

ORDINANCE NO. 2023 O-03

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
PURSUANT TO 70 ILCS 705/3.3
(the Beverly-Cook County parcels)**

WHEREAS, the East Dundee & Countryside Fire Protection District, Cook and Kane Counties, Illinois (the "District") is a fire protection district duly organized under the laws of the State of Illinois; and

WHEREAS, the Board of Trustees (the "Board") of the District has full power to pass all necessary ordinances and rules for the proper management and conduct of District business pursuant to 70 ILCS 705/6; and

WHEREAS, the District has the authority to annex properties for which the district is currently providing coverage, after giving notice to the affected property owners pursuant to 70 ILCS 705/3.3; and

WHEREAS, the Board finds that the properties identified and legally described in **EXHIBIT A** hereto attached and incorporated by reference, depicted in **EXHIBIT B** hereto attached and incorporated by reference, and commonly known as the Beverly-Cook County parcels are currently not within the boundaries of any fire protection district; and

WHEREAS, the District currently provides coverage to the properties referred to as the Beverly-Cook County parcels, within the meaning of 70 ILCS 705/3.3, pursuant to the direction of the Cook County Emergency Telephone System Board and dispatched by QuadCom 911 Dispatch ("QuadCom"), all in accordance with Section 10.2 of the Emergency Telephone System Act (50 ILCS 750/10.2), as evidenced by the affidavit of Chris Harding, attached as **EXHIBIT C**; and

WHEREAS, the Board has provided notice of the intended annexation, a copy of such notice and its service list is hereto attached and incorporated by this reference as **EXHIBIT D**, to each affected property owner via Certified US Mail, and additionally caused such notice to be published in the Daily Herald on August 2, 2023 proof of which is attached in **EXHIBIT E**; and

WHEREAS, the Board finds good and ample cause exists to annex by ordinance the properties commonly referred to as the Beverly-Cook County parcels, Hoffman Estates, Illinois and legally described in the attached **EXHIBIT A**; and

WHEREAS, a public hearing was held on the annexation this 15 day of August, 2023;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the East Dundee & Countryside Fire Protection District, Cook and Kane Counties, Illinois as follows:

Section One. The foregoing recitals are hereby adopted as findings of fact by the Board of Trustees as if fully set forth here.

Section Two. The Board of Trustees of the District hereby finds that the properties commonly known as the Beverly-Cook County parcels, Hoffman Estates, Illinois and legally described in **EXHIBIT A** and shown as part of **EXHIBIT B** attached hereto (the "Subject Properties"), meet the qualifications set forth by 70 ILCS 705/3.3,

Section Two: The Board of Trustees of the District, having afforded the property owner notice of the proposed annexation and public hearing, and an opportunity to be heard at such public hearing, hereby annexes the Subject Properties legally described in **EXHIBIT A** hereto into the District.

Section Three: The Fire Chief and District attorney are authorized and directed to take any and all necessary steps to complete this annexation, including by filing certified copies of this ordinance with the LaSalle County Clerk and the Office of the State Fire Marshal, recording this Ordinance with the Cook County Recorder, and sending a certified copy of this ordinance to the owners of the Subject Properties.


Section Four: The provisions of this Ordinance shall be in full force and effect upon the adoption and signing of the Ordinance.

Section Five: This Ordinance shall supersede any ordinances, resolutions, motions, or parts of ordinances, resolutions, or motions in conflict with any part herein, and any such ordinance, resolution or motion or parts thereof, are hereby repealed to the extent of any conflict.

Section Six: If any section, paragraph or provision of this Ordinance shall be held invalid or unenforceable for any reason, in whole or as applied to any individual person or property, such invalidity or inability to enforce that portion shall not affect any of the remaining provisions of this Ordinance.

ADOPTED this 15th day of August, 2023, by a roll call vote as follows:

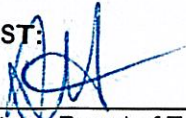
AYES: _____ 2 _____
NAYS: _____ 0 _____
ABSENT: _____ 1 _____



President, Board of Trustees
East Dundee & Countryside Fire Protection District

ATTEST:

ATTEST:



Secretary, Board of Trustees
East Dundee & Countryside Fire Protection District

EXHIBIT A

BEVERLY-COOK COUNTY PARCELS

LEGAL DESCRIPTION

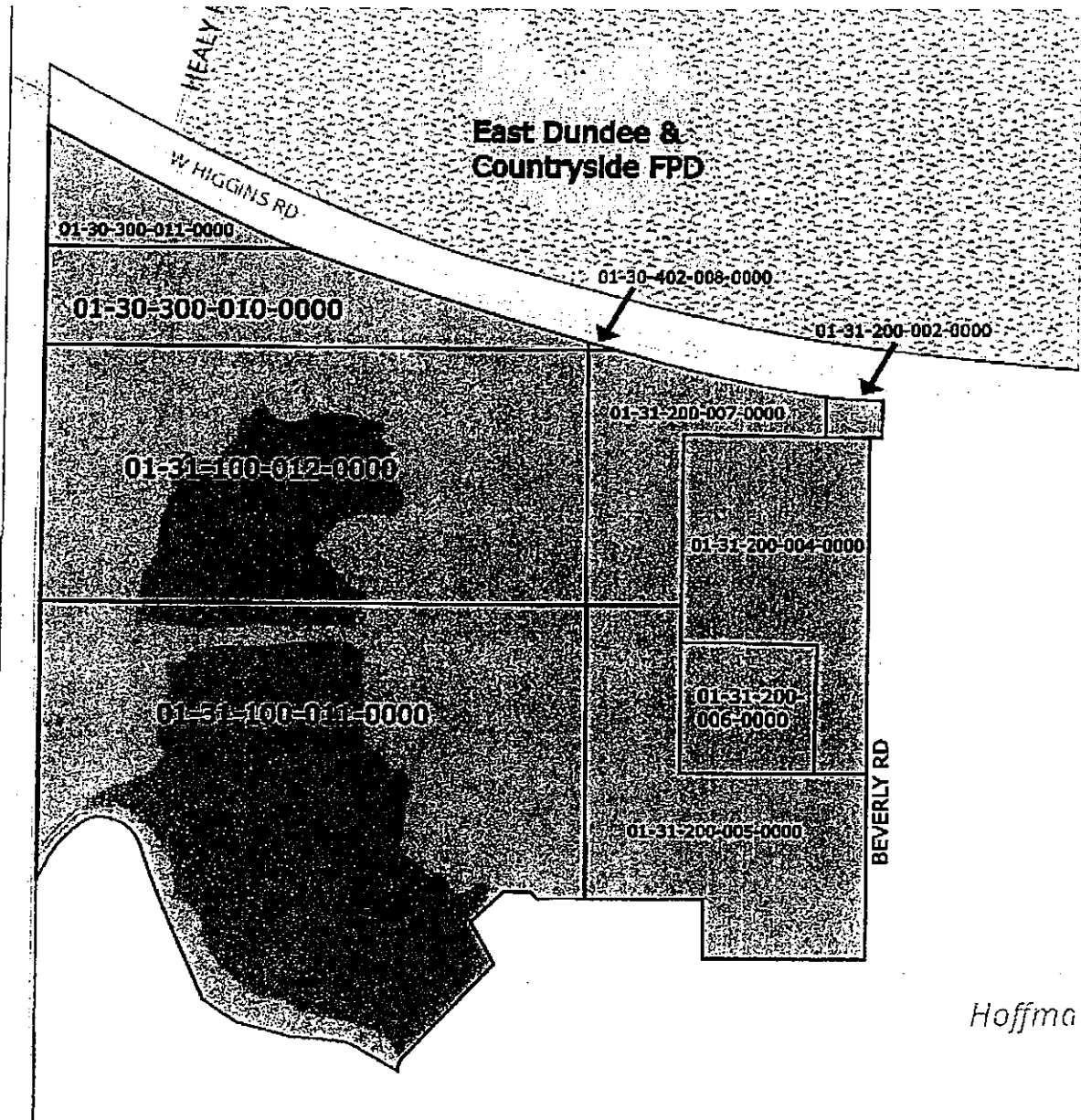
THAT PART OF SECTIONS 30 AND 31, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2 IN FINAL PLAT OF SUBDIVISION OF ADESA SUBDIVISION, RECORDED JUNE 10, 2015 AS DOCUMENT NO. 1516129000 THENCE ALONG THE NORTHERLY LINE OF SAID ADESA SUBDIVISION THE FOLLOWING 8 COURSES: 1.) SOUTH 89 DEGREES 58 MINUTES 14 SECONDS WEST, 750.00 FEET, 2.) NORTH 00 DEGREES 01 MINUTES 46 SECONDS WEST, 285.00 FEET, 3.) SOUTH 89 DEGREES 58 MINUTES 14 SECONDS WEST, 747.07 FEET, 4.) NORTH 45 DEGREES 00 SECONDS 00 MINUTES WEST, 35.34 FEET, 5.) SOUTH 89 DEGREES 58 MINUTES 14 SECONDS WEST, 115.00 FEET, 6.) SOUTH 45 DEGREES 00 SECONDS 00 MINUTES WEST, 211.22 FEET, 7.) SOUTH 32 DEGREES 03 MINUTES 26 SECONDS EAST, 208.00 FEET, 8.) SOUTH 43 DEGREES 04 MINUTES 11 SECONDS WEST, 632.43 FEET, THENCE NORTH 32 DEGREES 07 MINUTES 57 SECONDS WEST, 121.90 FEET; THENCE NORTH 68 DEGREES 34 MINUTES 28 SECONDS WEST, 210.53 FEET; THENCE SOUTH 89 DEGREES 04 MINUTES 41 SECONDS WEST, 50.04 FEET; THENCE NORTH 71 DEGREES 59 MINUTES 12 SECONDS WEST, 375.15 FEET; THENCE NORTH 45 DEGREES 59 MINUTES 35 SECONDS WEST, 504.03 FEET; THENCE NORTH 19 DEGREES 46 MINUTES 21 SECONDS WEST, 384.48 FEET; THENCE NORTH 36 DEGREES 27 MINUTES 35 SECONDS WEST, 87.42 FEET; THENCE NORTH 72 DEGREES 34 MINUTES 33 SECONDS WEST, 97.98 FEET; THENCE SOUTH 85 DEGREES 00 MINUTES 51 SECONDS WEST, 54.60 FEET; THENCE SOUTH 64 DEGREES 17 MINUTES 50 SECONDS WEST, 