



#2011-25
BP - McDonalds
Project Review for Planning and Zoning Commission

Meeting Dates: June 15, 2011

Requests:

1. Rezoning from B-1V McHenry County to W PUD Watershed allowing the B-2 General Commercial bulk standards and uses, upon annexation.
2. Special Use Permits to allow a gas station and fast food restaurant with a drive-through.

Location: 7615 Route 176

Acreage: Approximately 1.358 acres

Existing Zoning: B-1V Neighborhood Business McHenry County

Requested Zoning: W PUD Watershed Planned Unit Development

Surrounding Properties:

| | |
|--------|----------------------------|
| North: | B-1 McHenry County |
| South: | B-2 PUD General Commercial |
| East: | W PUD Watershed |
| West: | B-1 McHenry County |

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

The subject property is currently zoned B-1 V Neighborhood Business under McHenry County's jurisdiction. The petitioners desire to annex the property into the City and rezone the site to W Watershed with a PUD overlay. The site is currently developed with a gas station, convenience store and McDonalds with a drive-through. This property is within the City's Watershed boundary. The desire is to annex to be able to connect to City utilities. The petitioners need Special Use Permits for the gas station and the drive-through.

Land Use Analysis:

The site is currently developed with one free-standing building which is the convenience store and McDonalds Restaurant. There are four gas pump islands under a canopy. There are entrances on both Route 176 and Route 14. There is an existing free-standing sign at the corner of Routes 176 and 14. The majority of the site is impervious. Through the annexation, the site and all existing structures would be accepted as is. The petitioners are requesting W PUD zoning and will be subject to the Watershed provisions with any redevelopment plans or expansion of the use. Any new development would need to meet the Crystal Lake Watershed Stormwater Management Design Manual. As is typical with annexations, the property would be accepted 'as is' with existing setbacks and site improvements. Any redevelopment of the property would be required to meet the City Ordinances in effect at the time of the improvement.

Exhibit A illustrates the buildings, the parking and site circulation and other existing conditions. Exhibit B illustrates the existing free-standing sign. Per the annexation agreement, if the sign is replaced by the owner or the property is sold, then the sign will need to be replaced with a sign that meets the UDO requirements. The main building is setback 44 feet from Route 176 and 110 feet from Route 14. Typical setbacks along Route 176 and Route 14 are 40 feet, though these increase to 80 feet on Route 176 west of Route 14 and on Route 14 north of Route 176. The gas station pump canopy is located 30 feet from Route 176 and 20 feet from Route 14. The sign is located 10 feet from the intersection right-of-way. This site exceeds the maximum 65% impervious site coverage typically allowed in B-2 zoning

Findings of fact:

Rezoning

The property is currently zoned B-1 in McHenry County. Property annexed into the City of Crystal Lake comes in as E, Estate zoning. The property will be rezoned to W Watershed PUD since the property is within the Crystal Lake watershed boundary. The property is currently developed with uses typically found within the B-2 zoning district. In addition, the surrounding properties are zoned B-1 in the County and B-2 in the City. Although the property will be zoned W, uses and bulk requirements will be permitted as found in the B-2 zoning district. Since the property has a PUD overlay, changes to the site would require amendment to the PUD approval.

Criteria for Rezoning

- (a) The existing uses and zoning of nearby property.
- (b) The extent to which property values are diminished by a particular zoning classification or restriction.
- (c) The extent to which the destruction of property value of a petitioner property owner promotes the health, safety, morals or general welfare of the public.
- (d) The relative gain to the public as opposed to the hardship imposed on a petitioning property owner.
- (e) The suitability of the subject property for its zoned purposes.
- (f) The length of time the property has been vacant as zoned, considered in the context of land development in the area.
- (g) The Comprehensive Plan designation and the current applicability of that designation.
- (h) The evidence or lack of evidence, of community need for the use proposed.

Special Use Permit

Gas Stations are allowed through a Special Use Permit. Drive-through fast food restaurants are permitted as a Limited Use, but since this drive-through exists it cannot meet the City established criteria in the Unified Development Ordinance, so becomes a Special Use. Article 2 Section 2-400 B of the Unified Development Ordinance establishes general standards for all Special Uses in Crystal Lake. The criteria are as follows:

1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.
 Meets *Does not meet*

2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.
 Meets *Does not meet*

3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and flood plain regulations, Building and Fire Codes and all other applicable City Ordinances.
 Meets *Does not meet*

4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.
 Meets *Does not meet*

5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.
 Meets *Does not meet*

6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.
 Meets *Does not meet*

7. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.
 Meets *Does not meet*

8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.
 Meets *Does not meet*

9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use.

Meets *Does not meet*

10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.

Meets *Does not meet*

Recommended Conditions:

A motion to recommend approval of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Donald Hemmesch, Jr., received 04/26/11).
 - B. Plat of Annexation (Cemcon, Ltd., dated 4-18-11, received 04/26/11)
 - C. Plat of Survey (Cemcon, Ltd., dated 4-18-11, received 4-26/11)
2. Changes to the site which affect the building architecture, on-site structures, parking and traffic circulation, increase the impervious surface coverage or change uses shall be required to be reviewed by the City and may require a PUD Amendment. Changes to sign copy are not required to amend the PUD.
3. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

