VILLAGE OF BRADLEY

ORDINANCE NO. O-8-18-3

AN ORDINANCE REZONING LAND LOCATED IN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS
(Sanjay P. Patel, PIN: 17-09-16-301-051)

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 27 DAY OF AUGUST, 2018

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois this 27 day of AUGUST, 2018

CERTIFICATE:

Michael J. LaGesse

Michael J. LaGesse, Village Clerk

Prepared by and Return to:
Christian G. Spesia
Spesia & Taylor
1415 Black Road
Joliet, Illinois 60435
(815) 726-4311

ORDINANCE NO. O-8-18-3

AN ORDINANCE REZONING LAND LOCATED IN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS
(Sanjay P. Patel, PIN: 17-09-16-301-051)

WHEREAS, pursuant to 65 ILCS 5/11-13-1, *et. seq.*, the Corporate Authorities are authorized to regulate zoning within the Village; and

WHEREAS, an application has been filed with the Village requesting a REZONING of the territory legally described in Section 2 of this Ordinance, *infra*, and depicted on Exhibit A, attached hereto and fully incorporated herein (hereinafter, the territory legally described in Section 2 of this Ordinance, *infra*, and depicted on Exhibit A shall be referred to as the "Subject Property"); and

WHEREAS, the Subject Property is presently zoned ER (Estate Residence District) and the Applicant has requested that the Subject Property be rezoned B-3 (Village Center Shopping District; and

WHEREAS, on July 3, 2018, a public hearing was held before the Village of Bradley Planning and Zoning Commission to consider the Applicant's rezoning request, with all notices and certifications having been properly given in accordance with the ordinances of the Village of Bradley and all other applicable laws; and

WHEREAS, on July 3, 2018, the Village of Bradley Planning and Zoning Commission fully considered the Applicant's application and made all required findings of fact in accordance with the ordinances of the Village of Bradley, including but not limited to the findings required by Section 60-233(f) of the Village Code; and

WHEREAS, the Village of Bradley Planning and Zoning Commission has presented its findings of fact and recommendation to the Corporate Authorities of the Village of Bradley; and

WHEREAS, the Village of Bradley Planning and Zoning Commission has recommended that the Corporate Authorities of the Village of Bradley approve the Applicant's request for rezoning; and

WHEREAS, the President and Board of Trustees of the Village of Bradley concur in and adopt the Village of Bradley Planning and Zoning Commission's findings of fact and recommendation; and

WHEREAS, the President and Board of Trustees of the Village of Bradley have determined that granting the Applicant's request for rezoning is in the best interests of the citizens of the Village.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. That the Subject Property is hereby rezoned from ER (Estate Residence District) to B-3 (Village Center Shopping District). The Subject Property is legally described as follows:

TRACT 1: A TRACT OF LAND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE THIRD PRINICIPAL MERIDIAN, IN KANKAKEE COUNTY, ILLINOIS; THENCE SOUTH 2 DEGREES 00 MINUTES EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 16, 1138.5 FEET TO THE INTERSECTION OF SAID LINE WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF RAMP "G" OF THE PROPOSED ROUTE 54 INTERCHANGE; THENCE NORTH 50 DEGREES 01 MINUTES WEST ALONG SAID RIGHT OF WAY LINE, 746.7 FEET TO A POINT; THENCE NORTH 10 DEGREES 15 MINUTES WEST ALONG SAID RIGHT OF WAY LINE, 333.5 FEET TO A POINT; THENCE NORTH 1 DEGREE 46 MINUTES WEST ALONG SAID RIGHT OF WAY LINE 164.85 FEET TO A POINT; THENCE NORTH 32 DEGREES 45 MINUTES WEST, 165.9 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 16; THENCE NORTH 87 DEGREES 47 MINUTES EAST, 695.17 FEET TO THE PLACE OF BEGINNING:

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACTS:

