



#2012-77

Smith Cartage Annexation

Project Review for Planning and Zoning Commission

Meeting Date:

December 3, 2014

Request:

- 1) Rezoning upon annexation to M Manufacturing PUD.
- 2) Special Use Permit for outdoor storage of commercial vehicles.
- 3) Zoning Variation from Article 4-200 C, the requirement of off-street parking surfacing, to allow the existing gravel parking lot to remain.
- 4) Zoning Variation from Article 4-700 B(3) to allow the existing 7-foot barbed wire crowned fencing and gate in the front yard.

Location:

7013 Sands Road

Acreage:

Approximately 4.92 acres

Existing Zoning:

I-1 Industry (McHenry County)

Surrounding Properties:

North: I-1 – Industry (McHenry County)
South: M PUD- Manufacturing PUD, M- Manufacturing & B-2 PUD- General Commercial PUD
East: M – Manufacturing
West: M – Manufacturing

Staff Contact:

Kathryn Cowlin (815.356.3798)

Background:

- Existing Use: The property is currently improved with W. Smith Cartage Company, Inc. and its associated outdoor storage, parking areas and some ancillary uses. W. Smith Cartage Company, Inc. is a petroleum and freight transportation company.
- The facility is 240,000 square feet in area.
- W. Smith Cartage Company has been in business since 1923.
- History: This property is a county island, meaning it is surrounded by the City. City staff contacted the property owner and encouraged annexation.

Development Analysis:

General

- **Request:** To zone the property M Manufacturing with a PUD upon annexation and allow the existing uses and improvements to remain via the annexation agreement. In addition, a Special Use Permit for the existing outdoor storage of vehicles is needed. A zoning variation is requested to allow the existing 7-foot barbwire fence to remain in the front yard and the gravel parking lot located on the property.
- **Land Use:** The land use map shows the property as Industry. No Comprehensive Land Use Plan Map Amendment is necessary.
- **Zoning:** The property is currently zoned I - Industry in McHenry County. The property will be rezoned to M Manufacturing with a PUD, which is appropriate for the existing manufacturing business.

2030 Comprehensive Land Use Plan Summary Review:

The Comprehensive Plan designates the subject property as Industry, which allows for existing and future manufacturing and business uses. The following goal is applicable to this request:

Land Use

Goal: Support manufacturing uses within the community which contribute to the regional and local economy and Crystal Lake’s live, work, play philosophy.

This can be accomplished with the following supporting action:

Supporting Action: Expand and attract manufacturing users which provide jobs, services, and products strengthening the City’s economy.

Findings of Fact:

REZONING

- The property is currently zoned I - Industry in McHenry County. Property annexed into the City of Crystal Lake comes in as E, Estate zoning.
- The property would be rezoned to the City's M Manufacturing with a PUD upon annexation.

Criteria for Rezoning

(a) The existing uses and zoning of nearby property.

- Meets* *Does not meet*

(b) The extent to which property values are diminished by a particular zoning classification or restriction.

- Meets* *Does not meet*

(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.

- Meets* *Does not meet*

- (d) The relative gain to the public as opposed to the hardship imposed on a petitioning property owner.
 Meets *Does not meet*
- (e) The suitability of the subject property for its zoned purposes.
 Meets *Does not meet*
- (f) The length of time the property has been vacant as zoned, considered in the context of land development in the area.
 Meets *Does not meet*
- (g) The Comprehensive Plan designation and the current applicability of that designation.
 Meets *Does not meet*
- (h) The evidence or lack of evidence, of community need for the use proposed.
 Meets *Does not meet*

SPECIAL USE PERMIT

The petitioner has requested a Special Use Permit to the existing outdoor storage of vehicles. The City's UDO requires a Special Use Permit for outdoor storage of vehicles. Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City. Section 2-400 of the Unified Development Ordinance establishes standard 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*

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 4-200 C and 4-700 B(3), which allows the gravel parking lot and 7-foot barbwire fence in the front yard to remain.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

- a. The plight of the property owner is due to unique circumstances, such as, unusual surroundings or conditions of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, or underground conditions.

Meets *Does not meet*

- b. Also, that the variation, if granted, will not alter the essential character of the locality.

Meets *Does not meet*

For the purposes of supplementing the above standards, the Commission may take into consideration the extent to which the following facts favorable to the application have been established by the evidence presented at the public hearing:

- a. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;

Meets *Does not meet*

- b. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

Meets *Does not meet*

- c. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or

Meets *Does not meet*

- d. That the proposed variation will not impair an adequate supply of light or air to adjacent property, will not unreasonably diminish or impair the property values of adjacent property, will not unreasonably increase congestion in the public streets, substantially increase the danger of fire or otherwise endanger public safety.