Exhibit A

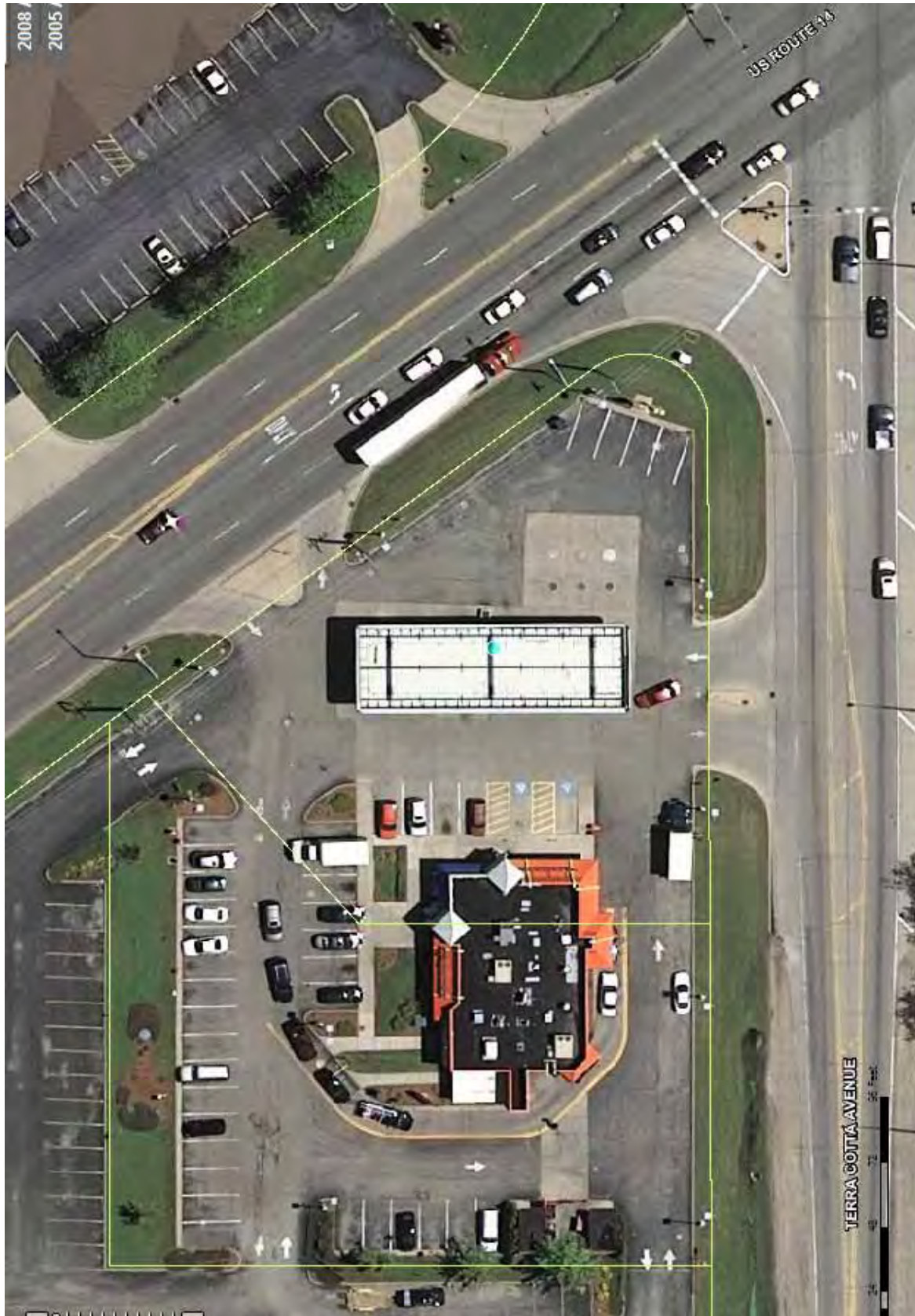


Exhibit B



City of Crystal Lake Development Application

Office Use Only
File # _____

25 2011

Project Title: 7615 S. Route 176

Action Requested

- | | |
|---|--|
| <input checked="" type="checkbox"/> Annexation | <input type="checkbox"/> Preliminary PUD |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review | <input checked="" type="checkbox"/> Rezoning |
| <input type="checkbox"/> Final PUD | <input checked="" type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Final PUD Amendment | <input type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input checked="" type="checkbox"/> Other (liquor license) |

RECEIVED
APR 26 2011

Petitioner Information

Name: Donald F. Hemmesch, Jr.
Smith, Hemmesch, Burke, Brannigan & Guerin
Address: 10 S. LaSalle Street, St. 2660
Chicago, IL 60603
Phone: (312) 939-0100
Fax: (312) 939-7765
E-mail: dfh@shb-law.com

Owner Information (if different)

Name: Midwest Petroleum Development
Company Crystal Lake, Inc.
Address: 7615 S. Route 176
Crystal Lake, IL
Phone: c/o Mark Edison
(630) 495-3951
Fax: (630) 495-9151
E-mail: markedison@yahoo.com

Property Information

Project Description: Annexation of existing McDonald's branded drive thru
restaurant, Citgo branded gas station and convenience store

Project Address/Location: _____

PIN Number(s): 14-31-177-005 and 14-31-177-011

Development Team

Please include address, phone, fax and e-mail

Developer: Midwest Petroleum Development Company Crystal Lake, Inc. c/o Mark Edison
7615 S. Route 176, Crystal Lake, IL phone (630) 495-3951
fax (630) 495-9151

Architect: _____

Attorney: Donald F. Hemmesch, Jr. *
Dave Schmidt, P.E., Pangean CMD Associates, 3144 Stage Post Drive,
Suite 112, Bartlett, TN 38133-4039, (901) 259-2302, Ex. 114,
Engineer: (901) 259-2304, dschmidt@pangean-cmd.com

Landscape Architect: N/A

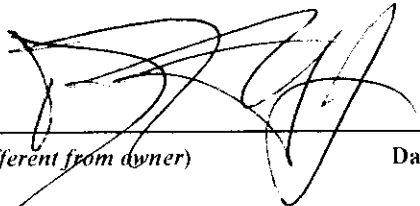
Planner: N/A
Peter A. Blazer, Cemcon, Ltd., 2280 White Oak Circle, Suite 100
Aurora, IL 60502, 630-862-2100, (630) 862-2199 fax,

Surveyor: peteb@cemcon.com

Other: _____

Signatures

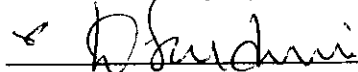
BP Products North America, Inc.
By: Donald F. Hemmesch, Jr.

 4/26/11

PETITIONER: Print and Sign name (if different from owner)

Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.

