER OF LOT 3 IN SAID BLOCK 1; THENCE EASTERLY 400 FEET ALONG A LINE MAKING AN ANGLE OF 75° 02' MEASURED FROM SOUTH TO EAST WITH SAID EASTERLY LINE OF BLOCK 1; THENCE CONTINUING WESTERLY 1982.15 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER, 50.85 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG SAID EAST LINE 2539.70 FEET TO THE POINT OF BEGINNING, IN THE VILLAGE OF NORTH AURORA AND TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

PARCEL NO. 15-03-326-006



2009K076655

Prepared by and after
recording return to:
Bell, Boyd & Lloyd LLP *pd*
Attn: Gregory R. Andre
70 W. Madison St., Suite 3100
Chicago, Illinois 60602

SANDY WEGMAN
RECORDER - KANE COUNTY, IL

RECORDED: 12/14/2009 11:02 AM
RES. FEE: 23.00 R/SFEE: 10.00
PAGES: 8

Parcel Nos:
_____-0000
_____-0000
_____-0000

(Space Above Reserved For Recorder's Use Only)

MEMORANDUM OF LEASE AGREEMENT

THIS MEMORANDUM OF LEASE AGREEMENT ("Memorandum") is entered into as of this 7th day of August, 2008 by and between COMMONWEALTH EDISON COMPANY, an Illinois corporation ("Landlord"), and LAFARGE NORTH AMERICA INC., a Maryland corporation ("Tenant").

A. Landlord owns a parcel of land located in Kane County, Illinois consisting of approximately thirty and eight tenths (30.8) acres as depicted on Exhibit "A" attached hereto and made a part hereof and legally described on Exhibit "B" attached hereto and made a part hereof ("Landlord's Property"); and

B. Landlord and Tenant have entered into that certain Lease Agreement dated as of even date herewith with respect to a portion of the subsurface area that is one-hundred twenty (120) feet and deeper below the grade level of Landlord's Property (the "Premises") for underground limestone mining by Tenant, which lease is incorporated herein by this reference and made a part hereof as if set forth herein (the "Lease").

29-

NOW, THEREFORE, in consideration of One Dollar and other valuable considerations, Landlord and Tenant have executed this Memorandum and Tenant has recorded it with the Recorder of Deeds of Kane County, Illinois for purposes of providing public notice of the Lease as follows:

1. **Lease Term.** The term of the Lease commenced as of even date herewith (the "Effective Date") and expires upon the first to occur of: (i) all mineable dolomitic limestone having been extracted from the Premises or (ii) twenty-five (25) years after the Effective Date, subject to extension pursuant to two (2) separate and consecutive option(s) to renew the term for a period of twenty-five (25) years each for a total possible term of seventy-five (75) years, exclusive of a ninety (90) day closing requirement as set forth in the Lease, unless the Lease is sooner terminated pursuant to its terms.

2. **Public Notice.** All persons are hereby put on notice of the existence of the Lease and are referred to the Lease for all of its terms and conditions. Initially capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Lease.

3. **Lease Governs.** This Memorandum is entered into for recordation and public notice purposes only, and in no event shall it be deemed to supersede, modify or amend the Lease.

4. **Recitals.** Recital paragraphs A and B at the beginning of this Memorandum are incorporated herein by this reference and made a part hereof.

5. **Applicable Law.** This Memorandum shall be governed by and construed in accordance with the internal laws of the State of Illinois.

IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum as of the date first written above.

LANDLORD:

TENANT:

COMMONWEALTH EDISON COMPANY

LAFARGE NORTH AMERICA INC.

By: 

By: 

Name: CRAIG DIXON

Name: Nathan Creech

Title: SENIOR REAL ESTATE MGR

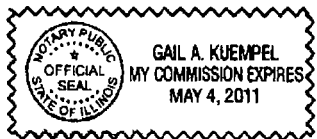
Title: Vice President

Unofficial

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS

I, the undersigned, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY that CRAIG DIXON as SENIOR ALM ESTATER of COMMONWEALTH EDISON COMPANY, an Illinois corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such corporate officer appeared before me this day in person and acknowledged that he/she signed and delivered said instrument as his/her own free and voluntary act and as the free and voluntary act of said corporation.