Meets *Does not meet*

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

Recommended Conditions:

1. A motion to recommend approval of the petitioner's request to rezone the subject property from to "M" Manufacturing district with a PUD upon annexation, allowing the existing uses and improvements via the annexation agreement.
2. The Special Use Permit for outdoor storage is hereby granted with the condition that all vehicles and equipment shall be adequately screened with fencing or other acceptable landscaping.
3. The Variation from Article 4-200 C for the gravel parking lot is hereby granted for a term not to exceed 10 years.
4. The Variation from Article 4-700 B(3) for the existing 7-foot fence is hereby granted.
5. Any other improvements that are made to the property shall comply with the Unified Development Ordinance standards.

6. The petitioner shall comply with the requirements of the Community Development Department.



Subject Property

2012 77

CITY OF CRYSTAL LAKE DEVELOPMENT APPLICATION

Please type or print legibly

OFFICE USE ONLY CASE #	RECEIVED NOV 14 2014 BY: _____
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PROJECT TITLE: W. Smith Cartage Zoning upon Annexation

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 checked="" type="checkbox"/> Final PUD | <input checked="" type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Final PUD Amendment | <input checked="" type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other: _____ |

Petitioner Information:

NAME: Algonquin State Bank, Trust #1086
c/o W. Smith Cartage Co., Inc.
 ADDRESS: 7013 Sands Road
Crystal Lake, IL 60014
 PHONE: 815-455-6161
 FAX: 815-455-9936
 E-MAIL: Steve Smith (ssmith@wsmithcartage.com)

Owner Information : (if different)

NAME: _____
 ADDRESS: _____
 PHONE: _____
 FAX: _____
 E-MAIL: _____

Property Information:

Project Description: The petitioner is seeking a zoning of M manufacturing a special use permit for outside storage, variations to allow the existing 7 ft tall security fencing and gate in the front yard and to allow the portion of the existing gravel parking to remain, In addition a final PUD to allow the existing multiple buildings to remain on site as is and any other variations or conditions to allow the properties continued use as a trucking facility upon its annexation into the City.

Project Address/Location: 7013 Sands Road, Crystal Lake Illinois. The property is located at the Northwest intersection of Sands Road and the Union Pacific Railroad tracks.

PIN Number(s): 19 03 453 001

Development Team:

Developer: _____

Architect: _____

Attorney: Joseph Gottemoller of Madsen, Sugden & Gottemoller, 815 459-5152, FAX 815-459-0290

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures:

Algonquin State Bank Trust 1086, as Trustee & not personally.

By: James J. Denk AP/PTO x Jennifer L. Denk 11-13-14
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 actions.

By: Steven W Smith Stevan W. Smith 11-13-2014
OWNER: Print and Sign Name Date

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

This statement is based solely upon information and belief, upon information furnished by the beneficiary or beneficiaries of the aforesaid trust. The undersigned has no personal knowledge of any of the facts or statements herein contained.

This agreement is signed by the Algonquin State Bank, not individually, but solely as Trustee, under a certain Trust Agreement known as Trust No. 1086. Said Trust Agreement is hereby made a part hereof and any claims against said Trustee or any person interested beneficially or otherwise in said property which may result herefrom, shall be payable only out of any trust property which may be thereunder. Any and all personal liability of the Algonquin State Bank, or any person interested beneficially or otherwise in said property is hereby expressly waived by the parties hereto and their respective successors and assigns.

Exhibit "A"

Legal Description of Property

THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY, SAID POINT BEING 30.0 FEET WESTERLY (AS MEASURED AT RIGHT ANGLES) FROM THE CENTER LINE OF A PUBLIC HIGHWAY RUNNING IN A NORTHEASTERLY AND A SOUTHWESTERLY DIRECTION AND COMMONLY KNOWN AS SANDS ROAD, AND RUNNING THENCE NORTHWESTERLY ON THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY FOR A DISTANCE OF 760.0 FEET TO A POINT; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE AT THE LAST DESCRIBED POINT, FOR A DISTANCE OF 304.30 FEET TO A POINT; THENCE SOUTHEASTERLY PARALLEL WITH THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY FOR A DISTANCE OF 674.25 FEET TO A POINT, SAID POINT BEING 30.0 FEET WESTERLY (AS MEASURED AT RIGHT ANGLES) FROM THE CENTER LINE OF SAID SANDS ROAD; THENCE SOUTHWESTERLY PARALLEL WITH THE CENTER LINE OF SAID SANDS ROAD, FOR A DISTANCE OF 315.15 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