 SREEDevi DAMARLA 4/26/11

OWNER: Print and Sign name

Date

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

*Donald F. Hemmesch, Jr., Smith, Hemmesch, Burke, Brannigan & Guerin,
10 S. LaSalle Street, Suite 2660, Chicago, IL 60603, (312) 939-0100,
(312) 939-7765 fax, dfh@shb-law.com

Mark Edison, 1415 W. 22nd Street, Oak Brook, IL 60523, (630) 495-3951,
(630) 495-9151 fax, markedison@yahoo.com

Law Offices of
Smith, Hemmesch, Burke, Brannigan & Guerin

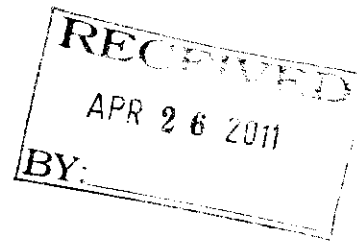
10 SOUTH LASALLE STREET • SUITE 2660 • CHICAGO, ILLINOIS 60603
(312) 939-0100 • FAX (312) 939-7765
www.shbb-law.com

WILLIAM L. SMITH, JR.
DONALD F. HEMMESCH, JR.
KEVIN P. BURKE
THOMAS E. BRANNIGAN
ROGER J. GUERIN
CHRISTOPHER B. KACZYNSKI
DANIEL J. HEYWOOD
COURTNEY J. HARVEY

April 26, 2011

25 2011

Mr. Aaron T. Shepley
Mayor
City of Crystal Lake
100 W. Woodstock Street
Crystal Lake, Illinois 60014



RE: Annexation Application
7615 S. Route 176, Crystal Lake, IL
McHenry County, IL

Dear Mayor Shepley:

Please be advised that our law firm has been retained by BP Products North America, Inc. ("BP") to provide legal representation and counsel on behalf of Midwest Petroleum Development Company Crystal Lake Inc. ("Midwest") in connection with the collective efforts of BP, McDonald's Corporation ("McDonald's") and Midwest to annex the subject property to the City of Crystal Lake.

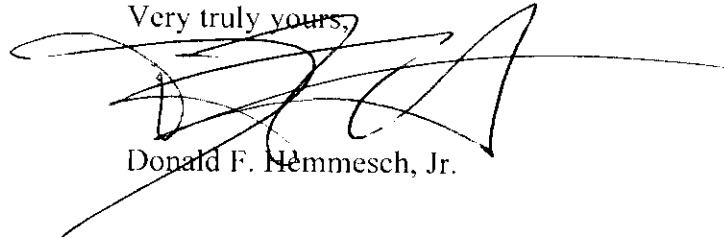
Please accept this correspondence as our formal Application for Annexation. By this Application, we are hereby requesting the City of Crystal Lake to (1) enact an ordinance annexing the subject property to the City of Crystal Lake, (2) enact an ordinance classifying the subject property to B-2 General Commercial District subject to approval of the existing uses on the property to include approval of special uses for the existing fast food restaurant with drive thru, convenience store, and gas station and with such variation as may be necessary to continue the existing restaurant use, convenience store use and gas station use and other bulk requirements of the Crystal Lake Zoning Ordinance and (3) to grant a Class 13 liquor license for the sale of beer, wine, and liquor on the premises. Supplementing this correspondence, enclosed please find the Plats of Annexation and Survey for the subject property and the form Development Application.

April 26, 2011

Page 2

We welcome the opportunity to meet with the City to review this Application and look forward to annexation and land use approvals which will enhance both the subject property and the City.

Very truly yours,

A handwritten signature in black ink, appearing to read "Donald F. Nemmesch, Jr.", is written over the typed name. The signature is stylized and somewhat illegible due to overlapping strokes.

Donald F. Nemmesch, Jr.

DFH/sme
Enclosure

PUBLIC NOTICE

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF Midwest Petroleum Development Company Crystal Lake, Inc.

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application of Donald Hemmesch Jr. representing Smith, Hemmesch, Burke, Brannigan & Guerin on behalf of Midwest Petroleum Development Company Crystal Lake, Inc for Rezoning and a Special Use Permit relating to the following described real estate commonly known as 7615 S. Route 176, Crystal Lake, Illinois 60014, PINs: 14-31-177-

005, 14-31-177-011

This application is filed for the purposes of seeking Rezoning from McHenry County to W PUD Watershed Planned Unit Development in conjunction with Annexation and an Annexation Agreement and a Special Use Permit for a drive-through with a fast food restaurant and a gasoline service station, pursuant to Article 2 Section 2-300 and Section 2-400 of the Crystal Lake Unified Development Ordinance. Plans for this project can be viewed at the City of Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday June 15, 2011, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald
May 28, 2011)

PUBLIC NOTICE

STATE OF ILLINOIS)
COUNTY OF MCHENRY)

**BEFORE THE CORPORATE
AUTHORITIES OF
THE CITY OF CRYSTAL LAKE
MCHENRY COUNTY, ILLINOIS**

IN THE MATTER OF THE PETITION
OF MIDWEST PETROLEUM DEVELOPMENT
COMPANY OF CRYSTAL LAKE, INC., TO ANNEX CERTAIN
PROPERTY TO THE CITY OF CRYSTAL
LAKE, MCHENRY COUNTY, ILLINOIS

**NOTICE OF PUBLIC HEARING ON
PETITION FOR THE ANNEXATION
OF CERTAIN PROPERTY INTO THE
CITY OF CRYSTAL LAKE,
MCHENRY COUNTY, ILLINOIS**

Notice is hereby given in compliance with the Illinois Revised Statutes, that a public hearing will be held before the Crystal Lake Mayor and City Council on the application of Midwest Petroleum Development Company of Crystal Lake Inc., Owner (hereinafter referred to as "Owner"), requesting an ordinance for annexation of certain real property to the City of Crystal Lake. The property is contiguous to and adjacent to the municipal boundary of the City of Crystal Lake and is located at the northwest corner of Route 176 and Route 14. The property, approximately 1.358 acres is commonly known as 7615 S. Route 176, Crystal Lake, Illinois and is legally described as follows:

**LEGAL DESCRIPTION -
TO BE ANNEXED**

PARCEL 1:

That part of the West Half of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point where the center line of State Route 176 intersects with the center line of US Route 14, Thence in a Northwesterly direction along the North of (as measured at right angles to) the center line of State Route 176, a Distance of 265.32 feet to a point; Thence in a Southerly direction and at right angles to the center line of State Route 176, a Distance of 261.50 feet to a point on the center line of said highway that is 462.10 feet West to the Point of Beginning; Thence in an Easterly direction along the center line of State Route 176, a Distance of 462.10 feet to the Point of Beginning excepting that part thereof taken for highway purposes measuring 50.00 feet Southwesterly of (as measured at right angles to) the center line of US Route 14 and also that part taken for highway purposes lying 50.00 feet North of (as measured at right angles to) the center line of State Route 176, also excepting therefrom that part of the West Half of Section 31, described as follows: Beginning at a point where the

center line of State Route 176 intersects with the center line of US Route 14; Thence in a Northwesterly direction along the center line of US Route 14, 350.00 feet to a point; Thence in a Southwesterly direction at right angles to the last described course, 162.00 feet to a point; Thence in a Southerly direction at right angles to Illinois Route 176 to a point on the center line of said Highway, 340.00 feet West from the Place of Beginning; Thence in an Easterly direction, 340.00 feet along the center line of Illinois Route 176 to the Place of Beginning, in McHenry County, Illinois.

PARCEL 2:

That part of the West Half of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point where the center line of State Route 176 intersects with the center line of US Route 14, Thence in a Northwesterly direction along the center line of US Route 14, 350.00 feet to a point; Thence in a Southwesterly direction at right angles to the last described course, 162.00 feet to a point; Thence in a Southerly direction at right angles to Illinois Route 176 to a point on the center line of said highway, 340.00 feet West from that Point of Beginning; Thence in an Easterly direction 340.00 feet along the center line of Illinois Route 176 to

the Point of Beginning, excepting that part thereof taken for highway purposes lying 50.00 feet Southwesterly of (as measured at right angles to) the center line of US Route 14 and also excepting that part thereof taken for highway purposes lying 50.00 feet North of (as measured at right angles to) the center line of State Route 176, and also excepting that part thereof taken for highway purposes described by Beginning at the Point of Intersection of a line 50.00 feet North of (as measured at right angles to) the center line of Illinois Route 176 and a line 50.00 feet Southwesterly of (as measured at right angles to) the centerline of US Route 14; Thence Northwesterly along said line 50.00 feet Southwesterly of the centerline of US Route 14, 50.10 feet to a Point of Curvature; Thence Southwesterly along a curve to the right, having a radius of 25.00 feet for an arc distance of 55.40 feet to a Point of Tangency; Thence East along said line 50.00 feet North of the Centerline of Illinois Route 176, 50.10 feet to the Point of Beginning, all in McHenry County, Illinois.

PINs# 14-31-177-005 & 14-31-177-011

The petitioners have requested that the subject property be annexed to the City of Crystal Lake.

A public hearing will be held pursuant to the provisions of Section 5 Article 7 et Seq., of the Illinois Municipal Code (Chapter 65, Illinois Compiled Statutes, 1994). The public hearing will be held before

the City Council of the City of Crystal Lake on Tuesday, June 21, 2011 at 7:30 p.m. in the City Council Chambers located at 100 W. Municipal Complex, in the City of Crystal Lake, McHenry County, Illinois, at which time and place any person desiring to be heard may be present.

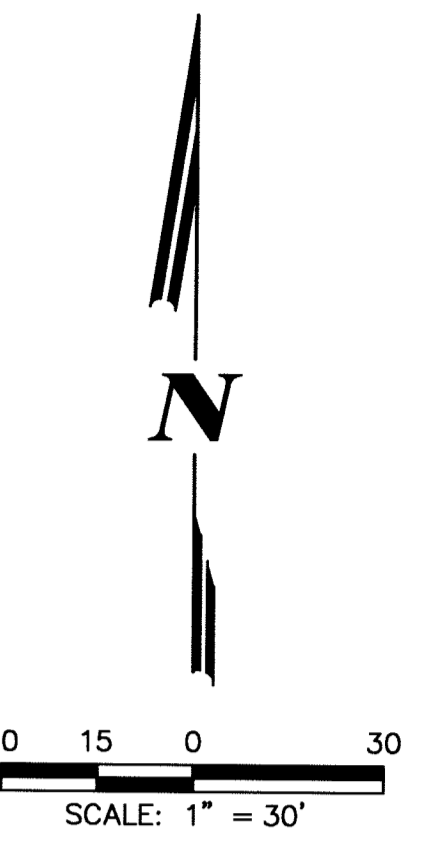
Roger Dreher, City Clerk
City of Crystal Lake
(Published in the Northwest Herald
May 28, 2011)

PLAT OF SURVEY

7617 ROUTE 176, CRYSTAL LAKE, IL

RECEIVED
APR 26 2011
BY:

25 2011



| AREA SUMMARY | | |
|--------------|----------------|--------------|
| PARCEL | AREA (SQ. FT.) | AREA (ACRES) |
| 1 | 29,858 | 0.686 |
| 2 | 29,293 | 0.672 |
| TOTAL | 59,151 | 1.358 |

SURVEYOR'S NOTES

DIMENSIONS ALONG CURVES ARE ARC DISTANCES.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS ENCLOSED IN () INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED.

FIP = FOUND IRON PIPE (φ AS SHOWN)
FIR = FOUND IRON ROD

A PRELIMINARY TITLE COMMITMENT WAS NOT FURNISHED TO CEMCON, LTD. FOR USE IN PREPARATION OF THIS PLAT. THEREFORE, ADDITIONAL EASEMENTS AND/OR SERVITUDES MAY AFFECT THE SUBJECT LOT.

THIS PLAT IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND IMPRESSED SEAL.

COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED OR CERTIFICATE OF TITLE. ALSO COMPARE ALL POINTS BEFORE BUILDING BY THE SAME, AND REPORT ANY DIFFERENCES TO THE SURVEYOR IMMEDIATELY.

FIELD WORK COMPLETE ON DATE OF ATTACHED SURVEYOR'S CERTIFICATION.

BEARINGS SHOWN HEREON BASED UPON THE NORTH LINE OF IL. RT. 176 (TERRA COTTA AVE.) BEING S 89°43'31" W.

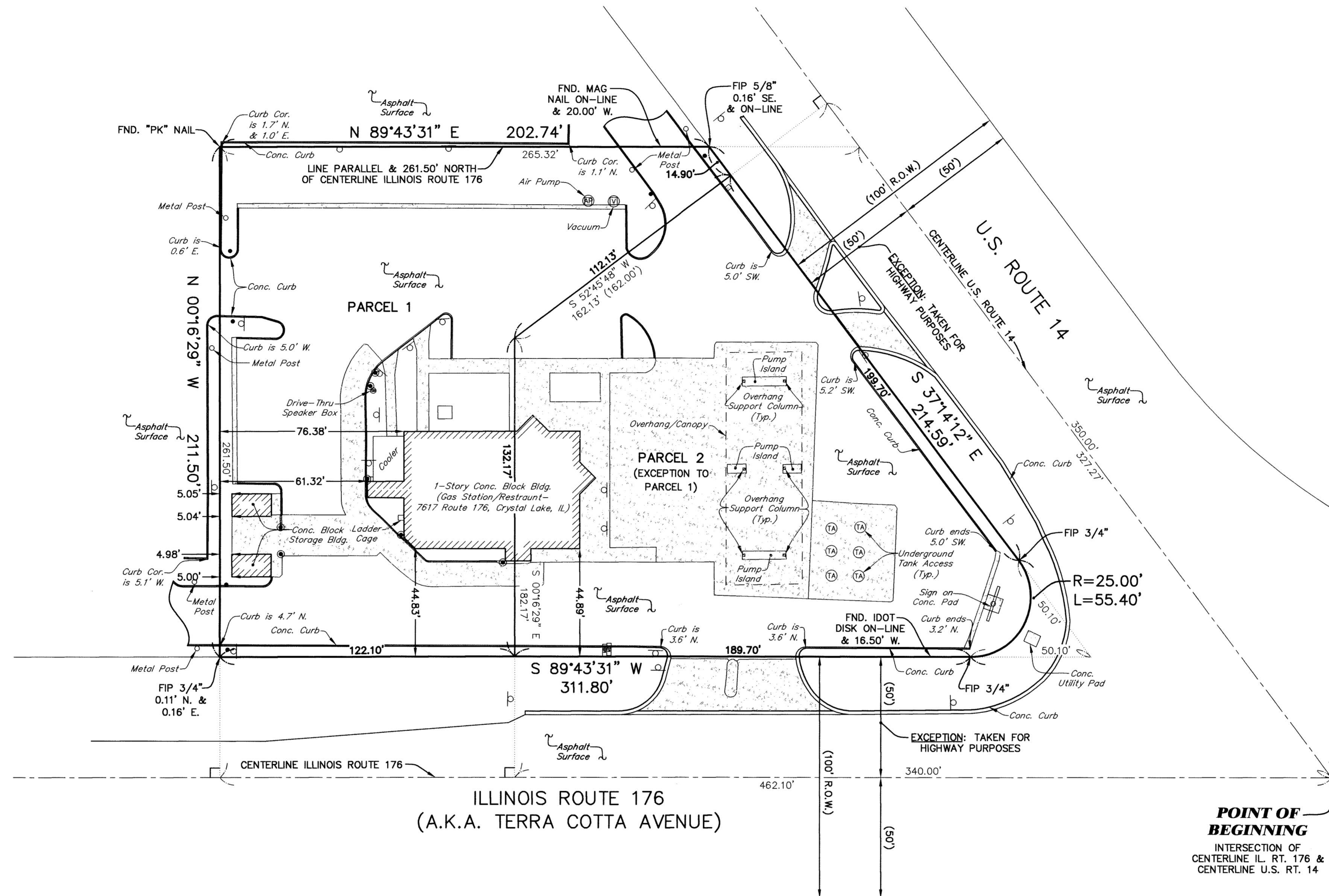
SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS) SS.
COUNTY OF DU PAGE)

I, PETER A. BLAESER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION AND THAT THIS PLAT CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 14TH DAY OF APRIL, A.D., 2011.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2012
PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-002937,
EXPIRATION DATE IS APRIL 30, 2011



- ### LINE LEGEND
- PROPERTY LINE (Heavy Solid Line)
 - PARCEL LINE (Solid Lines)
 - ADJACENT PROPERTY LINE OR RIGHT-OF-WAY LINE (Light Solid Line)
 - - - CENTERLINE (Single Dashed Lines)

- ### SYMBOL LEGEND
- - AIR PUMP
 - ⊙ - AIR PUMP
 - - BOLLARD
 - ▭ - CONCRETE SURFACE
 - ▽ - STREET SIGN
 - ⊕ - DRIVE-THRU SPEAKER BOX
 - ⊞ - MAILBOX
 - ⊕ - UNDERGROUND TANK ACCESS
 - ⊙ - VACUUM