EXCEPTION #1: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANKAKEE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON ROD AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 16; THEN SOUTH 89 DEGREES 18 MINUTES 22 SECONDS WEST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 16 A DISTANCE OF 667.23 FEET TO AN IRON ROD BEING THE POINT OF BEGINNING; THENCE SOUTH 25 DEGREES 53 MINUTES 31 SECONDS WEST A DISTANCE OF 40.00 FEET TO AN IRON ROD ON THE NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE 57; THENCE NORTH 32 DEGREES 24 MINUTES 03 SECONDS WEST ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE 57 A DISTANCE OF 42.05 FEET TO AN IRON ROD ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 16; THENCE NORTH 89 DEGREES 18 MINUTES 22 SECONDS EAST ALONG SAID NORTH LINE A

DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING SAID EXCEPTION CONTAINING 715.0 SQUARE FEET, MORE OR LESS.

EXCEPTION #2: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANKAKEE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF PARCEL 13 OF NORTHFIELD SQUARE RESUBDIVISION ACCORDING TO PLAT THEREOF RECORDED AS DOCUMENT NUMBER 90-01091; THENCE ON A RECORDED BEARING OF SOUTH 89 DEGREES 04 MINUTES 47 SECONDS WEST ALONG THE SOUTH LINE OF SAID PARCEL 13,604.62 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 19 DEGREES 58 MINUTES 41 SECONDS WEST 33.05 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF FAI 57 PER TRUSTEE'S DEED RECORDED FEBRUARY 16, 2011 AS DOCUMENT NUMBER 2011-02374; THENCE NORTH 49 DEGREES 07 MINUTES 26 SECONDS WEST ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, 46.32 FEET TO THE SOUTH LINE OF SAID PARCEL 13; THENCE NORTH 89 DEGREES 04 MINUTES 47 SECONDS EAST ALONG SAID SOUTH LINE 46.32 FEET TO THE POINT OF BEGINNING.

EXCEPTION #3: THAT PART OF THE WEST HALF OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, WITH BEARINGS REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD 83), KANKAKEE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF PARCEL 13 IN NORTHFIELD SQUARE RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 31, 1990, AS DOCUMENT NUMBER 90-01091 IN THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE SOUTH 89 DEGREES 04 MINUTES 47 SECONDS WEST, 650.94 FEET ALONG THE SAID SOUTH LINE OF PARCEL 13 TO THE POINT OF BEGINNING; THENCE SOUTH 49 DEGREES 07 MINUTES 26 SECONDS EAST 132.92 FEET; THENCE SOUTH 43 DEGREES 01 MINUTE 48 SECONDS EAST 112.35 FEET; THENCE SOUTH 29 DEGREES 47 MINUTES 53 SECONDS EAST 113.18 FEET; THENCE SOUTH 17 DEGREES 57 MINUTES 12 SECONDS EAST 110.71 FEET; THENCE SOUTH 15 DEGREES 53 MINUTES 49 SECONDS EAST 391.79 FEET; THENCE SOUTH 24 DEGREES 25 MINUTES 13 SECONDS EAST 198.21 FEET; THENCE SOUTH 44 DEGREES 55 MINUTES 42 SECONDS EAST 308.35 FEET; THENCE NORTH 49 DEGREES 14 MINUTES 14 SECONDS WEST 750.44 FEET, ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF FAI 57; THENCE NORTH 09 DEGREES 44 MINUTES 02 SECONDS WEST 333.77 FEET, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF FAI 57; THENCE NORTH 01 DEGREE 07 MINUTES 06 SECONDS WEST 164.90 FEET, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF FAI 57; THENCE NORTH 32 DEGREES 15 MINUTES 23 SECONDS WEST 150.71 FEET, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF FAI 57; THENCE NORTH 25

DEGREES 39 MINUTES 56 SECONDS EAST 40.75 FEET, TO SAID SOUTH LINE OF PARCEL 13; THENCE NORTH 89 DEGREES 04 MINUTES 47 SECONDS EAST 16.27 FEET ALONG SAID SOUTH LINE OF PARCEL 13 TO THE POINT OF BEGINNING, SAID EXCEPTION CONTAINING 3.608 ACRES, MORE OR LESS (157,162 SQUARE FEET, MORE OR LESS), SITUATED IN THE COUNTY OF KANKAKEE, STATE OF ILLINOIS.