GIVEN under my hand and notarial seal this 27th day of August, 2008.



Gail A. Kuempel
Notary Public
My Commission Expires: MAY 4, 2011

STATE OF Illinois)
)
COUNTY OF Kane) SS

I, the undersigned, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY that Nathan Creech as Vice President of LAFARGE NORTH AMERICA INC., a Maryland corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such corporate officer appeared before me this day in person and acknowledged that he/she signed and delivered said instrument as his/her own free and voluntary act and as the free and voluntary act of said corporation.

GIVEN under my hand and notarial seal this 11th day of December, 2008.



Scott Plourde
Notary Public
My Commission Expires: September 19, 2012

Exhibit "A"
to
Memorandum

DEPICTION OF LANDLORD'S PROPERTY

Unofficial

Exhibit "B"
to
Memorandum

DESCRIPTION OF LANDLORD'S PROPERTY

Unofficial

PARCEL ONE:

description of
a real estate
with respect to
which this plat
is based.

That part of the Southwest quarter of Section 3, Township 38 North, Range 8 East of the Third Principal Meridian, and part of Lots 6 and 7 in Block 1 of Jacob Dickes Addition to North Aurora described as follows: Beginning at the Southeast corner of said Southwest quarter; thence North 89° 45' West along the South line of said Southwest quarter 220 feet; thence North parallel with the East line of said Southwest quarter 2352.97 feet; thence South 87° 45' West along a line which if extended would intersect the Easterly line of Lot 8 in Block 1 of said Jacob Dickes Addition to North Aurora at a point 10.7 feet Southerly of the Northeast corner of said Lot 8, 2129.61 feet to a point 194.09 feet Easterly of the point on the Easterly line of Lot 8 aforesaid; thence Northerly 20.9 feet along a line making an angle of 89° 11' measured from East to North, with the last described course, thence Westerly at right angles to the last described course 350.94 feet to the Easterly line of the Westerly 5 feet of said Lot 6, being the Easterly line of State Highway No. 25; thence North 16° 24' West along said Easterly line 47.35 feet to the Northerly line of said Lot 6; thence Easterly along said Northerly line 145.3 feet to the Northeast corner of said Lot 6, thence North 16° 24' West along the Easterly line of said Block 1, 94.95 feet to a point 5.05 feet Southerly of the Southeast corner of Lot 3 in said Block 1; thence Easterly 400 feet along a line making an angle of 75° 02' measured from South to East with said Easterly line of Block 1; thence continuing Easterly 1982.15 feet, to a point on the East line of said Southwest quarter, 50.85 feet South of the Northeast corner thereof; thence South along said East line 2539.70 feet to the point of beginning (excepting therefrom that part which lies South of a straight line drawn from a point on the East line of said Southwest quarter, which is 314.64 feet North of the Southeast corner of said Southwest quarter to a point on a line 220.00 feet West of and parallel with the East line of said Southwest quarter, which is 272.83 feet North of the South line of said Southwest quarter) in the Village of North Aurora and Township of Aurora, Kane County, Illinois.

EXHIBIT "B"

PARCEL TWO:

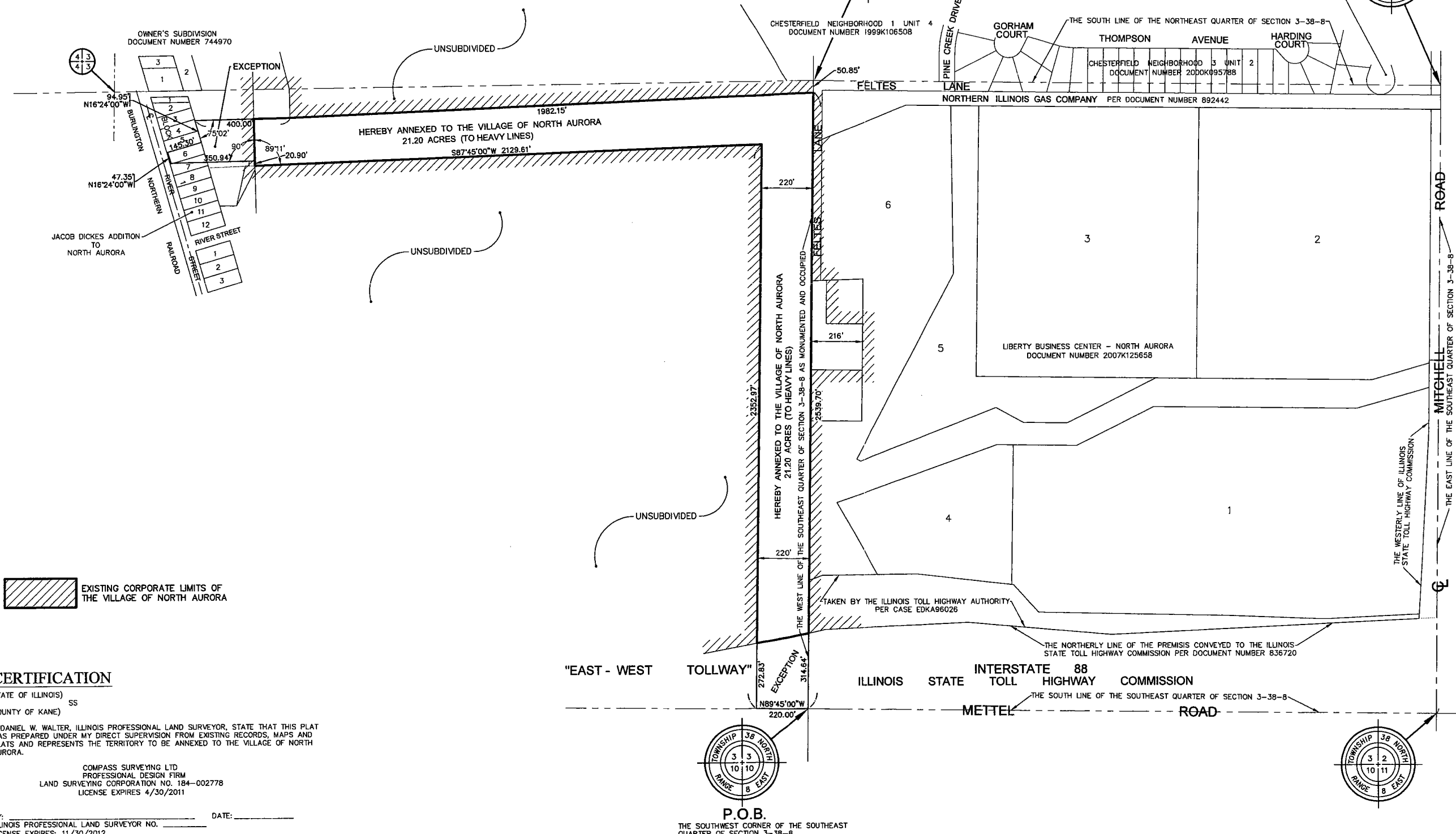
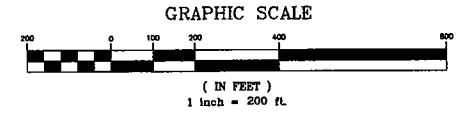
That part of the Northwest quarter of Section 10, Township 38 North, Range 8 East of the Third Principal Meridian described as follows: Beginning at the Northeast corner of said Northwest quarter; thence South 0° 34½' West along the East line of said Northwest quarter 1860.8 feet to a concrete monument in the Westerly line of the Commonwealth Edison Company right of way, as described in a deed dated October 23, 1958 and filed with the Recorder of Deeds of Kane County, Illinois, on November 20, 1958 as document 876099; thence Northwestwardly along said Westerly line a distance of 475.67 feet to a line which is 220.00 feet West of and parallel with said East line of the Northwest quarter; thence North 0° 34½' East, parallel with said East line of the Northwest quarter, a distance of 1437.85 feet to the North line of said Northwest quarter; thence South 89° 45' East along said North line 220.00 feet to the point of beginning, (excepting therefrom that part which lies North of the following described line: Beginning at a point on the East line of said Northwest quarter which is 249.77 feet South of the Northeast corner of said Northwest quarter and thence Northwestwardly a distance of 221.45 feet; thence Westwardly at a deflection angle of 15° 49' to the left a distance of 17.37 feet to a point on a line 220.00 feet West of and parallel with the East line of said Northwest quarter which is 156.66 feet South of the North line of said Northwest quarter) in the Township of Aurora, Kane County,