Commonly known as: 7013 Sands Road, Crystal Lake, Illinois

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

IN THE MATTER OF THE APPLICATION OF)
Algonquin State Bank as Trustee under)
Trust Agreement known as Trust No. 1086)
for the Reclassification of Zoning to allow)
M Manufacturing with Variations for a certain property)
Subject to the Entry into Annexation Agreement)
with the City of Crystal L Pursuant to its the Ordinances)

2012 77



PETITION FOR INITIAL ZONING

Now comes the Petitioner, Algonquin State Bank as Trustee under Trust Agreement known as Trust No. 1086, Owners, by and through their attorneys, MADSEN, SUGDEN & GOTTEMOLLER, to request the Planning and Zoning Commission of the City of Crystal Lake to grant an initial zoning classification of M- Manufacturing along with a Final PUD to allow multiple existing buildings to remain on site, a special use permit for outside storage of commercial vehicles and variations to allow the existing gravel parking area and 7 foot barbed wire crowned fencing and gate in the front yard along with any other variations necessary to allow the property to continue its current uses for the shipping company. The existing uses include office space, truck repairs, truck yard and an underground fuel storage. All of the request are based on the City of Crystal Lake Unified Development Ordinance (“UDO”) and are subject to a pending Petition to Annex the property, and in support thereof, Petitioner states:

1. Algonquin State Bank Trust Number 1086 is the owner of property which houses W. Smith Cartage Co., Inc., truck yard and operations. The beneficial owners of the land trust are James Smith, Steven Smith, Charles Smith, Susan Lindsley and Sharon Kunz. The legal description of PIN 19 03 453 001 is described on Exhibit A.

2. The property contains a two buildings and some outside storage. The Buildings are used for a variety of trucking yard related items including an office, truck repairs, truck washing and truck parking. The site is surrounded by 7 foot tall security fencing and an electronic gate. An aerial photo labelled with existing uses is attached hereto as Exhibit B.

3. Said property is subject to a petition to annex which is pending before City Counsel. Said property has not been classified under the Zoning Ordinance of the City of Crystal Lake because it is yet to be annexed to the City of Crystal Lake.

4. The petitioner is proposing to continue its current uses property.

5. The property is approximately 4.92 acres.

6. The property is between lands zoned:

North- McHenry County Industrial;

South- Crystal Lake Manufacturing;

West- Crystal Lake M Manufacturing;

East- McHenry County Estate Residential.

7. The requested zoning of Manufacturing, special use permit for outdoor storage, Final PUD for multiple buildings and variations for fencing and gravel parking are all requested in order to allow the existing uses on the properties to continue. All of the requests are consistent with the general purpose in the creation of manufacturing districts in the City of Crystal Lake under the Crystal Lake unified Development Ordinance. The City Comprehensive Plan calls for Manufacturing on the property.

8. The initial zoning special use permits and variations for this parcel as described above, will not materially impair an adequate supply of light or air to the surrounding properties, increase the hazards of fire or other dangers, diminish the taxable value of land and buildings of

the City and throughout the City, increase the congestion of public streets, or impair the public health, safety, comfort, morals and general welfare of the City.

WHEREFORE, the petitioner respectfully requests the Crystal Lake Planning and Zoning Commission entertain this petition, set a date, time and place for a hearing on this matter. Further, Petitioner prays that after such hearing and as a result thereof, the Board recommend to the City Council of Crystal Lake that the parcel be classified as M- Manufacturing along with a Final PUD to allow multiple existing buildings to remain on site, a special use permit for outside storage of commercial vehicles and variations to allow the existing gravel parking area and 7 foot barbed wire crowned fencing and gate in the front yard along with any other variations necessary to allow the property to continue its current uses for the shipping company under the terms and conditions of the City of Crystal Lake Zoning Ordinance.

Algonquin State Bank Trust #1086 *as Trustee + not personally.*

By *Christine & Derek Appen*

Attest: *[Signature]*

This agreement is signed by the Algonquin State Bank, not individually, but solely as Trustee, under a certain Trust Agreement known as Trust No. 1086. Said Trust Agreement is hereby made a part hereof and any claims against said Trustee or any person interested beneficially or otherwise in said property which may result herefrom, shall be payable only out of any trust property which may be thereunder. Any and all personal liability of the Algonquin State Bank, or any person interested beneficially or otherwise in said property is hereby expressly waived by the parties hereto and their respective successors and assigns.

This statement is based solely upon information and belief, upon information furnished by the beneficiary or beneficiaries of the aforesaid trust. The undersigned has no personal knowledge of any of the facts or statements herein contained.