TRACT 2: THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANKAKEE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE NORTH 89 DEGREES 18 MINUTES 24 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 179.97 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 55 MINUTES 24 SECONDS EAST A DISTANCE OF 60.00 FEET TO AN IRON ROD; THENCE SOUTH 89 DEGREES 18 MINUTES 24 SECONDS WEST A DISTANCE OF 180.02 FEET TO AN IRON ROD ON THE WEST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE NORTH 00 DEGREES 52 MINUTES 36 SECONDS WEST ALONG LAST SAID WEST LINE A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

TRACT 3: A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF TRACT 1 AND 2 AS CREATED BY GRANT OF EASEMENT FOR INGRESS, EGRESS AND ROAD MAINTENANCE DATED AUGUST 11, 2016 RECORDED SEPTEMBER 15, 2016 AS DOCUMENT NUMBER 2016-10858 FROM THE VILLAGE OF BRADLEY TO SANJAY P. PATEL FOR THE PURPOSES OF INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED LAND: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANKAKEE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 16, THENCE NORTH 89 DEGREES 18 MINUTES 24 SECONDS EAST ON THE NORTH LINE OF THE SOUTHEAST QUARTER, A DISTANCE OF 179.97 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING NORTH 89 DEGREES 18 MINUTES 24 SECONDS EAST, A DISTANCE OF 179.78 FEET TO THE WESTERLY LINE OF NORTHFIELD MEADOWS BOULEVARD PER DOCUMENT NUMBER 98-01929, THENCE SOUTH 19 DEGREES 59 MINUTES 59 SECONDS EAST ALONG SAID WESTERLY LINE 63.57 FEET; THENCE SOUTH 89 DEGREES 18 MINUTES 24 SECONDS WEST A DISTANCE OF 200.49 FEET; THENCE NORTH 00 DEGREES 55 MINUTES 24 SECONDS WEST A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

Bearing the current PIN: 17-09-16-301-051

SECTION 3. That the Village Clerk is hereby authorized and directed to note the change in zoning, as made by this Ordinance, upon the Official Zoning Map of the Village.

SECTION 4. That the Village Clerk is hereby instructed to record a copy of this ordinance, with all attached exhibits, with the office of the Kankakee County Recorder of Deeds.

SECTION 5. That in the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 6. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 7. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 8. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees on a roll call vote on the 27 day of Aug, 2018.

TRUSTEES:

GERALD BALTHAZOR	Aye – ✓	Nay – ____	Absent – ____
ROBERT REDMOND	Aye – ✓	Nay – ____	Absent – ____
LORI GADBOIS	Aye – ✓	Nay – ____	Absent – ____
MICHAEL WATSON	Aye – ✓	Nay – ____	Absent – ____
DON BARBER	Aye – ✓	Nay – ____	Absent – ____
NICK ALLEN	Aye – ✓	Nay – ____	Absent – ____

VILLAGE PRESIDENT:

BRUCE ADAMS	Aye – ____	Nay – ____	Absent – ____
TOTALS:	Aye – 6	Nay – 0	Absent – 0

ATTEST:

Michael J. Lagesse

MICHAEL J. LAGESSE, VILLAGE CLERK

APPROVED this 27 day of AUGUST, 2018.

BRUCE ADAMS, VILLAGE PRESIDENT

ATTEST:

MICHAEL J. LAGESSE, VILLAGE CLERK

STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

I, Michael J. LaGesse, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number O-8-18-3, "AN ORDINANCE REZONING LAND LOCATED IN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS (Sanjay P. Patel, PIN: 17-09-16-301-051)" which was adopted by the Village President and Board of Trustees at a meeting held on the 27 day of Aug, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 27 day of AUGUST, 2018.

MICHAEL J. LAGESSE, VILLAGE CLERK

(SEAL)