106.59 FEET; THENCE SOUTH 49 DEGREES 03 MINUTES 34 SECONDS WEST, 117.04 FEET; THENCE SOUTH 24 DEGREES 25 MINUTES 46 SECONDS WEST, 170.94 FEET TO THE EAST LINE OF THE WEST 190.00 FEET OF SAID SECTION 31; THENCE NORTH 00 DEGREES 03 MINUTES 04 SECONDS WEST ALONG SAID EAST LINE, 2423.46 FEET TO THE SOUTH LINE OF SAID SECTION 30; THENCE NORTH 00 DEGREES 07 MINUTES 17 SECONDS WEST, 1023.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF HIGGINS ROAD; THENCE SOUTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE, BEING A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 10,257.06 FEET AND ARC DISTANCE OF 3939.00 FEET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF LAND DEDICATED FOR PUBLIC ROADWAY PER DOCUMENT NO. 88424906; THE CHORD OF SAID ARC HAVING A LENGTH OF 3914.84 AND A BEARING OF SOUTH 71 DEGREES 35 MINUTES 32 SECONDS EAST; THENCE SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST ALONG SAID WEST LINE AND EXTENSION THEREOF, 1715.98 FEET TO THE SOUTH LINE OF SAID LAND DEDICATED; THENCE NORTH 89 DEGREES 43 MINUTES 30 SECONDS EAST ALONG SAID SOUTH LINE 8.00 FEET TO THE WEST LINE OF LAND DEDICATED AND CONVEYED TO THE VILLAGE OF HOFFMAN ESTATES IN SAID FINAL PLAT OF SUBDIVISION OF ADESA; THENCE SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST ALONG SAID WEST LINE, 723.61 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE CONTINUING ALONG SAID WEST LINE SOUTH 00 DEGREES 01 MINUTE 46 SECONDS EAST, 115.91 FEET TO THE NORTH LINE OF SAID ADESA SUBDIVISION; TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CURRENT PIN's