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

Steve Smith, after being first duly sworn, deposes on oath, states that he is one of the beneficiaries of Trust 1086, that he reviewed the petition and signed and delivered the foregoing instrument as his free and voluntary act and that to the best of his knowledge and belief the petition is true and correct.

Steve Smith

Subscribed and sworn to before me
this 24 day of Nov, 2014

Joseph Gottemoller
Notary Public

Prepared by: Joseph Gottemoller
MADSEN, SUGDEN & GOTTEMOLLER
One North Virginia Street
Crystal Lake, IL 60014
(815)459-5152

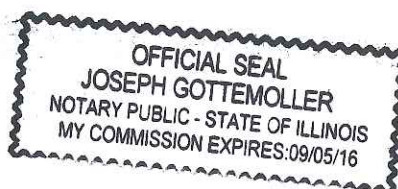
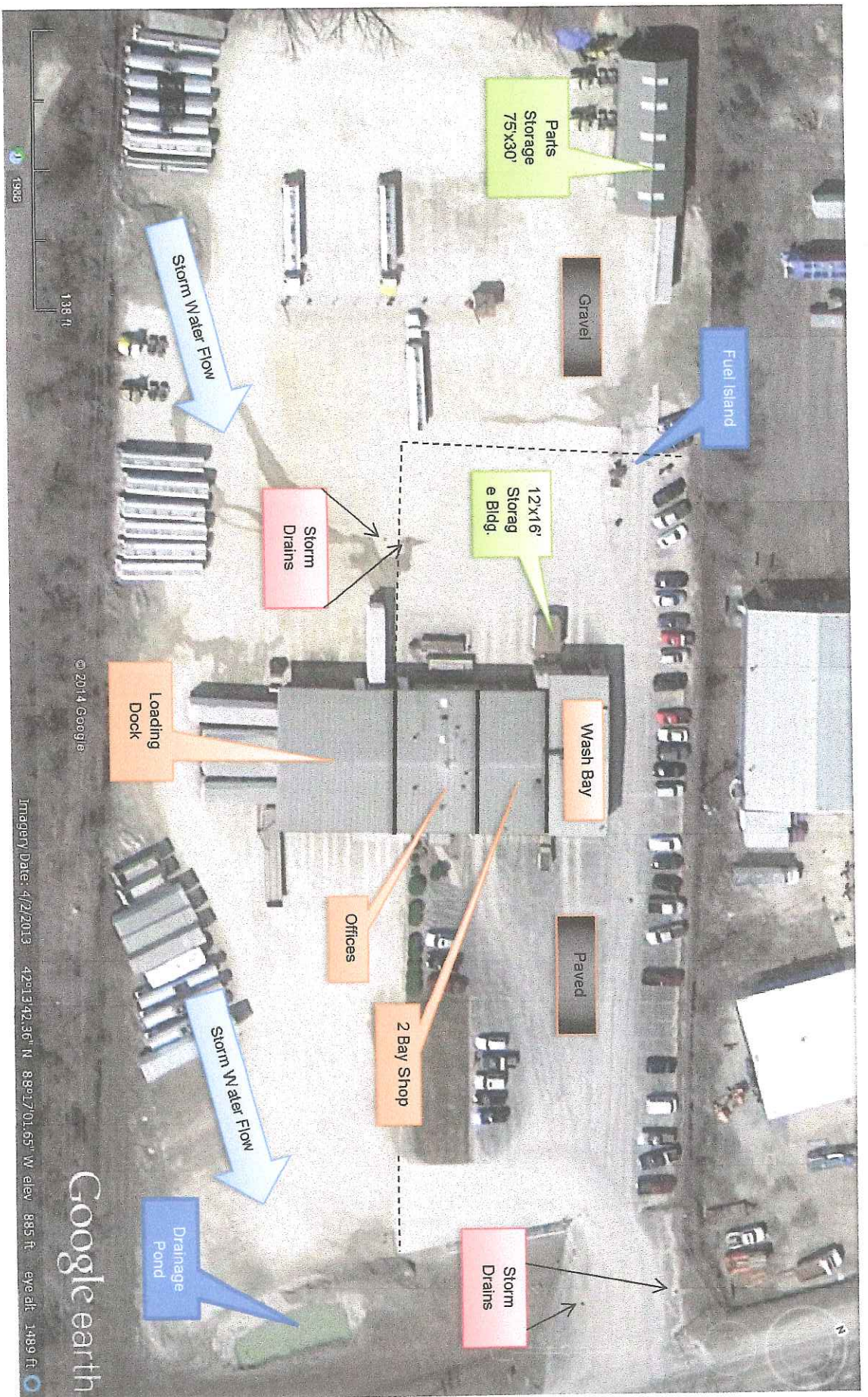


