



**VILLAGE OF NORTH AURORA
KANE COUNTY, ILLINOIS**

ORDINANCE NO. 13-03-04-01

**ORDINANCE ANNEXING THE MANGO CREEK DEERPATH LLC PROPERTY LOCATED EAST
OF ORCHARD ROAD, WEST OF JEWEL MIDDLE SCHOOL AND NORTH OF OAK STREET
TO THE VILLAGE OF NORTH AURORA**

Adopted by the Board of Trustees
And Village President
of the Village of North Aurora
This 4th day of MARCH, 2013

Published in Pamphlet Form
By Authority of the Board of Trustees
of the Village of North Aurora
Kane County, Illinois
This 4th day of MARCH, 2013


Lori Murray, Village Clerk

THE VILLAGE OF NORTH AURORA

ORDINANCE NO. 13-03-04-01

BEING AN ORDINANCE ANNEXING
THE MANGO CREEK DEERPATH, L.L.C PROPERTY LOCATED
EAST OF ORCHARD ROAD, WEST OF JEWEL MIDDLE SCHOOL
AND NORTH OF OAK STREET
TO THE VILLAGE OF NORTH AURORA

WHEREAS, a Petition requesting annexation of certain property legally described in Exhibit "A" attached hereto and made a part hereof (hereinafter referred to as the "Property"), has been filed with the Village of North Aurora by the owner of that Property, Mango Creek Deerpath, L.L.C (referred herein as the "Owner"); and

WHEREAS, the Board of Trustees of the Village of North Aurora have previously approved an Annexation Agreement on January 17, 2011, by Ordinance No. 11-01-17-01, by and between the Village and the Owner, that has been executed and recorded (hereinafter "Annexation Agreement"); and

WHEREAS, the Board of Trustees finds that the Property is not in the Village of North Aurora or any other municipality, but is contiguous to the boundaries of the Village, and that annexation of the Property is in the best interests of the Village; and

WHEREAS, notice of the Village's intent to annex the Property has been mailed by Certified Mail, as required by law, to the Trustees of the Batavia Public Library, as certified in the Affidavit of Mailing attached hereto and incorporated herein by reference as Exhibit "B" as required by law; and

WHEREAS, an accurate map of the territory being annexed is attached hereto and incorporated herein by reference as Exhibit "C".

NOW, THEREFORE, BE IT ORDAINED, by the President and the Board of Trustees of the Village of North Aurora, Kane County, Illinois as follows:

1. The recitals set forth above are incorporated herein as the material findings of the President and the Board of Trustees.

THE VILLAGE OF NORTH AURORA

2. The Property legally described in Exhibit "A" is hereby annexed pursuant to the terms of the Annexation Agreement described above and recorded or to be recorded prior to the recording of this Ordinance annexing the Property.

3. The Village staff are hereby authorized and directed to record this Annexation Ordinance with the legal description, Affidavit of Mailing and an accurate map attached as Exhibits in the Kane County Recorder of Deeds Office, and to take any and all such further action as may be required as a matter of law to complete the annexation of the Property.

4. This Ordinance shall take immediate full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 4th day of MARCH, 2013, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 4th day of MARCH, 2013, A.D.

Laura Curtis

yes

Chris Faber

yes

Mark Gaffino

yes

Mark Guethle

yes

Ryan Lambert

yes

Vince Mancini

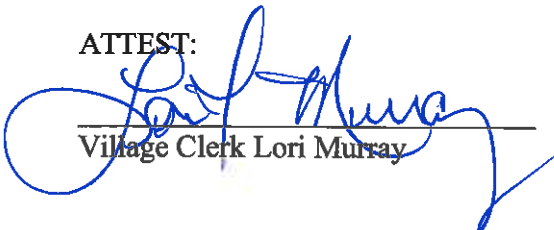
absent

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 4th day of MARCH, 2013, A.D.



Village President Dale Berman

ATTEST:


Village Clerk Lori Murray

VILLAGE OF NORTH AURORA

EXHIBIT A

THAT PART OF THE SOUTHWEST FRACTIONAL QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF ORCHARD CROSSING UNIT 1; THENCE SOUTHERLY, ALONG THE WEST LINE OF SAID UNIT 1 AND SAID WEST LINE EXTENDED, 1606.47 FEET TO THE SOUTH LINE OF SAID SOUTHWEST FRACTIONAL QUARTER; THENCE WESTERLY, AT AN ANGLE OF 94°40'36", MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, 1672.62 FEET TO THE EASTERLY RIGHT OF WAY LINE OF ORCHARD ROAD; THENCE NORTHEASTERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE, 2455.33 FEET, ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 3749.80 FEET, SAID ARC FORMING A CHORD THAT MEASURES 41°35'44" COUNTERCLOCKWISE FROM SAID SOUTH LINE AND MEASURES 2411.71 FEET TO THE POINT OF BEGINNING, CONTAINING 38.13 ACRES, ALL IN BATAVIA TOWNSHIP, KANE COUNTY, ILLINIOS.