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF LOTS 6 AND 7 IN BLOCK 1 OF JACOB DICKES ADDITION TO NORTH AURORA DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 45 MINUTES WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 220 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER 2352.97 FEET; THENCE SOUTH 87 DEGREES 45 MINUTES WEST ALONG A LINE WHICH IF EXTENDED WOULD INTERSECT THE EASTERLY LINE OF LOT 8 IN BLOCK 1 OF SAID JACOB DICKES ADDITION TO NORTH AURORA AT A POINT 10.7 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID LOT 8, 2129.61 FEET TO A POINT 134.09 FEET EASTERLY OF THE POINT ON THE EASTERLY LINE OF LOT 8 AFORESAID; THENCE NORTHERLY 20.9 FEET ALONG A LINE MAKING AN ANGLE OF 89 DEGREES 11 MINUTES MEASURED FROM EAST TO NORTH, WITH THE LAST DESCRIBED COURSE, THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 350.94 FEET TO THE EASTERLY LINE OF THE WESTERLY 5 FEET OF SAID LOT 6, BEING THE EASTERLY LINE OF STATE HIGHWAY NO. 25; THENCE NORTH 16 DEGREES 24 MINUTES WEST ALONG SAID EASTERLY LINE 47.35 FEET TO THE NORTHERLY LINE OF SAID LOT 6; THENCE EASTERLY ALONG SAID NORTHERLY LINE 145.3 FEET TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE NORTH 16 DEGREES 24 MINUTES WEST ALONG THE EASTERLY LINE OF SAID BLOCK 1, 94.95 FEET TO A POINT 5.05 FEET SOUTHERLY OF THE SOUTHEAST CORNER OF LOT 3 IN SAID BLOCK 1; THENCE EASTERLY 400 FEET ALONG A LINE MAKING AN ANGLE OF 75 DEGREES 02 MINUTES MEASURED FROM SOUTH TO EAST WITH SAID EASTERLY LINE OF BLOCK 1; THENCE CONTINUING EASTERLY 1982.15 FEET, TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER, 50.85 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG SAID EAST LINE 2539.70 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART WHICH LIES SOUTH OF A STRAIGHT LINE DRAWN FROM A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER, WHICH IS 314.64 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER TO A POINT ON A LINE 220.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER, WHICH IS 272.83 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER) AND ALSO EXCEPT THAT PART PREVIOUSLY ANNEXED TO THE VILLAGE OF NORTH AURORA; IN THE VILLAGE OF NORTH AURORA AND TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

PLAT OF ANNEXATION

PART OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS



EXISTING CORPORATE LIMITS OF THE VILLAGE OF NORTH AURORA

CERTIFICATION

STATE OF ILLINOIS) SS
 COUNTY OF KANE)
 I, DANIEL W. WALTER, ILLINOIS PROFESSIONAL LAND SURVEYOR, STATE THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION FROM EXISTING RECORDS, MAPS AND PLATS AND REPRESENTS THE TERRITORY TO BE ANNEXED TO THE VILLAGE OF NORTH AURORA.

COMPASS SURVEYING LTD
 PROFESSIONAL DESIGN FIRM
 LAND SURVEYING CORPORATION NO. 184-002778
 LICENSE EXPIRES 4/30/2011

BY: _____ DATE: _____
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. _____
 LICENSE EXPIRES: 11/30/2012

NO.	DATE	BY	REVISIONS

PROJECT: COMMONWEALTH EDISON PARCEL
 CLIENT: DYKEMA GOSSETT
 4200 Commerce Street
 LaSalle, Illinois 60532

COMPASS SURVEYING LTD
 ALTA SURVEYS • TOPOGRAPHY • CONSTRUCTION STAKING
 2611 GINGER WOODS PARKWAY, STE. 100
 AURORA, IL 60502
 PHONE: (630) 820-9100 FAX: (630) 820-7000

ComEd North

Subject Property

Lafarge North America Inc.

ComEd East