Exhibit "A"
Legal Description of Property

THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY, SAID POINT BEING 30.0 FEET WESTERLY (AS MEASURED AT RIGHT ANGLES) FROM THE CENTER LINE OF A PUBLIC HIGHWAY RUNNING IN A NORTHEASTERLY AND A SOUTHWESTERLY DIRECTION AND COMMONLY KNOWN AS SANDS ROAD, AND RUNNING THENCE NORTHWESTERLY ON THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY FOR A DISTANCE OF 760.0 FEET TO A POINT; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE AT THE LAST DESCRIBED POINT, FOR A DISTANCE OF 304.30 FEET TO A POINT; THENCE SOUTHEASTERLY PARALLEL WITH THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY FOR A DISTANCE OF 674.25 FEET TO A POINT, SAID POINT BEING 30.0 FEET WESTERLY (AS MEASURED AT RIGHT ANGLES) FROM THE CENTER LINE OF SAID SANDS ROAD; THENCE SOUTHWESTERLY PARALLEL WITH THE CENTER LINE OF SAID SANDS ROAD, FOR A DISTANCE OF 315.15 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

Commonly known as: 7013 Sands Road, Crystal Lake, Illinois



198 ft

138 ft

© 2014 Google

Imagery Date: 4/2/2013 42°13'42.36" N 89°17'01.65" W elev 885 ft eye alt 1489 ft

Google earth

Parts Storage 75x30'

Gravel

Fuel Island

Storm Drains

12x16' Storage Bldg.

Loading Dock

Wash Bay

Paved

Offices

2 Bay Shop

Storm Water Flow

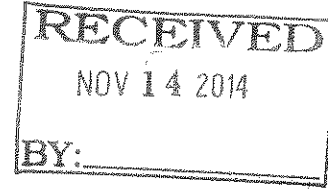
Drainage Pond

Storm Drains

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

2012 77

IN THE MATTER OF THE APPLICATION OF)
Algonquin State Bank as Trustee under)
Trust Agreement Dated known as Trust 1086)
for the Entry into Annexation Agreement)
with the City subject to the Annexation)
of the Properties by the City Pursuant to the)
Ordinances of the City of Crystal Lake)



PETITION FOR ANNEXATION

Now comes the Petitioners, ALGONQUIN STATE BANK as Trustee under Trust Agreement known as Trust Number 1086, and hereby respectfully petitions pursuant to an Annexation Agreement to annex to the City of Crystal Lake, McHenry County, Illinois, the territory herein described in Exhibit A attached hereto and made a part hereof, and to zone the territory upon annexation following the required process in accordance with the request set forth below and states as follows:

1. The Territory herein described in Exhibit A, hereafter "Territory", is not within the corporate limits of any municipality.
2. The Territory is contiguous to the City of Crystal Lake, McHenry County, Illinois at the time of annexation. The annexation will include to the far side of any roads which have not previously been annexed into the city
3. The Petitioner Trust is the Owner of the Territory.
4. There are no electors residing on the property.
5. The Territory is located on the West side of Sands Road at 7013 Sand Road, Crystal Lake, Illinois
6. That the combined Territory contains approximately 4.92 acres.

7. That the name and address of the beneficial owners of the property are James Smith, Steven Smith, Charles Smith, Susan Lindsley and Sharon Kunz. All of whom may be reached at 7013 Sand Road, Crystal Lake Illinois 60014.

8. That the permanent property index number of the property is 19 03 453 001.

WHEREFORE, the Petitioner respectfully requests the annexation of the Territory described in Exhibit A to said City subject to the proposed annexation agreement to be entered into between the Petitioners and the City mutually acceptable to the parties, in accordance with the law in such cases made and provided.

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Exhibit "A"

Legal Description of Property

THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY, SAID POINT BEING 30.0 FEET WESTERLY (AS MEASURED AT RIGHT ANGLES) FROM THE CENTER LINE OF A PUBLIC HIGHWAY RUNNING IN A NORTHEASTERLY AND A SOUTHWESTERLY DIRECTION AND COMMONLY KNOWN AS SANDS ROAD, AND RUNNING THENCE NORTHWESTERLY ON THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY FOR A DISTANCE OF 760.0 FEET TO A POINT; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE AT THE LAST DESCRIBED POINT, FOR A DISTANCE OF 304.30 FEET TO A POINT; THENCE SOUTHEASTERLY PARALLEL WITH THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY FOR A DISTANCE OF 674.25 FEET TO A POINT, SAID POINT BEING 30.0 FEET WESTERLY (AS MEASURED AT RIGHT ANGLES) FROM THE CENTER LINE OF SAID SANDS ROAD; THENCE SOUTHWESTERLY PARALLEL WITH THE CENTER LINE OF SAID SANDS ROAD, FOR A DISTANCE OF 315.15 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

Commonly known as: 7013 Sands Road, Crystal Lake, Illinois

Dated in Crystal Lake, Illinois this 13 day of November, 2014.