PARCEL DESCRIPTIONS

PARCEL 1: THAT PART OF THE WEST HALF OF SECTION 31, TOWNSHIP 44, NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE CENTER LINE OF STATE ROUTE 176 INTERSECTS WITH THE CENTER LINE OF U.S. ROUTE 14; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE CENTER LINE OF U.S. ROUTE 14, A DISTANCE OF 327.27 FEET TO A POINT; THENCE IN A WESTERLY DIRECTION ALONG A LINE THAT IS PARALLEL WITH AND 261.50 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF STATE ROUTE 176, A DISTANCE OF 265.32 FEET TO A POINT; THENCE IN A SOUTHERLY DIRECTION AND AT RIGHT ANGLES TO THE CENTER LINE OF STATE ROUTE 176, A DISTANCE OF 261.50 FEET TO A POINT ON THE CENTER LINE OF SAID HIGHWAY THAT IS 462.10 FEET WEST TO THE POINT OF BEGINNING; THENCE IN AN EASTERLY DIRECTION ALONG THE CENTER LINE OF STATE ROUTE 176, A DISTANCE OF 462.10 FEET TO THE POINT OF BEGINNING EXCEPTING THAT PART THEREOF TAKEN FOR HIGHWAY PURPOSES LYING 50.00 FEET SOUTHWESTERLY OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF U.S. ROUTE 14 AND ALSO THAT PART TAKEN FOR HIGHWAY PURPOSES LYING 50.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF STATE ROUTE 176, ALSO EXCEPTING THEREFROM THAT PART OF THE WEST HALF OF SECTION 31, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE CENTER LINE OF STATE ROUTE 176 INTERSECTS WITH THE CENTER LINE OF U.S. ROUTE 14; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE CENTER LINE OF SAID HIGHWAY, 340.00 FEET WEST TO A POINT; THENCE IN A SOUTHWESTERLY DIRECTION AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 162.00 FEET TO A POINT; THENCE IN A SOUTHERLY DIRECTION AT RIGHT ANGLES TO ILLINOIS ROUTE 176 TO A POINT ON THE CENTER LINE OF SAID HIGHWAY, 340.00 FEET WEST FROM THE PLACE OF BEGINNING; THENCE IN AN EASTERLY DIRECTION, 340.00 FEET ALONG THE CENTER LINE OF ILLINOIS ROUTE 176 TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE WEST HALF OF SECTION 31, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE CENTER LINE OF STATE ROUTE 176 INTERSECTS WITH THE CENTER LINE OF U.S. ROUTE 14, THENCE IN A NORTHWESTERLY DIRECTION ALONG THE CENTER LINE OF U.S. ROUTE 14, 350.00 FEET TO A POINT; THENCE IN A SOUTHWESTERLY DIRECTION AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 162.00 FEET TO A POINT; THENCE IN A SOUTHERLY DIRECTION AT RIGHT ANGLES TO ILLINOIS ROUTE 176 TO A POINT ON THE CENTER LINE OF SAID HIGHWAY, 340.00 FEET WEST FROM THE POINT OF BEGINNING; THENCE IN AN EASTERLY DIRECTION 340.00 FEET ALONG THE CENTER LINE OF ILLINOIS ROUTE 176 TO THE POINT OF BEGINNING, EXCEPTING THAT PART THEREOF TAKEN FOR HIGHWAY PURPOSES LYING 50.00 FEET SOUTHWESTERLY OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF U.S. ROUTE 14 AND ALSO EXCEPTING THAT PART THEREOF TAKEN FOR HIGHWAY PURPOSES LYING 50.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF STATE ROUTE 176, AND ALSO EXCEPTING THAT PART THEREOF TAKEN FOR HIGHWAY PURPOSES DESCRIBED BY BEGINNING AT THE POINT OF INTERSECTION OF A LINE 50.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF ILLINOIS ROUTE 176 AND A LINE 50.00 FEET SOUTHWESTERLY OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTERLINE OF U.S. ROUTE 14; THENCE NORTHWESTERLY ALONG SAID LINE 50.00 FEET SOUTHWESTERLY OF THE CENTERLINE OF U.S. ROUTE 14, 50.10 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET FOR AN ARC DISTANCE OF 55.40 FEET TO A POINT OF TANGENCY; THENCE EAST ALONG SAID LINE 50.00 FEET NORTH OF THE CENTERLINE OF ILLINOIS ROUTE 176, 50.10 FEET TO THE POINT OF BEGINNING, ALL IN MCHENRY COUNTY, ILLINOIS.

PREPARED FOR:
BP LEGAL
150 W. WARRENVILLE RD.
NAPERVILLE, IL 60563

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100
Aurora, Illinois 60502-9675
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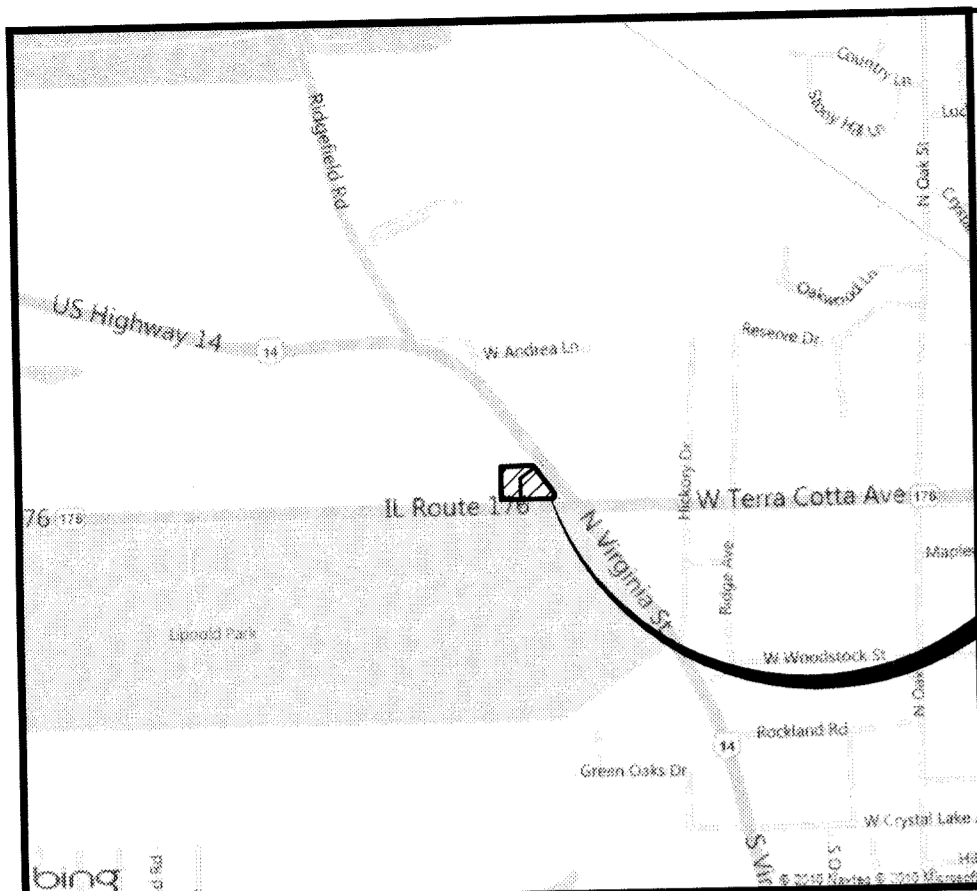
DISC NO.: 541013 FILE NAME: PLAT SURVEY
DRAWN BY: KOA FLD. BK. / PG. NO.: A50 & MARK-UP
COMPLETION DATE: 4-18-11 JOB NO.: 541.013