PIN: 12-31-300-009-0000

Commonly known as: Vacant Land (Orchard Road Farm – East) Orchard Road, Kane County, Illinois

AFFIDAVIT OF MAILING

STATE OF ILLINOIS)
 ss.
 COUNTY OF KANE)

Michele M. Barker, being first duly sworn, deposes and states that on February 13, 2013, a copy of the *Public Notice Regarding Annexation, legal description, and map* were served on the following:

Randall E. Gibson, Trustee
 Batavia Township Library District
 1131 Newton Ct.
 Batavia, IL 60510

J. Thomas Von Lunen, Trustee
 Batavia Township Library District
 530 Windsor Lane
 Batavia, IL 60510

Maureen A. Jakubowski, Trustee
 Batavia Township Library District
 120 N. Jackson
 Batavia, IL 60510

Cara M. Schuster, Trustee
 Batavia Township Library District
 555 Carriage Dr.
 Batavia, IL 60510

Douglas S. Sullivan, Trustee
 Batavia Township Library District
 2003 Wagner Road
 Batavia, IL 60510

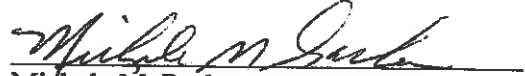
Virginia Babcock, Trustee
 Batavia Township Library District
 525 Carriage Drive
 Batavia, IL 60510

James F. Trefil, Trustee
 Batavia Township Library District
 601 Violet Lane
 Batavia, IL 60510

George Scheetz, Director
 Batavia Library District
 10 S. Batavia Ave.
 Batavia, IL 60510



by depositing a copy thereof, enclosed in an envelope, Certified Mail, Return Receipt Requested, in the United States Mail at Batavia, Illinois, proper postage prepaid, before the hour of 5:00 p.m., addressed as above.


Michele M. Barker

Subscribed and sworn to before me this
13th day of February, 2013


NOTARY PUBLIC



Kevin G. Drendel, Esq.
DRENDEL & JANSONS LAW GROUP
111 Flinn Street
Batavia, Illinois 60510
(630) 406-5440

7011 2000 0000 7826 7397

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Randall Gibson, Trustee
Bat Twp. Lib DIST.
1131 NEWTON CT -
Batavia IL 60510

2. Article Number

(Transfer from service label)

7011 2000 0000 7826 7397

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☒ Addressee

B. Received by (Printed Name)

Randall B. Gibson

C. Date of Delivery

2.15.13

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7011 2000 0000 7826 7403

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

J. Thomas Von Lünen, Trustee
Bat Twp. Lib Trustee
530 Windsor Ln
Batavia IL 60510

2. Article Number

(Transfer from service label)

7011 2000 0000 7826 7403

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☒ Addressee

B. Received by (Printed Name)

J. Thomas Von Lünen

C. Date of Delivery

2/14/13

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7011 2000 0000 7826 7410

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Maureen Jakubowski -
Trustee
Bat-Twp. Lib DIST.
120 N. JACKSON
Batavia, IL 60510

2. Article Number

(Transfer from service label)

7011 2000 0000 7826 7410

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☒ Addressee

B. Received by (Printed Name)

Maureen Jakubowski

C. Date of Delivery

2/15/13

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7011 2000 0000 7826 7434

U.S. Postal Service TM	
CERTIFIED MAILTM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To <i>Cara Schuster, Tree</i>	
Street, Apt. No., or PO Box No. <i>Lib DIS</i>	
City, State, ZIP+4	
PS Form 3800, August 2006 See Reverse for Instructions	

7011 2000 0000 7826 7441

U.S. Postal Service TM	
CERTIFIED MAILTM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To <i>Doug Sullivan - Justice</i>	
Street, Apt. No., or PO Box No. <i>Lib.</i>	
City, State, ZIP+4	
PS Form 3800, August 2006 See Reverse for Instructions	

7011 2000 0000 7826 7458

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		1. Signature <i>Virginia C. Babcock</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee 2. Received by (Printed Name) <i>Virginia C. Babcock</i> <input checked="" type="checkbox"/> Date of Delivery <i>2/11</i> 3. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:	
1. Article Addressed to: <i>VIRGINIA Babcock</i> <i>Batavia Twp Library</i> <i>525 Carriage Pl.</i> <i>Batavia 60510</i>		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

7011 2000 0000 7826 7458

7011 2000 0000 7826 7465

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James Trefil, Treasurer
Batavia Twp. Library
601 VIOLET LN.
Batavia 60510

2. Article Number

(Transfer from service label)

7011 2000 0000 7826 7465

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

James Trefil

☐ Agent☒ Addressee

B. Received by (Printed Name)

James Trefil

C. Date of Delivery

2/15/13

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☒ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7011 2000 0000 7826 7380

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Geo. Scheetz, Dir
Batavia Library DIST
10 S. Batavia Ave.
Batavia, IL 60510

2. Article Number

(Transfer from service label)

7011 2000 0000 7826 7380

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

James W. Moore

☐ Agent☒ Addressee

B. Received by (Printed Name)

L

C. Date of Delivery

2/14

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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