Algonquin State Bank as Trustee under Trust Agreement known as Trust No. 1086, *not personally*

This agreement is signed by the Algonquin State Bank, not individually, but solely as Trustee, under a certain Trust Agreement known as Trust No. 1086. Said Trust Agreement is hereby made a part hereof and any claims against said Trustee or any person interested beneficially or otherwise in said property which may result herefrom, shall be payable out of any trust property which may be thereunder. Any and all personal liability of the Algonquin State Bank, or any person interested beneficially or otherwise in said property is hereby expressly waived by the parties hereto and their respective successors and assigns.

By Jennifer Denk, A.P. 10

Attest: Jeff Kroeger

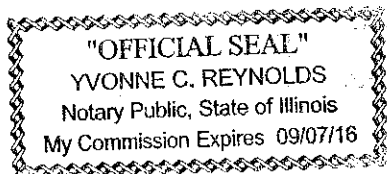
This statement is based solely upon information and belief, upon information furnished by the beneficiary or beneficiaries of the aforesaid trust. The undersigned has no personal knowledge of any of the facts or statements herein contained.

STATE OF ILLINOIS)

COUNTY OF McHENRY)

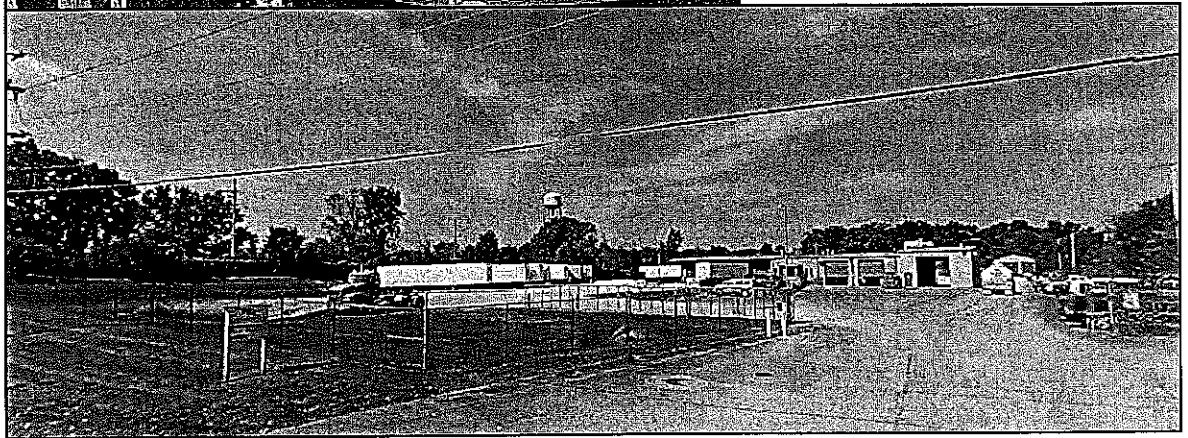
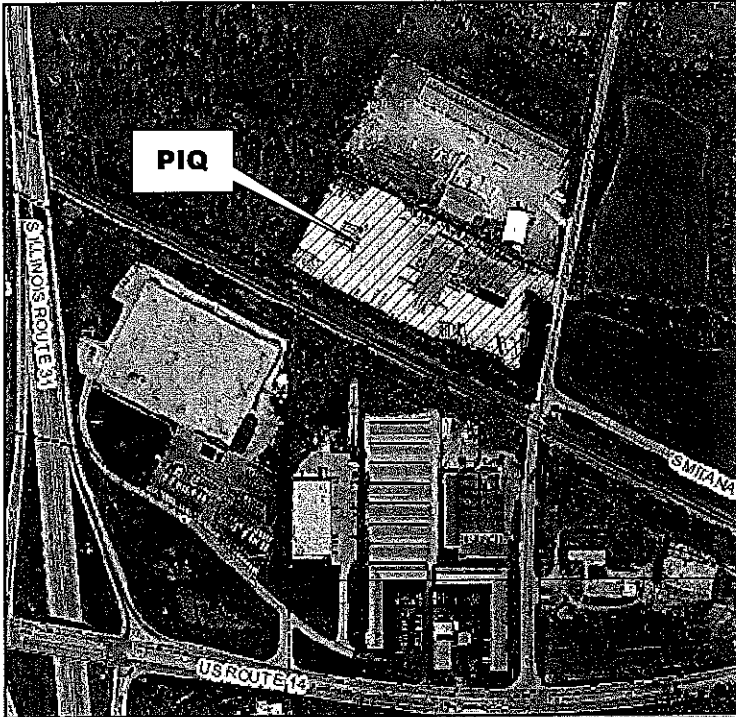
I, Yvonne Reynolds, a Notary Public in and for said county, in the state aforesaid, do hereby certify that Jennifer Denk and Jeff Kroeger personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act, and that they are authorized to act for the Land Trust and that they in fact did act for the land trust for the uses and purposes therein set forth.