PLAT OF ANNEXATION

25 2011

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LOCATION**



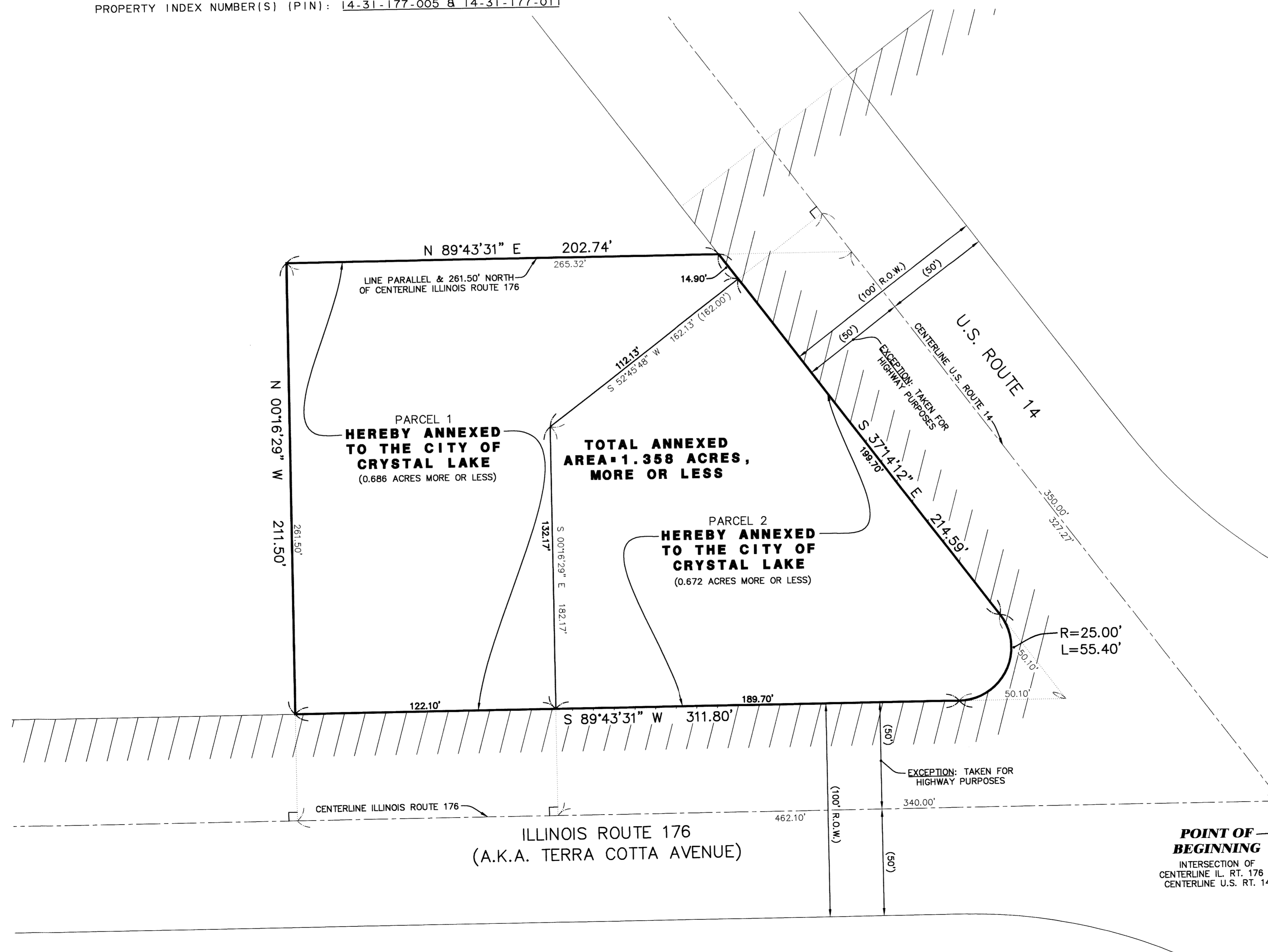
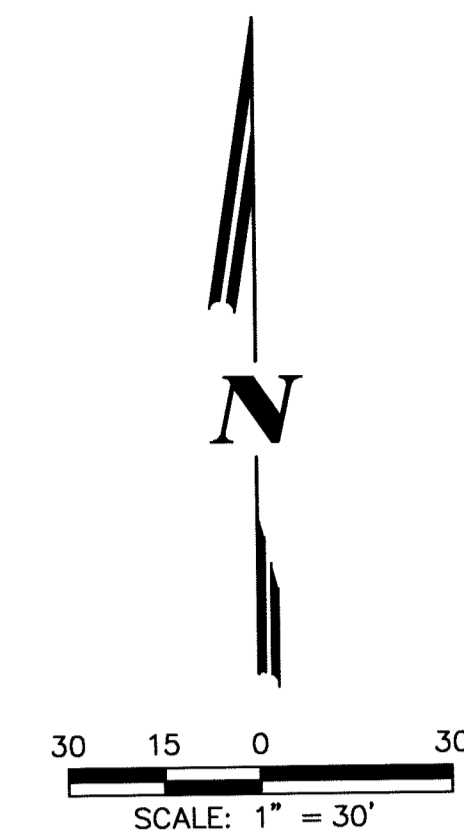
VICINITY MAP