01-30-300-010, 01-30-300-011, 01-30-402-008, 01-31-100-011 (Part), 01-31-100-012, 01-31-200-002 (Part), 01-31-200-004, 01-31-200-005, 01-31-200-006, 01-31-200-007

EXHIBIT B



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EXHIBIT C

[Affidavit of Chris Harding]

AFFIDAVIT OF CHRIS HARDING

I, Chris Harding, being first duly sworn under oath, state that I have personal knowledge of the following facts and, if called upon as a witness at trial, could competently testify as follows:

1. I am currently over the age of 18 and am in all ways competent to make this Affidavit.

2. I am the Director of QuadCom 911 ("QuadCom").

3. In that capacity, I have personal knowledge of the agencies providing emergency services within the jurisdiction of QuadCom.

4. I also have personal knowledge of the Cook County Emergency Telephone System Board ("ETSB"), which is in charge of planning and implementing the 9-1-1 emergency telephone system for the Unincorporated Cook County 9-1-1 service area.

5. The East Dundee and Countryside Fire Protection District is one of the agencies QuadCom dispatches within its jurisdiction.

6. In the event of an emergency at a parcel at the southwest corner of of Higgins Road/State Route 72 and Beverly Road (Property Index Numbers (P.I.N.s) listed on attached **Exhibit A**), QuadCom would dispatch the East Dundee and Countryside Fire Protection District to provide emergency services at that location, as assigned by the Cook County ETSB.

FURTHER AFFIANT SAYETH NAUGHT

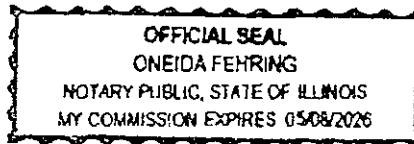
Chris M Harding

Chris Harding, Director

QuadCom 911

Subscribed and sworn to before me
this 19 day of April, 2023.

Oneida Fehring
NOTARY PUBLIC



AFFIDAVIT OF CHRIS HARDING
EXHIBIT A

CURRENT PIN's

01-30-300-010
01-30-300-011
01-30-402-008
01-31-100-011 (Part)
01-31-100-012
01-31-200-002 (Part)
01-31-200-004
01-31-200-005
01-31-200-006
01-31-200-007

PRIOR PIN's

01-30-300-006
01-30-402-008
01-31-100-008
01-31-100-010 (Part)
01-31-200-002 (Part)
01-31-200-004

PREVIOUS PIN's

01-30-300-006
01-30-402-008
01-31-100-008
01-31-100-009 (Part)
01-31-200-002 (Part)
01-31-200-004
01-31-300-007 (Part)
01-31-301-007 (Part)
01-31-400-019 (Part)

EXHIBIT D

VIA CERTIFIED MAIL & U.S. MAIL

To: Adam Neisendorf
1141 E. Main Street
Suite 100
East Dundee, IL 60118

Chicago Title Land Trust Company
As Trustee u/t/a dated April 15, 1969
and known as Trust Number 398
1141 E. Main Street
Suite 100
East Dundee, IL 60118

Plote Investments
1100 Brandt Drive
Hoffman Estates, IL 60192

Chicago Title Land Trust Company
as Trustee u/t/a dated February 1, 2009
and known as Trust No. 8002350447
1141 E. Main Street
Suite 100
East Dundee, IL 60118

NOTICE OF PROPOSED ANNEXATION

NOTICE IS HEREBY GIVEN pursuant to 70 ILCS 705/3.3, that at 1:00 p.m. on August 15, 2023, a meeting will be held before the Board of Trustees of the East Dundee & Countryside Fire Protection District, at 401 Dundee Avenue, East Dundee, Illinois 60118, for the purpose of determining whether certain properties – known as the Beverly-Cook County parcels – should be annexed into the East Dundee & Countryside Fire Protection District.

The meeting will allow for public comment and provide affected property owners with an opportunity to be heard. It is the intention of the East Dundee & Countryside Protection District that an ordinance will be adopted at this meeting reflecting the annexation of these lands into the District.

The 10 Beverly-Cook County parcels sought to be annexed into the East Dundee & Countryside Fire Protection District, pursuant to 70 ILCS 705/3.3, are legally described below, with the corresponding Permanent Index Numbers ("PINs").

THAT PART OF SECTIONS 30 AND 31, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2 IN FINAL PLAT OF SUBDIVISION OF ADESA SUBDIVISION, RECORDED JUNE 10, 2015 AS DOCUMENT NO. 1516129000 THENCE ALONG THE NORTHERLY LINE OF SAID ADESA SUBDIVISION THE FOLLOWING 8 COURSES: 1.) SOUTH 89 DEGREES 58 MINUTES 14 SECONDS WEST, 750.00 FEET, 2.) NORTH 00 DEGREES 01 MINUTES 46 SECONDS WEST, 285.00 FEET, 3.) SOUTH 89 DEGREES 58 MINUTES 14 SECONDS WEST, 747.07 FEET, 4.) NORTH 45 DEGREES 00 SECONDS 00 MINUTES WEST, 35.34 FEET, 5.) SOUTH 89 DEGREES 58 MINUTES 14 SECONDS WEST, 115.00 FEET, 6.) SOUTH 45 DEGREES 00 SECONDS 00 MINUTES WEST, 211.22 FEET, 7.) SOUTH 32 DEGREES 03 MINUTES 26 SECONDS EAST, 208.00 FEET, 8.) SOUTH 43 DEGREES 04 MINUTES 11 SECONDS WEST, 632.43 FEET, THENCE NORTH 32 DEGREES 07 MINUTES 57 SECONDS WEST, 121.90 FEET; THENCE NORTH 68 DEGREES 34 MINUTES 28 SECONDS WEST, 210.53 FEET; THENCE SOUTH 89 DEGREES 04 MINUTES