Given under by hand and official seal, the 13 day of November, 2014.



(Notary Stamp)

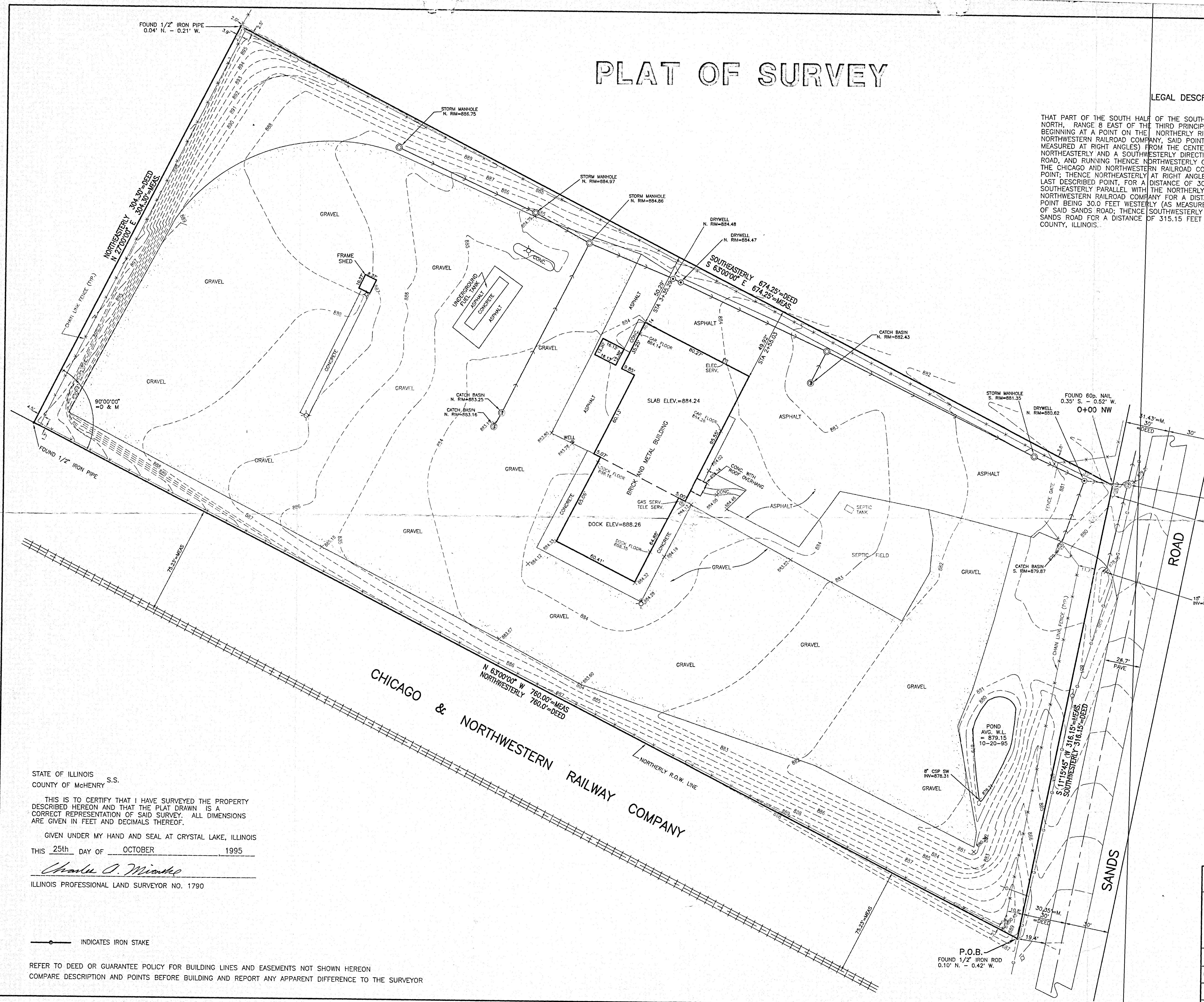
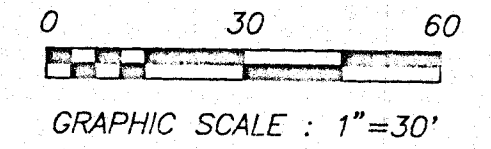
Yvonne C Reynolds
Notary Public