PARCEL 1: THAT PART OF THE WEST HALF OF SECTION 31, TOWNSHIP 44, NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE CENTER LINE OF STATE ROUTE 176 INTERSECTS WITH THE CENTER LINE OF U.S. ROUTE 14; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE CENTER LINE OF U.S. ROUTE 14, A DISTANCE OF 327.27 FEET TO A POINT; THENCE IN A WESTERLY DIRECTION ALONG A LINE THAT IS PARALLEL WITH AND 261.50 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF STATE ROUTE 176, A DISTANCE OF 265.32 FEET TO A POINT; THENCE IN A SOUTHERLY DIRECTION AND AT RIGHT ANGLES TO THE CENTER LINE OF STATE ROUTE 176, A DISTANCE OF 261.50 FEET TO A POINT ON THE CENTER LINE OF SAID HIGHWAY THAT IS 462.10 FEET WEST TO THE POINT OF BEGINNING; THENCE IN AN EASTERLY DIRECTION ALONG THE CENTER LINE OF STATE ROUTE 176, A DISTANCE OF 462.10 FEET TO THE POINT OF BEGINNING TO THE POINT OF BEGINNING; THENCE FOR HIGHWAY PURPOSES MEASURING 50.00 FEET SOUTHWESTERLY OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF U.S. ROUTE 14 AND ALSO THAT PART TAKEN FOR HIGHWAY PURPOSES LYING 50.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF STATE ROUTE 176, ROUTE 14 AND ALSO THAT PART TAKEN FOR HIGHWAY PURPOSES DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE CENTER LINE OF STATE ROUTE 176 ALSO EXCEPTING THEREFROM THAT PART OF THE WEST HALF OF SECTION 31, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE CENTER LINE OF STATE ROUTE 176 INTERSECTS WITH THE CENTER LINE OF U.S. ROUTE 14; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE CENTER LINE OF U.S. ROUTE 14, 350.00 FEET TO A POINT; THENCE IN A SOUTHWESTERLY DIRECTION AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 162.00 FEET TO A POINT; THENCE IN A SOUTHERLY DIRECTION AT RIGHT ANGLES THENCE IN A SOUTHWESTERLY DIRECTION AT RIGHT ANGLES TO SAID HIGHWAY, 340.00 FEET WEST FROM THE PLACE OF BEGINNING; THENCE IN AN EASTERLY DIRECTION, TO ILLINOIS ROUTE 176 TO A POINT ON THE CENTER LINE OF SAID HIGHWAY, 340.00 FEET WEST FROM THE PLACE OF BEGINNING; THENCE IN AN EASTERLY DIRECTION, 340.00 FEET ALONG THE CENTER LINE OF ILLINOIS ROUTE 176 TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE WEST HALF OF SECTION 31, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE CENTER LINE OF STATE ROUTE 176 INTERSECTS WITH THE CENTER LINE OF U.S. ROUTE 14, THENCE IN A NORTHWESTERLY DIRECTION ALONG THE CENTER LINE OF U.S. ROUTE 14, 350.00 FEET TO A POINT; THENCE IN A SOUTHWESTERLY DIRECTION AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 162.00 FEET TO A POINT; THENCE IN A SOUTHERLY DIRECTION AT RIGHT ANGLES TO ILLINOIS ROUTE 176 TO A POINT ON THE CENTER LINE OF SAID HIGHWAY, 340.00 FEET WEST FROM THE POINT OF BEGINNING; THENCE IN AN EASTERLY DIRECTION 340.00 FEET ALONG THE CENTER LINE OF ILLINOIS ROUTE 176 TO THE POINT OF BEGINNING, EXCEPTING THAT PART THEREOF TAKEN FOR HIGHWAY PURPOSES LYING 50.00 FEET SOUTHWESTERLY OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF U.S. ROUTE 14 AND ALSO EXCEPTING THAT PART THEREOF TAKEN FOR HIGHWAY PURPOSES LYING 50.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF STATE ROUTE 176, AND ALSO EXCEPTING THAT PART THEREOF TAKEN FOR HIGHWAY PURPOSES DESCRIBED BY BEGINNING AT THE POINT OF INTERSECTION OF A LINE 50.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTER LINE OF ILLINOIS ROUTE 176 AND A LINE 50.00 FEET SOUTHWESTERLY OF (AS MEASURED AT RIGHT ANGLES TO) THE CENTERLINE OF U.S. ROUTE 14; THENCE NORTHWESTERLY ALONG SAID LINE 50.00 FEET SOUTHWESTERLY OF THE CENTERLINE OF U.S. ROUTE 14, 50.10 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET FOR AN ARC DISTANCE OF 55.40 FEET TO A POINT OF TANGENCY; THENCE EAST ALONG SAID LINE 50.00 FEET NORTH OF THE CENTERLINE OF ILLINOIS ROUTE 176, 50.10 FEET TO THE POINT OF BEGINNING, ALL IN MCHENRY COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 7617 ROUTE 176, CRYSTAL LAKE, IL

PROPERTY INDEX NUMBER(S) (PIN): 14-31-177-005 & 14-31-177-011



SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, PETER A. BLAESER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE PREPARED THIS PLAT FOR THE PURPOSE OF ANNEXATION TO THE CITY OF CRYSTAL LAKE.

DATED THIS 18TH DAY OF APRIL, 2011.

PETER A. BLAESER
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2012
PROFESSIONAL DESIGN FIRM LICENSE NUMBER 184-002937
EXPIRES APRIL 30, 2011

PREPARED BY:

CEMCON, Ltd.

Consulting Engineers, Land Surveyors & Planners
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DISC NO.: 541013 FILE NAME: ANNEXATION
DRAWN BY: KOA FLD. BK. / PG. NO.: A-50
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DRAWING PATH: R:\541013\Map\Final Survey\ANNEXATION.dwg
PLOT FILE CREATED: 04/18/11 - 16:18 by jkls