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This annexation is proposed because the District currently provides service to the Beverly-Cook County parcels pursuant to direction from the Cook County Emergency Telephone System Board and dispatched by QuadCom 911 Dispatch ("QuadCom"), all in accordance with Section 10.2 of the Emergency Telephone System Act, but those properties are not taxed by any fire protection district or municipality. Annexation will ensure that all property owners contribute to the cost of emergency and medical services they are already getting. This annexation is being considered pursuant to Public Act 100-547, which was enacted in 2017 to address this type of problem.

The proposed annexation will not result in a disruption of services. The proposed effective date of the annexation by the East Dundee & Countryside Fire Protection District is August 15, 2023.

[Enclosed – ordinance with map of affected area]

Dated: August 15th, 2023

SERVICE LIST

01-30-300-010

Adam Neisendorf
1141 E. Main Street
Suite 100
East Dundee, IL 60118

01-30-402-008

Chicago Title Land Trust Company
As Trustee u/t/a dated April 15, 1969
and known as Trust Number 398
1141 E. Main Street
Suite 100
East Dundee, IL 60118

01-31-100-012

Adam Neisendorf
1141 E. Main Street
Suite 100
East Dundee, IL 60118

01-31-200-004

Chicago Title Land Trust Company
as Trustee u/t/a dated February 1, 2009
and known as Trust No. 8002350447
1141 E. Main Street
Suite 100
East Dundee, IL 60118

01-31-200-006

Adam Neisendorf
1141 E. Main Street
Suite 100
East Dundee, IL 60118

01-30-300-011

Adam Neisendorf
1141 E. Main Street
Suite 100
East Dundee, IL 60118

01-31-100-011 (Part)

Adam Neisendorf
1141 E. Main Street
Suite 100
East Dundee, IL 60118

01-31-200-002 (Part)

Plote Investments
1100 Brandt Drive
Hoffman Estates, IL 60192

01-31-200-005

Adam Neisendorf
1141 E. Main Street
Suite 100
East Dundee, IL 60118

01-31-200-007

Adam Neisendorf
1141 E. Main Street
Suite 100
East Dundee, IL 60118

EXHIBIT E

NOTICE OF PROPOSED ANNEXATION

[INSERT PROOF OF PUBLICATION]

NOTICE OF PROPOSED ANNEXATION

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The meeting will allow for public comment and provide affected property owners with an opportunity to be heard. It is the intention of the East Dundee & Countryside Protection District that an ordinance will be adopted at this meeting reflecting the annexation of these lands into the District. The District currently provides service to the Beverly-Cook County parcels pursuant to direction from the Cook County Emergency Telephone System Board and dispatched by QuadCom 911 Dispatch (“QuadCom”), all in accordance with Section 10.2 of the Emergency Telephone System Act.

The 10 Beverly-Cook County parcels sought to be annexed into the East Dundee & Countryside Fire Protection District, pursuant to 70 ILCS 705/3.3, are legally described below, with the corresponding Permanent Index Numbers (“PINs”).

THAT PART OF SECTIONS 30 AND 31, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

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The proposed annexation will not result in a disruption of services. The proposed effective date of the annexation by the East Dundee & Countryside Fire Protection District is August 15, 2023.

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

SECRETARY'S CERTIFICATE

I, Doug Hoyt, the duly qualified and acting Secretary of the Board of Trustees of the East Dundee & Countryside Fire Protection District, Cook and Kane Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE NO.2023 O-03

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
PURSUANT TO 70 ILCS 705/3.3**

which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 15 day of August, 2023.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board of Trustees complied with all the requirements of the Illinois Open Meetings Act. I do further certify that a public hearing was held in advance of adoption of this Ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand this 15 day of August 2023.



Secretary, Board of Trustees
East Dundee & Countryside Fire Protection District