PLAT OF SURVEY

LEGAL DESCRIPTION

THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY, SAID POINT BEING 30.0 FEET WESTERLY (AS MEASURED AT RIGHT ANGLES) FROM THE CENTER LINE OF A PUBLIC HIGHWAY RUNNING IN A NORTHEASTERLY AND A SOUTHWESTERLY DIRECTION AND COMMONLY KNOWN AS SANDS ROAD, AND RUNNING THENCE NORTHWESTERLY ON THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY FOR A DISTANCE OF 760.0 FEET TO A POINT; THENCE NORTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE AT THE SOUTHEASTERLY PARALLEL WITH THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY FOR A DISTANCE OF 674.25 FEET TO A POINT, SAID POINT BEING 30.0 FEET WESTERLY (AS MEASURED AT RIGHT ANGLES) FROM THE CENTER LINE OF SAID SANDS ROAD; THENCE SOUTHWESTERLY PARALLEL WITH THE CENTER LINE OF SAID SANDS ROAD FOR A DISTANCE OF 315.15 FEET TO THE PLACE OF BEGINNING, IN McHENRY COUNTY, ILLINOIS.



STATE OF ILLINOIS S.S.
 COUNTY OF McHENRY

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF.

GIVEN UNDER MY HAND AND SEAL AT CRYSTAL LAKE, ILLINOIS
 THIS 25th DAY OF OCTOBER 1995

Charles O. Mionske
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 1790

INDICATES IRON STAKE

REFER TO DEED OR GUARANTEE POLICY FOR BUILDING LINES AND EASEMENTS NOT SHOWN HEREON
 COMPARE DESCRIPTION AND POINTS BEFORE BUILDING AND REPORT ANY APPARENT DIFFERENCE TO THE SURVEYOR

CATCH BASIN N. RIM=879.48
 BENCHMARK RAILROAD SPIKE IN WEST SIDE OF POWER POLE AT ELEVATION=881.21

NOTE:
 THIS SURVEY IS NOT CURRENT AND MIGHT NOT REFLECT THE PRESENT CONDITION OF THIS PROPERTY

SMITH CARTAGE COMPANY INC.		
Charles A. Mionske Inc.	SURVEYING / LAND PLANNING 2024 STATE ROUTE 176 CRYSTAL LAKE, ILLINOIS 60014 (815)-455-3252	
	DRAWN BY: MWR	SCALE: 1" = 30'
CHECKED BY: CAM	DATE: 10-25-95	REVISIONS
JOB NO. 95298		
DISK: 05-117	PAC. NO. 95298P	XREF: DISK: A-236 FILE: 95298TOP

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF)
Algonquin State Bank as Trustee under)
Trust Agreement known as Trust No. 1086)
for the Reclassification of Zoning to allow)
M-Manufacturing with Variations for a certain property)
Subject to the Entry into Annexation Agreement)
with the City of Crystal Lake Pursuant to its the Ordinances)

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 Algonquin State Bank as Trustee under Trust Agreement known as Trust No. 1086, for the property commonly known as 7013 Sands Road, Crystal Lake, Illinois. The land contains the site of W. Smith Cartage Co., Inc. PIN 19-03-453-001.

The petitioner seeks a classification of M-Manufacturing along with a Final PUD to allow multiple existing buildings to remain on site, a special use permit for outside storage of commercial vehicles and variations to allow the existing gravel parking area and seven (7) foot barbed wire crowned fencing and gate in the front yard along with any other variations necessary to allow the property to continue its current uses for the truck yard and shipping company. The existing uses include office space, truck repairs, truck yard and an underground fuel storage. These requests will allow the existing facilities and manufacturing operations to continue upon the annexation of the property into the City of Crystal Lake. This request includes any additional variations or permits necessary to allow the existing operations to continue.

A public hearing before the Planning and Zoning Commission regarding this request will be held at 7:30 p.m. on December 3, 2014, at the Crystal Lake City Hall, 100 West Woodstock Street, Crystal Lake at which time and place any person determining to be heard may be present.

Thomas Hayden, Chair
Planning and Zoning Commission, City of Crystal Lake

Prepared By
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